

waters, whereupon interested parties shall be immediately notified of the relocation.

#### 16:64-4.3 Log books

(a) On board each station ship, or at each shore station from which vessels are served without the use of a station ship, the Association shall keep a log book in which shall be recorded for each regulated vessel:

1. The time of arrival of the cruising pilot vessel on, or departure from, station as applicable;
2. The name(s) of the pilot(s) embarking or disembarking the vessel;
3. The name of the vessel piloted;
4. The time the pilot(s) embarked or disembarked the vessel; and
5. Such additional information as is required in the practice of good seamanship.

(b) Log books shall be available for inspection by the Commissioners at all times. Each separate book, when filled, shall be filed in the office of the pilot association concerned and shall continue to be available for inspection by the Commissioners. Shore stations may substitute other forms of recordkeeping for log books but such records must include the above information.

### SUBCHAPTER 5. DUTIES OF PILOTAGE

#### 16:64-5.1 Scope

This subchapter sets forth additional requirements and duties that must be met by all licensed pilots.

#### 16:64-5.2 Piloting duties

(a) A pilot shall, in a timely fashion, provide pilotage services to all regulated vessels. However, a pilot shall only pilot a vessel of a size (tonnage or draft) that is authorized by the pilot's state license and only over routes authorized by the pilot's state license.

(b) Pilots shall be available for duty and accept pilotage assignments in accordance with a rotation schedule established by the Association.

(c) A pilot of an inbound vessel or a vessel being transported is entitled to discharge by the master of the vessel when the vessel has been brought to a safe anchorage or secured in the berth to which the vessel is bound.

(d) Whenever requested by the master, the pilot shall dock or undock a vessel.

(e) A pilot is entitled to discharge by the master of an outbound vessel when the vessel reaches the vicinity of the pilot station unless the master expressly requests the pilot to remain on board for such purposes as returning the vessel to port, bringing the vessel to a safe anchorage, assisting due to weather conditions, or assisting the master in maneuvering the vessel in the vicinity of the pilot station.

(f) When requested by the master to remain with a vessel at an anchorage or berth, the pilot shall do so or arrange for a relief and shall not leave until the relief arrives. A pilot shall not leave a vessel that is underway unless the pilot has been properly relieved.

(g) All pilots shall comply with the Rules of the Road as defined in N.J.A.C. 16:64-1.3.

(h) Except in circumstances which prevent their use, maritime pilots shall use a carry-on device which includes electronic charts coupled with a differential global positioning system and which displays the vessel's position and track while the maritime pilot is piloting a vessel or is on the bridge of a vessel being piloted by a docking pilot.

(i) The devices referred to in (h) above shall record the track of the vessel while it is being piloted. In the event the vessel is involved in an occurrence, the maritime pilot shall preserve the recording until the Commission authorizes its disposition.

Amended by R.2006 d.295, effective August 21, 2006.

See: 38 N.J.R. 1402(a), 38 N.J.R. 3311(a).

Rewrote (d); and added (h) and (i).

#### 16:64-5.3 Master-pilot conference and unsafe passages

(a) Prior to assuming the con of a vessel, a pilot shall conduct a master-pilot conference.

(b) During the conference, the pilot will provide the master with information that a prudent pilot should convey to the master under the prevailing circumstances including, but not limited to:

1. Information specific to navigation and conditions along the intended route;
2. Tug assistance;
3. Transfer of pilotage duties to others;
4. The pilot's lookout and anchor watch requirements; and
5. The pilot's bridge manning requirements.

(c) The pilot shall request such information from the master that a prudent pilot should request under the prevailing circumstances including, but not limited to:

1. The status of the vessel's navigation equipment;

2. The status and characteristics of the vessel's engine and steering equipment;
3. The vessel's handling characteristics;
4. The vessel's compliance with Federal and International regulations, statutes and Captain of the Port's orders;
5. The drafts of the vessel; and
6. The location and currency of wheel house posters.

(d) If a pilot has a reasonable basis to believe that the vessel's intended passage cannot be conducted safely, the pilot shall:

1. Not undertake the piloting of the vessel;
2. Advise the master that the pilot will not pilot the vessel and describe the rationale for the decision;
3. If appropriate under the prevailing circumstance, offer to pilot the vessel to a safe anchorage; and
4. Request the master to enter the refusal, as well as the rationale for the decision, into the ship's log book.

(e) In the event the master, despite the pilot's advice to the contrary in (d) above, commences the passage or states an intention to commence the passage, the pilot shall:

1. Immediately report the situation, and the circumstances that caused the pilot's belief that the vessels' intended voyage cannot be conducted safely, to:
  - i. The United States Coast Guard, Captain of the Port, by way of the most expeditious means available, including VHF and land line;
  - ii. The Vessel Traffic Service, or their successors, on the most appropriate sector frequency or by land line; and
  - iii. As soon as practical thereafter to the President of the Association and the Commission; and

2. Advise the master that the pilot shall remain on the bridge as an observer only and not as a pilot. However, if the pilot, acting as an observer, notes the vessel is falling into danger, the pilot shall advise the master of the danger and give the master such advice, to the extent the pilot is able, as the master may require in a cooperative effort to extricate the vessel from the impending danger.

(f) Under (e) above, if an occurrence or accident follows, the Commission shall take any special circumstances of the case into account when judging the performance of the pilot.

Amended by R.2005 d.307, effective September 6, 2005.  
See: 37 N.J.R. 1685(a), 37 N.J.R. 3446(b).

In (f), substituted "Commission" for "Board".  
Amended by R.2006 d.295, effective August 21, 2006.  
See: 38 N.J.R. 1402(a), 38 N.J.R. 3311(a).

In (c)4, inserted "and International"; and in (e)liii, substituted "Commission" for "Board".

#### 16:64-5.4 Illness

(a) A pilot who has been ill or injured to the extent that the pilot has been unable to perform pilotage duties for a period of 30 calendar days or longer shall:

1. Notify the Commission, or arrange for it to be notified as soon as possible, after the 30th day of the disability; and
2. Not resume pilotage duties until the pilot has received the permission of the Commission President, or the designated Commissioner, to return to work.

(b) A pilot applying for permission to return to work shall present to the Commission President or designated Commissioner a statement from a physician indicating fitness for duty and a detailed evaluation of the pilot's physical condition.

(c) Before allowing the pilot to return to duty, the Commission, the Commission President or the designated Commissioner may require the pilot to:

1. Submit to an examination, at the Commission's expense, by a Commission selected physician;
2. Complete the observation trips as set forth in N.J.A.C. 16:64-5.5(c); and
3. Appear before the Commission.

Amended by R.2005 d.307, effective September 6, 2005.  
See: 37 N.J.R. 1685(a), 37 N.J.R. 3446(b).

Substituted "Commission" for "Board" throughout section.

#### 16:64-5.5 Route currency

(a) Prior to undertaking the piloting of a vessel, the pilot shall be fully conversant with the existing conditions of the pilotage route including, but not limited to:

1. Tidal and current conditions;
2. Status of aids to navigation;
3. Weather conditions; and
4. Obstructions, traffic conditions and changes since the pilot's last trip over the route.

(b) In the event a pilot has been absent from the performance of pilotage duty or it is anticipated that the pilot will be absent for a period of time in excess of 90 continuous days, for reasons other than illness or injury, the pilot shall notify the Commission and the President of the Association in writing. The notice shall include the reasons for the absence and the date the pilot expects to resume pilotage duties.

(c) A pilot who has not performed pilotage duties for more than 30 continuous days shall, prior to resuming piloting activities, submit a written certification to the Commission that the pilot is fully conversant with the conditions in (a) above. The Commission may require the pilot to appear before the Commission prior to resumption of piloting duties