

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 172

Session of
1977

INTRODUCED BY MESSRS. RAPPAPORT, MCGINNIS, BURNS, J. L. WRIGHT,
WIGGINS, GRAY, TENAGLIO, BELLOMINI AND BELOFF,
FEBRUARY 8, 1977

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
OCTOBER 19, 1977

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 regulating the rates of pilotage and class
8 of pilots.

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

11 Section 1. Sections 1 and 3, act of May 11, 1889 (P.L.188,
12 No.210), entitled "A further supplement to an act, entitled 'An
13 act to establish a board of wardens for the Port of
14 Philadelphia, and for the regulation of pilots and pilotage, and
15 for other purposes,' approved March twenty-ninth, one thousand
16 eight hundred and three, and for regulating the rates of
17 pilotage and number of pilots," amended October 17, 1974
18 (P.L.763, No.259), are amended to read:

19 Section 1. For services rendered on and after July 1, [1974]
20 1976, UNTIL THE PROVISIONS OF SECTIONS 3.1 AND 3.2 HEREOF BECOME <—

1 EFFECTIVE, the rates of pilotage for conducting a vessel from
2 the Capes of the Delaware to a place on the River Delaware no
3 further upriver than the Delair Railroad Bridge between
4 Philadelphia, Pennsylvania, and Delair, New Jersey, or from a
5 place on the River Delaware no further upriver than the Delair
6 Railroad Bridge between Philadelphia, Pennsylvania, and Delair,
7 New Jersey, to the Capes of the Delaware, in either case, shall
8 be the total of the charges resulting from the two following
9 computations:

10 (a) Unit.--

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

15 (2) For the purposes of this act, the following definitions
16 shall be applied:

17 "Extreme breadth" shall be the maximum breadth between the
18 outside of the shell platings of the vessel.

19 "Length overall" shall be the distance between the forward
20 and after extremities of the vessel.

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

22 Inches shall be converted as follows:

23 1" = .1 4" = .3 7" = .6 10" = .8

24 2" = .2 5" = .4 8" = .7 11" = .9

25 3" = .3 6" = .5 9" = .8

26 (3) The charges per unit shall be as follows:

27 [(i) Vessels not in excess of three hundred units: sixty
28 cents per unit.

29 (ii) Vessels in excess of three hundred units, but not in
30 excess of six hundred units: one hundred eighty dollars plus

1 fifty cents per unit in excess of three hundred units.

2 (iii) Vessels in excess of six hundred units: three hundred
3 thirty dollars plus forty cents per unit in excess of six

4 hundred units.] ~~sixty five cents per unit from July 1, 1976,~~ <—
5 ~~through June 30, 1977; seventy cents per unit from July 1, 1977,~~
6 ~~through June 30, 1978, and seventy five cents per unit~~
7 ~~thereafter.~~

8 (I) SIXTY-FIVE CENTS PER UNIT FROM JULY 1, 1976 THROUGH JUNE <—
9 30, 1977, RETROACTIVELY.

10 (II) SEVENTY CENTS PER UNIT FROM JULY 1, 1977,
11 RETROACTIVELY.

12 There shall be a minimum unit charge of two hundred units[: one
13 hundred twenty dollars].

14 (b) Draft.--

15 (1) A charge, related to length and draft, shall be
16 determined as follows:

17 (i) Vessels with a length overall not in excess of five
18 hundred fifty feet: five dollars fifty cents per half foot of
19 draft.

20 (ii) Vessels with a length overall in excess of five hundred
21 fifty feet, but not in excess of eight hundred feet: [five
22 dollars fifty cents] six dollars per half foot of draft.

23 (iii) Vessels with a length overall in excess of eight
24 hundred feet: six dollars fifty cents per half foot of draft.

25 (2) All charges related to draft shall be based upon the
26 charge of the nearest one-half foot of draft; thus there shall
27 be no charge for the first three inches above any foot draft;
28 above three inches, up to and including nine inches, the charge
29 shall be for one-half foot of draft; above nine inches, the
30 charge shall be for the next higher foot: Provided, however,

1 That any vessel with a draft of less than [twelve] fifteen feet
2 shall pay pilotage under this computation as though the draft of
3 the vessel were [twelve] fifteen feet.

4 Section 3. That every ship or vessel bound to the Delaware
5 breakwater for orders shall be obliged to receive a pilot,
6 provided she is spoken or a pilot offers his services, outside
7 of a straight line drawn from Cape Henlopen Light to Cape May
8 Light, and every ship or vessel bound to the breakwater for
9 orders shall pay pilotage fees as follows: A sum equal to half
10 the pilotage to the port of Philadelphia, and she shall be
11 obliged to take a pilot and pay the same pilotage fees when
12 outward bound, from the breakwater, and if such ship or vessel,
13 without discharging her pilot, proceed to the port of
14 Philadelphia or any other port or place on the bay or river
15 Delaware, only one full pilotage fee as fixed by the first
16 section of this act, for the entire service, in addition to the
17 fee for detention: Provided, however If the pilot bringing such
18 ship or vessel to the breakwater be there discharged, and the
19 ship or vessel afterward proceed to Philadelphia or any other
20 port or place on the bay or river Delaware, she shall make the
21 usual signal for a pilot and continue to make such signal till
22 reaching Brandywine Light, and if spoken by, or offered the
23 services of, a duly licensed Pennsylvania pilot before reaching
24 Brandywine Light, shall be obliged to employ such pilot and pay
25 him for services rendered on and after July 1, [1974] 1976,
26 UNTIL THE PROVISIONS OF SECTIONS 3.1 AND 3.2 HEREOF BECOME
27 EFFECTIVE, the total of the charges resulting from the two
28 following computations:

29 (a) Unit.--

30 (1) A charge, to be known as a unit charge, will be made for

1 each pilotage, determined by length overall (in feet) multiplied
2 by the extreme breadth (in feet) of the vessel, divided by one
3 hundred.

4 (2) For the purposes of this act, the following definitions
5 shall be applied:

6 "Extreme breadth" shall be the maximum breadth between the
7 outside of the shell platings of the vessel.

8 "Length overall" shall be the distance between the forward
9 and after extremities of the vessel.

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

11 Inches shall be converted as follows:

12 1" = .1	4" = .3	7" = .6	10" = .8
13 2" = .2	5" = .4	8" = .7	11" = .9
14 3" = .3	6" = .5	9" = .8	

15 (3) The charges per unit shall be as follows:

16 [(i) Vessels not in excess of three hundred units: sixty
17 cents per unit.

18 (ii) Vessels in excess of three hundred units, but not in
19 excess of six hundred units: one hundred eighty dollars plus
20 fifty cents per unit in excess of three hundred units.

21 (iii) Vessels in excess of six hundred units: three hundred
22 thirty dollars plus forty cents per unit in excess of six
23 hundred units.] ~~sixty five cents per unit from July 1, 1976,~~ <—
24 ~~through June 30, 1977; seventy cents per unit from July 1, 1977~~
25 ~~through June 30, 1978, and seventy five cents per unit~~
26 ~~thereafter.~~

27 (I) SIXTY-FIVE CENTS PER UNIT FROM JULY 1, 1976 THROUGH JUNE <—
28 30, 1977, RETROACTIVELY.

29 (II) SEVENTY CENTS PER UNIT FROM JULY 1, 1977,
30 RETROACTIVELY.

1 There shall be a minimum unit charge of two hundred units[: one
2 hundred twenty dollars].

3 (b) Draft.--

4 (1) A charge, related to length and draft, shall be
5 determined as follows:

6 (i) Vessels with a length overall not in excess of five
7 hundred fifty feet: five dollars fifty cents per half foot of
8 draft.

9 (ii) Vessels with a length overall in excess of five hundred
10 fifty feet, but not in excess of eight hundred feet: [five
11 dollars fifty cents] six dollars per half foot of draft.

12 (iii) Vessels with a length overall in excess of eight
13 hundred feet: six dollars fifty cents per half foot of draft.

14 (2) All such charges related to draft shall be based upon
15 the charge of the nearest one-half foot of draft; thus there
16 shall be no charge for the first three inches above any foot
17 draft; above three inches, up to and including nine inches, the
18 charge shall be for one-half foot of draft; above nine inches,
19 the charge shall be for the next higher foot: And provided,
20 further, That any vessel with a draft of less than [twelve]
21 fifteen feet shall pay pilotage under this computation as though
22 the draft of the vessel were [twelve] fifteen feet, which shall
23 be in addition to the fees paid for bringing her into the
24 breakwater and for detention, if any; such fees to be collected
25 as other fees for pilotage are now collected.

26 SECTION 2. THE ACT IS AMENDED BY ADDING SECTIONS TO READ: <—

27 SECTION 3.1. FOR SERVICES RENDERED ON AND AFTER THE
28 EFFECTIVE DATE OF THIS ACT, THE RATES OF PILOTAGE FOR CONDUCTING
29 A VESSEL FROM THE CAPES OF THE DELAWARE TO A PLACE ON THE RIVER
30 DELAWARE NO FURTHER UPRIVER THAN THE DELAIR RAILROAD BRIDGE

BETWEEN PHILADELPHIA, PENNSYLVANIA, AND DELAIR, NEW JERSEY OR
FROM A PLACE ON THE RIVER DELAWARE NO FURTHER UPRIVER THAN THE
DELAIR RAILROAD BRIDGE BETWEEN PHILADELPHIA, PENNSYLVANIA, AND
DELAIR, NEW JERSEY, TO THE CAPES OF THE DELAWARE, IN EITHER
CASE, SHALL BE COMPUTED AS FOLLOWS:

(A) A CHARGE, TO BE KNOWN AS A UNIT CHARGE, WILL BE MADE FOR
EACH PILOTAGE, DETERMINED BY LENGTH OVERALL (IN FEET) MULTIPLIED
BY THE EXTREME BREADTH (IN FEET) OF THE VESSEL, DIVIDED BY ONE
HUNDRED.

(B) THE CHARGES PER UNIT SHALL BE AS FOLLOWS:

(I) ONE DOLLAR AND SEVENTY CENTS FROM THE EFFECTIVE DATE OF
THIS ACT THROUGH DECEMBER 31, 1978.

(II) ONE DOLLAR AND EIGHTY-TWO CENTS FROM JANUARY 1, 1979,
THROUGH DECEMBER 31, 1979.

(III) ONE DOLLAR AND NINETY-FIVE CENTS THEREAFTER.

(C) THERE SHALL BE A MINIMUM CHARGE OF TWO HUNDRED UNITS AND
A MAXIMUM CHARGE OF ONE THOUSAND UNITS.

SECTION 3.2. THAT EVERY SHIP OR VESSEL BOUND TO THE DELAWARE
BREAKWATER FOR ORDERS SHALL BE OBLIGED TO RECEIVE A PILOT,
PROVIDED SHE IS SPOKEN OR A PILOT OFFERS HIS SERVICES, OUTSIDE
OF A STRAIGHT LINE DRAWN FROM CAPE HENLOPEN TO CAPE MAY LIGHT,
AND EVERY SHIP OR VESSEL BOUND TO THE BREAKWATER FOR ORDERS
SHALL PAY PILOTAGE FEES AS FOLLOWS: A SUM EQUAL TO HALF THE
PILOTAGE TO THE PORT OF PHILADELPHIA, AND SHE SHALL BE OBLIGED
TO TAKE A PILOT AND PAY THE SAME PILOTAGE FEES WHEN OUTWARD
BOUND, FROM THE BREAKWATER, AND IF SUCH SHIP OR VESSEL, WITHOUT
DISCHARGING HER PILOT, PROCEED TO THE PORT OF PHILADELPHIA OR
ANY OTHER PORT OR PLACE ON THE BAY OR RIVER DELAWARE, ONLY ONE
FULL PILOTAGE FEE AS FIXED BY THE FIRST SECTION OF THIS ACT, FOR
THE ENTIRE SERVICE, IN ADDITION TO THE FEE FOR DETENTION;

1 PROVIDED, HOWEVER, THAT IF THE PILOT BRINGING SUCH SHIP OR
2 VESSEL TO THE BREAKWATER BE THERE DISCHARGED, AND THE SHIP OR
3 VESSEL AFTERWARD PROCEED TO PHILADELPHIA OR ANY OTHER PORT OR
4 PLACE ON THE BAY OR RIVER DELAWARE, SHE SHALL MAKE THE USUAL
5 SIGNAL FOR A PILOT AND CONTINUE TO MAKE SUCH SIGNAL TILL
6 REACHING BRANDYWINE LIGHT, AND IF SPOKEN BY, OR OFFERED THE
7 SERVICES OF, A DULY LICENSED PENNSYLVANIA PILOT BEFORE REACHING
8 BRANDYWINE LIGHT, SHALL BE OBLIGED TO EMPLOY SUCH PILOT AND PAY
9 HIM FOR SERVICES RENDERED ON AND AFTER THE EFFECTIVE DATE OF
10 THIS ACT, A CHARGE COMPUTED AS FOLLOWS:

11 (A) A CHARGE, TO BE KNOWN AS A UNIT CHARGE, WILL BE MADE FOR
12 EACH PILOTAGE, DETERMINED BY LENGTH OVERALL (IN FEET) MULTIPLIED
13 BY THE EXTREME BREADTH (IN FEET) OF THE VESSEL, DIVIDED BY ONE
14 HUNDRED.

15 (B) THE CHARGES PER UNIT SHALL BE AS FOLLOWS:

16 (I) ONE DOLLAR AND SEVENTY CENTS FROM THE EFFECTIVE DATE OF
17 THIS ACT THROUGH DECEMBER 31, 1978.

18 (II) ONE DOLLAR AND EIGHTY-TWO CENTS FROM JANUARY 1, 1979,
19 THROUGH DECEMBER 31, 1979.

20 (III) ONE DOLLAR AND NINETY-FIVE CENTS THEREAFTER.

21 (C) THERE SHALL BE A MINIMUM CHARGE OF TWO HUNDRED UNITS AND
22 A MAXIMUM CHARGE OF ONE THOUSAND UNITS.

23 Section 2- 3. Section 6 of the act, amended July 11, 1969 <—
24 (P.L.158, No.64), is amended to read:

25 Section 6. That each and every pilot holding a license from
26 the Board of Commissioners of Navigation, at the time of the
27 passage of this act, shall be entitled to demand and receive a
28 license as a pilot, and demand and receive renewals from time to
29 time thereafter; but no person shall receive a license as a
30 first [or second] class pilot till the number of first [and

1 second-class] class pilots be reduced to less than forty-two,
2 and that the whole number of first [and second-class] class
3 pilots shall not exceed forty-two. That the number of second,
4 third and fourth class pilots shall not exceed ten, and that the
5 number of apprentices indentured shall be wholly within the
6 discretion of the Board of Commissioners of Navigation.

7 Section ~~3-~~ 4. This act shall take effect immediately.

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