

EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, EACH AMERICAN VESSEL ENGAGED IN FOREIGN TRADE AND EACH FOREIGN VESSEL SHALL EMPLOY A LICENSED PILOT TO PILOT THE VESSEL WHEN IT IS UNDERWAY ON THE NAVIGABLE WATERS OF THE STATE, INCLUDING WHEN THE VESSEL IS TOWING OR BEING TOWED BY ANOTHER VESSEL.

(B) EXCEPTIONS.

SUBSECTION (A) OF THIS SECTION DOES NOT APPLY TO A VESSEL:

(1) MANUEVERING DURING BERTHING OR UNBERTHING OPERATIONS; OR

(2) SHIFTING WITHIN A PORT WITH TUG ASSISTANCE AND A DOCKING MASTER ABOARD THE VESSEL.

(C) VOLUNTARY EMPLOYMENT.

A VESSEL THAT IS NOT REQUIRED TO EMPLOY A LICENSED PILOT UNDER SUBSECTION (A) OF THIS SECTION MAY VOLUNTARILY EMPLOY A LICENSED PILOT WHEN THE VESSEL IS UNDERWAY ON THE NAVIGABLE WATERS OF THE STATE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 74, § 8, as that section related to required pilotage, and the second sentence of § 9, as that sentence related to voluntary employment of a licensed pilot.

The first sentence of former Art. 74, § 9, which purported to exempt from the requirement to employ a pilot American vessels engaged in the coastwise trade, is deleted as unnecessary and potentially misleading since American vessels engaged in the coastwise trade are exempted by federal law from any State-imposed requirement to employ a State-licensed pilot. See 46 U.S.C. §§ 8501 through 8503.

Defined term: "Licensed pilot" § 11-101

11-502. PILOTAGE FEES.

(A) ESTABLISHMENT OF PILOTAGE FEES.

THE PUBLIC SERVICE COMMISSION SHALL ESTABLISH PILOTAGE FEES IN ACCORDANCE WITH ARTICLE 78, § 72B OF THE CODE.

(B) PAYMENT OF PILOTAGE FEES.

(1) REGARDLESS OF WHETHER THE EMPLOYMENT IS REQUIRED UNDER § 11-501(A) OF THIS SUBTITLE OR VOLUNTARY UNDER § 11-501(C) OF THIS SUBTITLE, A VESSEL THAT EMPLOYS A LICENSED PILOT TO PROVIDE PILOTAGE SHALL PAY THE LICENSED PILOT THE FULL PILOTAGE FEE.