

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Title of Rule: Rhode Island State Pilotage Commission Rules and Regulations

Rule Identifier: 250-RICR-80-00-9

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: 08/20/2018

Hearing Date: 09/13/2018

End of Public Comment: 09/19/2018

Authority for this Rulemaking:

RIGL 46-9 and 46-9.1

R.I. Gen. Laws § 42-35

Summary of Rulemaking Action:

The first proposed amendment is an effort to update Regulation 12.03 (B) (1) and (2) by expanding from 30,000 gross weight tonnage to 35,000 gross weight tonnage those vessels that a probationary pilot is authorized to pilot. The second proposes an amendment of Rule 15.13 which would increase by 2% on January 1, 2017 the pilotage rate, increase by 2% on January 1, 2018 and increase by 2% on January 1, 2019. The third proposed amendment proposes the deletion of Rule 15.15 (E) of the regulations governing pilot fatigue. The only change (other than typos) resulting from the hearing process was to Section 15.13. The regulations as proposed provided for an increase in the pilotage fee in the amount of 2% per annum beginning on January 1, 2017, on January 1, 2018, and on January 1, 2019. The Commission opted to modify the final regulations by reducing the increase from 2% on January 1, 2017, 2% on January 1, 2018, and 2% on January 1, 2019, to provide for an increase of 2% on January 1, 2017, 1% on January 1, 2018, and 2% on January 1, 2019.

Additional Information and Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until September 19, 2018 by contacting the appropriate party at the address listed below:

Joanne Scorpio

Department of Environmental Management

RI State Pilotage Commission, c/o RIDEM Division of Law Enforcement

235 Promenade Street

Providence, RI 02908

joanne.scorpio@dem.ri.gov

Public Hearing:

A public hearing, in accordance with R.I. Gen. Laws § 42-35-2.8, to consider the proposed amendment shall be held on September 13, 2018 at 9:30 am at Rhode Island DEM, Room 250, 235 Promenade Street, Providence, RI 02908 at which time and place all persons interested therein will be heard. The seating capacity of the room will be enforced and therefore the number of persons participating in the hearing may be limited at any given time by the hearing officer, in order to comply with safety and fire codes.

The place of the public hearing is accessible to individuals who are handicapped. If communication assistance (readers/interpreters/captioners) is needed, or any other accommodation to ensure equal participation, please call 401-222-5300 X-711 or RI Relay 711 at least three (3) business days prior to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting.

Regulatory Analysis Summary and Supporting Documentation:

In the development of the proposed amendment consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

The Department has determined that small businesses will not be adversely impacted by the proposed regulations referenced above. However, the public hearing is being conducted to solicit comment on the proposals and to allow public input from small businesses or any cities or towns, which may believe that that may be adversely affected. For full regulatory analysis or supporting documentation contact agency contact: RI State Pilotage Commission, c/o RIDEM Division of Law Enforcement, 235 Promenade Street, Providence, RI 02908 or via e-mail to joanne.scorpio@dem.ri.gov

For full regulatory analysis or supporting documentation see agency contact person above.