

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2291 Session of 2015

INTRODUCED BY MICCARELLI AND W. KELLER, AUGUST 16, 2016

REFERRED TO COMMITTEE ON COMMERCE, AUGUST 16, 2016

AN ACT

1 Amending the act of May 11, 1889 (P.L.188, No.210), entitled "A  
 2 further supplement to an act, entitled 'An act to establish a  
 3 board of wardens for the Port of Philadelphia, and for the  
 4 regulation of pilots and pilotage, and for other purposes,'  
 5 approved March twenty-ninth, one thousand eight hundred and  
 6 three, and for regulating the rates of pilotage and number of  
 7 pilots," further providing for rates of pilotage and  
 8 computation, for pilotage fees and unit charge and for  
 9 charges for services.

10 The General Assembly of the Commonwealth of Pennsylvania  
 11 hereby enacts as follows:

12 Section 1. Sections 3.1 and 3.2 of the act of May 11, 1889  
 13 (P.L.188, No.210), entitled "A further supplement to an act,  
 14 entitled 'A further supplement to establish a board of wardens  
 15 for the Port of Philadelphia, and for the regulation of pilots  
 16 and pilotage, and for other purposes,' approved March twenty-  
 17 ninth, one thousand eight hundred and three, and for regulating  
 18 the rates of pilotage and number of pilots," amended May 15,  
 19 1998 (P.L.447, No.62) and June 10, 2013 (P.L.40, No.12), are  
 20 amended to read:

21 Section 3.1. For services rendered on and after January 1,  
 22 1990, retroactively, the rates of pilotage for conducting a

1 vessel from the Capes of the Delaware to a place on the Delaware  
2 River or Bay no further upriver than the Delair Railroad Bridge  
3 between Philadelphia, Pennsylvania, and Delair, New Jersey, or  
4 from a place on the river Delaware no further upriver than the  
5 Delair Railroad Bridge between Philadelphia, Pennsylvania, and  
6 Delair, New Jersey, to the Capes of the Delaware, in either  
7 case, shall be computed as follows:

8 (a) A charge, to be known as a unit charge, will be made for  
9 each pilotage, determined by length overall (in feet) multiplied  
10 by the extreme breadth (in feet) of the vessel, divided by one  
11 hundred.

12 (a.1) For the purposes of this act, the following  
13 definitions shall be applied:

14 "Extreme breadth" shall be the maximum breadth between the  
15 outside of the shell platings of the vessel.

16 "Length overall" shall be the distance between the forward  
17 and after extremities of the vessel.

18 "Measurements" shall be in feet and inches (United States).

19 Inches shall be converted as follows:

20	1" = .1	4" = .3	7" = .6	10" = .8
21	2" = .2	5" = .4	8" = .7	11" = .9
22	3" = .3	6" = .5	9" = .8	

23 (b) The charges per unit shall be as follows:

24	[(i) Effective January 1, 2013.....	\$12.86 per unit
25	(ii) Effective January 1, 2014.....	\$13.25 per unit
26	(iii) Effective January 1, 2015.....	\$13.64 per unit
27	(iv) Effective January 1, 2016.....	\$14.05 per unit]
28	<u>(v) Effective January 1, 2016.....</u>	<u>\$14.05 per unit</u>
29	<u>(vi) Effective January 1, 2017.....</u>	<u>\$14.05 per unit</u>
30	<u>(vii) Effective January 1, 2018.....</u>	<u>\$14.19 per unit</u>

1        (viii) Effective January 1, 2019..... \$14.47 per unit

2        (c) There shall be a minimum charge of two hundred units and  
3 a maximum unit charge as follows:

4        [(i) Effective January 1, 2013..... 1,400 units

5        (ii) Effective January 1, 2014..... 1,400 units

6        (iii) Effective January 1, 2015..... 1,400 units

7        (iv) Effective January 1, 2016..... 1,400 units]

8        (v) Effective January 1, 2016..... 1,400 units

9        (vi) Effective January 1, 2017..... 1,450 units

10       (vii) Effective January 1, 2018..... 1,500 units

11       (viii) Effective January 1, 2019..... 1,500 units

12       Section 3.2. That every ship or vessel bound to the Delaware  
13 breakwater for orders shall be obliged to receive a pilot,  
14 provided she is spoken or a pilot offers his services, outside  
15 of a straight line drawn from Cape Henlopen Light to Cape May  
16 Light, and every ship or vessel bound to the breakwater for  
17 orders shall pay pilotage fees as follows: A sum equal to half  
18 the pilotage to the Port of Philadelphia, and she shall be  
19 obliged to take a pilot and pay the same pilotage fees when  
20 outward bound, from the breakwater, and if such ship or vessel,  
21 without discharging her pilot, proceed to the Port of  
22 Philadelphia or any other port or place on the bay or river  
23 Delaware, only one full pilotage fee as fixed by section 3.1 of  
24 this act, for the entire service, in addition to the fee for  
25 detention: Provided, however, That if the pilot bringing such  
26 ship or vessel to the breakwater be there discharged, and the  
27 ship or vessel afterward proceed to Philadelphia or any other  
28 port or place on the bay or river Delaware, she shall make the  
29 usual signal for a pilot and continue to make such signal till  
30 reaching Brandywine Light, and if spoken by, or offered the

1 services of, a duly licensed Pennsylvania pilot before reaching  
2 Brandywine Light, shall be obliged to employ such pilot and pay  
3 him for services rendered on and after the effective date of  
4 this act, a charge computed as follows:

5 (a) A charge, to be known as a unit charge, will be made for  
6 each pilotage, determined by length overall (in feet) multiplied  
7 by the extreme breadth (in feet) of the vessel, divided by one  
8 hundred.

9 (a.1) For the purposes of this act, the following  
10 definitions shall be applied:

11 "Extreme breadth" shall be the maximum breadth between the  
12 outside of the shell platings of the vessel.

13 "Length overall" shall be the distance between the forward  
14 and after extremities of the vessel.

15 "Measurements" shall be in feet and inches (United States).

16 Inches shall be converted as follows:

17 1" = .1      4" = .3      7" = .6      10" = .8

18 2" = .2      5" = .4      8" = .7      11" = .9

19 3" = .3      6" = .5      9" = .8

20 (b) The charges per unit shall be as follows:

21 [(i) Effective January 1, 2013..... \$12.86 per unit

22 (ii) Effective January 1, 2014..... \$13.25 per unit

23 (iii) Effective January 1, 2015..... \$13.64 per unit

24 (iv) Effective January 1, 2016..... \$14.05 per unit]

25 (v) Effective January 1, 2016..... \$14.05 per unit

26 (vi) Effective January 1, 2017..... \$14.05 per unit

27 (vii) Effective January 1, 2018..... \$14.19 per unit

28 (viii) Effective January 1, 2019..... \$14.47 per unit

29 (c) There shall be a minimum charge of two hundred units and  
30 a maximum unit charge as follows:

1	[(i) Effective January 1, 2013.....	1,400 units
2	(ii) Effective January 1, 2014.....	1,400 units
3	(iii) Effective January 1, 2015.....	1,400 units
4	(iv) Effective January 1, 2016.....	1,400 units]
5	<u>(v) Effective January 1, 2016.....</u>	<u>1,400 units</u>
6	<u>(vi) Effective January 1, 2017.....</u>	<u>1,450 units</u>
7	<u>(vii) Effective January 1, 2018.....</u>	<u>1,500 units</u>
8	<u>(viii) Effective January 1, 2019.....</u>	<u>1,500 units</u>

9 Section 2. Section 3.3 of the act, amended June 10, 2013  
10 (P.L.40, No.12), is amended to read:

11 Section 3.3. The following charges are hereby authorized for  
12 the services stated:

13	(1) Ship communication charge:	
14	Vessels transiting the Delaware River.....	\$235.00
15	(2) Transporting vessels in the Delaware:	
16	[Philadelphia (or other place) to Marcus Hook..	750.00]
17	<u>Philadelphia (or other place) to Marcus Hook...</u>	<u>800.00</u>
18	[Philadelphia (or other place) below Marcus	
19	Hook.....	750.00]
20	<u>Philadelphia (or other place) below Marcus Hook</u>	<u>800.00</u>
21	[Philadelphia Harbor to	750.00]
22	Torresdale.....	
23	<u>Philadelphia Harbor to Torresdale.....</u>	<u>800.00</u>
24	[Philadelphia Harbor to any place above	
25	Torresdale.....	1,000.00]
26	<u>Philadelphia Harbor to any place above</u>	
27	<u>Torresdale.....</u>	<u>1,050.00</u>
28	(3) Extra services:	
29	Swing ship to adjust magnetic compass.....	300.00
30	Swing ship to calibrate direction finder.....	300.00

1	Vessels anchoring below Brown Shoal in excess	
2	of three hours awaiting flood tide for transiting	
3	river channel.....	450.00
4	Carried to/from Baltimore.....	600.00
5	Carried to/from Norfolk.....	1,000.00
6	Carried to/from New York.....	1,000.00

7 Vessels entering the Capes for anchorage at the Breakwater for  
8 other than tide shall pay one-half pilotage in and one-half  
9 pilotage out.

10 (4) Chesapeake and Delaware Canal:

11 Vessels transiting the Chesapeake and Delaware  
12 Canal:

13 Vessels with a length overall of less than 650  
14 feet..... 1,000.00

15 Vessels with a length overall of 650 feet or  
16 more..... 1,500.00

17 (5) Cancellation of sailing orders:

18 Cancellation charge..... 600.00

19 Any time a pilot is dispatched for sailing and the trip or  
20 movement is canceled, for reason other than weather, the vessel  
21 shall be subject to this charge, except when the Pilot Office is  
22 notified as follows:

23 All piers north of Hog Island - 1 1/2 hours before sailing  
24 time.

25 All piers north of Paulsboro - 2 hours before sailing time.

26 All piers south of the above - 3 hours before sailing time.

27 (6) Finance charge:

28 A finance charge not to exceed one and one-half per centum per  
29 month or fraction thereof may be assessed against all invoices  
30 outstanding more than thirty days after the billing date, and

1 the cost of attorney fees on any amount placed with an attorney  
2 for collection may also be charged.

3 Section 3. This act shall take effect in 60 days.