
By: Chairman, Economic Matters Committee (Departmental - Labor, Licensing and Regulation)

Introduced and read first time: January 25, 1996

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 15, 1996

CHAPTER ____

1 AN ACT concerning

2 State Board of Pilots - Licensing, Disability, Retirement, and Compensation of Pilots

3 FOR the purpose of altering provisions relating to the regulation of pilots; adding a third
4 category of limited license; setting a duration of validity for all limited licenses;
5 establishing a fee for a limited license; creating a certain limitedlicense; providing
6 reduced retirement payments for inactive pilots within a certain range of years of
7 service under certain circumstances; providing for physicians to certify disability of
8 a pilot; altering the rate of compensation for a detained pilot; making a stylistic
9 change; and generally relating to pilots.

10 BY repealing and reenacting, with amendments,
11 Article - Business Occupations and Professions
12 Section 11-101, 11-402, 11-403, 11-406, 11-407, 11-408, 11-504, 11-505, 11-506,
13 and 11-602
14 Annotated Code of Maryland
15 (1995 Replacement Volume and 1995 Supplement)

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

18 Article - Business Occupations and Professions

19 11-101.

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

21 (b) "Apprentice pilot" means an individual who is engaged in training, under the
22 supervision of a licensed pilot, to provide pilotage.

2

1 (c) "Association" means the Association of Maryland Pilots.

2 (d) "Board" means the State Board of Pilots.

3 (e) (1) "License" means, unless the context requires otherwise, a license issued
4 by the Board to provide pilotage.

5 (2) "License" includes, unless the context requires otherwise, a limited
6 license.

7 (f) (1) "Licensed pilot" means a pilot who is licensed by the Board to provide
8 pilotage.

9 (2) "Licensed pilot" includes the holder of a limited license.

10 (g) (1) "Limited license" means a license issued by the Board to provide
11 pilotage as limited by § 11-407 of this title.

12 (2) "Limited license" includes A 37-FOOT-DRAFT LIMITED LICENSE, a
13 34-foot-draft limited [license] LICENSE, and a 28-foot-draft limited license.

14 (h) "Pilot" means an individual who provides pilotage.

15 (i) (1) "Provide pilotage" means to pilot a vessel under the provisions of this
16 title when the vessel is underway on the navigable waters of the State, including when the
17 vessel is towing or being towed by another vessel.

18 (2) "Provide pilotage" does not include:

19 (i) maneuvering a vessel during berthing or unberthing operations; or

20 (ii) shifting a vessel within a port with tug assistance and a docking
21 master aboard the vessel.

22 11-402.

23 Subject to the provisions of this subtitle, the Board may issue:

24 (1) a license;

25 (2) A 37-FOOT-DRAFT LIMITED LICENSE;

26 [(2)] (3) a 34-foot-draft limited license; and

27 [(3)] (4) a 28-foot-draft limited license.

28 11-403.

29 (a) To qualify for a limited license, an applicant shall be an individual who meets
30 the requirements of this section.

31 (b) An applicant shall have trained as an apprentice pilot for at least 2 years.

32 (c) An applicant shall possess sufficient ability, skill, and experience for a
33 28-foot-draft limited license [or], a 34-foot-draft limited license, OR A
34 37-FOOT-DRAFT LIMITED LICENSE as determined by the Board through observation of
35 the applicant's performance providing pilotage.

3

1 11-406.

2 (a) If an applicant qualifies for a license under this subtitle, the Board shall send
3 the applicant a notice that states that:

4 (1) the applicant has qualified for a license; and

5 (2) the Board will issue the appropriate license to an applicant on receipt of
6 a license fee of:

7 (i) \$600 for a license other than a limited license;

8 (II) \$400 FOR A 37-FOOT-DRAFT LIMITED LICENSE;

9 [(ii)] (III) \$300 for a 34-foot-draft limited license; or

10 [(iii)] (IV) \$200 for a 28-foot-draft limited license.

11 (b) On payment of the license fee, the Board shall issue an appropriate license to
12 each applicant who meets the requirements of this subtitle.

13 (c) The Board shall seal each license that the Board issues with its official seal.

14 11-407.

15 (a) While a license, other than a limited license, is in effect, it authorizes the
16 licensee to provide pilotage for vessels of any draft.

17 (b) (1) WHILE A 37-FOOT-DRAFT LIMITED LICENSE IS IN EFFECT, IT
18 AUTHORIZES THE LICENSEE TO PROVIDE PILOTAGE FOR VESSELS NOT EXCEEDING
19 37-FOOT-DRAFT.

20 (2) While a 34-foot-draft limited license is in effect, it authorizes the
21 licensee to provide pilotage for vessels not exceeding 34-foot-draft.

22 [(2)] (3) While a 28-foot-draft limited license is in effect, it authorizes the
23 licensee to provide pilotage for vessels not exceeding 28-foot-draft.

24 11-408.

25 (a) Unless a license is renewed for a 2-year term as provided in this section, the
26 license expires on the first May 30 that comes:

27 (1) after the effective date of the license; and

28 (2) in an even-numbered year.

29 (b) At least 1 month before a license expires, the Board shall mail to the licensee,
30 at the last known address of the licensee:

31 (1) a renewal application form; and

32 (2) a notice that states:

33 (i) the date on which the current license expires;

4

1 (ii) the date by which the Board must receive the renewal application
2 for the renewal to be issued and mailed before the license expires; and

3 (iii) the amount of the renewal fee.

4 (c) Before a license expires, the licensee periodically may renew it for an
5 additional 2-year term, if the licensee:

6 (1) applies for renewal in April or May of the year in which the license is
7 due to expire, unless the Board in its discretion allows otherwise;

8 (2) otherwise is entitled to be licensed;

9 (3) pays to the Board a renewal fee of:

10 (i) \$600 for a license other than a limited license;

11 (II) ~~\$400~~ \$300 FOR A 37-FOOT-DRAFT LIMITED LICENSE;

12 [(ii)] (III) \$300 for a 34-foot-draft limited license; or

13 [(iii)] (IV) \$200 for a 28-foot-draft limited license; and

14 (4) submits to the Board a renewal application on the form that the Board
15 provides.

16 (d) The Board shall renew the license of a licensee who meets the requirements of
17 this section.

18 (E) A LIMITED LICENSE SHALL BE VALID FOR A 2-YEAR PERIOD BEGINNING
19 ON THE DATE OF ITS ISSUANCE BY THE BOARD.

20 11-504.

21 (a) [A pilot is eligible for payments as an inactive pilot under § 11-506 of this
22 subtitle if:

23 (1) the pilot is at least 70 years old; and

24 (2) before becoming inactive, the pilot was:

25 (i) a member in good standing of the Association; and

26 (ii) licensed by the Board to provide pilotage for vessels of any draft.

27 (b) A pilot is eligible for payments as an inactive pilot under § 11-506 of this
28 subtitle if the pilot:

29 (1) chooses to be placed on the list of inactive pilots maintained by the
30 Association; and

31 (2) has been, for at least 25 years:

32 (i) a member in good standing of the Association; and

33 (ii) licensed by the Board to provide pilotage for vessels of [any]
34 UNLIMITED draft.

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1 (B) A PILOT IS ELIGIBLE FOR REDUCED PAYMENTS AS AN INACTIVE PILOT
2 UNDER § 11-506 OF THIS SUBTITLE IF THE PILOT:

3 (1) CHOOSES TO BE PLACED ON THE LIST OF INACTIVE PILOTS
4 MAINTAINED BY THE ASSOCIATION; AND

5 (2) HAS BEEN, FOR AT LEAST 20 YEARS:

6 (I) A MEMBER IN GOOD STANDING OF THE ASSOCIATION; AND

7 (II) LICENSED BY THE BOARD TO PROVIDE PILOTAGE FOR
8 VESSELS OF UNLIMITED DRAFT.

9 11-505.

10 (a) A pilot is eligible for payments as a permanently disabled pilot under § 11-506
11 of this subtitle if:

12 (1) the pilot has:

13 (i) been certified to be permanently incapable of providing pilotage by
14 [2 doctors] TWO PHYSICIANS chosen by the Board; or

15 (ii) had a federal or State pilot's license revoked for physical disability;
16 and

17 (2) before becoming permanently disabled, the pilot was:

18 (i) a member in good standing of the Association; and

19 (ii) licensed by the Board to provide pilotage for vessels of any draft.

20 (b) Eligibility for payments as a permanently disabled pilot shall cease if:

21 (1) a pilot who was declared permanently incapable of providing pilotage
22 becomes capable of providing pilotage; or

23 (2) a pilot who had a federal or State pilot's license revoked for physical
24 disability has the license reissued.

25 11-506.

26 (a) Each month, the Association shall distribute the pilotage fees that the
27 Association collects in the following order:

28 (1) within 10 days after the close of each month, the Association shall pay to
29 the Board for that month an amount determined under [subsection (b)] SUBSECTIONS
30 ~~(B) AND (C)~~ (B), (C), AND (D) of this section for distribution to the pilots who, at the
31 beginning of that month, were eligible for payments as inactive or permanently disabled
32 pilots; and

33 (2) the balance of the pilotage fees collected shall be:

34 (i) first, used by the Association to pay its expenses;

6

1 (ii) second, paid to the Maintenance and Replacement Fund under §
2 11-507 of this subtitle; and

3 (iii) finally, in accordance with the bylaws of the Association, paid to
4 the regularly working licensed pilots who are members in good standing of the
5 Association.

6 (b) ~~(A)~~ The amount to be paid by the Association to the Board for distribution
7 to eligible inactive [and permanently disabled] pilots WHO FOR AT LEAST 25 YEARS
8 HAVE BEEN MEMBERS IN GOOD STANDING OF THE ASSOCIATION AND LICENSED BY
9 THE BOARD TO PROVIDE PILOTAGE FOR VESSELS OF UNLIMITED DRAFT shall be
10 computed by:

11 ~~(A)~~ (1) determining the greater of:

12 ~~(A)~~ \$200; or

13 ~~(A)~~ 40% of the share payable under this subtitle for the
14 month for which the payment is to be made to a regularly working licensed pilot; and

15 ~~(A)~~ (2) multiplying the figure determined under item (i) of this
16 paragraph by the number of pilots in the Association who, at the beginning of the month
17 for which the payment is to be made, were eligible for payments as inactive [or
18 permanently disabled] pilots UNDER THIS SUBSECTION.

19 ~~(A)~~ (C) [Within 10 days after the Board receives the amount paid under
20 paragraph (1) of this subsection, the Board shall distribute that amount equally to those
21 pilots who, at the beginning of the month for which the payment is made, were eligible for
22 payments as inactive or permanently disabled pilots.] THE AMOUNT TO BE PAID BY THE
23 ASSOCIATION TO THE BOARD FOR DISTRIBUTION TO ELIGIBLE INACTIVE PILOTS
24 WHO BECOME INACTIVE WITH AT LEAST 20 YEARS BUT LESS THAN 25 YEARS AS
25 MEMBERS IN GOOD STANDING OF THE ASSOCIATION AND LICENSED BY THE BOARD
26 TO PROVIDE PILOTAGE FOR VESSELS OF UNLIMITED DRAFT SHALL BE COMPUTED
27 AS FOLLOWS:

28 ~~(A)~~ (1) FOR EACH PILOT DETERMINING THE ~~SUM~~ GREATER OF:

29 (1) 200; OR

30 ~~(A)~~ 1. 32% OF THE SHARE PAYABLE UNDER THIS
31 SUBTITLE FOR THE MONTH FOR WHICH THE PAYMENT IS TO BE MADE TO A
32 REGULARLY WORKING LICENSED PILOT; AND

33 2. 1.6% OF THE SHARE PAYABLE UNDER THIS SUBTITLE FOR
34 THE MONTH FOR WHICH THE PAYMENT IS TO BE MADE TO A REGULARLY WORKING
35 LICENSED PILOT IN ADDITION FOR EACH YEAR OF SERVICE IN EXCESS OF 20 YEARS
36 AND UP TO 25 YEARS; AND

37 ~~(A)~~ (2) TOTALLING THE SUMS DETERMINED UNDER ITEM (1) OF
38 THIS PARAGRAPH FOR EACH PILOT IN THE ASSOCIATION WHO, AT THE BEGINNING
39 OF THE MONTH FOR WHICH THE PAYMENT IS TO BE MADE, WAS ELIGIBLE FOR
40 PAYMENT AS AN INACTIVE PILOT UNDER THIS SUBSECTION.

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1 ~~(C)~~(~~H~~) (D) THE AMOUNT TO BE PAID BY THE ASSOCIATION TO THE
2 BOARD FOR DISTRIBUTION TO PERMANENTLY DISABLED PILOTS SHALL BE
3 COMPUTED BY:

4 ~~(H)~~ (1) DETERMINING THE GREATER OF:

5 ~~+~~ (I) \$200; OR

6 ~~2-~~ (II) 40% OF THE SHARE PAYABLE UNDER THIS SUBTITLE
7 FOR THE MONTH FOR WHICH THE PAYMENT IS TO BE MADE TO A REGULARLY
8 WORKING LICENSED PILOT; AND

9 ~~(H)~~ (2) MULTIPLYING THE FIGURE DETERMINED UNDER ITEM (I)
10 OF THIS PARAGRAPH BY THE NUMBER OF PILOTS IN THE ASSOCIATION WHO, AT THE
11 BEGINNING OF THE MONTH FOR WHICH THE PAYMENT IS TO BE MADE, WERE
12 ELIGIBLE FOR PAYMENTS AS PERMANENTLY DISABLED PILOTS.

13 ~~(2)~~ (E) WITHIN 10 DAYS AFTER THE BOARD RECEIVES THE ~~AMOUNT~~
14 ~~AMOUNTS~~ PAID UNDER ~~PARAGRAPH (1) OF THIS SUBSECTION~~ SUBSECTIONS (B), (C),
15 OR (D) OF THIS SECTION, THE BOARD SHALL DISTRIBUTE ~~THAT AMOUNT~~ THOSE
16 AMOUNTS:

17 ~~(H)~~ (1) EQUALLY TO THOSE PILOTS WHO, AT THE BEGINNING OF
18 THE MONTH FOR WHICH THE PAYMENT IS MADE, WERE ELIGIBLE FOR PAYMENTS
19 AS INACTIVE OR PERMANENTLY DISABLED PILOTS UNDER ~~PARAGRAPH (1) OF THIS~~
20 ~~SUBSECTION OR SUBSECTION (B)(1) OF THIS SECTION~~ SUBSECTIONS (B), (C), AND (D)
21 OF THIS SECTION; AND

22 ~~(H)~~ (2) IN THE AMOUNTS AS ADJUSTED ~~PURSUANT TO IN~~
23 ACCORDANCE WITH SUBSECTION ~~(B)(2)~~ (C) OF THIS SECTION TO INACTIVE PILOTS
24 WITH AT LEAST 20 YEARS BUT LESS THAN 25 YEARS AS A MEMBER IN GOOD
25 STANDING OF THE ASSOCIATION AND LICENSED BY THE BOARD TO PROVIDE
26 PILOTAGE FOR VESSELS OF UNLIMITED DRAFT.

27 11-602.

28 (a) If a licensed pilot is detained for any reason on a vessel that has employed the
29 pilot to provide pilotage, the master of the vessel shall pay the cost of the pilot's
30 maintenance and [\$75 per day] THE DAILY RATE OF PAY FOR AN UNLIMITED
31 LICENSE PILOT AS DETERMINED BY THE BYLAWS OF THE ASSOCIATION for each day
32 the pilot is detained.

33 (b) If a licensed pilot is quarantined by order of a health officer because of
34 conditions on a vessel that has employed the pilot to provide pilotage, the master of the
35 vessel shall pay the pilot the cost of the pilot's maintenance and [\$75per day] THE
36 DAILY RATE OF PAY FOR AN UNLIMITED LICENSE PILOT AS DETERMINED BY THE
37 BYLAWS OF THE ASSOCIATION for each day that the pilot is quarantined.

38 (c) If a master of a vessel carries a licensed pilot to sea under circumstances that
39 are beyond the control of the pilot, the master shall:

8

1 (1) pay the pilot [\$75 per day] THE DAILY RATE OF PAY FOR AN
2 UNLIMITED LICENSE PILOT AS DETERMINED BY THE BYLAWS OF THE ASSOCIATION
3 until the return [or death] of the pilot;

4 (2) provide first class accommodations and maintenance for the pilot; and

5 (3) at the first opportunity, return the pilot by first class passage to the
6 home port of the pilot.

7 (d) The master, owner, charterer, and agent of a vessel shall be jointly and
8 severally liable for any payments due under this section.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 1996.