

By: Canales

H.B. No. 4445

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the safe and efficient provision of pilot services by  
3 the Board of Pilot Commissioners for Harris County Ports.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 5007.209(b), Special District Local Laws  
6 Code, is amended to read as follows:

7 (b) The training program must provide the person with  
8 information regarding:

9 (1) the legislation that created the authority;

10 (2) the programs, functions, policies, rules, and  
11 budget of the authority;

12 (3) the results of the most recent formal audit of the  
13 authority;

14 (4) ~~[the duties of the port commission as the board of  
15 pilot commissioners for Harris County ports under Chapter 66,  
16 Transportation Code,~~

17 ~~[(5)]~~ the requirements of laws relating to open  
18 meetings, public information, administrative procedure, financial  
19 disclosure, and conflicts of interest; and

20 (5) (5) ~~[(6)]~~ any applicable ethics policies adopted by  
21 the port commission or the Texas Ethics Commission.

22 SECTION 2. Section 66.002, Transportation Code, is amended  
23 by adding Subsections (6-a) and (6-b), to read as follows:

24 (6-a) "Two-way route" means a directional route within

1 defined limits inside which two-way traffic is established, and  
2 which is intended to improve safety in waters where navigation is  
3 difficult.

4 (6-b) "Two-way traffic" means that traffic flow is  
5 permitted in opposing directions, but a vessel may not meet, cross,  
6 nor overtake any other vessel in such a manner that it would be  
7 abreast of more than one other vessel within the defined limits of a  
8 waterway.

9 SECTION 3. Section 66.017, Transportation Code, is amended  
10 to read as follows:

11 Sec. 66.017. DUTIES. The board shall:

12 (1) establish the number of pilots necessary to  
13 provide adequate pilot services for each Harris County port;

14 (2) accept applications for pilot licenses and  
15 certificates and determine whether each applicant meets the  
16 qualifications for a pilot;

17 (3) submit to the governor lists of applicants the  
18 board finds to be qualified for appointment as pilots;

19 (4) establish pilotage rates;

20 (5) approve the locations for pilot stations;

21 (6) establish times during which pilot services will  
22 be available;

23 (7) hear and determine complaints relating to the  
24 conduct of pilots;

25 (8) recommend to the governor each pilot whose license  
26 or certificate should not be renewed or should be revoked;

27 (9) adopt rules and issue orders to pilots or vessels

1 when necessary to secure safe and efficient pilot services,  
2 including minimizing the interference of two-way routes;

3 (10) institute investigations or hearings or both to  
4 consider casualties, accidents, or other actions that violate this  
5 chapter; and

6 (11) provide penalties to be imposed on a person who is  
7 not a pilot for a Harris County port who pilots a vessel into or out  
8 of the port if a pilot offered those services to the vessel.

9 SECTION 4. Subchapter B. Chapter 66, Transportation Code,  
10 is amended by adding Section 66.0171 to read as follows:

11 Sec. 66.0171. EFFICIENT PILOT SERVICE; MAXIMUM VESSEL  
12 LENGTH. (a) Except as provided by subsection (b), in order to  
13 ensure safe and efficient pilot services, the maximum overall  
14 length of a vessel, including the bulbous bow, that may be piloted  
15 within the board's jurisdiction is 1,100 ft.

16 (b) The board may issue rules authorizing the piloting of  
17 vessels with a maximum overall length that exceeds the length  
18 provided for in subsection (a) if the board determines, upon  
19 recommendation from an association representing no less than fifty  
20 percent of the pilots authorized to operate under the board's  
21 jurisdiction, that two-way routes may safely and efficiently be  
22 maintained and that two-way traffic safely and efficiently be  
23 conducted.

24 (c) Any rules adopted under subsection (b) must establish  
25 the maximum overall vessel length that may be piloted in a manner  
26 that maintains safe and efficient two-way routes and safe and  
27 efficient two-way traffic as recommended by an association

1 representing no less than fifty percent of the pilots authorized to  
2 operate under the board's jurisdiction.

3 (d) Prior to issuing any rules under subsection (b), the  
4 board must conduct at least two public hearings