

**BILL ANALYSIS**

Senate Research Center  
89R3871 AND-F

S.B. 1353  
By: Hinojosa, Adam  
Transportation  
3/20/2025  
As Filed

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 1353 establishes a dedicated regulatory framework for pilotage in Cameron County under Chapter 71 of the Transportation Code. The Brazos Santiago Pilots, active since the early 20th century, currently operate under general pilotage statutes, unlike pilot organizations in Houston, Galveston, and Matagorda, which have specific governing chapters. This bill provides structured oversight, ensuring maritime safety, efficiency, and economic stability for vessels navigating between Cameron County ports and the Gulf of America/Mexico.

As proposed, S.B. 1353 amends current law relating to the licensing and regulation of pilots in the jurisdiction of the pilot board of a navigation district located in Cameron County.

**RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 62, Transportation Code, by adding Section 62.002, as follows:

Sec. 62.002. APPLICABILITY OF CHAPTER. Provides that Chapter 62 (Navigation District Pilot Boards) does not apply to a navigation district, pilot board, pilot, or vessel described by Section 71.002.

SECTION 2. Amends Subtitle B, Title 4, Transportation Code, by adding Chapter 71, as follows:

**CHAPTER 71. CAMERON COUNTY PILOTS LICENSING AND  
REGULATORY ACT**

**SUBCHAPTER A. GENERAL PROVISIONS**

Sec. 71.001. DEFINITIONS. Defines "consignee," "navigation district," "pilot," "pilot services," "pilotage rate," "port," and "vessel."

Sec. 71.002. APPLICABILITY OF CHAPTER. Provides that this chapter applies only to a navigation district located in Cameron County, the pilot board of a navigation district located in Cameron County, a pilot serving in the jurisdiction of the pilot board of a navigation district located in Cameron County, and a vessel in water under the jurisdiction of the pilot board of a navigation district located in Cameron County.

**SUBCHAPTER B. PILOT BOARDS OF NAVIGATION DISTRICTS IN  
CAMERON COUNTY**

Sec. 71.051. PILOT BOARD; COMMISSIONERS OF PILOTS. (a) Provides that the pilot board of a navigation district in Cameron County is composed of that navigation district's navigation and canal commissioners.

(b) Provides that a member of the pilot board is a commissioner of pilots.

Sec. 71.052. TERM OF OFFICE. Provides that the term of office of a commissioner of pilots of the pilot board of a navigation district in Cameron County coincides with the person's term as a navigation and canal commissioner of that navigation district.

Sec. 71.053. DISQUALIFICATION. Prohibits a person from being a commissioner of pilots of the pilot board of a navigation district in Cameron County if the person is engaged directly or indirectly in a towing business, a pilot boat business, or another business affected by or connected with the performance of the duties of a commissioner of pilots.

Sec. 71.054. JURISDICTION. Provides that the pilot board of a navigation district in Cameron County has exclusive jurisdiction over the pilotage of a vessel between the Gulf of Mexico and a port of that navigation district, including an intermediate stop or landing place on a navigable stream in that navigation district.

Sec. 71.055. POWERS OF PILOT BOARDS. Authorizes the pilot board of a navigation district in Cameron County to appoint, suspend, or dismiss a branch pilot or deputy branch pilot of a port in that navigation district, establish pilotage rates for service in that board's jurisdiction, and adopt and enforce rules consistent with this chapter regarding the appointment, qualification, or regulation of branch pilots or deputy branch pilots in that board's jurisdiction as necessary to govern those pilots and properly operate that district's ports.

#### SUBCHAPTER C. REGULATION OF BRANCH PILOTS AND DEPUTY BRANCH PILOTS

Sec. 71.101. PILOT QUALIFICATIONS. Requires the pilot board of a navigation district in Cameron County to examine and determine the qualifications of each applicant for the position of branch pilot or deputy branch pilot in that navigation district before licensing the branch pilot or certifying the deputy branch pilot, as applicable.

Sec. 71.102. QUALIFICATIONS FOR LICENSE AS BRANCH PILOT. Requires a person, to be eligible for a license as a branch pilot in the jurisdiction of the pilot board of a navigation district in Cameron County, to meet certain qualifications.

Sec. 71.103. QUALIFICATIONS FOR CERTIFICATE AS DEPUTY BRANCH PILOT. Requires a person, to be eligible for a certificate as a deputy branch pilot in the jurisdiction of the pilot board of a navigation district in Cameron County, to meet certain qualifications.

Sec. 71.104. OATH; BOND. (a) Requires a person appointed as a pilot in the jurisdiction of the pilot board of a navigation district in Cameron County to take the official oath before entering service as a pilot under that board's jurisdiction. Requires that the oath be endorsed on the bond required by Subsection (b).

(b) Requires each pilot in the jurisdiction of the pilot board of a navigation district in Cameron County to execute a \$5,000 bond payable to the governor and conditioned on compliance with the laws, rules, and orders relating to pilots and on the faithful performance of the pilot's duties.

(c) Requires that each bond be approved by the applicable pilot board and deposited in the Office of the Secretary of State.

Sec. 71.105. ISSUANCE OF BRANCH PILOT LICENSE. (a) Requires the commissioner of pilots of a pilot board, on the filing of the bond and the taking of the oath required by Section 71.104, to certify to the governor that the branch pilot has qualified.

(b) Requires the governor, on receiving the certificate, to issue to the branch pilot, in the name of the state and under the state seal, a commission to serve as a branch pilot in the jurisdiction of the applicable pilot board.

Sec. 71.106. TERM OF BRANCH PILOT'S COMMISSION. (a) Provides that the term of a branch pilot commission is four years.

(b) Provides that if the pilot board of a navigation district dismisses a branch pilot from service in that board's jurisdiction, the branch pilot's commission expires.

Sec. 71.107. APPOINTMENT OF DEPUTY BRANCH PILOT. (a) Provides that only a branch pilot licensed for water in the jurisdiction of the pilot board of a navigation district in Cameron County is authorized to appoint a deputy branch pilot to serve in that board's jurisdiction.

(b) Authorizes a branch pilot serving in the jurisdiction of the pilot board of a navigation district in Cameron County to appoint two deputy branch pilots, subject to that board's examination and approval.

(c) Authorizes a branch pilot to appoint an additional deputy branch pilot under this section if the applicable pilot board considers the appointment advisable.

(d) Provides that a branch pilot who appoints a deputy branch pilot under this section is responsible for the acts of the deputy branch pilot.

(e) Provides that a branch pilot who appoints a deputy branch pilot under this section without the approval of the applicable pilot board forfeits the pilot's appointment as a branch pilot.

Sec. 71.108. SUSPENSION OR DISMISSAL OF PILOT. Authorizes the pilot board of a navigation district in Cameron County to suspend or dismiss a pilot only for misconduct, inefficiency, or intoxication on duty and only after a hearing on the accusation is held before the pilot board at which there is opportunity for testimony and defense.

#### SUBCHAPTER D. PILOTAGE CHARGES AND PILOTAGE RATE LIABILITY

Sec. 71.151. APPLICABILITY OF PILOTAGE CHARGES TO CERTAIN VESSELS.

(a) Provides that pilotage charges under this chapter do not apply to a vessel of 20 tons or less or a vessel that is excepted by a federal statute or regulation.

(b) Provides that, notwithstanding Subsection (a), pilotage charges under this chapter apply to an autonomous vessel of any gross tonnage.

Sec. 71.152. PILOTAGE CHARGES. (a) Requires that a pilotage rate charged by a pilot under this chapter be fair and just.

(b) Requires a pilot to furnish a schedule of pilotage rates under this chapter that is required to be on file at all times in the office of the navigation district's commissioners.

(c) Requires a pilot, each time a change in the pilotage rates charged by a pilot under this chapter occurs, to file a revised schedule.

(d) Requires a pilot to strictly follow the schedule of rates on file in the office of the navigation district's commissioners.

Sec. 71.153. CONSIGNEE LIABILITY FOR PILOT SERVICES. Provides that the consignee of a vessel is liable to a pilot for the pilotage of the vessel under this chapter.

Sec. 71.154. LIABILITY OF CERTAIN VESSELS DECLINING PILOT SERVICES.

(a) Provides that a vessel that, without the aid of a pilot serving in the jurisdiction of the pilot board of a navigation district in Cameron County, moves or is otherwise under way on any channel or waterway in that board's jurisdiction and that fails to use pilot services available from pilots serving in that jurisdiction, is liable for the payment of twice the applicable pilotage rate to the first pilot serving in that jurisdiction who requests payment.

(b) Provides that the consignee of a vessel is responsible for the payment for pilot services available but not used under Subsection (a).

Sec. 71.155. UNAUTHORIZED PILOT LIABILITY. Provides that a person, other than a pilot, who provides pilot services to a vessel under way or otherwise moving for which a pilot is required out of or into a port, channel, or waterway under the exclusive jurisdiction of the pilot board of a navigation district in Cameron County is liable to any pilot authorized to provide pilot services in the port, channel, or waterway for a payment of twice the current rate that would be charged under the pilot's schedule of pilotage rates for the pilot services.

Sec. 71.156. RECOVERY OF PILOTAGE CHARGES. (a) Authorizes a pilot to bring an action to recover compensation for pilotage or services offered, including pilot services rendered in accordance with Section 71.152 to a vessel in the jurisdiction of the pilot board of a navigation district in Cameron County, payment under Section 71.154 for pilot services available but not used, and payment under Section 71.155 for unauthorized pilot services.

(b) Provides that a pilot prevailing in an action brought under this section to recover payment under Section 71.155 is entitled to recover the pilot's court costs and reasonable attorney's fees.

#### SUBCHAPTER E. PILOT LIABILITY

Sec. 71.201. PURPOSE. Provides that the purpose of this subchapter is to, in the public interest, stimulate and preserve maritime commerce on the pilotage grounds of this state by limiting and regulating the liability of pilots and maintain pilotage fees at reasonable amounts.

Sec. 71.202. PILOT LIABILITY. Provides that a pilot serving in the jurisdiction of the pilot board of a navigation district in Cameron County is not liable directly or as a member of an organization of pilots for any claim that arises from an act or omission of another pilot or organization of pilots and relates directly or indirectly to pilot services.

Sec. 71.203. PILOT LIABILITY LIMITED. (a) Provides that a pilot providing pilot services in the jurisdiction of the pilot board of a navigation district in Cameron County is not liable for more than \$1,000 for damage or loss caused by the pilot's error, omission, fault, or neglect in the performance of the pilot services, except as provided by Subsection (b).

(b) Provides that Subsection (a) does not apply to damage or loss that arises because of the wilful misconduct or gross negligence of the pilot and for which no other person or vessel in rem is jointly or severally liable, liability for exemplary damages for gross negligence of the pilot and for which no other person or vessel in rem is jointly or severally liable, or an act or omission relating to the ownership and operation of a pilot boat unless the pilot boat is directly involved in pilot services other than the transportation of pilots.

(c) Provides that this section does not exempt a vessel or its owner or operator from liability for damage or loss caused by the vessel to a person or property on the grounds that the vessel was piloted by a pilot or the damage or loss was caused by the error, omission, fault, or neglect of a pilot.

(d) Requires a court, in an action brought against a pilot for an act or omission for which liability is limited as provided by this section and in which other claims are made or anticipated with respect to the same act or omission, to dismiss the proceedings as to the pilot to the extent the pleadings allege pilot liability that exceeds \$1,000.

SECTION 3. (a) Makes application of Section 71.202, Transportation Code, as added by this Act, prospective.

(b) Makes application of Section 71.203, Transportation Code, as added by this Act, prospective.

SECTION 4. Effective date: September 1, 2025.