

AN ACT

relating to the efficient provision of pilot services by the board of pilot commissioners for Harris County ports.

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

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

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

(1) the legislation that created the authority;

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

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

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

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

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

SECTION 2. Section 66.016, Transportation Code, is amended by adding Subsection (c) to read as follows:

(c) The board may adopt a rule under this chapter involving

1 ship movement strategies, including navigation safety guidelines,
2 for use by pilots in the navigable water in this state only on a
3 recommendation from not less than 80 percent of the pilots
4 authorized to operate under the board's jurisdiction.

5 SECTION 3. Section 66.017, Transportation Code, is amended
6 to read as follows:

7 Sec. 66.017. DUTIES. The board shall:

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

10 (2) accept applications for pilot licenses and
11 certificates and determine whether each applicant meets the
12 qualifications for a pilot;

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

15 (4) establish pilotage rates;

16 (5) approve the locations for pilot stations;

17 (6) establish times during which pilot services will
18 be available;

19 (7) hear and determine complaints relating to the
20 conduct of pilots;

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

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

26 (10) institute investigations or hearings or both to
27 consider casualties, accidents, or other actions that violate this

1 chapter; and

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

5 SECTION 4. Subchapter B, Chapter 66, Transportation Code,
6 is amended by adding Section 66.0172 to read as follows:

7 Sec. 66.0172. EFFICIENT PILOT SERVICE; MAXIMUM VESSEL
8 LENGTH. (a) In this section:

9 (1) "Two-way route" means a directional route within
10 defined limits inside which two-way traffic is established, and
11 which is intended to improve safety in waters where navigation is
12 difficult.

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

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

19 (c) Subject to Section 66.016(c), the board by rule may
20 authorize piloting a vessel with an overall length that exceeds the
21 maximum overall length provided by Subsection (b) if the board
22 determines that the proposed rules would allow two-way routes to be
23 maintained efficiently and two-way traffic to be conducted
24 efficiently. Before adopting a rule under this subsection, the
25 board must hold at least two public hearings. This subsection does
26 not apply to the adoption of rules governing vessel traffic between
27 Morgan's Point and the Houston Turning Basin.

1 SECTION 5. This Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 2223 passed the Senate on April 24, 2019, by the following vote: Yeas 29, Nays 2; and that the Senate concurred in House amendment on May 23, 2019, by the following vote: Yeas 29, Nays 2.

Secretary of the Senate

I hereby certify that S.B. No. 2223 passed the House, with amendment, on May 17, 2019, by the following vote: Yeas 139, Nays 0, three present not voting.

Chief Clerk of the House

Approved:

Date

Governor