

No. 62

AN ACT

SB 783

Amending the act of March 29, 1803 (P. L. 542), entitled "An act to establish a Board of Wardens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned," further regulating the licensing of pilots and the rates of pilotage and repealing an act relating to the pilotage of armed vessels.

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

Section 1. Section 17, act of March 29, 1803 (P. L. 542), entitled "An act to establish a Board of Wardens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned," amended April 4, 1956 (P. L. 1412), is amended to read:

Section 17. Every person not now a licensed pilot, and who desires to exercise the profession of pilot in the bay and river Delaware, shall apply in person to the aforesaid Board of Commissioners of Navigation, for a license to entitle him to follow that occupation; and it shall be the duty of the said Board of Commissioners of Navigation to call to their assistance as many pilots of the first class as they may see fit, not less than three in number, to examine every person so applying, as to his fitness in all respects to perform the duties of a pilot, and to grant licenses to all such as they deem qualified, according to their respective abilities: Those of the first class, to persons capable of piloting ships or vessels of any practicable draught of water; those of the second class, to persons capable of piloting ships or vessels drawing ~~[twenty-seven]~~ *thirty-four* feet of water, or under; ~~[and]~~ those of the third class, to persons capable of piloting ships or vessels drawing ~~[twenty-three]~~ *twenty-seven* feet of water, or under; *and those of the fourth class, to persons capable of piloting ships or vessels drawing twenty-three feet of water, or under;* which licenses shall be in force for one year from the date thereof, and until the pilots, respectively, shall next after the expiration of the year, arrive with any ship or vessel at the Port of Philadelphia, and no longer; but every pilot delivering up his license shall be entitled to receive a new one in lieu thereof, giving like security as hereinafter directed, unless it shall appear to the said Board of Commissioners of Navigation that the person applying is disqualified from exercising the duties of a pilot; and if any person shall in any manner exercise or attempt to exercise the profession of a pilot in the bay or river Delaware, except in vessels under seventy-five tons burden, without license duly granted, or at any time after his license shall have expired, he shall be guilty of a misdemeanor, and, upon conviction thereof, he shall be imprisoned for not less than one month nor more than one year, and be fined a sum not exceeding two hundred dollars, at the discretion of the court.

Section 2. Section 18 of the act, amended June 9, 1911 (P. L. 750), is amended to read:

Section 18. No license shall be granted to any person to act as a pilot of the ~~[third]~~ *fourth* class in the bay and river Delaware, unless he has reached the age of twenty-one years, and has served a regular apprenticeship of four years on board a pilot-boat; nor shall any license of the ~~[second]~~ *third* class be granted to any person, unless he shall have served at least one year as a ~~[third]~~ *fourth* class pilot, and no person shall be eligible for a license of the ~~[first]~~ *second* class who has not served one year in the ~~[third]~~ *fourth* class and *at least* one year in the ~~[second]~~ *third* class ~~[in the manner aforesaid]~~ *and no person shall be eligible for a license of the first class who has not served a total of at least four years in the second, third and fourth classes, with at least one year of such service having been served in the second class.* During the last two years of apprenticeship, apprentices shall make at least forty-eight trips each year, up or down the Delaware, in vessels with first or second class pilots; and it shall be the duty of every pilot, who shall so bring up or take down an apprentice, to report to the office of the Board of Commissioners of Navigation, with such apprentice, at the end of the trip. The name of every such apprentice, together with the name of the vessel and her master, in which every such apprentice shall have come up or gone down, shall be recorded by the Board of Commissioners of Navigation in a book to be kept by them for that purpose. This act to apply to apprentices whose indentures are now recorded. All indentures of apprentices to pilots shall be recorded in the office of the Board of Commissioners of Navigation aforesaid; nor shall any license be granted until the person applying shall have given bond, with one sufficient surety, to the said president, in any sum not exceeding five hundred dollars nor less than three hundred dollars, conditioned for the true and faithful performance of the duties and services required by this act, and that he shall not aid or assist in defrauding the revenue of the United States, and that he will deliver up the license, to him granted, when required by the said Board of Commissioners of Navigation in pursuance of the provisions of this act.

Section 3. Section 29 of the act, amended June 8, 1907 (P. L. 469), is amended to read:

Section 29. Every ship or vessel arriving from or bound to any foreign port or place shall be obliged to receive a pilot, except as hereinafter excepted; and it shall be the duty of the master of every ship or vessel, within thirty-six hours next after the arrival of any ship or vessel at the port of Philadelphia, to make a report to the said Board of Commissioners of Navigation of the name of such ship or vessel, her draught of water, and the name of the pilot who shall have conducted her to the port; and, where any such ship or vessel shall be outward-bound, the master of such ship or vessel shall make known to the said Board of Commissioners of Navigation

her name, and the name of the pilot who is to conduct her to the Capes, and her draught of water at that time; and it shall be the duty of the president of the said Board of Commissioners of Navigation to enter every such ship or vessel in a book, to be kept by him for that purpose, without fee or reward; and if a master of any ship or vessel shall fail to make such report, he shall forfeit and pay the sum of ten dollars:

Provided, That a ship or vessel inward-bound, to any port or place on the bay or river Delaware, which is not spoken or offered the services of a pilot outside of a straight line drawn from Cape May Light to Cape Henlopen Light, shall be exempt from the duty of taking a pilot; and the vessel, as well as her master, owners, agents, or consignees, shall be exempt from the duty of paying pilotage, half-pilotage, or any penalty whatsoever, in case of her neglect or refusal so to do:

Provided, further, That any ship or vessel employed in or licensed for the coasting-trade, or any ship or vessel solely coal-laden with coal mined in the United States, shall be exempt from the duty of employing a pilot; and the vessel, as well as her master, owners, agents, or consignees, shall be exempt from the duty of paying pilotage, half-pilotage, or any penalty whatsoever, in case of their neglect or refusal so to do, except ships or vessels under register, bound to or from the States or Territories of the United States, on the Pacific Ocean; but any ship or vessel voluntarily taking a pilot shall pay [the same fees] *a fee which is no more than the fee* for pilotage as [are] *is* prescribed in case of a vessel bound to or from a foreign port.

Section 4. The act of April 13, 1844 (P. L. 270), entitled "An act relating to the pilotage of armed vessels on the Delaware bay and river," is repealed.

Section 5. This act shall take effect in ten days.

APPROVED—The 10th day of July, A. D. 1969.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 62.



Secretary of the Commonwealth.