

Recodified from N.J.A.C. 16:64-3.7 by R.2009 d.364, effective December 7, 2009.

See: 41 N.J.R. 2884(a), 41 N.J.R. 4455(a).

Former N.J.A.C. 16:64-3.6, Medical examination, recodified to N.J.A.C. 16:64-3.5.

**16:64-3.7 Retirement and age-related requirements**

(a) All pilots over the age of 65 shall submit each year to two physical examinations, as specified in N.J.A.C. 16:64-

3.6. The second examination shall take place approximately six months after the first examination.

(b) All pilots over the age of 68 are precluded from being licensed as a Grade 1 pilot and any Grade 1 pilot who reaches the age of 68 shall automatically be redesignated as a Grade 2 pilot.

*New Jersey State Library*

Emergency amendment, R.2001 d.351, effective August 29, 2001 (to expire October 28, 2001).

See: 33 N.J.R. 3374(a).

In (c), substituted "68" for "65" throughout.

Adopted concurrent amendment, R.2002 d.18, effective January 7, 2002.

See: 33 N.J.R. 3374(a), 34 N.J.R. 275(a).

Provisions of R.2001 d.351 adopted without change.

Recodified from N.J.A.C. 16:64-3.8 and amended by R.2009 d.364, effective December 7, 2009.

See: 41 N.J.R. 2884(a), 41 N.J.R. 4455(a).

Deleted former (a); and recodified former (b) and (c) as (a) and (b). Former N.J.A.C. 16:64-3.7, Oath, recodified to N.J.A.C. 16:64-3.6.

### 16:64-3.8 General license requirements

(a) No person may operate as a licensed maritime pilot, unless such person:

1. Maintains a current ARPA (automatic radar plotting aid) and radar certificate;
2. Maintains a valid Federal merchant mariner credential or equivalent and first class pilot endorsements for the routes to be traversed;
3. Has fulfilled all of the requirements of the continuing education program approved by the Commission pursuant to N.J.A.C. 16:64-5.7;
4. Has submitted to the Commission and the Association evidence of the successful completion of required medical examinations; and
5. Has a valid Transportation Worker Identification Credential (TWIC) issued by the U.S. Department of Homeland Security.

(b) All pilots shall appear before the Commission every year at the next Commission meeting following the anniversary date of the pilot's attainment of deputy pilot status. In the event of a conflict, the Commission may allow the pilot to appear at a later meeting. At least seven days before the meeting, the pilot shall provide:

1. A completed annual report form for the past year beginning on the anniversary date of the license which shall require the pilot to include:
  - i. The total number of vessels piloted;
  - ii. The number of days absent from duty due to illness;
  - iii. The routes for which the pilot holds endorsements; and
  - iv. Any activities, outside of piloting, related to the maritime industry that the pilot is or was involved in;
2. Copies of the results of the medical examinations set forth at N.J.A.C. 16:64-3.6; and
3. Such additional information as may be required of an individual pilot from time to time by 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 (a) and (b).

Recodified from N.J.A.C. 16:64-3.9 and amended by R.2009 d.364, effective December 7, 2009.

See: 41 N.J.R. 2884(a), 41 N.J.R. 4455(a).

In the introductory paragraph of (a), substituted "maritime pilot," for "pilot"; in (a)2, inserted "merchant mariner credential or equivalent and" and substituted "endorsements" for "license and endorsement"; rewrote (a)3; in (a)4, substituted "; and" for a period at the end; added (a)5: in the introductory paragraph of (b), substituted "At least seven days before" for "Before or at"; and in (b)liv, inserted "or was". Former N.J.A.C. 16:64-3.8, Retirement and age-related requirements, recodified to N.J.A.C. 16:64-3.7.

### 16:64-3.9 Grades of licenses and grade advancement

(a) All increases in grade for maritime pilots shall be approved by the Commission.

(b) The minimum length of service in each grade is set forth in (d) below. The Commission may reduce or increase the grade of a pilot in accordance with N.J.A.C. 16:64-3.11 and 3.12.

(c) Pilots of the first grade shall be designated as full branch pilots; of the second grade, as limited branch pilots; and of the third, fourth, fifth and sixth grades, as deputy pilots. Upon being advanced to pilot of the first grade, the pilot's license as a deputy pilot shall be withdrawn and a new license as a full branch pilot issued.

(d) For all pilots who obtain a certificate of appointment from the Commission pursuant to N.J.A.C. 16:64-3.7(a) prior to October 1, 2001, the pilot licensed for a specific grade shall not pilot any vessel of draft or registered gross tonnage greater than that indicated below. The registered gross tonnage of a vessel shall be the highest tonnage published in Lloyd's Register of Ships. A pilot whose license is not of a grade that would allow assignment to the deepest vessel in a tow shall not be assigned to the towing vessel.

1. Grade 6: A Grade 6 pilot shall complete a minimum of one year length of service in Grade 6. The draft may not exceed 30 feet and the registered gross tonnage may not exceed 20,000.
2. Grade 5: A Grade 5 pilot shall complete a minimum of one year length of service in Grade 5. The draft may not exceed 33 feet and the registered gross tonnage may not exceed 25,000.
3. Grade 4: A Grade 4 pilot shall complete a minimum of one year length of service in Grade 4. The draft may not exceed 36 feet and the registered gross tonnage may not exceed 30,000.
4. Grade 3A: A Grade 3A pilot shall complete a minimum of one year length of service in Grade 3A. The draft may not exceed 39 feet and the registered gross tonnage may not exceed 40,000.

5. Grade 3: A Grade 3 pilot shall complete a minimum of one year length of service in Grade 3. The draft may not exceed 42 feet and the registered gross tonnage may not exceed 50,000.

6. Grade 2A: A Grade 2A pilot shall complete a minimum of one year length of service in Grade 2A. The draft may not exceed 45 feet and the registered gross tonnage may not exceed 55,000.

7. Grade 2: A Grade 2 pilot shall complete a minimum of one year length of service in Grade 2. The draft may not exceed 45 feet and the registered gross tonnage may not exceed 70,000.

8. Grade 1: There are no draft or tonnage limitations on the license.

(e) For all pilots who obtain a certificate of appointment from the Commission pursuant to N.J.A.C. 16:64-3.7(a) on or after October 1, 2001, the pilot licensed for a specific grade shall not pilot any vessel of draft or registered gross tonnage greater than that indicated below. The registered gross tonnage of a vessel shall be the highest tonnage published in Lloyd's Register of Ships. A pilot whose license is not of a grade that would allow assignment to the deepest vessel in a tow shall not be assigned to the towing vessels.

1. Grade 6A: A Grade 6A pilot shall complete a minimum of one year length of service in Grade 6A. The draft may not exceed 30 feet and the registered gross tonnage may not exceed 20,000.

2. Grade 6: A Grade 6 pilot shall complete a minimum of one year length of service in Grade 6. The draft may not exceed 33 feet and the registered gross tonnage may not exceed 25,000.

3. Grade 5A: A Grade 5A pilot shall complete a minimum of one year length of service in Grade 5A. The draft may not exceed 36 feet and the registered gross tonnage may not exceed 30,000.

4. Grade 5: A Grade 5 pilot shall complete a minimum of one year length of service in Grade 5. The draft may not exceed 39 feet and the registered gross tonnage may not exceed 40,000.

5. Grade 4: A Grade 4 pilot shall complete a minimum of one year length of service in Grade 4. The draft may not exceed 42 feet and the registered gross tonnage may not exceed 50,000.

6. Grade 3: A Grade 3 pilot shall complete a minimum of one year length of service in Grade 3. The draft may not exceed 45 feet and the registered gross tonnage may not exceed 55,000.

7. Grade 2: A Grade 2 pilot shall complete a minimum of one year length of service in Grade 2. The draft may not exceed 45 feet and the registered gross tonnage may not exceed 70,000.

8. Grade 1: There are no draft or tonnage limitations on the license.

Emergency amendment, R.2001 d.351, effective August 29, 2001 (to expire October 28, 2001).

See: 33 N.J.R. 3374(a).

In (a), inserted “, 5A to 5”; in (d), rewrote the first sentence of the introductory paragraph and amended the draft and gross tonnage limitations in 1 through 7; and added (e).

Adopted concurrent amendment, R.2002 d.18, effective January 7, 2002.

See: 33 N.J.R. 3374(a), 34 N.J.R. 275(a).

Provisions of R.2001 d.351 adopted without change.

Amended by R.2005 d.307, effective September 6, 2005.

See: 37 N.J.R. 1685(a), 37 N.J.R. 3446(b).

Substituted “licenses” for “licensed” in the rule heading; substituted “Commission” for “Board” throughout (a), (b), (d) and (e).

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

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

Substituted “The draft may not exceed 45 feet and” for “There are no draft limitations, but” throughout; and in (d)6 and (e)6, substituted “55,000” for “50,000”.

Recodified from N.J.A.C. 16:64-3.10 and amended by R.2009 d.364, effective December 7, 2009.

See: 41 N.J.R. 2884(a), 41 N.J.R. 4455(a).

In (a), substituted “for maritime pilots” for “, except advancement from Grade 6A to, 6, 5A to 5, 3A to 3, and 2A to 2,”. Former N.J.A.C. 16:64-3.9, General license requirements, recodified to N.J.A.C. 16:64-3.8.

#### **16:64-3.10 Reduction in grade of licenses or route suspension**

(a) All licenses are subject to a reduction in grade or route suspension by the Commission for any of the causes in N.J.A.C. 16:64-6.4(a).

(b) Upon receipt by the Commission of information that grounds for a reduction in grade or route suspension exist, the pilot shall be notified of his or her right to request an adjudicatory hearing in accordance with N.J.A.C. 16:64-6.6.

Amended by R.2005 d.307, effective September 6, 2005.

See: 37 N.J.R. 1685(a), 37 N.J.R. 3446(b).

In (a) and (b), substituted “Commission” for “Board”.

Recodified from N.J.A.C. 16:64-3.11 by R.2009 d.364, effective December 7, 2009.

See: 41 N.J.R. 2884(a), 41 N.J.R. 4455(a).

Former N.J.A.C. 16:64-3.10, Grades of licenses and grade advancement, recodified to N.J.A.C. 16:64-3.9.

#### **16:64-3.11 Application for increase in grade of licenses**

(a) A maritime pilot wishing to increase the grade of a license for which approval is required by the Commission shall give notice to the Commission, through the Association, requesting a grade increase. This notice shall be submitted no earlier than 30 days prior to the eligibility date determined by using the minimum length of service requirements in N.J.A.C. 16:64-3.9(d).

(b) Prior to a pilot being advanced to a grade for which approval is required by the Commission, the Association shall post at least 60 days in advance of the scheduled advancement and continue to be posted, in a prominent location at the pilots' headquarters and aboard the station, a notice regarding the pilot. The notice, in a form prescribed by the Commission, shall advise all Sandy Hook pilots of the name of the