

## Request for Board of Pilot Commissioner Action

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| <b>Category:</b><br>Pilot Matters  | <b>Agenda Date:</b><br>May 24, 2011    | <b>Agenda Section:</b><br>E 2011-0524-04 |
| <b>From:</b><br><b>Division</b> – Legal  | <b>Staff Contact:</b><br>Erik Eriksson |  |
| <b>Summary Recommendation:</b><br>Amend Section 4.A.3 and Section 4.A.8 of the Rules and Regulations Governing Pilots and Pilotage on the Houston Ship Channel   |  |  |
| <b>Background:</b><br>By Pilot Board Minute No. 2010-0323-23, the Board of Pilot Commissioners adopted revised Rules and Regulations Governing Pilots and Pilotage on the Houston Ship Channel between the Galveston Bar and the Turning Basin (Rules). Based on discussions and requests from the Houston Pilots and the pilot Application Review Committee (ARC), two items require minor additional revision.<br><br>Section 4.A. of the Rules governs the application requirements for persons desiring to enter the deputy pilot selection pool.  |  |  |
| <b>Staff Evaluation/Justification:</b><br>The requirement in Section 4.A.3 as currently written provides for an applicant to draw “without reference to other materials” a chart of the Houston Ship Channel, and lists in detail the specific features that must be depicted. The “without reference to other materials” language in that requirement was not included in prior version of the Rules.<br><br>The requirement in Section 4.A.8 describes the amount of required service experience in terms of minimum number of years.<br><br>The Houston Pilots and the ARC have requested two changes to the Rules: that the chart drawing requirement have the phrase “without reference to other materials” removed; and that the service experience requirement be clarified by additionally stating the minimum number of service days (as defined by the U.S. Coast Guard) that comprise a service year.<br><br>Staff believes this amendment to be generally supported by representatives of all interested parties and accordingly recommends that the Pilot Board adopt such an amendment.<br><br>As required by Section 66.020 of the Houston Pilots Licensing and Regulatory Act, Texas Transportation Code Chapter 66, at least ten days notice prior to the proposed adoption of the First Amendment to the Rules has been provided to the public by posting the notice and a copy of the proposed First Amendment to the Rules at the Pilot Board offices (i.e. the Executive Office Building of the Port of Houston Authority) for public inspection. |  |  |
| <b>Full Recommendation:</b><br>The Board of Pilot Commissioners, at its May 24, 2011 meeting, adopt the First Amendment to the Rules and Regulations Governing Pilots and Pilotage on the Houston Ship Channel (as adopted March 23, 2010) in the form posted at the offices of the Board of Pilot Commissioners at least ten (10) days prior to such action, and further authorize the Secretary of the Pilot Board to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.  |  |  |