

# STATE OF NEW YORK

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4200--A

2019-2020 Regular Sessions

## IN SENATE

March 4, 2019

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Introduced by Sens. LANZA, SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the navigation law, in relation to exempting certain vessels from the compulsory state pilotage requirement

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 1 of section 88 of the navigation law, as  
2 amended by chapter 943 of the laws of 1971, is amended to read as  
3 follows:

4 1. Every foreign vessel and every American vessel under register  
5 entering or departing from the Port of New York by the way of Sandy Hook  
6 or by the way of Sands Point or Execution Rocks, shall take a Sandy Hook  
7 pilot licensed under the authority of this article or of the laws of the  
8 state of New Jersey or a person heretofore licensed as a Hell Gate  
9 pilot. Notwithstanding the provisions of this subdivision, recreational  
10 vessels as defined in section 2101(25) of title 46 of the United States  
11 Code of less than two hundred feet in length may be exempted from the  
12 compulsory state pilotage requirement at the discretion of the board of  
13 commissioners of pilots. Whenever the services of such a pilot are  
14 refused, the master, owners or consignees, shall pay pilotage as if one  
15 had been employed. Such pilotage shall be paid to the pilot first speak-  
16 ing or offering his services as pilot to such vessel. The pilotage  
17 authorized to be collected whenever a pilot shall be refused by a vessel  
18 shall be sued for and recovered in the name of the pilot tendering such  
19 service. Such pilotage, when recovered, shall belong to and may be  
20 retained by such pilot for his own benefit and use. Recreational vessels  
21 as defined in section 2101(25) of title 46 of the United States Code may  
22 be exempted from the compulsory state pilotage requirement pursuant to

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD09703-03-9

1 this subdivision at the discretion of the board of commissioners of  
2 pilots.

3 § 2. Subdivision 1 of section 89-a of the navigation law, as amended  
4 by chapter 838 of the laws of 1960, is amended to read as follows:

5 1. Every foreign vessel and every American vessel under register,  
6 except vessels proceeding otherwise than by sea and of less than three  
7 hundred gross registered tons and having a fully loaded draft of seven  
8 feet or less, entering or departing from the Hudson river north of a  
9 line running from the foot of Main street, Yonkers, west to Alpine, New  
10 Jersey, or navigating any of the waters of the Hudson river north of  
11 said line and south of the dam at Troy, New York, shall take a Hudson  
12 river pilot licensed under the authority of this article. Notwithstand-  
13 ing the provisions of this subdivision, recreational vessels as defined  
14 in section 2101(25) of title 46 of the United States Code of less than  
15 two hundred feet in length may be exempted from the compulsory state  
16 pilotage requirement at the discretion of the board of commissioners of  
17 pilots. Whenever the services of such a pilot are refused, the master,  
18 owners or consignees shall pay pilotage as if one had been employed.  
19 Such pilotage shall be paid to the pilot first speaking or offering his  
20 services as pilot to such vessel. The pilotage authorized to be  
21 collected whenever a pilot shall be refused by a vessel shall be sued  
22 for and recovered in the name of the pilot tendering such service. Such  
23 pilotage, when recovered, shall belong to and may be retained by such  
24 pilot for his own benefit and use. Recreational vessels as defined in  
25 section 2101(25) of title 46 of the United States Code may be exempted  
26 from the compulsory state pilotage requirement pursuant to this subdivi-  
27 sion at the discretion of the board of commissioners of pilots.

28 § 3. Subdivision 1 of section 89-b of the navigation law, as amended  
29 by chapter 732 of the laws of 1991, is amended to read as follows:

30 1. Every foreign vessel and every American vessel under register tran-  
31 siting the New York state waters of Long Island Sound or Block Island  
32 Sound east of Execution Rocks or Sands Point, and any such vessels  
33 entering or departing from any port situated on the New York state  
34 waters of Long Island Sound east of Execution Rocks or Sands Point,  
35 shall take a Long Island-Block Island Sound pilot licensed under the  
36 authority of this article. Every foreign vessel and every American  
37 vessel under register transiting the New York state waters of Long  
38 Island Sound or Block Island Sound east of a line running southeasterly  
39 from the mouth of the Byram River at the New York-Connecticut boundary  
40 to Oak Neck Point on Long Island shall take a pilot licensed under the  
41 authority of this article or the laws of any other state having concur-  
42 rent jurisdiction over these waters. Notwithstanding the provisions of  
43 this subdivision, recreational vessels as defined in section 2101(25) of  
44 title 46 of the United States Code of less than two hundred feet in  
45 length may be exempted from the compulsory state pilotage requirement at  
46 the discretion of the board of commissioners of pilots. Whenever the  
47 services of such a pilot are refused, the master, owners or consignees  
48 shall pay pilotage as if one had been employed. The pilotage authorized  
49 to be collected whenever a pilot shall be refused by a vessel shall be  
50 sued for and recovered in the name of the pilot tendering such service.  
51 Such pilotage, when recovered, shall belong to and may be retained by  
52 such pilot for his own benefit and use. Recreational vessels as defined  
53 in section 2101(25) of title 46 of the United States Code may be  
54 exempted from the compulsory state pilotage requirement pursuant to this  
55 subdivision at the discretion of the board of commissioners of pilots.

56 § 4. This act shall take effect immediately.