

12:8-8

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 12:8-8

(Vessels--sailing
from Sandy Hook
to Atlantic City--
taxing of pilots)

LAWS OF: 1991

CHAPTER: 76

Bill No: A4016

Sponsor(s): Doria

Date Introduced: October 11, 1990

Committee: Assembly: Labor

Senate: Environmental Quality

Amended during passage: No

Date of Passage: Assembly: December 3, 1990

Senate: February 14, 1991

Date of Approval: March 28, 1991

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: Yes

Following were printed:

Reports: No

Hearings: No

KBG/SLJ

P.L.1991, CHAPTER 76, approved March 28, 1991
1990 Assembly No. 4016

1 AN ACT concerning pilotage of vessels operating within the
2 waters of this State, amending R.S.12:8-8, R.S.12:8-10,
3 R.S.12:8-16 and R.S.12:8-35, and supplementing chapter 8 of
4 Title 12 of the Revised Statutes.

5
6 BE IT ENACTED by the Senate and General Assembly of the
7 State of New Jersey:

8 1. R.S.12:8-8 is amended to read as follows:

9 12:8-8. Whenever the services of a pilot by way of Sandy Hook
10 is required to pilot a vessel sailing from any other port in the
11 United States bound in or over the bar of Sandy Hook or into any
12 bays, rivers, harbors, or ports of the waters of this State between
13 Sandy Hook, in the county of Monmouth and the city of Atlantic
14 City, in the county of Atlantic, written application for the pilot
15 must first be made by the master, owner or consignee of the
16 vessel to the commissioners. The commissioners shall thereupon
17 designate the pilots so to be employed in rotation, according to
18 the designated number of boats in service, beginning with the
19 lowest number, so that the company of every boat in the service
20 shall in their turn have the right to avail of such employment.
21 The commissioners shall enforce this regulation by proper
22 by-laws.

23 (cf: R.S.12:8-8)

24 2. R.S.12:8-10 is amended to read as follows:

25 12:8-10. The pilot boats belonging in whole or in part to the
26 United New Jersey Sandy Hook Pilots' Benevolent Association, or
27 to the United New Jersey Sandy Hook Pilots' Association, shall
28 be the only pilot boats in the New Jersey Sandy Hook pilot
29 service, or in any bays, rivers, harbors, or ports of the waters of
30 this State between Sandy Hook, in the county of Monmouth and
31 the city of Atlantic City, in the county of Atlantic. Apprentices
32 shall be attached to the pilot boats of said association and the
33 pilot boats may have more than one apprentice.

34 The apprentices shall be entered in the books of the
35 commissioners in the name of and indentured to the executive
36 committee of the association or the board of directors of the
37 association, and shall serve as apprentices under the laws of this
38 State.

39 Said executive committee or board of directors shall have the
40 sole control of all apprentices until they have served the full
41 term of four years and shall see that all apprentices entered in

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 the commissioners' books in its name are fully instructed in their
2 duties in such manner as is necessary to fully qualify them in
3 every respect to perform the duties of a Sandy Hook pilot.

4 (cf: R.S.12:8-10)

5 3. R.S.12:8-16 is amended to read as follows:

6 12:8-16. Whenever a person shall produce to the Governor, or,
7 in case of his absence from the seat of government, to the
8 Secretary of State, a certificate of appointment from the
9 commissioners, or a majority of them, the Governor or the
10 Secretary of State, as the case may be, shall administer to such
11 person the following oath:

12 "I, A.B., do solemnly swear (or affirm), that I will well and
13 faithfully, and according to the best of my skill and knowledge,
14 execute and discharge the business and duty of a branch
15 pilot for the bar, Jersey City, Newark, and Perth Amboy and
16 harbor of Sandy Hook, and any bays, rivers, harbors, or ports of
17 the waters of this State between Sandy Hook, in the county of
18 Monmouth and the city of Atlantic City, in the county of
19 Atlantic, and that I will at all times use my best endeavors to
20 repair on board all ships and vessels that I shall see and conceive
21 to be bound for, or coming into, or going out of the harbor and
22 bodies of water aforesaid, unless I am well assured that some
23 other licensed pilot is then on board the same; and I do further
24 swear (or affirm), that I will, from time to time and at all times,
25 make the best dispatch in my power to bring safely over the bar
26 at Sandy Hook and into any bays, rivers, harbors, or ports of the
27 waters of this State between Sandy Hook, in the county of
28 Monmouth and the city of Atlantic City, in the county of
29 Atlantic, every vessel committed to my care in coming in or
30 going out; and that I will, from time to time and at all times,
31 truly observe, follow, and fulfill, to the best of my skill, ability,
32 and knowledge, all such orders and directions as I shall or may
33 receive from the commissioners of pilotage, relative to all
34 matters or things that may appertain to the duty of a pilot."

35 The Secretary of State shall charge a fee of \$25.00 for
36 administering the oath.

37 (cf: P.L.1987, c.435, s.2)

38 4. R.S.12:8-35 is amended to read as follows:

39 12:8-35. All masters of foreign vessels and vessels from a
40 foreign port, and all vessels sailing under register, bound in or
41 over the bar of Sandy Hook or into any bays, rivers, harbors, or
42 ports of the waters of this State between Sandy Hook, in the
43 county of Monmouth and the city of Atlantic City, in the county
44 of Atlantic, shall take a licensed pilot, or in case of refusal to
45 take such pilot, the master, owner or consignee shall pay the
46 pilotage as if one had been employed, and such pilotage shall be
47 paid to the pilot first speaking or offering his services as pilot to
48 such vessel.

49 (cf: R.S.12:8-35)

50 5. (New section) The Board of Commissioners of Pilotage of

1 the State of New Jersey, Division of Coastal Resources,
2 Department of Environmental Protection, shall establish rules
3 and regulations regarding fees for inbound, outbound, and
4 transporting vessels operating within a bay, river, harbor, or port
5 between Sandy Hook in the county of Monmouth, and the city of
6 Atlantic City in the county of Atlantic.

7 6. (New section) Nothing in this amendatory and
8 supplementary act shall be construed to extend the requirement
9 of pilotage to any type of vessel that is not required to be piloted
10 pursuant to chapter 8 of Title 12 of the Revised Statutes, and any
11 rules or regulations established thereunder by the Board of
12 Commissioners of Pilotage of the State of New Jersey, Division
13 of Coastal Resources, Department of Environmental Protection.

14 7. This act shall take effect 60 days after enactment, but the
15 Board of Commissioners of Pilotage of the State of New Jersey,
16 Division of Coastal Resources, Department of Environmental
17 Protection, may take any anticipatory action as may be necessary
18 for the implementation of this act on the effective date thereof.
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20 STATEMENT

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23 This bill would expand the use of licensed pilots for foreign
24 vessels, vessels operating from a foreign port, or vessels sailing
25 under register to include the waters encompassing those rivers,
26 bays, ports, and harbors on the Atlantic coast of the State. The
27 extended use of licensed pilots, who possess experience and
28 knowledge in navigating the coastal waters of the State will
29 ensure the safe passage of foreign vessels, and reduce the
30 possibility of marine disasters such as pollution causing oil spills,
31 and collisions. The Board of Commissioners of Pilotage is also
32 directed to establish any rules or regulations regarding pilotage in
33 order to effectuate the purposes of the bill.
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35 TRANSPORTATION

36
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38 Requires taking of pilots on vessels operating between Sandy
39 Hook and Atlantic City.

the State of New Jersey, Division of Coastal Resources, Department of Environmental Protection, shall establish rules and regulations regarding fees for inbound, outbound, and transporting vessels operating within a bay, river, harbor, or port between Sandy Hook in the county of Monmouth, and the city of Atlantic City in the county of Atlantic.

6. (New section) Nothing in this amendatory and supplementary act shall be construed to extend the requirement of pilotage to any type of vessel that is not required to be piloted pursuant to chapter 8 of Title 12 of the Revised Statutes, and any rules or regulations established thereunder by the Board of Commissioners of Pilotage of the State of New Jersey, Division of Coastal Resources, Department of Environmental Protection.

7. This act shall take effect 60 days after enactment, but the Board of Commissioners of Pilotage of the State of New Jersey, Division of Coastal Resources, Department of Environmental Protection, may take any anticipatory action as may be necessary for the implementation of this act on the effective date thereof.

STATEMENT

This bill would expand the use of licensed pilots for foreign vessels, vessels operating from a foreign port, or vessels sailing under register to include the waters encompassing those rivers, bays, ports, and harbors on the Atlantic coast of the State. The extended use of licensed pilots, who possess experience and knowledge in navigating the coastal waters of the State will ensure the safe passage of foreign vessels, and reduce the possibility of marine disasters such as pollution causing oil spills, and collisions. The Board of Commissioners of Pilotage is also directed to establish any rules or regulations regarding pilotage in order to effectuate the purposes of the bill.

TRANSPORTATION

Requires taking of pilots on vessels operating between Sandy Hook and Atlantic City.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4016

STATE OF NEW JERSEY

DATED: OCTOBER 15, 1990

The Assembly Labor Committee reports favorably Assembly Bill No. 4016.

This bill amends various sections of chapter 8 of Title 12 of the Revised Statutes to expand the requirement that State-licensed pilots be used for foreign vessels, vessels operating from a foreign port, vessels sailing under register, and certain vessels sailing from other ports in the United States so that the requirement applies to those vessels when they are in the rivers, bays, ports, and harbors on the Atlantic coast between Sandy Hook and Atlantic City. At present, those requirements apply only to vessels bound in or over the bar of Sandy Hook, that is, vessels which have destinations in Lower New York Bay, Upper New York Bay or adjoining rivers, channels, ports or harbors.

The bill also directs the Board of Commissioners of Pilotage to establish any rules or regulations regarding pilotage in order to effectuate the provisions of the bill.

The purpose of the bill is to extend the use of State-licensed pilots, with their high levels of training and experience, and therefore reduce the possibility of marine disasters such as collisions and pollution-causing oil spills.

SENATE ENVIRONMENTAL QUALITY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4016

STATE OF NEW JERSEY

DATED: JANUARY 10, 1991

The Senate Environmental Quality Committee favorably reports Assembly Bill No. 4016.

This bill would expand the requirement that State-licensed pilots be used for foreign vessels, vessels operating from a foreign port, vessels sailing under register, and certain vessels sailing from other ports in the United States when they are in the rivers, bays, ports, and harbors of the Atlantic coast between Sandy Hook and Atlantic City. At present, the requirement applies only to vessels bound in or over the bar of Sandy Hook, that is, vessels with destinations in Lower New York Bay, Upper New York Bay, or adjoining rivers, channels, ports, or harbors.

The bill also directs the Board of Commissioners of Pilotage to establish rules and regulations to effectuate the provisions of the bill.

Pilots licensed by the State of New Jersey, as opposed to federally-licensed pilots, must pass more stringent training and experience requirements to be qualified as State pilots. Expanded use of State-licensed pilots along the coast of New Jersey will reduce the possibility of marine disasters such as collisions and pollution-causing oil spills.

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Thursday
March 28, 1991

GOVERNOR FLORIO SIGNS LEGISLATION SETTING MORE STRINGENT STANDARDS FOR PILOTS IN NEW JERSEY WATERS

BAYONNE -- Pilots travelling in New Jersey waters will now have to meet more stringent requirements under legislation signed by Governor Jim Florio today in an effort to decrease possible collisions and oil spills.

"When I talk about keeping our air pure and our water clean, I say that we need to do two things: clean up the mistakes of yesterday and prevent the mistakes of tomorrow. This law should go a long way toward preventing future mistakes," said Governor Florio. "It's been a good year for clean water and the future looks like it's going to be even better."

The bill, A 4016 sponsored by Assemblymen Joe Doria and Joseph Paterno, requires that pilots meet stricter standards than current law by requiring state-licensed pilots be used on all vessels travelling in New Jersey waters from Sandy Hook to Atlantic City. Currently, the law only requires that state-licensed pilots be used on vessels above Sandy Hook, travelling in the Arthur Kill, Lower and Upper New York Bay and its tributaries. Requirements for state licensure are more stringent than those for federal licensure.

"As you might expect from a state serious about keeping its water clean, New Jersey has the toughest licensing tests for pilots. We trust New Jersey men and women of the sea to do their best to keep our harbor safe," he said. "New Jersey isn't waiting to learn its lesson a second time when it comes to oil spills. New Jersey will never stop fighting for what the people want."

Today's bill signing represents another step in New Jersey's efforts to enact tougher laws protecting its coastal waters. Last summer, Governor Florio signed a package of legislation enacting the toughest fines -- up to \$10 million -- for catastrophic spills, placing stricter liability on oil companies and toughening

industry standards. The Governor also signed the toughest clean water enforcement law in the nation last spring and on March 17, marked the end of ocean dumping of sludge.

"This legislation is another important step in making sure New Jersey has a clean and green tomorrow," Governor Florio said. "New Jersey is serious about keeping our water clean and protecting our Jersey shore. Because the people of New Jersey know that our children won't have the opportunity unless we preserve our small piece of the planet."

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