

No. 1977-108

AN ACT

HB 172

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 regulating the rates of pilotage and class of pilots.

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

Section 1. Sections 1 and 3, 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," amended October 17, 1974 (P.L.763, No.259), are amended to read:

Section 1. For services rendered on and after July 1, ~~1974~~ **1976, until the provisions of sections 3.1 and 3.2 hereof become effective**, the rates of pilotage for conducting a vessel from the Capes of the Delaware to a place on the River 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 the total of the charges resulting from the two following computations:

(a) Unit.—

(1) 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.

(2) 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	

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

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

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

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

(i) *Sixty-five cents per unit from July 1, 1976 through June 30, 1977, retroactively.¹*

(ii) *Seventy cents per unit from July 1, 1977, retroactively.*

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

(b) Draft.—

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

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

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

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

(2) All charges related to draft shall be based upon the charge of the nearest one-half foot of draft; thus there shall be no charge for the first three inches above any foot draft; above three inches, up to and including nine inches, the charge shall be for one-half foot of draft; above nine inches, the charge shall be for the next higher foot: Provided, however, That any vessel with a draft of less than [**twelve**] *fifteen* feet shall pay pilotage under this computation as though the draft of the vessel were [**twelve**] *fifteen* feet.

Section 3. 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 the first section of this act, for the entire service, in addition to the fee for detention: Provided, however, 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

¹"retroactively" in original.

employ such pilot and pay him for services rendered on and after July 1, [1974] 1976, *until the provisions of sections 3.1 and 3.2 hereof become effective*, the total of the charges resulting from the two following computations:

(a) Unit.—

(1) 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.

(2) 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
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(3) The charges per unit shall be as follows:

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

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

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

(i) Sixty-five cents per unit from July 1, 1976 through June 30, 1977, retroactively.

(ii) Seventy cents per unit from July 1, 1977, retroactively.

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

(b) Draft.—

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

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

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

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

(2) All such charges related to draft shall be based upon the charge of the nearest one-half foot of draft; thus there shall be no charge for the first three inches above any foot draft; above three inches, up to and including nine inches, the charge shall be for one-half foot of draft; above nine inches,

the charge shall be for the next higher foot: And provided, further, That any vessel with a draft of less than [twelve] *fifteen* feet shall pay pilotage under this computation as though the draft of the vessel were [twelve] *fifteen* feet, which shall be in addition to the fees paid for bringing her into the breakwater and for detention, if any; such fees to be collected as other fees for pilotage are now collected.

Section 2. The act is amended by adding sections to read:

Section 3.1. *For services rendered on and after the effective date of this act, the rates of pilotage for conducting a vessel from the Capes of the Delaware to a place on the river 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 Light¹ 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: 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:*

¹"Light" omitted in original.

(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. Section 6 of the act, amended July 11, 1969 (P.L.158, No.64), is amended to read:

Section 6. That each and every pilot holding a license from the Board of Commissioners of Navigation, at the time of the passage of this act, shall be entitled to demand and receive a license as a pilot, and demand and receive renewals from time to time thereafter; but no person shall receive a license as a first **[or second]** class pilot till the number of first **[and second-class]** class pilots be reduced to less than forty-two, and that the whole number of first **[and second-class]** class pilots shall not exceed forty-two. That the number of *second*, third and fourth class pilots shall not exceed ten, and that the number of apprentices indentured shall be wholly within the discretion of the Board of Commissioners of Navigation.

Section 4. This act shall take effect immediately.

APPROVED—The 23rd day of December, A. D. 1977.

MILTON J. SHAPP