

PORT OF PHILADELPHIA - AMEND PILOTAGE RATES AND FEES

Act of May. 15, 1998, P.L. 447, No. 62

Cl. 74

Session of 1998

No. 1998-62

HB 2194

AN ACT

Amending the act of May 11, 1889 (P.L.188, No.210), entitled, "A further supplement to an act, entitled 'An act to establish a board of wardens for the Port of Philadelphia, and for the regulation of pilots and pilotage, and for other purposes,' approved March twenty-ninth, one thousand eight hundred and three, and for regulating the rates of pilotage and number of pilots," further providing for rates of pilotage; and specifying fees for certain services.

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

Section 1. Sections 3.1 and 3.2 of the act of May 11, 1889 (P.L.188, No.210), entitled, "A further supplement to 'An act to establish a board of wardens for the Port of Philadelphia, and for the regulation of pilots and pilotage, and for other purposes,' approved March twenty-ninth, one thousand eight hundred and three, and for regulating the rates of pilotage and number of pilots," amended June 1, 1995 (P.L.46, No.6), are amended to read:

Section 3.1. For services rendered on and after January 1, 1990, retroactively, the rates of pilotage for conducting a vessel from the Capes of the Delaware to a place on the Delaware River or Bay 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.

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

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

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

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

Inches shall be converted as follows:

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

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

[(i)	Effective January 1, 1995.....	\$5.32 per unit
(ii)	Effective January 1, 1996.....	\$5.75 per unit
(iii)	Effective January 1, 1997.....	\$6.21 per unit
(iv)	Effective January 1, 1998.....	\$6.58 per unit]
<b>(i)</b>	<b>Effective January 1, 1998.....</b>	<b>\$6.58 per unit</b>
<b>(ii)</b>	<b>Effective January 1, 1999.....</b>	<b>\$6.97 per unit</b>
<b>(iii)</b>	<b>Effective January 1, 2000.....</b>	<b>\$7.39 per unit</b>

**(iv) Effective January 1, 2001..... \$7.83 per unit**

(c) There shall be a minimum charge of two hundred units and a maximum charge of one thousand two hundred 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 Light 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 section 3.1 of this act, for the entire service, in addition to the fee for detention: Provided, however, That if the pilot bringing such ship or vessel to the breakwater be there discharged, and the ship or vessel afterward proceed to Philadelphia or any other port or place on the bay or river Delaware, she shall make the usual signal for a pilot and continue to make such signal till reaching Brandywine Light, and if spoken by, or offered the services of, a duly licensed Pennsylvania pilot before reaching Brandywine Light, shall be obliged to employ such pilot and pay him for services rendered on and after the effective date of this act, a charge 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.

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

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

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

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

Inches shall be converted as follows:

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<b>(i) Effective January 1, 1998.....</b>	<b>\$6.58 per unit</b>
<b>(ii) Effective January 1, 1999.....</b>	<b>\$6.97 per unit</b>
<b>(iii) Effective January 1, 2000.....</b>	<b>\$7.39 per unit</b>
<b>(iv) Effective January 1, 2001.....</b>	<b>\$7.83 per unit</b>

(c) There shall be a minimum charge of two hundred units and a maximum charge of one thousand two hundred units.

Section 2. Section 3.3 of the act, amended June 23, 1993 (P.L.111, No.26), is amended to read:

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

[(1) Ship communication charge:	
Vessels transiting the Delaware River,	
effective January 1, 1993.....	50.00
(2) Transporting vessels in the Delaware:	
Philadelphia (or other place) to Marcus	
Hook.....	355.00

Philadelphia (or other place) below Marcus Hook.....	355.00
Philadelphia Harbor to Torresdale.....	355.00
Philadelphia Harbor to any place above Torresdale.....	430.00
(3) Extra services:	
Swing ship to adjust magnetic compass...	100.00
Swing ship to calibrate direction finder.	100.00
Vessels anchoring below Brown Shoal in excess of three hours awaiting flood tide for transiting river channel.....	175.00
Carried to/from Baltimore.....	175.00
Carried to/from Norfolk.....	350.00
Carried to/from New York.....	350.00]
<b>(1) Ship communication charge:</b>	
<b>Vessels transiting the Delaware River...</b>	<b>100.00</b>
<b>(2) Transporting vessels in the Delaware:</b>	
<b>Philadelphia (or other place) to Marcus Hook.....</b>	<b>500.00</b>
<b>Philadelphia (or other place) below Marcus Hook.....</b>	<b>500.00</b>
<b>Philadelphia Harbor to Torresdale.....</b>	<b>500.00</b>
<b>Philadelphia Harbor to any place above Torresdale.....</b>	<b>700.00</b>
<b>(3) Extra services:</b>	
<b>Swing ship to adjust magnetic compass...</b>	<b>200.00</b>
<b>Swing ship to calibrate direction finder.</b>	<b>200.00</b>
<b>Vessels anchoring below Brown Shoal in excess of three hours awaiting flood tide for transiting river channel.....</b>	<b>250.00</b>
<b>Carried to/from Baltimore.....</b>	<b>175.00</b>
<b>Carried to/from Norfolk.....</b>	<b>500.00</b>
<b>Carried to/from New York.....</b>	<b>500</b>
Vessels entering the Capes for anchorage at the Breakwater for other than tide shall pay one-half pilotage in and one-half pilotage out.	
(4) Chesapeake and Delaware Canal:	
Vessels transiting the Chesapeake and Delaware Canal:	
Vessels with a length overall of less than 650 feet.....	650.00
Vessels with a length overall of 650 feet or more.....	750.00
[(5) Cancellation of sailing orders:	
Cancellation charge.....	75.00]
<b>(5) Cancellation of sailing orders:</b>	
<b>Cancellation charge.....</b>	<b>200.00</b>
Any time a pilot is dispatched for sailing and the trip or movement is canceled, for reason other than weather, the vessel shall be subject to this charge, except when the Pilot Office is notified as follows:	
All piers north of Hog Island - 1 1/2 hours before sailing time.	
All piers north of Paulsboro - 2 hours before sailing time.	
All piers south of the above - 3 hours before sailing time.	
(6) Finance charge:	
A finance charge not to exceed one and one-half per centum per month or fraction thereof may be assessed against all invoices outstanding more than forty-five days after the billing date, and the cost of attorney fees on any amount placed with an attorney for collection may also be charged.	

Section 3. The amendment of section 3.3 of the act shall apply on and after January 1, 1999.

Section 4. This act shall take effect immediately.

APPROVED--The 15th day of May, A. D. 1998.

THOMAS J. RIDGE