

# HOUSE BILL 1429

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By: **Delegate Impallaria**

Rules suspended

Introduced and read first time: March 19, 2019

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Pilots Act – Refusal of Tugboat Services – Pilot Assignment and**  
3 **Reporting**

4 FOR the purpose of requiring the Association of Maryland Pilots to assign a certain licensed  
5 pilot to provide pilotage for a vessel if a certain other licensed pilot refuses to engage  
6 the services of a certain tugboat company; requiring certain licensed pilots jointly to  
7 prepare and file a certain report within a certain period of time under certain  
8 circumstances; requiring the report to include certain information, be signed by  
9 certain pilots, and be submitted to the Association, the State Board of Pilots, the U.S.  
10 Coast Guard, and a certain tugboat company; and generally relating to the provision  
11 of pilotage and tugboat services in the State.

12 BY repealing and reenacting, without amendments,  
13 Article – Business Occupations and Professions  
14 Section 11–101(a) through (c), (e), (g), and (i)  
15 Annotated Code of Maryland  
16 (2018 Replacement Volume)

17 BY adding to  
18 Article – Business Occupations and Professions  
19 Section 11–604  
20 Annotated Code of Maryland  
21 (2018 Replacement Volume)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
23 That the Laws of Maryland read as follows:

24 **Article – Business Occupations and Professions**

25 11–101.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In this title the following words have the meanings indicated.

2 (b) “Association” means the Association of Maryland Pilots.

3 (c) “Board” means the State Board of Pilots.

4 (e) (1) “Licensed pilot” means a pilot who is licensed by the Board to provide  
5 pilotage.

6 (2) “Licensed pilot” includes the holder of a limited license.

7 (g) “Pilot” means an individual who provides pilotage.

8 (i) (1) “Provide pilotage” means to pilot a vessel under the provisions of this  
9 title when the vessel is underway on the navigable waters of the State, including when the  
10 vessel is towing or being towed by another vessel.

11 (2) “Provide pilotage” includes:

12 (i) maneuvering a vessel during berthing or unberthing operations;  
13 and

14 (ii) shifting a vessel within a port with tug assistance.

15 **11-604.**

16 **(A) IF A LICENSED PILOT WHO IS ASSIGNED BY THE ASSOCIATION TO**  
17 **PROVIDE PILOTAGE REFUSES TO ENGAGE THE SERVICES OF A TUGBOAT COMPANY**  
18 **THAT HAS A CONTRACT WITH THE SHIPPING LINE, THE ASSOCIATION SHALL ASSIGN**  
19 **THE NEXT LICENSED PILOT IN THE ROTATION SCHEDULE TO THE VESSEL.**

20 **(B) (1) IF THREE LICENSED PILOTS HAVE BEEN ASSIGNED TO A**  
21 **PARTICULAR VESSEL AND HAVE REFUSED TO ENGAGE THE SERVICES OF THE**  
22 **TUGBOAT COMPANY, THE PILOTS JOINTLY SHALL PREPARE AND FILE A REPORT IN**  
23 **ACCORDANCE WITH THE REQUIREMENTS OF THIS SUBSECTION.**

24 **(2) WITHIN 48 HOURS AFTER THE THIRD REFUSAL TO ENGAGE THE**  
25 **SERVICES OF THE TUGBOAT COMPANY, THE PILOTS SHALL SUBMIT A DETAILED**  
26 **REPORT TO THE BOARD, THE ASSOCIATION, THE U.S. COAST GUARD, AND THE**  
27 **TUGBOAT COMPANY, EXPLAINING THE REASONS FOR THEIR REFUSALS.**

28 **(3) THE REPORT SHALL INCLUDE RELEVANT INFORMATION**  
29 **REGARDING:**

1                   **(I) THE DIMENSIONS, WEIGHT, AND POWER OF THE VESSEL;**

2                   **(II) ENVIRONMENTAL CONDITIONS, INCLUDING DEPTH OF**  
3 **WATER, TIDES, AND CURRENTS; AND**

4                   **(III) WEATHER CONDITIONS, INCLUDING WIND SPEED AND**  
5 **DIRECTION.**

6                   **(4) THE REPORT SHALL BE SIGNED BY EACH OF THE THREE PILOTS.**

7           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8   October 1, 2019.