

Senate, No. 2168

[Senate, October 5, 2009 – New Draft of Senate, No.980 reported from the committee on Public Safety and Homeland Security.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO PORT SECURITY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Resolved, that there shall be within the executive office of public safety and
2 security a special commission on the licensing of docking pilots. The commission shall consist of
3 the secretary of public safety and security or his designee, who shall be the chair of the
4 commission, the director of environmental police or his designee and 5 persons to be appointed
5 by the chair, 1 of whom shall be a member of the Boston Harbor Docking Pilots, 1 of whom
6 shall be a harbor pilot commissioned pursuant to chapter 103 of the General Laws, 1 of whom
7 shall be a commissioner of pilots for district one, 1 of whom shall be a member of the Boston
8 Marine Society, and 1 of whom shall represent the interests of persons operating ships that utilize
9 the services of docking pilots in district one. The member representing the interests of persons
10 operating ships that utilize the services of docking pilots shall be selected from a list of 3 names
11 submitted to the chair by the Boston Harbor Docking Pilots; provided, however, that the list shall
12 be provided to the secretary not later than 15 days after a request therefore is made by the
13 secretary.

14 The commission shall conduct an investigation and study relative to the potential benefits
15 of the licensing and oversight of individuals engaged as docking pilots. For the purposes of this
16 resolve, a “docking pilot” shall be an individual who facilitates the docking, undocking and
17 maneuvering of ocean-going ships through the direction and control of the ship being docked or
18 undocked by the use of a tugboat or other assisting vessel. In conducting its investigation and
19 study, the commission shall take into account both the type and level of United States Coast
20 Guard licensing or certification of those pilots and the type and amount of experience necessary
21 for such licensing or certification. The commission shall examine the need for providing an
22 exemption from licensing requirements for pilots currently docking and undocking ocean-going
23 ships in district one, subject to such other regulations as it deems appropriate.

24 Said commission shall report the results of its investigation and study and its
25 recommendations, if any, by filing the same with the clerks of the senate and the house of
26 representatives on or before May 1, 2010 who shall forward the same to the house and senate
27 chairs of the joint committee on public safety and homeland security.

28 Based upon the results of the commission’s investigation and study, the secretary of
29 public safety shall promulgate rules and regulations for the licensure of docking pilots, and shall
30 take into account both the type and level of United States Coast Guard licensure or certification
31 and the type and amount of experience as a docking pilot, as they are necessary to the licensure
32 of such pilots. Said regulations shall provide for the exemption from licensing requirements of
33 pilots currently docking and undocking ocean-going ships in district one. The secretary shall
34 promulgate said regulations on or before July 1, 2010.

35 Said commission shall expire on July 1, 2010.