



LAWS OF ALASKA

1969

Source

SCSHB 118

Chapter No.

118

AN ACT

Relating to the employment of licensed marine pilots on the inland waters of the state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 30 is amended by adding a new chapter to read:

CHAPTER 10. MARINE PILOTS.

Sec. 30.10.010. MANDATORY EMPLOYMENT OF LICENSED PILOTS. A vessel navigating the inland waters of Alaska shall employ a pilot holding a license issued by the commissioner of commerce, who is charged with the administration of this chapter.

Sec. 30.10.020. POWERS AND DUTIES. (a) The commissioner shall adopt regulations, not inconsistent with the law

(1) to establish the qualifications of pilots, provide for their examination and the issuance of licenses to qualified persons and to keep a register of licensed pilots and of vessels, operators and agents;

(2) to provide for the maintenance of efficient and competent pilot service on all waters covered by this chapter.

(b) The commissioner may, by regulation, make any other provision for proper and safe pilotage upon the waters covered by this chapter and for the efficient administration of this chapter.

Sec. 30.10.030. PILOT LICENSE AND FEE. (a) No person may pilot a vessel subject to the provisions of this chapter unless he is licensed under this chapter. A person

is eligible for licensure if he

- (1) is a citizen of the United States;
- (2) is over 25 years of age;
- (3) has a practical knowledge of the navigation of vessels and of the conditions of navigation in the waters for which he is to be licensed;
- (4) is of good moral character, temperate and possesses the skill and ability necessary to discharge the duties of a pilot.

(b) A pilot license issued under this chapter is valid for five years from the date of issuance. A license may be renewed as a matter of course, unless the commissioner withholds the license for good cause shown.

(c) The annual license fee is \$100 to be paid at the time and in the manner specified by the commissioner.

Sec. 30.10.040. REVOCATION, SUSPENSION AND WITHHOLDING OF LICENSE. The commissioner may revoke, suspend or withhold a license of a pilot for misconduct during the course of his employment, incompetency in the performance of his duties, inattention to duty, intoxication on duty, failure to perform his duties under this chapter, or violation of any of the regulations provided by the commissioner for the government of pilots.

Sec. 30.10.050. PILOT'S LIEN FOR COMPENSATION. Each vessel, its tackle, apparel and furniture and the owner of the vessel are jointly and severally liable for the compensation of a pilot employed on the vessel and the pilot has a lien on the vessel, her tackle, apparel and furniture for his compensation.

Sec. 30.10.060. APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT. The Administrative Procedure Act (AS 44.62) applies to regulations promulgated, and proceedings held, under this chapter.

Sec. 30.10.070. PENALTY. A master or owner of a vessel required by this chapter to employ a licensed pilot who fails to do so when a licensed pilot is available, unless the perils or hazards of the sea prevent the employment of a pilot, is guilty of a misdemeanor and, upon conviction, is punishable by a fine of not less than \$500 nor more than \$1,000. A person who violates any other provision of this chapter or a regulation promulgated under it is guilty of a misdemeanor and, upon conviction, is punishable by a fine of not less than \$500 nor more than \$1,000.

Sec. 30.10.080. EXEMPTIONS. The provisions of this chapter do not apply to

- (1) vessels under enrollment;
- (2) fishing vessels registered in the United States or in British Columbia, Canada;
- (3) motorboats as defined in sec. 1 of the

federal Motor Boat Act of 1940 (54 Stat. 163; 46 U.S.C. sec. 526 et seq.);

(4) vessels and tow boats, other than vessels of Canada, engaged exclusively in the coastwise trade on the west coast of the United States, British Columbia, Canada and Alaska;

(5) vessels of Canada, including cruise ships, engaged in frequent trade between British Columbia and Alaska, provided that reciprocal exemptions are granted by Canada to vessels registered or enrolled in Alaska; and

(6) pleasure craft.

Sec. 30.10.090. SHORT TITLE. This chapter may be cited as the Alaska Pilotage Act.

* Sec. 2. AS 44.62.330(a) is amended by adding a new paragraph to read:

(32) Department of Commerce, under Alaska Pilotage Act (AS 30.10).