

No. 2004-47

AN ACT

SB 1059

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 providing for certain charges.

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

Section 1. Sections 3.1(b) and (c) and 3.2(b) and (c) of 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," amended May 15, 1998 (P.L.447, No.62) and May 17, 2001 (P.L.96, No.10), are amended to read:

Section 3.1. For services rendered on and after January 1, 1990, retroactively, the rates of pilotage for conducting a vessel from the Capes of the Delaware to a place on the Delaware River or Bay 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:

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

<b>[(i) Effective January 1, 2001</b>	<b>.....</b>	<b>\$7.83 per unit</b>
<b>(ii) Effective January 1, 2002</b>	<b>.....</b>	<b>\$8.53 per unit</b>
<b>(iii) Effective January 1, 2003</b>	<b>.....</b>	<b>\$9.04 per unit</b>
<b>(iv) Effective January 2, 2004</b>	<b>.....</b>	<b>\$9.58 per unit]</b>
<b>(i) Effective January 1, 2004</b>	<b>.....</b>	<b>\$9.58 per unit</b>
<b>(ii) Effective January 1, 2005</b>	<b>.....</b>	<b>\$10.06 per unit</b>
<b>(iii) Effective January 1, 2006</b>	<b>.....</b>	<b>\$10.46 per unit</b>
<b>(iv) Effective January 1, 2007</b>	<b>.....</b>	<b>\$10.88 per unit</b>

(c) There shall be a minimum charge of two hundred units and a maximum unit charge [of one thousand two hundred units.] as follows:

<b>(i) Effective January 1, 2004</b>	<b>.....</b>	<b>1,200 units</b>
<b>(ii) Effective January 1, 2005</b>	<b>.....</b>	<b>1,250 units</b>
<b>(iii) Effective January 1, 2006</b>	<b>.....</b>	<b>1,300 units</b>
<b>(iv) Effective January 1, 2007</b>	<b>.....</b>	<b>1,350 units</b>

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 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 section 3.1 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:

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

<b>(i) Effective January 1, 2001</b> .....	<b>\$7.83 per unit</b>
<b>(ii) Effective January 1, 2002</b> .....	<b>\$8.53 per unit</b>
<b>(iii) Effective January 1, 2003</b> .....	<b>\$9.04 per unit</b>
<b>(iv) Effective January 1, 2004</b> .....	<b>\$9.58 per unit]</b>
<b>(i) Effective January 1, 2004</b> .....	<b>\$9.58 per unit</b>
<b>(ii) Effective January 1, 2005</b> .....	<b>\$10.06 per unit</b>
<b>(iii) Effective January 1, 2006</b> .....	<b>\$10.46 per unit</b>
<b>(iv) Effective January 1, 2007</b> .....	<b>\$10.88 per unit</b>

(c) There shall be a minimum charge of two hundred units and a maximum *unit* charge [of one thousand two hundred units.] as follows:

<b>(i) Effective January 1, 2004</b> .....	<b>1,200 units</b>
<b>(ii) Effective January 1, 2005</b> .....	<b>1,250 units</b>
<b>(iii) Effective January 1, 2006</b> .....	<b>1,300 units</b>
<b>(iv) Effective January 1, 2007</b> .....	<b>1,350 units</b>

Section 2. Section 3.3 of the act, amended May 15, 1998 (P.L.447, No.62), is amended to read:

Section 3.3. The following charges are hereby authorized for the services stated:

- (1) Ship communication charge:  
Vessels transiting the Delaware River ..... [~~\$100.00~~] **\$150.00**
- (2) Transporting vessels in the Delaware:  
Philadelphia (or other place) to Marcus Hook ..... [~~500.00~~] **650.00**  
Philadelphia (or other place) below Marcus Hook .... [~~500.00~~] **650.00**

Philadelphia Harbor to Torresdale . . . . .	<b>[500.00] 650.00</b>
Philadelphia Harbor to any place above Torresdale . . .	<b>[700.00] 850.00</b>
(3) Extra services:	
Swing ship to adjust magnetic compass . . . . .	<b>[200.00] 300.00</b>
Swing ship to calibrate direction finder . . . . .	<b>[200.00] 300.00</b>
Vessels anchoring below Brown Shoal in excess of three	
hours awaiting flood tide for transiting river channel . . . . .	<b>[250.00] 350.00</b>
Carried to/from Baltimore . . . . .	<b>[175.00] 300.00</b>
Carried to/from Norfolk . . . . .	<b>[500.00] 600.00</b>
Carried to/from New York . . . . .	<b>[500.00] 600.00</b>

Vessels entering the Capes for anchorage at the Breakwater for other than tide shall pay one-half pilotage in and one-half pilotage out.

(4) Chesapeake and Delaware Canal:

Vessels transiting the Chesapeake and Delaware Canal:

Vessels with a length overall of less than 650 feet . . . . .	<b>[650.00] 800.00</b>
Vessels with a length overall of 650 feet or more . . . . .	<b>[750.00] 1,000.00</b>

(5) Cancellation of sailing orders:

Cancellation charge . . . . .	<b>[200.00] 400.00</b>
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Any time a pilot is dispatched for sailing and the trip or movement is canceled, for reason other than weather, the vessel shall be subject to this charge, except when the Pilot Office is notified as follows:

All piers north of Hog Island - 1 1/2 hours before sailing time.

All piers north of Paulsboro - 2 hours before sailing time.

All piers south of the above - 3 hours before sailing time.

(6) Finance charge:

A finance charge not to exceed one and one-half per centum per month or fraction thereof may be assessed against all invoices outstanding more than **[forty-five] thirty** days after the billing date, and the cost of attorney fees on any amount placed with an attorney for collection may also be charged.

Section 3. This act shall take effect in 60 days.

APPROVED—The 28th day of June, A.D. 2004.

EDWARD G. RENDELL