

RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Title of Rule: Port Operations Regulations and Berthing Management System (250-RICR-50-00-1)

Rule Identifier: 250-RICR-50-00-1

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: August 6, 2025

Hearing Date: August 21, 2025

End of Public Comment: September 5, 2025

Rulemaking Authority:

R.I. Gen. Laws §§ 42-17.1-1 et. seq.

46-5-1 et. seq.

and 46-22-1 et. seq.

R.I. Gen. Laws §§ 32-2-4 and 42-17.10-1

R.I. Gen. Laws § 42-35-1 et. seq.

Summary of Rulemaking Action:

Proposed regulatory language throughout these sections is intended to achieve clarity through organization, enhance definitions and content to meet caret standards, and provide optimal legal resources to protect state assets as well as surrounding small business. Sections 1.4, 1.5, and 1.6 repealed as nonregulatory language. Definitions in Section 1.7 revised for purposes of clarity and reorganization. Section 1.8(B) revised to specify types of insurance required of all vessels berthed in state ports. Additional language in Section 1.8 revised for clarity. Section 1.9 repealed as outdated and unnecessary. Section 1.11 revised for clarity. Section 1.20 revised to clarify appeals procedure before the Administrative Adjudication Division. Section 1.21 added to require vessel owners to allow safety inspections of vessels upon written notice. Section 1.22 added to clarify and specify grounds for removal of vessels from the state ports. Section 1.23 added to establish jurisdiction of the Superior Court to order removal of vessels from the state ports, and to clarify removal procedures.

Additional Information and Public Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until September 5, 2025 by contacting the appropriate party at the address listed below:

Daniel Costa
Department of Environmental Management
Division of Coastal Resources, Port of Galilee

301 Great Island Rd.
Narragansett, RI 02882
Dan.Costa@dem.ri.gov

Public Hearing:

A public hearing, in accordance with R.I. Gen. Laws § 42-35-2.5, to consider the proposed amendment shall be held at which time and place all persons interested therein will be heard. This hearing is subject to R.I. Gen. Laws Chapter 42-46, Open Meetings.

Public Hearing Information:

Date: August 21, 2025

Time: 1:00 P.M.

Location: Department of Environmental Management
235 Promenade Street
Floor 3, Room 300
Providence, RI, 02908

The place of the public hearing is accessible to individuals with disabilities. If communication assistance (readers/interpreters/captioners) is needed, or any other accommodation to ensure equal participation, please call 401-423-1927 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. For questions regarding available parking, please contact the agency staffperson listed above.

Regulatory Analysis Summary and Supporting Documentation:

In the development of the proposed amendment consideration was given to: (1) the benefits and costs of a reasonable range of regulatory alternatives reflecting the scope of discretion; (2) alternative approaches; (3) overlap or duplication with other statutory and regulatory provisions; and (4) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

For full regulatory analysis or supporting documentation contact the agency staffperson listed above.