

1-1 By: Creighton S.B. No. 2223  
 1-2 (In the Senate - Filed March 8, 2019; March 21, 2019, read  
 1-3 first time and referred to Select Committee on Texas Ports;  
 1-4 April 15, 2019, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 6, Nays 0; April 15, 2019,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Creighton	X			
1-9 Alvarado	X			
1-10 Hinojosa	X			
1-11 Kolkhorst			X	
1-12 Lucio	X			
1-13 Nelson	X			
1-14 Taylor	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 2223 By: Creighton

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the safe and efficient provision of pilot services by  
 1-20 the board of pilot commissioners for Harris County ports.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 5007.209(b), Special District Local Laws  
 1-23 Code, is amended to read as follows:

1-24 (b) The training program must provide the person with  
 1-25 information regarding:

1-26 (1) the legislation that created the authority;

1-27 (2) the programs, functions, policies, rules, and  
 1-28 budget of the authority;

1-29 (3) the results of the most recent formal audit of the  
 1-30 authority;

1-31 (4) ~~[the duties of the port commission as the board of~~  
 1-32 ~~pilot commissioners for Harris County ports under Chapter 66,~~  
 1-33 ~~Transportation Code,~~

1-34 ~~[(5)]~~ the requirements of laws relating to open  
 1-35 meetings, public information, administrative procedure, financial  
 1-36 disclosure, and conflicts of interest; and

1-37 (5) ~~[(6)]~~ any applicable ethics policies adopted by  
 1-38 the port commission or the Texas Ethics Commission.

1-39 SECTION 2. Section 66.017, Transportation Code, is amended  
 1-40 to read as follows:

1-41 Sec. 66.017. DUTIES. The board shall:

1-42 (1) establish the number of pilots necessary to  
 1-43 provide adequate pilot services for each Harris County port;

1-44 (2) accept applications for pilot licenses and  
 1-45 certificates and determine whether each applicant meets the  
 1-46 qualifications for a pilot;

1-47 (3) submit to the governor lists of applicants the  
 1-48 board finds to be qualified for appointment as pilots;

1-49 (4) establish pilotage rates;

1-50 (5) approve the locations for pilot stations;

1-51 (6) establish times during which pilot services will  
 1-52 be available;

1-53 (7) hear and determine complaints relating to the  
 1-54 conduct of pilots;

1-55 (8) recommend to the governor each pilot whose license  
 1-56 or certificate should not be renewed or should be revoked;

1-57 (9) adopt rules and issue orders to pilots or vessels  
 1-58 when necessary to secure efficient pilot services, including  
 1-59 minimizing the interference of two-way routes;

1-60 (10) institute investigations or hearings or both to

2-1 consider casualties, accidents, or other actions that violate this  
2-2 chapter; and

2-3 (11) provide penalties to be imposed on a person who is  
2-4 not a pilot for a Harris County port who pilots a vessel into or out  
2-5 of the port if a pilot offered those services to the vessel.

2-6 SECTION 3. Subchapter B, Chapter 66, Transportation Code,  
2-7 is amended by adding Section 66.0171 to read as follows:

2-8 Sec. 66.0171. ONE-WAY TRAFFIC. (a) In this section:

2-9 (1) "One-way traffic" means a limitation on an area  
2-10 imposed by the board where the meeting, turnaround, and overtaking  
2-11 of ships are prohibited.

2-12 (2) "Port authority" means the Port of Houston  
2-13 Authority of Harris County, Texas.

2-14 (b) The board may not impose one-way traffic for more than  
2-15 one vessel per week.

2-16 (c) A vessel for which one-way traffic is imposed:

2-17 (1) may not call and depart from a port authority  
2-18 terminal on the same day; and

2-19 (2) must be capable of turning around within the  
2-20 turning basin serving the applicable port authority terminal.

2-21 (d) The executive director of the port authority is  
2-22 authorized to take any action necessary, including the execution  
2-23 and delivery of documents, to carry out this section.

2-24 (e) The limitation in Subsection (b) does not apply to  
2-25 one-way traffic governed by an authorization issued by the United  
2-26 States Coast Guard for a dredging vessel or vessel operated by  
2-27 military forces personnel.

2-28 (f) This section expires August 31, 2021.

2-29 SECTION 4. Subchapter B, Chapter 66, Transportation Code,  
2-30 is amended by adding Section 66.0172 to read as follows:

2-31 Sec. 66.0172. EFFICIENT PILOT SERVICE; MAXIMUM VESSEL  
2-32 LENGTH. (a) In this section:

2-33 (1) "Two-way route" means a directional route within  
2-34 defined limits inside which two-way traffic is established, and  
2-35 which is intended to improve safety in waters where navigation is  
2-36 difficult.

2-37 (2) "Two-way traffic" means that traffic flow by all  
2-38 vessels is permitted in opposing directions.

2-39 (b) Except as provided by Subsection (c), in order to ensure  
2-40 safe and efficient pilot services, the maximum overall length of a  
2-41 vessel, including the bulbous bow, that may be piloted within the  
2-42 board's jurisdiction is 1,100 feet.

2-43 (c) The board may adopt rules authorizing the piloting of  
2-44 vessels with a maximum overall length that exceeds the length  
2-45 provided for in Subsection (b) if the board determines, upon  
2-46 recommendation from not less than 80 percent of the pilots  
2-47 authorized to operate under the board's jurisdiction, that two-way  
2-48 routes may safely and efficiently be maintained and that two-way  
2-49 traffic may safely and efficiently be conducted.

2-50 (d) Any rules adopted under Subsection (c) must establish  
2-51 the maximum overall vessel length that may be piloted in a manner  
2-52 that maintains safe and efficient two-way routes and safe and  
2-53 efficient two-way traffic as recommended by not less than 80  
2-54 percent of the pilots authorized to operate under the board's  
2-55 jurisdiction.

2-56 (e) Before adopting any rules under Subsection (c), the  
2-57 board must conduct at least two public hearings.

2-58 SECTION 5. (a) Except as provided by Subsection (b) of  
2-59 this section, this Act takes effect September 1, 2019.

2-60 (b) Sections 1, 2, and 4 of this Act take effect September 1,  
2-61 2021.

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