

Legislative Regulation Review Committee

2010-052

Department of Transportation

NAVIGABLE

IMPORTANT: Read instructions on bottom of last page (Certification Page) before completing this form. Failure to comply with instructions may cause disapproval of proposed regulations

State of Connecticut
REGULATION
of

THE DEPARTMENT OF TRANSPORTATION

Concerning

Navigable Waters – Marine Pilots

Section 1. Section 15-15a-6 of the Regulations of Connecticut State Agencies is amended as to read as follows:

Sec. 15-15a-6. Definitions.

- [(a) "Commissioner" means the Commissioner of the Connecticut Department of Transportation or his designee.
- (b) "Pilot" means one who is a Connecticut licensed pilot qualified to act in navigable harbors and waters of the state.
- (c) "License" means a piloting license issued by the Commissioner.
- (d) "Department" means Connecticut Department of Transportation.
- (e) "Board" means the Board of Commissioners of Pilots of the State of New York;
- (f) "Rotation System" means a joint rotation system for the assignment of pilots of pilot vessels;
- (g) "Waters" includes the navigable waters of Long Island Sound-Block Island Sound, including all the boundary waters of both states of Long Island Sound and Block Island Sound and all ports and terminals thereon, and ports on waters tributary thereto east of the City Island – Stepping Stones Light line; and
- (h) "Administrator" or "Joint Administrator" means the entity that shall administer the rotation system.]

- (NEW) (a) "Administrator" or "Joint Rotation Administrator" means the entity that shall administer the joint rotation system;
- (b) "Board" means the Board of Commissioners of Pilots of the State of New York;
- (c) "Commissioner" means the Commissioner of the Connecticut Department of Transportation or his designee;
- (d) "Connecticut Pilot Commission" has the same meaning as provided in section 15-13c of the Connecticut General Statutes;
- (e) "Connecticut State Marine Pilot" means an individual who is a member in good standing of the Connecticut State Pilots and is licensed by the state of Connecticut under section 15-13 of the Connecticut General Statutes, qualified to safely bring a vessel in from a designated pilot embarkation station to its berth including any intermediate movements such as anchoring, shifting berths within and between ports and returning the vessel from its berth to a designated pilot debarkation station;
- (f) "Department" means Connecticut Department of Transportation;
- (g) "Full Branch Pilot" means a Connecticut State Marine Pilot or a New York State Marine Pilot qualified and licensed to operate in all Waters as defined in section 15-15a-6(m) of the Regulations of Connecticut State Agencies
- (h) "Joint Rotation System" means the rotation of pilots authorized in section 15-15d of the Connecticut General Statutes, defined by section 15-15a-17 of the Regulations of Connecticut State Agencies and described in the Memorandum of Agreement between the Board of Commissioners of Pilots of the State of New York and Commissioner of Transportation of the State of Connecticut effective January 15, 2004;
- (i) "License" means a piloting license issued by the Commissioner pursuant to section 15-13 of the Connecticut General Statutes;
- (j) "New York State Marine Pilot" means an individual who is a member in good standing of the New York Pilots and is licensed by the Board of Commissioners of Pilots of the State of New York;
- (k) "Program" means the Connecticut Apprentice Pilot Selection, Training and Certification Program described in section 15-15a-7 of the Regulations of Connecticut State Agencies;
- (l) "Senior Pilot" means a Full Branch Pilot with a minimum of five years experience as a Connecticut State Marine Pilot or a New York State Marine Pilot licensed to operate in the Waters;
- (m) "Waters" means the navigable waters of Long Island Sound - Block Island Sound, including all the boundary waters of the states of Connecticut and New York of Long Island Sound and Block Island Sound and all ports and terminals thereon, and ports on waters tributary thereto east of the City Island - Stepping Stones Light line, and

(n) "Pilot of Record" means a pilot assigned to the movement of a vessel by a proper authority who shall receive all pilotage fees for that vessel movement.

(o) Acronyms:

- (1) AIS – Automated Identification System
- (2) BIS – Block Island Sound
- (3) BRM – Bridge Resource Management
- (4) CPC – Connecticut Pilot Commission
- (5) GPS – Global Positioning System
- (6) GT– gross tonnage
- (7) JRA – Joint Rotation Administrator
- (8) LIS – Long Island Sound
- (9) MOA – Memorandum of Agreement
- (10) STCW - Standards for Training, Certification, and Watchkeeping
- (11) USCG – U.S. Coast Guard

Sec. 2. Section 15-15a-7 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 15-15a-7. Qualifications [for applicants for a license as a state pilot], selection and training for new applicants for a license as a Connecticut State Marine Pilot.

(a) In addition to other requirements specified in this chapter, each applicant for a [state pilot's license must] Connecticut State Marine Pilot's license shall:

- (1) Be 21 years of age as evidenced by birth certificate or legal proof of age[.];
- (2) Have successfully completed 12 years of formal education, as evidenced by a high school diploma or a high school equivalency examination[.];
- (3) Be in good physical and mental health, as stated in Sec. 15-15a-10 and evidenced by documentary proof of having satisfactorily passed a complete physical examination within the preceding six (6) months, which examination must be in compliance with Sec. 15-15a-10 of these regulations[.];
- (4) Possess a federal masters license (near coastal, any gross tons)[.];
- (5) Possess a federal first class pilot's license of unlimited tonnage issued by the U.S. Coast Guard covering all the waters [of the area or harbors in which license as a state pilot is desired.] as defined in Sec 15-15a-6(m);
- (6) [Pass a Department prepared examination for the harbors or waters in which license as a state pilot is desired. Applicant's score must be no less than 90 percent. The applicant's knowledge of the waters, tides, prevailing seasonal weather conditions, bottom conditions and navigational aids and rules pertinent to the waters for which the application has been made will be tested.] Successfully complete the training and certification process detailed in Sec 15-15a-7(b);
- (7) Fulfill the requirements stated in Sec. 15-13 (a) of the Connecticut General Statutes.

(b) [If the applicant is found to possess the requisite physical and mental standards, and to possess the required knowledge, aptitude and skills to meet the requirements set forth in the regulations and statutes of the State of Connecticut, a license may be issued.] When it is determined by the Commissioner, at the recommendation of the Connecticut Pilot Commission, that one or more licensed Connecticut State Marine Pilots are needed for the Joint Rotation System, individuals seeking to enter the Program shall apply to the Department in response to a public solicitation made by the Department for the number of apprentices needed to enter the Program. Applications shall be reviewed and scored by the Department according to the qualification point system for selection as specified in subdivision (1) and (2) of this subsection to arrive at each applicant's Preliminary Score and Final Score. Applicants shall provide copies of documents related to education, licenses, endorsements, training and experience referred to in subsections (a) and (b) in order to receive credit. Failure to submit all documents required will disqualify the applicant from further consideration.

(NEW) (1) Preliminary Score: Applications shall be evaluated by a point system based upon the following criteria:

(A) Education: (maximum 5 points)

- 1) Maritime academy graduate - 5 points
- 2) Military academy graduate - 3 points
- 3) Accredited college graduate - 2 points

(B) Federal License grade: (maximum 5 points)

- 1) Master greater than 10,000 GT - 5 points
- 2) Chief Mate greater than 10,000 GT - 4 points
- 3) Second Mate - 3 points
- 4) Third Mate - 2 points
- 5) Master/ Mate; greater than 3,000 GT - 3 points
- 6) Master Tug and Barge - 2 points
- 7) Mate of Tug and Barge - 1 point

(C) Endorsements to License: (maximum 5 points)

- 1) First Class Pilotage for the Waters - 5 points
- 2) Each port First Class Pilotage Unlimited - 1 point per port

(D) Additional Training: (maximum 5 points)

- 1) STCW Qualified - 5 points
- 2) Advanced Ship Handling - 5 points
- 3) Ship Handling Simulator Training - 3 points
- 4) Basic Ship Handling - 2 points

(E) Pilotage Experience: (maximum 5 points)

- 1) Pilot of Record on vessels greater than 50,000 GT - 5 points
- 2) Pilot of Record on vessels greater than 30,000 GT - 3 points
- 3) Pilot of Record on vessels greater than 10,000 GT - 1 point

(F) Written Exam – Twenty (25) questions 1 point per question (maximum 25 points)

- 1) Navigational Rules of the Road
- 2) Terrestrial Navigation
- 3) Charts
- 4) Tides and Currents
- 5) Ship Handling
- 6) BRM

(NEW) (2) Final Score. Only applicants with a Preliminary Score of 30-50 will advance to an interview. An Interview Committee consisting of two (2) or more CPC members shall conduct each interview and individually score the applicants according to the scoring set forth in subsection (A) below. The individual Interview Committee member's scores shall be combined into a total composite interview score for each applicant. The Interview Committee shall add the composite interview score of each applicant to the applicant's Preliminary Score to arrive at a "Final Score" for each applicant. The Interview Committee shall provide a list of applicants in rank order according to each applicant's Final Score to the Department for consideration to admission into the Program based on the number of apprentices solicited by the Department's public notice.

(A) Thirty (30) Minute Interview by at least two (2) CPC members - (maximum 10 points total per interviewer):

- (i) Communications skills (maximum 5 points)
- (ii) Personal bearing and attitude (maximum 5 points)

(NEW) (3) Pilot Training Program: Applicant(s) selected by the Commissioner for the Program ("Apprentice") shall enter the Program under the supervision of currently licensed Senior Pilot(s)

and the oversight by the CPC. An Apprentice shall meet all the requirements contained in CGS Sec.15-13(a).

- (A) Overview. An Apprentice shall be required to make twelve (12) round trips over each pilotage section of the Waters. Apprentices shall be trained and instructed by Senior Pilots licensed to operate in the Waters. Training and instruction will take place on the bridge of the vessels on which the Apprentice is riding, except as otherwise noted. An Apprentice shall be required to perform the piloting, docking and undocking of the vessels on which he/she is riding, under the guidance of the Senior Pilot in attendance. As part of the Program, the Apprentice shall be required to demonstrate the ability to pilot vessels over 10,000 GT under all weather and sea conditions during both day and night. The Senior Pilot in attendance shall grade trips using the standard evaluation forms provided by the CPC, which shall then be submitted to the CPC after each trip. The CPC shall collect all evaluation forms for each Apprentice. The CPC shall review the evaluations to determine if all elements of subsection (3) have been met. Once reviewed and found to be complete, the CPC shall forward the evaluation forms to the Commissioner with a summary report including a recommendation for the issuance of a License or not. An Apprentice shall not receive any compensation for participating in the pilot training program.
- (B) Ship handling. An Apprentice shall be trained in advanced ship handling techniques including: the effects of speed and vessel rotation on vessel maneuvering; vessel interaction; the effects of tide, current, and under keel clearance while docking/undocking or underway in all channels within the State's ports and waters; proper use of anchor when anchoring, docking/undocking, and in emergency situations; proper use of bow thrusters and their performance expectations based on power to weight ratio, vessel type, size and draft; and proper main engine use and performance expectations based on power to weight ratio, vessel type, size, weight, type of propeller, and type of rudder. As part of the Program, an Apprentice shall also successfully complete a USCG approved basic ship handling course and a USCG approved emergency ship handling course at a certified training facility, at the Apprentice's sole expense. An Apprentice shall provide proof of completion of such courses to the CPC.
- (C) Use of assist tugs for vessel maneuvering. An Apprentice shall be trained in: the use of assist tugs, including proper positioning of tug(s) when used on different ship configurations, and under different docking conditions; the use of tug lines(s) under different weather, current, and dock configuration conditions; and the different techniques employed when using single screw, twin screw and tractor tugs.
- (D) Weather: An Apprentice shall be trained in the effects of weather on piloting, vessel maneuverability and on the tides and currents within the ports and waters.
- (E) Traffic management. An Apprentice shall be trained in proper passing, overtaking and meeting arrangements in dense traffic based on safety, and "custom and practice" in the port and waters, including ongoing review of the "Rules of the Road" and their practical application to the ports and waters.
- (F) Bridge team management. An Apprentice shall be trained in how to conduct a proper master-pilot exchange and how to interact with the bridge team to ensure that engine and rudder orders are carried out correctly and that radar and other electronic navigation equipment are used properly and to maximum efficiency. As part of the Program, an Apprentice must complete a one (1) week bridge team management course at a USCG certified facility, at the Apprentice's sole expense. An Apprentice shall provide proof of completion of such course to the CPC.
- (G) Local knowledge and aids to navigation. Upon commencement of the Program, an Apprentice is expected to have an understanding of local knowledge and aids to navigation. The Apprentice shall demonstrate that this knowledge is complete as it pertains to the Waters. Senior Pilots in attendance during shipboard training shall assist in assuring Apprentice proficiency in this area.
- (H) Use of personal computer navigation: An Apprentice shall be proficient with the use of a laptop computer, navigation software with a direct link to the vessel's AIS/GPS system, and a wireless GPS back up.
- (I) Pilot boat operation and safety: Pilot boat operation and safety training will occur on various pilot boats and shall include actual operation of pilot boats, proper pilot boat boarding approaches, and use of all on board safety equipment. An Apprentice will also be trained in

proper pilot ladder use, rigging, pilot boarding techniques and safety concerns.

- (J) Vessel Traffic Service: An Apprentice shall make periodic visits to USCG Sector Long Island Sound to become familiar with vessel screening prior to arrival, vessel clearance, vessel operations and monitoring traffic in the Long Island Sound and ports.
- (K) Port safety and security: An Apprentice shall be familiar with all port security concerns, both state and federal, as they apply to the duties of a pilot. An Apprentice must be fully familiar with the USCG "Homeport" website to receive "up-to-date" safety and security notices.
- (L) Pilot Apprentice Logbook: An Apprentice shall document all training activities in a "Pilot Apprentice Logbook." Entries shall include, but not be limited to, the name, size and flag of a vessel boarded; the date, time and the points of embarkation/debarkation (by latitude/longitude); the name of the supervising Senior Pilot; and the weather conditions.

(NEW) (c) Upon completion of the Program as determined by the Commissioner at the recommendation of the CPC, an Apprentice found to possess the requisite physical and mental standards as specified by Sec. 15-15a-7(a)(3), and to possess the required knowledge, aptitude and skills as set forth in Sec. 15-15a-7(b)(3) and Section 15-13(a) of the Connecticut General Statutes will be issued a Full Branch Pilot License by the Commissioner pursuant to Section 15-13 of the Connecticut General Statutes. Once the license is issued, the newly licensed marine pilot will work on the Connecticut side of the rotation under the auspices of Interport Pilots Agency, Inc. d.b.a. Connecticut State Pilots.

Sec. 3. Sections 15-15a-8 to 15-15a-17 inclusive, of the Regulations of Connecticut State Agencies are amended to read as follows:

Sec. 15-15a-8. Issuing of licenses

- (a) All applications for new licenses shall be filed in the office of the Commissioner or as may be designated. Applications can only be filed upon meeting the qualifications as outlined.
- (b) All applications for licenses shall be filed in the office indicated in section (a) on or before [October] December 1 for review. An examination will then be scheduled prior to the date of issuance of a new license on January 1, of the following year.
- (c) All licenses are renewable on January 1 of each year and are valid for a twelve (12) month period. All requirements for renewal of licenses defined in these regulations and statutes will be applicable.
- (d) No license shall be issued or person exercise any pilotage services until the Treasurer of the State of Connecticut has received a bond with surety approved by said Treasurer, or a surety bond or a surety company recognized to conduct business in this State, in the penal sum of one thousand dollars (\$ 1,000.00) conditioned upon the faithful performance of pilotage duties and adherence to the regulations herein set forth.

Sec. 15-15a-9. Renewal of licenses

- (a) All applications and supporting documentation specified for renewal of licenses shall be in the office indicated in section 15-15a-8 on or before [October] December 1 for review prior to the date of issuance of license January 1, of the following year.
- (b) All licenses are renewable on January [i] 1 of each year and are valid for a twelve (12) month period. All requirements for renewal of licenses defined in these regulations and Connecticut General Statutes will be applicable.
- (c) No license shall be issued or person exercise any pilotage services until the Treasurer of the State of Connecticut has received a bond with surety approved by said Treasurer or a surety bond or a surety company recognized to conduct business in this State, in the penal sum of one thousand dollars (\$ 1,000.00) conditioned upon the faithful performance of pilotage duties and adherence to the regulations herein set forth.
- (d) Failure to submit the appropriate documentation according to section (a) will result in a lapse and possible suspension or revocation of license by the Commissioner.

Sec. 15-15a-10. Physical examination

(a) All applicants for a state pilot's license shall furnish a medical certificate of examination in support of such application to show they have been examined and approved by a licensed physician for the performance of duties as a pilot.

(b) Pilots renewing their license January [i] 1 of each year valid for one year shall furnish a medical certificate to show they have been examined and approved by a licensed physician for the performance of duties as a pilot. A copy of the certificate must be presented yearly as part of the renewal application and for request of license.

(c) This [certificate of examination] medical certificate shall note that the examination covered the use of controlled substances or dangerous drugs.

(d) [Physical strength will be documented by the applicant's ability to climb a thirty (30) foot vertical ladder and so certified by a physician for renewal of and new pilot licenses.] Physical exams shall include and certify, and the medical certificate shall document, the applicant's ability to climb a thirty (30) foot ladder.

(e) Physical exams shall include a vision test conducted by a licensed physician not more than six (6) months prior to the application. The medical certificate shall include documentation to show that the applicant has a minimum of 20/30 corrected in each eye and is not color blind.

Sec. 15-15a-11. Reporting marine incident

All collisions, groundings, strandings or other marine perils sustained by vessels on which there was employed a licensed state pilot shall be reported to the office of the Commissioner as soon as possible [or within] but not more than 48 hours [of] after the occurrence, provided that this 48-hour period is understood to include one working day of the Commissioner's office. In addition, a written report shall be submitted to the Commissioner on forms prescribed by the Commissioner [within] not more than seven (7) days [of] after the date of the incident, except, however, that any marine accident involving oil spillage, pollution, physical injury requiring more than first aid or death, shall be reported to the Commissioner's office by telephone or telegram immediately or no later than 24 hours of the occurrence, in addition to the required written report. When a State pilot is involved in a marine incident outside of Connecticut State waters, the State Pilot must report the incident to the Commissioner [within] not more than seven (7) days after the incident.

Sec. 15-15a-12. License suspension or revocation

(a) The Commissioner may discipline a pilot or suspend or revoke the license of a state pilot who, after a hearing, has been adjudged unqualified or guilty of the following:

(1) Negligence, incompetence, misconduct or infraction against his/her Federal or State license in the performance of piloting duties. Piloting duties commence with preparations for an assignment made by the Joint Rotation Administrator in accordance with Sec. 15-15a-17

(2) Violating a lawful rule promulgated by the Commissioner or violating a lawful order of the Commissioner or those of the Federal Government.

(3) Using alcohol or any controlled substance or dangerous drug to an extent which impairs the ability to fulfill the obligations as a pilot or which impairs the ability to act as a pilot with skill and safety.

(b) A pilot whose license has been suspended or revoked shall immediately surrender his license to the Commissioner, who shall retain the license for the period of the suspension and due notification will be issued to concerned parties that such person has no authority to serve in the capacity of pilot.

(c) Suspension or revocation of a license is a contested case. All proceedings to suspend or revoke a pilot's license are governed by Sec. 13b-17-100 through Sec. 13b-17-142 of the Regulations of Connecticut State Agencies.

Sec. 15-15a-13. Boarding, departing and conduct of pilots

(a) A pilot embarking or disembarking a vessel shall at the time of boarding or departing assure that a lee is provided for the pilot boat and the speed of the vessel is appropriately adjusted. The pilot shall board or depart the vessel on a suitable ladder properly placed and secured.

(b) A pilot's services end and he is entitled to discharge by the master of a vessel when he has brought the vessel to a safe anchorage or to a position off the pier which the vessel is bound, unless the master shall have formally requested the pilot to assist in the docking of the vessel. Whenever formally requested by the master to do so, the pilot of a vessel may assist in either the docking or undocking of such vessel. A pilot shall not turn over the controls or leave a vessel under way unless he shall have first been properly relieved.

(c) A pilot, on boarding a vessel, and if required by the master thereof, shall exhibit his license or a photo [static] copy thereof.

(d) No licensed pilot shall, while on duty prior to meeting a vessel, consume alcohol or any drug that may impair his ability to have the conduct of the vessel.

(e) No licensed pilot shall have the conduct of a vessel.

(1) When he knows of any physical or mental disability that prevents him from performing the duties of a pilot.

(2) While his license is suspended.

(f) Whenever any pilot shall observe any of the buoys off station or any other aid to navigation not lighted at the proper time or not showing the proper characteristics, he shall report the same to the U.S. Coast Guard via VHF radio or by telephone after returning to shore.

(g) The master of every vessel boarded by a pilot shall give such pilot on boarding, an accurate account of the draft of such vessel, position, heading, wind, and any and all pertinent information.

(h) Vessel measurements, including "overall length," "extreme breadth," and "depth" shall be made available to the pilot by the master or his agent for the computation of pilotage fees.

(i) A state licensed pilot shall conduct himself in a professional manner at all times. Rude, abusive or threatening behavior during the performance of piloting duties is misconduct.

Sec. 15-15a-14. Mandated rates of pilotage

No master, agent, owner or consignee shall charge a commission or receive payment directly or indirectly for the assignment of pilotage, nor shall any pilot pay or offer to pay any person any commission for the assignment of pilotage.

Sec. 15-15a-15. Deferment of [issuing of licenses] admission to Program

The Commissioner, who is empowered to determine the number of pilots sufficient to meet the demands of commerce and the joint rotation system in the [waters] Waters [of Connecticut], [may] will place the names of those [qualified] applicants having completed the Apprentice application process and receiving a Final Score by the CPC which he deems to be above the number of pilots sufficient to meet the demands of commerce and the joint rotation system on file for review and potential admission to the licensing Program for a period of twelve (12) months after the date of initial application.

Sec. 15-15a-16. Boarding and disembarking areas

(a) [The] There is established [Commissioner shall maintain a list of] mandated pilot boarding and disembarking areas at the following locations: [, a copy of which is attainable from his office.] Point Judith Pilot Station; latitude 41°-17' N, longitude 071°-30.5' W. Montauk Point Pilot Station; latitude 41°-02' N, longitude 071°-42' W. All Connecticut State Marine Pilots shall board or disembark

vessels bound to or from the Waters in the vicinity of either of the two designated pilot stations, except that no vessel with a draft in excess of 38 feet shall be piloted through Montauk Channel. Pilots utilizing Montauk Channel shall consider draft, sea swell, wind, visibility, current and vessel traffic. When these conditions pose a threat to the safety of any person, vessel prudent navigation or safety of the environment, Montauk Point Pilot Station and Montauk Channel shall not be used. Any Pilot found to be in violation of the foregoing shall be subject to sanctions such as fines, license suspension and license revocation.

(b) The pilot [will] shall notify the master of an inbound vessel in a timely manner of the exact location of where the pilot will board the vessel.

Sec. 15-15a-17. Pilot rotation system

(a) Pursuant to section 15-15d of the Connecticut General Statutes, there shall be established a rotation system among pilots licensed by the State of Connecticut and pilots licensed by the State of New York for the piloting of vessels in the Waters. The rotation system shall only apply to vessels which are required to take a licensed pilot.

(b) The rotation system shall be administered by the commissioner, in consultation with the Connecticut Pilot Commission and the board. The commissioner may utilize the services of an administrator to administer the rotation system. The commissioner shall provide notice in the Connecticut Law Journal and a reasonable comment period prior to selection of an administrator.

(c) The rotation system shall be established and conducted in accordance with the governing documents of the rotation system, upon the approval of said governing documents, and any amendments thereto, by the commissioner, in consultation with the Connecticut Pilot Commission and the board. The governing documents shall include a provision which specifies the allocation of pilotage work, including the reasonable accommodation of requests by shipping agents for harbor pilotage assignments. At the commencement of the rotation system, the pilots working on the Connecticut side of the rotation shall receive seventy percent of the pilotage work in the waters and the pilots on the New York side of the rotation shall receive thirty percent of the pilotage work in the waters. The division of work may be amended from time to time by amending the governing documents in accordance with this section. The commissioner shall provide notice in the Connecticut Law Journal and a reasonable comment period prior to the approval of the governing documents of the rotation system and any amendments or changes thereto.

(d) Notwithstanding anything in this section to the contrary, a shipping agent may request a certain pilot who is qualified for a specific Connecticut harbor to dock a ship in that harbor. The rotation system administrator shall accommodate such request if at the time of the request, the requested pilot is on call, is able to perform the work and is not otherwise engaged in other pilotage work.

(e) The commissioner shall not issue or renew a license to any pilot not participating in the rotation system. Any pilot who holds a license from both the State of Connecticut and the State of New York shall be allowed to maintain both licenses, but such pilot shall elect, in writing filed with the commissioner and the board, to work in the rotation system under only one of the licenses. Such pilot shall be subject to all of the pilotage rules and regulations of the [State] state under which authority that pilot has elected to work. If the licensing state institutes an investigation of the pilot in accordance with established procedures which causes the pilot's work privileges to be suspended for any reason, the pilot is prohibited from any piloting work in the waters during the period of the investigation and suspension.

(f) The commissioner shall recognize the licenses issued by the board with respect to waters within his jurisdiction.

(g) In addition to any qualifications required under this section and section 15-13 of the Connecticut General Statutes, any pilot operating under the rotation system and docking vessels in Connecticut harbors shall be qualified for a specific Connecticut harbor before being assigned to such harbor in the rotation system. For purposes of this subsection, "qualified for a specific Connecticut harbor" means that the pilot has successfully docked vessels in that specific harbor as required pursuant to Section 15-13(a) of the Connecticut General Statutes. Any pilot who, on the effective date of this section, is docking vessels in a certain Connecticut harbor shall be deemed qualified for a specific Connecticut harbor to dock vessels in such harbor. New pilots shall be trained and qualified by the existing pilots.

(h) Any fee charged by pilots, including but not limited to, detention fees, docking and undocking fees, pilot launch fees, safety program fees or training fees, shall be approved by the commissioner, in consultation with the Pilot Commission. The commissioner shall provide public notice in the Connecticut Law Journal and a reasonable comment period prior to the approval of any fee schedule, or change thereto, to be charged by the pilots.

(i) [Within six months of the effective date of these regulations, the licensed pilots shall submit for approval to the commissioner and to the Connecticut Pilot Commission a proposed program for the training of the new pilots.] The Commissioner shall provide public notice when it has been determined that there is a need for applicants to the Program. The public notice shall indicate how many Apprentices are needed.

(j) All other provisions of section 15-15a-6 through 15-15a-16, inclusive, of the Regulations of Connecticut State Agencies shall apply to any pilot licensed by the Commissioner. The provisions of this section shall only apply to the extent that a rotation system among pilots is in operation between the State of Connecticut and the State of New York.

Statement of Purpose: Under current statute, the Commissioner of Transportation has the authority to license as many individuals deemed necessary to act as marine pilots and adopt regulations to carry out the licensing process.

1991 Regulations were amended in 2003 and required the licensed Connecticut pilots to submit a proposed program for training new pilots to the Department and the Connecticut Pilot Commission within six months of the effective date. However, no such regulations have been submitted by the Connecticut pilots. The Department drafted a change to the regulations to create an apprentice selection, training and certification program for marine pilots. The draft regulations were then vetted through the Connecticut Pilot Commission. There are no additional costs to the Department or the State relative to the regulatory action.

CERTIFICATION

Be it known that the foregoing (check one) Regulations Emergency Regulations
are (check all that apply) Adopted Amended as hereinabove stated Repealed

by the aforesaid agency pursuant to section(s) 15-13 of the *General Statutes* and/or
Public Act number(s) _____,

(If applicable) after publication of notice of intent in the *Connecticut Law Journal* on August 17, 2010,

(If applicable) and the holding of an advertised public hearing on _____;

WHEREFORE, the foregoing regulations are hereby (check all that apply)

Adopted Amended as hereinabove stated Repealed

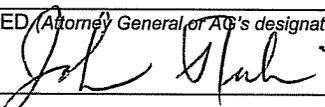
EFFECTIVE: (check one, and complete as applicable)

When filed with the Secretary of the State

OR (insert date) _____

In Witness Whereof:	DATE 10/18/10	SIGNED (Head of Board, Agency or Commission) 	OFFICIAL TITLE, DULY AUTHORIZED Commissioner
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APPROVED by the Attorney General as to legal sufficiency in accordance with CGS Section 4-169, as amended

DATE 10/29/10	SIGNED (Attorney General or AG's designated representative) 	OFFICIAL TITLE, DULY AUTHORIZED Assoc. Atty Gen
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Or DEEMED APPROVED by the Attorney General in accordance with CGS Section 4-169, as amended, due to failure to give notice to the agency of any legal insufficiency within thirty (30) days of the receipt of the proposed regulation.

DATE	SIGNED (Head of Board, Agency or Commission)	OFFICIAL TITLE, DULY AUTHORIZED ASSOC. ATTY GENERAL
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(For Regulation Review Committee Use ONLY)

- Approved Rejected without prejudice
- Approved with technical corrections Disapproved in part, (Indicate Section Numbers disapproved only)
- Deemed approved pursuant to CGS 4-170(c) as amended

By the Legislative Regulation Review Committee in accordance with CGS Section 4-170, as amended	DATE	SIGNED (Administrator, Legislative Regulation Review Committee)
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Two certified copies received and filed and one such copy forwarded to the Commission on Official Legal Publications in accordance with CGS Section 4-172, as amended.

DATE	SIGNED (Secretary of the State)	BY
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INSTRUCTIONS

- All regulations proposed for adoption, amendment or repeal, *except* emergency regulations, must be presented to the Attorney General for his/her determination of legal sufficiency. (See CGS Section 4-169.)
- After approval by the Attorney General, original and eighteen (18) copies of all regulations proposed for adoption, amendment or repeal must be presented to the standing Legislative Regulation Review Committee for its action. (See CGS Section 4-170.)
- Each proposed regulation must be in the form intended for publication and each section must include the appropriate regulation section number and section heading. (See CGS Section 4-172.)
- New language added to an existing regulation must be in underlining or CAPITAL LETTERS, as determined by the Regulation Review Committee. (See CGS 4-170(b).)
- Language to be deleted must be enclosed in brackets []. (See CGS 4-170(b).)
- A new regulation or new section of a regulation must be preceded by the word "(NEW)" in capital letters. (See CGS Section 4-170(b).)
- The proposed regulation must have a statement of its purpose following the final section of the regulation. (See CGS Section 4-170(b).)
- Additional information regarding rules and procedures of the Legislative Regulation Review Committee can be found on the Committee's web site: <http://www.cga.ct.gov/rr/>.
- A copy of the Legislative Commissioners' Regulations Drafting Manual is located on the LCO website at <http://www.cga.ct.gov/lco/LCODraftRegu.asp>.