

DECLARATION OF EMERGENCY

Office of the Governor Board of Examiners for New Orleans and Baton Rouge Steamship Pilots for the Mississippi River

Qualifications and Examination of Pilots (LAC 46:LXX.6206)

In accordance with the emergency provisions of the Administrative Procedures Act, R.S. 49:953 (B), and under the authority of R.S. 34:1041, et seq. and Title 46 - Professional and Occupational Standards, Part LXX. River Pilots, Subpart 3. Board of Examiners for the New Orleans and Baton Rouge Steamship Pilots, et seq. the Board of Examiners for New Orleans- Baton Rouge Steamship Pilots for the Mississippi River declares an emergency to exist and adopts by emergency process the attached regulation for New Orleans—Baton Rouge Steamship Pilot apprentices completing the initial phase of the Board of Examiners for New Orleans—Baton Rouge Steamship Pilots for the Mississippi River's Pilot Development Program in 2021.

Due to the safety sensitive nature of the duties performed by state commissioned pilots, this board has a strong commitment to the public and maritime industry. The board has promulgated standards for recommendation by the board to the governor of the State of Louisiana for appointment as a New Orleans and Baton Rouge Steamship pilot, pursuant to R. S. 34:1043 and R.S. 34:1045.

The State of Louisiana has a substantial interest in replenishing and maintaining a full roster of state commissioned New Orleans—Baton Rouge Steamship Pilots. As a result of the Covid-19 pandemic, the United States Coast Guard is experiencing delays in issuing Mississippi River license route extensions to the apprentices currently in the Board of Examiners for New Orleans - Baton Rouge Steamship Pilots for the Mississippi River's Pilot Development Program. This emergency rule amends LAC 46:LXX.6206 to provide the apprentices additional time to obtain their United States Coast Guard issued Mississippi River license route extensions.

This Emergency Rule becomes effective upon the signature of the President of the Board of Examiners for New Orleans—Baton Rouge Steamship Pilots for the Mississippi River, February 26, 2021, and shall remain in effect for 120 days, unless rescinded, renewed or until permanent rules and regulations become effective.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LXX River Pilots

Subpart 3. Board of Examiners for the New Orleans and Baton Rouge Steamship Pilots

Chapter 62. Qualifications and Examination of Pilots §6206. Licenses/Education/Experience

A. In addition to the above, an applicant must submit satisfactory proof of the following licensing, education and experience criteria.

1. An applicant must hold at least a current First Class Pilots License, Any Gross Tons, upon the Lower Mississippi River from Chalmette, Louisiana to Baton Rouge Railroad and Highway Bridge at Baton Rouge, Louisiana, including physical, and, at least, either a Master of Steam or Motor

Vessels; or Master of Towing Vessels; or Third Mate; or an equivalent or greater United States Coast Guard license.

a. Notwithstanding Paragraph A.1 of this Section, an applicant with first class pilotage from mile marker 92.7 AHP to mile marker 225 AHP shall be eligible for selection into the Pilot Development Program. However, an applicant selected for the Pilot Development Program shall be required to obtain first class pilotage from mile marker 88.0 AHP to Baton Rouge Railroad and Highway Bridge prior to commissioning.

NOTE: Apprentices completing the initial phase of the Board of Examiners for New Orleans - Baton Rouge Steamship Pilots for the Mississippi River's Pilot Development Program in 2021 shall have an additional 240 days to obtain their United States Coast Guard Mississippi River license route extensions. If commissioned prior to receiving their United States Coast Guard Mississippi River license route extensions, Apprentices may operate solely on their state issued New Orleans and Baton Rouge Steamship Pilot commission.

2. An applicant must hold a bachelor's degree or higher degree from an accredited maritime academy approved by and conducted under rules prescribed by the Federal Maritime Administrator and listed at title 46, *Code of Federal Regulations*, part 310.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:1041 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots, LR 30:2473 (November 2004), amended by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots for the Mississippi River, LR 36:495 (March 2010), LR 38:3166 (December 2012), LR 44:44 (January 2018), LR 47:

Captain Robert D. Heitmeier
President

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