



# Rhode Island State Pilotage Commission

235 Promenade Street, Providence RI 02908

July 11, 2019

RE: Response to written public comments pertaining to proposed amendment to ***Rhode Island State Pilotage Commission Rules and Regulations***

Notice for amendment to ***Rhode Island State Pilotage Commission Rules and Regulations*** was posted on the Rhode Island Secretary of State's website on April 12, 2019. The comment period whereby the Department of Environmental Management (DEM) would receive written comments pertaining to the aforementioned proposed rules and regulations ended at 4 pm on May 13, 2019; and the public hearing was held at 9:30 A.M. on May 2, 2019.

Only one written comment was received regarding the Rhode Island State Pilotage Commission Rules and Regulations. That comment was a joint comment submitted by Steven Brown, representing the ACLU of Rhode Island; Fred Ordoñez, representing Direct Action for Rights and Equality; Annajane Yolken, representing Protect Families First; and Megan French-Marcelin, represent JustLeadership USA.

**COMMENT 1:** The joint comment commented on Section 9.15(O)(1) which prohibits anyone who is convicted of a federal or state statute relating to drug or substance use from obtaining a Pilot's License for 10 years from the date of conviction.

**RI PILOTAGE COMMISSION RESPONSE:** The Commission appreciates and has considered the comment and determined to make additional changes to the Regulations, specifically to Section 9.15(O) to clarify the intent of the Regulations. A core requirement of the Regulations is that R.I. Pilots obtain and maintain the required underlying US Coast Guard federal license. Without the valid federal license an individual is unable to either obtain or maintain a RI license. The US Coast Guard has a process whereby an individual with a conviction may be issued a federal license after a review of their application. Since Section 9.15(O)(1) could be construed as preventing an individual from obtaining a RI license even if they have obtained the necessary federal license that section has been deleted. Current Section 9.15(O)(2) has been renumbered and is now Section 9.15(O)(1). Current Section 9.15(O)(3) has been renumbered to Section 9.15(O)(2). Additionally, the new Section 9.15(O)(2) was reworded to maintain the intent of the section that allowed the Commission to suspend or revoke a license for various drug of substance convictions.

