

BILL ANALYSIS

Senate Research Center

S.B. 2223
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Texas Ports, Select
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The board of pilot commissioners for Harris County ports (board) is tasked with the licensing and regulation of vessels, pilots, and pilot services for Harris County ports. Among the board's duties are the adoption of rules and issuance of orders to pilots and vessels to secure efficient pilot services for these ports.

Harris County ports and the board have been able to accommodate two-way vessel traffic under normal weather conditions without significant interruption. Recent developments in the shipping industry have resulted in increasingly larger vessels. Unfortunately, these larger vessels often cannot safely and efficiently access Harris County ports while maintaining two-way traffic conditions, thereby causing unnecessary delays for many vessels.

S.B. 2223 seeks to ensure the safe and efficient provision of pilot services for pilots and vessels seeking to access Harris County ports by limiting the size of vessels that may operate within the jurisdiction of the board until such time as the board determines that such vessels may be operated safely and efficiently under two-way traffic conditions. It authorizes the board to adopt rules authorizing larger vessels if the board receives a recommendation from an association representing at least 50 percent of the pilots operating under its jurisdiction that such vessels may be operated in a safe and efficient manner while maintaining two-way traffic. It requires the board to hold at least two public hearings before the adoption of any such rule and specifies that the board must establish the maximum acceptable length of any such vessels. (Original Author's/Sponsor's Statement of Intent)

S.B. 2223 amends current law relating to the efficient provision of pilot services by the board of pilot commissioners for Harris County ports.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the board of pilot commissioners for Harris County ports (board) in SECTION 2 (Section 66.016, Transportation Code) and SECTION 4 (Section 66.0172, Transportation Code) of this bill.

Rulemaking authority previously granted to the board is modified in SECTION 3 (Section 66.017, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 5007.209(b), Special District Local Laws Code, as follows:

(b) Deletes existing text requiring the training program required of port commissioners appointed to the navigation and canal commission of the Port of Houston Authority of Harris County, Texas, to provide the port commissioner with information regarding the duties of the port commission as the board of pilot commissioners for Harris County ports (board) under Chapter 66 (Houston Pilots Licensing and Regulatory Act), Transportation Code. Makes nonsubstantive changes.

SECTION 2. Amends Section 66.016, Transportation Code, by adding Subsection (c) to authorize the board to adopt a rule under this chapter involving ship movement strategies,

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

SECTION 3. Amends Section 66.017, Transportation Code, as follows:

Sec. 66.017. DUTIES. Requires the board to perform certain actions, including adopting rules and issuing orders to pilots or vessels when necessary to secure efficient pilot services, including minimizing the interference of two-way routes.

SECTION 4. Amends Subchapter B, Chapter 66, Transportation Code, by adding Section 66.0172, as follows:

Sec. 66.0172. EFFICIENT PILOT SERVICE; MAXIMUM VESSEL LENGTH. (a) Defines "two-way route" and "two-way traffic" for purposes of this section.

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

(c) Authorizes the board by rule, subject to Section 66.016(c), to authorize piloting a vessel with an overall length that exceeds the maximum overall length provided by Subsection (b) if the board determines that the proposed rules would allow two-way routes to be maintained efficiently and two-way traffic to be conducted efficiently. Requires the board, before adopting a rule under this subsection, to hold at least two public hearings. Provides that this subsection does not apply to the adoption of rules governing vessel traffic between Morgan's Point and the Houston Turning Basin.

SECTION 5. Effective date: September 1, 2019.