INTRODUCED

March 25, 2009

**S. 620**

Introduced by Transportation Committee

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Read the first time March 25, 2009.

**A** **JOINT RESOLUTION**

TO APPROVE REGULATIONS OF THE COMMISSIONERS OF PILOTAGE, RELATING TO ENFORCEMENT OF PILOT STATUES AND MARITIME HOMELAND SECURITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4053, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The regulations of the Commissioners of Pilotage, relating to Enforcement of Pilot Statues and Maritime Homeland Security, designated as Regulation Document Number 4053, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

SECTION 2. This joint resolution takes effect upon approval by the Governor.

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SUMMARY AS SUBMITTED

BY PROMULGATING AGENCY.

The Commissioners of Pilotage is adding Regulation 136‑080 to ensure that every vessel subject to maritime pilotage receives a pilot on board, as charged under Section 54‑15‑110 and 54‑15‑280 of the 1976 S.C. Code, as amended, as well as Part 136‑070C. No person, other than a duly licensed pilot, is permitted to conduct and pilot any vessel over the bar, into and out of any South Carolina harbor. Part 136‑070C of the S.C. Code of Regulations requires that a licensed pilot shall consider any circumstance wherein a master or operator of any seagoing vessel refuses to take a pilot as a “hazardous condition” and must immediately be reported to the Coast Guard. Under Section 40‑1‑200 of the 1976 S.C. Code, as amended, a person acting as a pilot without licensure constitutes a Class C misdemeanor as defined in Section 16‑1‑100. In order to establish a process to ensure compliance with these statutes and regulations, a new Part 136‑080 is added to the S.C. Code of Regulations. In addition, this regulation addresses the present role of pilots on the front line of the effort to achieve maritime homeland security.

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