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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 856
PUBLIC UTILITY COMMISSION
OREGON BOARD OF MARITIME PILOTS

FILED

07/25/2024 11:55 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Removed legacy term of "examination" and updated to correct verbiage.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 08/23/2024 3:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

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NEED FOR THE RULE(S)

Removed legacy term of "examination" and updated to correct verbiage.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Rules Committee recommendation 6/5/2024 and board meeting 7/18/2024. Both written notes are available from the board Administrator and recordings are available on the board's website.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The amendment to this rule will have no affect on racial equity in this state.

FISCAL AND ECONOMIC IMPACT:

The amendment to this rule does not change the fiscal or economic impact already required to meet the requirements set; it only provides updated clarification.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

The Board has no authority over any entity other than its licensees.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

The Board has no authority over any entity other than its licensees.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

This amendment was recommended by the board's Rules Review Committee and reviewed by Board Counsel.

AMEND: 856-015-0011

RULE SUMMARY: Removed legacy term of "examination" and updated to correct verbiage.

CHANGES TO RULE:

856-015-0011

Pilot Licensing Requirements - Columbia & Willamette River Pilotage Ground - Grade "C" License

(1) A Grade "C" pilot license issued by the Board authorizes the holder to pilot vessels under 600 feet length overall (L.O.A.) on the Columbia & Willamette River pilotage ground, except a Grade "C" pilot shall not pilot tankers or vessels with a draft of 38 or greater. Additional restrictions, grades, and degrees of licenses for the Columbia & Willamette River pilotage ground are contained in 856-015-0035.¶

(2) In addition to the requirements in 856-015-0010(1), (2), (3), (4) and (5) to qualify for a Grade "C" license over the Columbia & Willamette River pilotage ground, the applicant shall, prior to taking the written training assessment required under 856-015-0010(1):¶

(a) Hold a valid trainee license for the Columbia & Willamette River pilotage ground for at least 270 days.¶

(b) Complete at least six trips under the supervision of an unlimited state-licensed pilot while on the bridge of a ship of not less than 500 feet L.O.A. into the upper harbor in Portland above the Burlington Northern Railroad Bridge, including at least one trip in each direction. The training course monitor may defer satisfaction of the requirement for trips through the Burlington Northern Railroad Bridge if insufficient training trip opportunities through that bridge are available, provided that any license issued without fully satisfying this subsection will be restricted to below the Burlington Northern Railroad Bridge until the requirements of this subsection are fully satisfied, and provided further that the holder of such a restricted license must complete the requirements at the earliest opportunity training trips through the Burlington Northern Railroad Bridge are available.¶

(c) Complete at least 110 transits while on the bridge of a ship of not less than 500 feet L.O.A. within the 270 days preceding the ~~examination~~ written training assessment required under 856-015-0010(1), with at least 70 of these transits made under the supervision of an unlimited state-licensed pilot and at least 80 of the transits completed within 150 days after the first transit is completed. When combining trip segments to establish a transit, each trip segment may be used only once.¶

(d) Complete at least six (6) trips under the supervision of an unlimited state-licensed pilot within the 270 days preceding the ~~examination~~ written training assessment required under 856-015-0010(1) while on the bridge of a ship of not less than 500 feet L.O.A. in a combination of the following directions, with at least three (3) trips in each direction:¶

(A) From the Willamette River, turning east (upstream) into the Columbia River; and¶

(B) From the Columbia River upstream of the mouth of the Willamette River, turning south into the Willamette River.¶

(e) Complete at least ten (10) trips in either direction between Astoria and Longview or Kalama under the supervision of an unlimited state-licensed pilot.¶

(f) Complete at least four (4) trips from dock to dock or anchor to dock while on ships not less than 500 feet L.O.A. while under the supervision of an unlimited state-licensed pilot, with each such trip requiring a 180 degree turn before docking.¶

(g) Train at least 25 additional days as directed by the training course monitor, with assignments chosen at the discretion of the training course monitor that may include, but need not be limited to, shipboard training, electronic navigation training, manned model training, attendance at meetings with maritime-related governmental agencies or exposure to maritime related administrative activities.¶

(h) Present recommendations from the training course monitor and from at least ten (10) unlimited state-licensed pilots who participated in the training, certifying that the applicant has demonstrated sufficient knowledge and shiphandling skills to pilot ocean-going ships up to 600 feet L.O.A. on the pilotage ground.

Statutory/Other Authority: ORS 776.115

Statutes/Other Implemented: ORS 776.115, ORS 776.300