Rules and Regulations of the State of Georgia

Department 494 BOARD OF PILOTAGE COMMISSIONERS

Current through Rules and Regulations filed through October 27, 2026

Table of Contents

ADMINISTRATIVE HISTORY

Chapter 494-1. SAINT SIMONS AND SAINT ANDREWS BARS.

Subject 494-1-1. RULES FOR THE GOVERNMENT OF BAR AND HARBOR PILOTAGE.

Rule 494-1-1-.01. Purpose.

Rule 494-1-1-.02. Definitions.

Rule 494-1-1-.03. Area of Jurisdiction.

Rule 494-1-1-.04. Policies and Procedures Manual.

Rule 494-1-1-.05. Requirement for Licensure.

Rule 494-1-1-.06. Apprentice Training and Qualification Program.

Rule 494-1-1-.07. Apprentice Selection Process.

Rule 494-1-1-.08. Pilot and Apprentice Age Limitations.

Rule 494-1-1-.09. Apprentice Citizenship and Physical Requirements.

Rule 494-1-1-.10. Previous Maritime Experience, Apprentice Applicants.

Rule 494-1-1-.11. Apprentice Training Course Curriculum.

Rule 494-1-1-.12. Completion of Apprenticeship.

Rule 494-1-1-.13. Short Branch Qualification.

Rule 494-1-1-.14. Pilot Registration.

Rule 494-1-1-.15. Board of Examiners.

Rule 494-1-1-.16. Application, License and Registration Fees.

Rule 494-1-1-.17. Pilot Vessel Operation.

Rule 494-1-1-.18. Pilot Communications Center at Brunswick.

Rule 494-1-1-.19. Pilot Charges and Fees.
Rule 494-1-1-.20. Federal Pilot Licensure.
Rule 494-1-1-.21. Commissioner Authority over Federal Pilotage.
Rule 494-1-1-.22. Marine Casualties, Accidents and Other Reports.
Rule 494-1-1-.23. Reports of Coast Guard Investigations.
Rule 494-1-1-.24. Pilot Functions and Responsibilities.
Rule 494-1-1-.25. Vessel Traffic Movement Restrictions.
Rule 494-1-1-.26. Docking and Undocking.
Rule 494-1-1-.27. Prearrival, Preshifting and Predeparture Conference.
Rule 494-1-1-.28. Pilot Coordination.
Rule 494-1-1-.29. Appeals.
Rule 494-1-1-.30. Penalties.
Rule 494-1-1-.31. Pilot Licenses Restricted To Vessels Less Than 1600 Gross Registered Tons.
Rule 494-1-1-.32. Rules for Ordering and Receiving State Pilots Onboard a Vessel in the Port of Brunswick.

ADMINISTRATIVE HISTORY

The **Administrative History** following each Rule gives the date on which the Rule was originally filed and its effective date, as well as the date on which any amendment or repeal was filed and its effective date. Principal abbreviations used in the Administrative History are as follows:

f. -- filed

eff. -- effective

R. -- Rule (Abbreviated only at the beginning of the control number

Ch. -- Chapter (Abbreviated only at the beginning of the control number)

ER. -- Emergency Rule

Rev. -- Revised

Note: Emergency Rules are listed in each Rule's Administrative History by Emergency Rule number, date filed and effective date. The Emergency Rule will be in effect for 120 days or until

the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule is adopted, as specified by the Agency.

Chapter 494-1-1 entitled "Rules for the Government of Bar and Harbor Pilotage" has been adopted. Filed May 31, 1994; effective June 20, 1994.

Rule 494-1-1-.03 has been amended. Filed July 30, 1996; effective August 19, 1996.

Rules 494-1-1-.06 and .11 have been amended. Rule 494-1-1-.31 has been adopted. Filed January 20, 1998; effective February 9, 1998.

Rules 494-1-1-.07, .09, and .16 have been amended. Filed April 14, 2004; effective May 4, 2004.

Rules 494-1-1-.02, .06, .08, .09, .14, .17, .19, .22, .24. .26, and .27 have been amended. Filed September 16, 2010; effective October 6, 2010.

Rule 494-1-1-.32 amended. F. July 31, 2024; eff. Aug. 20, 2024.

Cite as Ga. Comp. R. & Regs. R. dept. 494, ADMINISTRATIVE HISTORY

Chapter 494-1. SAINT SIMONS AND SAINT ANDREWS BARS.

Subject 494-1-1. RULES FOR THE GOVERNMENT OF BAR AND HARBOR PILOTAGE.

Rule 494-1-1-.01. Purpose.

(1) The purpose of these regulations is to establish standards for the promotion and continuance of a centralized, coordinated system of pilotage that will assure the safe and efficient movement of ocean-going shipping in to, out of and within the seaports of the State of Georgia.

(2) Safety shall be the primary objective of pilotage and shall focus upon the safety of vessels in transit, of vessels moored, of bridges and other waterfront structures, of channels and other navigable waterways, and protection of the marine environment.

(3) Pilotage standards shall pursue the major objective of safety and the secondary objective of efficient movement by addressing, but not be limited to, each of the following aspects:

(a) Selection, training and qualification of pilots;

(b) Licensure and registration of pilots;

(c) Reports of accidents, risks, and other matters affecting vessel safety;

(d) Relationship to federal pilotage;

(e) Pilot logistical support systems;

(f) Vessel movement restrictions;

(g) Docking and undocking;

(h) Administration.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.01
Authority: O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Purpose" adopted. F. May 31, 1994; eff. June 20, 1994.

Rule 494-1-1-.02. Definitions.

(1) APPRENTICE means an individual approved and certified by the Commissioners who is undergoing an approved pilot training and qualification program.

(2) BAR means the entrance to any port at such place in the Atlantic Ocean where the U.S. Army Corps of Engineers is authorized to commence harbor maintenance.

(3) BRANCH means a category of pilot license denoting, the absence of restrictions, or the level of restriction, placed upon the holder of said license.

(4) COAST GUARD means the United States Coast Guard.

(5) COMMISSIONERS means the Board of Pilot Commissioners for St. Simons and St. Andrews Bars.

(6) CONN means to direct the steering of a vessel. For example, the person giving orders to the helmsman (not just relaying orders) is said to "have the conn" or to be "conning the ship."

(7) DIRECTION AND CONTROL means power or authority given to direct a vessel.

(8) DRAFT means the deepest vertical distance required by any vessel to float measured from the surface of the water to a depth equal to the deepest portion of a vessel's hull or appurtenances.

(9) EXAMINER means a member of a Board of Examiners convened by the Commissioners to examine apprentices for issuance of pilot licenses, and to examine pilots holding restricted pilot licenses for the next higher license.

(10) FEDERAL PILOT means any person licensed under the provisions of 46 USC 7101-7114, and required to serve under the authority of 46 USC 8502, or who may be required to serve under 46 USC 8503.

(11) FOR CAUSE means that a pilot or apprentice is suspended or deprived of his or her license because of negligence, unskillfulness, inattention to duty, intemperance, addiction to the use of drugs, mental derangement, misconduct, or willful violation of these regulations.

(12) FOREIGN FLAG means a vessel registered in a country other than the United States

(13) FULL BRANCH means a license with no restrictions.

(14) GROSS TONS means the gross registered tonnage of any vessel as measured under the 1969 International Tonnage Convention.

(15) GROUNDING means a vessel that is resting or lodged on the bottom.

(16) HARBOR means the waterways inshore of the bar, within a port, on which commerce may be carried.

(17) HAZARDOUS CONDITION means any vessel that does not meet the pilot's general determinations relative to safe vessel movement. The determinations may consider, but not be limited to, vessel draft, state of tide, channel depths, directions of tidal currents, individual vessel maneuvering characteristics, vessel size, presence of other vessels, width of channels, and visibility.

(18) LICENSE means a document issued by the Commissioners to a pilot authorizing that individual to serve as a State pilot on board such vessels requiring same.

(19) PILOT means an individual licensed by the Commissioners as a pilot for the Port of Brunswick, Georgia.

(20) PILOT WATERS means those waters of the bar and within the harbor on which pilots are required.

(21) PORT means the geographic area, defined by political boundaries, surrounding and including the harbor and bar.

(22) PUBLIC VESSEL means a vessel meeting the definition contained in 46 USC 2101(24).

(23) REPORTABLE INCIDENT means any incident or potential incident that affects or could affect safety within the Port.

(24) RESTRICTED PILOT LICENSE means a license issued to a pilot with restrictions as to size, type, or route.

(25) REVOCATION means to deprive a pilot of his or her license to pilot indefinitely.

(26) SEAGOING VESSEL means any vessel that measures 200 or more gross tons.

(27) SHORT BRANCH means a pilot license that is restricted to service on vessels of certain size and draft limitations.

(28) STATE PILOT means a pilot licensed by the Commissioners.

(29) SUSPENSION means to suspend the authority to pilot for a period of time.

(30) VESSEL means, generally, every contrivance of watercraft, including craft self propelled by machinery and/or sail and non-self propelled crafts towed or pushed by another craft.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.02
Authority: Authority O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Definitions" adopted. F. May 31, 1994; eff. June 20, 1994.
Amended: F. Sept. 16, 2010; eff. Oct. 6, 2010.

Rule 494-1-1-.03. Area of Jurisdiction.

(1) The Commissioners for St. Simons and St. Andrews Bars have jurisdiction for the pilot waters between St. Simons Bar and the Great Satilla River, including St. Simons Bar, Turtle River, St. Andrews Bar and the several bars and inlets north of and including the Satilla River.

(2) The federal Boundary Lines defined in 46 CFR 7.80 and 46 CFR 7.85 describe the areas of the coastal waters along the coast of Georgia that delineate the application of federal pilotage requirements. These same Boundary Lines shall encompass those waters upon which the Commissioners also require pilotage on those vessels subject to State pilotage laws and regulations.

(3) The Commissioners shall extend these defined waters seaward of the federal Boundary Lines wherever necessary to:

(a) Assure that every foreign flag vessel or U.S. vessel under Register, while transiting offshore waters that otherwise may present the risk of grounding in the process of calling at every Georgia port, is conducted and piloted by a pilot licensed by the Commissioners.

(b) Assure that every foreign flag vessel or U.S. vessel under Register, calling at offshore moorings located within offshore waters under the jurisdiction of the State of Georgia, is conducted and piloted by a pilot licensed by the Commissioners.

(c) The pilot station for the pilot vessels cruising off shore shall be in the approximate vicinity of the designated "sea buoy", or on the waters of the Atlantic Ocean up to two nautical miles seaward of the Boundary Lines.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.03
Authority: O.C.G.A. Sec. 52-6-4, 52-6-11.
History. Original Rule entitled "Area of Jurisdiction" adopted. F. May 31, 1994; eff. June 20, 1994.
Amended: F. Jul. 30, 1996; eff. Aug. 19, 1996.

Rule 494-1-1-.04. Policies and Procedures Manual.

The Commissioners shall publish and maintain a current POLICIES AND PROCEDURES MANUAL (PPM). The PPM shall provide guidance regarding the administration of matters coming before the Commissioners.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.04
Authority: O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Policies and Procedures Manual" adopted. F. May 31, 1994; eff. June 20, 1994.

Rule 494-1-1-.05. Requirement for Licensure.

No person may be licensed as a pilot without first having successfully completed the required three-year program of apprentice training and qualification. This is applicable to temporary and emergency licenses as well as to regular Full Branch and Short Branch licenses.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.05
Authority: O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Requirement for Licensure" adopted. F. May 31, 1994; eff. June 20, 1994.

Rule 494-1-1-.06. Apprentice Training and Qualification Program.

(1) The apprentice training and qualification program shall include the satisfactory completion of an Apprentice Training Course approved by the Commissioners.

(2) In addition to satisfactory completion of the Apprentice Training Course, every apprentice shall become qualified to perform boat crew duties on board every class of pilot vessel and to stand communications watches at the pilot office. The apprentice

training and qualification program shall consist of both the approved Apprentice Training Course and the three-year term of apprentice training.

(3) Nothing shall prohibit the commissioners from issuing to an apprentice, who has not yet successfully completed and passed the aforementioned Apprentice Training Course, a restricted license to pilot vessels less than 1600 gross registered tons, provided said apprentice holds a valid federal First Class Pilot license for the route over which the restricted license would be issued. Issuance of such a restricted license shall not relieve the apprentice from the requirement to complete the full three year term of apprentice training and qualification leading to the issuance of a license to pilot vessels 1600 gross registered tons and over.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.06
Authority: Authority O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled, "Apprentice Training and Qualification Program" adopted. F. May 31, 1994; eff. June 20, 1994.
Amended: F. Jan. 20, 1998; eff. Feb. 9, 1998.
Amended: F. Sept. 16, 2010; eff. Oct. 6, 2010.

Rule 494-1-1-.07. Apprentice Selection Process.

(1) Applicants for apprenticeship shall submit applications to the Commissioners on application forms provided by the Commissioners. A non-refundable application fee shall be submitted with each application.

(2) Upon a determination of eligibility by the Commissioners, copies of the complete applications of eligible applicants will be forwarded to the pilots.

(3) At such times as vacancies may be forecast or occur within the register of pilots, the Commissioners shall certificate from among the eligible applicants the best qualified individual or individuals for apprenticeship. Selection shall be in accordance with selection criteria procedures, based upon numerical ranking, promulgated by the Commissioners. No agency shall require the selection of more apprentices than needed to fill projected vacancies.

(4) Numerical ranking shall be based upon a 100 point system, with 25 points for each of the following categories:

(a) Academic. Each High School Graduate shall receive 5 points. In addition, each applicant's cumulative Grade Point Average, on a 4.0 scale, shall be multiplied by a factor of five for persons with a baccalaureate degree and by a factor of 2.5 for persons with an associate, or equivalent, two year degree.

(b) Previous maritime experience. The Commissioners shall award points to applicants pursuant to subpart 494-1-1-.10.

(c) Interview. Only applicants who have been awarded at least 30 points cumulatively under subsections (4)(a) and (b) of this section 494-1-1-.07, shall be interviewed by the Commissioners. Each person interviewed shall be assigned from 0 to 25 points based upon objective scoring guidelines published by the Commissioners.

(d) Pilot potential. The Commissioners shall forward the application files of every eligible applicant to the pilots who shall consider the documentary evidence submitted with the application, any letters of recommendation received, and other information in the applicant's file. The pilots shall assign from 0 to 25 points to those applicants whose applications indicate that they have the greatest potential and who they believe are the best qualified to become pilots and future business partners, in accordance with the criteria contained in the POLICIES AND PROCEDURES MANUAL.

(5) The names and rankings of the applicant(s) recommended by the pilots for certification as apprentice pilots will be submitted to the Commissioners along with the names and rankings of the next five highest-ranked applicants not recommended.

(6) The Commissioners may approve the name(s) recommended by the pilots or they may return the name(s) for reconsideration.

(7) The Commissioners shall award a Certificate of Apprenticeship to every apprentice they have approved. Said Certificate shall terminate upon satisfactory completion of the apprentice training program, or upon the termination of the apprentice for cause or resignation.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.07
Authority: O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Apprentice Selection Process" adopted. F. May 31, 1994; eff. June 20, 1994.
Amended: F. Apr. 14, 2004; eff. May 4, 2004.

Rule 494-1-1-.08. Pilot and Apprentice Age Limitations.

(1) The required physical rigors and necessary stamina render service as a pilot to be such that no pilot sixty-five years or older will be registered. No pilot shall be compulsorily retired except as provided in O.C.G.A. 52-6-53.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.08
Authority: Authority O.C.G.A. Secs. 52-6-5, 52-6-11, 52-6-53.
History. Original Rule entitled "Pilot and Apprentice Age Limitations" adopted. F. May 31, 1994; eff. June 20, 1994.
Amended: F. Sept. 16, 2010; eff. Oct. 6, 2010.

Rule 494-1-1-.09. Apprentice Citizenship and Physical Requirements.

(1) Every apprentice applicant must submit with the application evidence that he/she, as a condition to be interviewed by the Pilots and Commission, meets the requirements of the Coast Guard regulations for citizenship and general federal licensure as contained in 46 CFR 10.201- 10.223. The apprentice applicant who becomes the finalist in each applicant process must also establish that he/she meets the physical health requirements thereof as determined by a physician licensed and practicing in Georgia, who is conversant therewith. The costs of such physical examinations shall be borne by the applicants.

(2) All apprentice applicants must certify and be prepared to demonstrate that they can swim, unassisted, for a distance of not less than 100 meters, and can remain afloat, unassisted for a period of not less than fifteen minutes, immediately thereafter.

(3) The apprentice applicant who becomes the finalist in each applicant process must also establish that he/she meets the Entry Level Physical Examination Standards published in the Seafarers' Health Improvement Program (SHIP). The cost of such physical examination shall be borne by the applicant, and will be conducted by a physician, licensed and practicing in Georgia, who is conversant with SHIP.

(4) Every applicant for apprenticeship must comply with residency requirements upon acceptance into the apprenticeship program as contained in 494-1-1.14(5).

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.09
Authority: Authority O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Apprentice Citizenship and Physical Requirements" adopted. F. May 31, 1994; eff. June 20, 1994.
Amended: F. Apr. 14, 2004; eff. May 4, 2004.
Amended: F. Sept. 16, 2010; eff. Oct. 6, 2010.

Rule 494-1-1-.10. Previous Maritime Experience, Apprentice Applicants.

(1) The Commissioners shall ensure that eligible applicants for apprenticeship be assured that any previous maritime experience is considered in the selection process.

(2) The Commissioners shall assign up to 25 points to any applicant who has demonstrated previous maritime knowledge or experience. Consideration will be given to the following federal license and experience factors:

KIND OF MARINE EXPERIENCE DOCUMENTED POINTS

1. Master, Oceans, any gross tons 21
2. Chief Mate, Oceans, any gross tons 19

3. Second Mate Oceans, any gross tons 17
4. Third Mate, Oceans, any gross tons 15
5. Master, Near Coastal less than 100 GT 10
6. Operator, uninspected towing vessel or Inland Master 10
7. Federal First Class Pilot license or endorsement 1
8. Motorboat Operator license 5
9. Small craft and sailing experience
   (a) Collegiate sailing team member, yrs on team ..... 1 to 4
   (b) Local sailing and offshore regatta crew ..... 1 to 5
   (c) Small craft operation in St. Simons Sound and Brunswick Harbor and Approaches to Brunswick Bar, 1 point per year but experience must equal or exceed 100 days per year, up to a maximum of 5

   (Note: The points awarded for small craft experience cannot total more that five points.)

   Points awarded to the above factors 1 through 9 may be accumulated to a maximum of 25.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.10
Authority: O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Previous Maritime Experience, Apprentice Applicants" adopted. F. May 31, 1994; eff. June 20, 1994.

Rule 494-1-1-.11. Apprentice Training Course Curriculum.

(1) Satisfactory completion of the Apprentice Training Course at Brunswick as approved by the Commandant of the Coast Guard, requires that the apprentice must have satisfactorily completed a minimum of 360 days of training aboard vessels 1600 gross tons and over. This Course of instruction is approved by the Commandant of the U.S. Coast Guard pursuant to 46 CFR 10.307.

(2) General Curriculum Requirements:

(a) In order to satisfactorily complete this training course, every apprentice must solo, to the satisfaction of the majority of the supervising pilots, on every route, day and night, ebb and flood tides, and on every size category of vessel calling at the Port. The curriculum of the approved course required that apprentices learn to direct the movement of vessels, apply the proper rules of the nautical road and other maritime procedures; interface and coordinate with other affected vessels and facilities, and record certain information. During each vessel movement to which the apprentice is assigned, the apprentice shall accompany the licensed pilot assigned to the vessel. The licensed pilot serves as the expert-master and interacts with the apprentice in observational and mastery learning processes. The ultimate result of the training is marked by the satisfactory piloting of vessels under the supervision of the various pilots assigned to those movements without the need for those assigned pilots to offer coaching or verbal guidance. This accomplishment is termed a "solo".

(b) In addition to the above, the progress of every apprentice must be marked semi-annually during his or her term of apprentice training by the pilots with whom he or she has received instruction in the areas of:

1. Procedures;

2. Skillfulness;

3. Communications;

4. Attitude.

(c) Every apprentice must receive satisfactory grades from the majority of the pilots during each semi-annual progress report period. A 3.2 grade point average on a 4.0 scale, in every area of grading, is required as the minimal satisfactory grade. This minimal grade shall be obtained during the final progress report period in order for an apprentice to receive a certificate that he or she has satisfactorily completed this training course. The Course Monitor shall semiannually advise each apprentice regarding his or her progress and shall also advise the Commissioners.

(d) Failure to receive satisfactory grades during the Apprentice Training Course can result in the termination of the apprentice training program for any apprentice at any point in the program by the Commissioners.

(e) The discovery that any apprentice fails to satisfy the physical requirements for federal licensure shall be just cause for the termination of any such apprentice, without regard to the grades received in the Apprentice Training Course.

(3) Upon satisfactory completion of the approved Apprentice Training Course, the apprentice will be awarded a Certificate of Completion by the designated Course Monitor.

(4) Any federal licensure as a federal First Class Pilot obtained by any apprentice before the completion of the apprenticeship training and qualification program shall not terminate nor shorten the three-year term of apprentice training.

(5) No person shall represent himself or herself as an apprentice unless he or she has been approved and certified as an apprentice by the Commissioners. No pilot shall be required to train any uncertified person on board any vessel subject to the jurisdiction of the Commissioners. Any uncertified person posing as an apprentice aboard any vessel subject to the jurisdiction of the Commissioners shall be considered in violation of Section 52-6-54 of the Georgia Code.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.11
Authority: O.C.G.A. Secs. 52-6-11, 52-6-54.
History. Original Rule entitled "Apprentice Curriculum" adopted. F. May 31, 1994; eff. June 20, 1994.
Amended: F. Jan. 20, 1998; eff. Feb. 9, 1998.

Rule 494-1-1-.12. Completion of Apprenticeship.

(1) Upon the successful completion of the three year apprenticeship training and qualification program, including certification by the Course Monitor of satisfactory completion of the Apprentice Training Course, the pilots shall provide the Commissioners with the name of every successful apprentice along with their recommendations regarding his or her prospective licensure by the Commission.

(2) The complete training record of every apprentice so recommended shall be brought before the Commissioners at the time such apprentice's name is presented.

(3) Nothing shall prohibit the Commissioners from periodically reviewing the progress of any apprentice undergoing training, and reviewing the progress reports on every apprentice that have been submitted by the pilots.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.12
Authority: O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Completion of Apprenticeship" adopted. F. May 31, 1994; eff. June 20, 1994.

Rule 494-1-1-.13. Short Branch Qualification.

(1) The term of the apprentice training and qualification program shall be followed by a period of not less than two years for advanced qualification as a Short Branch pilot.

(2) With the consent of the apprentice who has passed the term of apprenticeship, the period of short branch qualification may be suspended for a period of time to be approved by the Commissioners. Under such circumstances, the Commissioners shall assure that the

passed apprentice has completed a sufficient number of refresher round trips prior to licensure.

(3) The various size and draft limitations for each Short Branch shall be developed by the Commissioners and shall take into account the prevailing lengths over all and drafts of merchant vessels calling at the Port as recommended by the pilots.

(4) While undergoing advance qualification, Short Branch pilots may be observed by Full Branch pilots on board such vessels to which the Short Branch pilots may be assigned.

(5) Upon the completion of an appropriate period of time for any particular Short Branch, the satisfactory completion of which shall be determined by the associated pilots, the associated pilots shall submit to the Commissioners a listing of every vessel piloted by the Short Branch pilot during that period, as well as a synopsis of any difficulties encountered, to demonstrate the performance of the Short Branch pilot.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.13
Authority: O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Short Branch Qualification" adopted. F. May 31, 1994; eff. June 20, 1994.

Rule 494-1-1-.14. Pilot Registration.

(1) The maximum number of Full Branch pilots at the Port of Brunswick shall be eight (8). The minimum number of Full Branch Pilots shall be established based upon workload.

(2) The Commissioners may authorize a number of Short Branch pilots in addition to the minimum number established for Full Branch pilots.

(3) In developing and establishing the number of pilots required, the Commissioners shall consider the average annual number of vessel movements, including both federal and state pilotage, handled by each Full Branch pilot for each of the previous five years. They shall also consider the average amount of pilot time required per average movement.

(4) Every pilot being registered shall submit evidence that he or she has satisfactorily passed the thorough physical examination required pursuant to examination by a licensed Georgia physician familiar with the rigors of piloting. In addition, every pilot age 60 or older shall submit specific evidence of his or her fitness to perform pilot duties with special attention and certification relative to visual acuity, hearing, heart and vascular, and musculoskeletal systems.

(5) Every active pilot and every apprentice shall submit evidence upon registration that he or she is then a resident of the State of Georgia and that his or her residence is located no more than fifty (50) road miles from the nearest city limit of the City of Brunswick, Georgia, and must thereafter immediately notify the Commission if either requirement is no longer satisfied. Failure to comply with these residency and notification requirements

may result in revocation of licenses and/or continued apprenticeship qualification, as the case may be.

(6) The Commissioners shall maintain a record of the names of every pilot licensed and every apprentice pilot certificated.

(7) The Commissioners may establish an annual registration fee fund to augment such monies collected by fines and forfeitures, to be applied to payment of the expenses of the Commissioners.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.14
Authority: Authority O.C.G.A. Secs. 52-6-5, 52-6-6, 52-6-7, 52-6-8, 52-6-11, 52-6-31.
History. Original Rule entitled "Pilot Registration" adopted. F. May 31, 1994; eff. June 20, 1994.
Amended: F. Sept. 16, 2010; eff. Oct. 6, 2010.

Rule 494-1-1-.15. Board of Examiners.

(1) A Board of Examiners shall supervise the administration of a written examination, approved by the Commissioners, to every candidate for pilot licensure. Said Board shall consist of one Commissioner, a pilot duly licensed for the Brunswick Bar and Harbor, and a maritime person resident in the Greater Brunswick area.

(2) The Commissioners shall provide the Examiners written documentation relative to the qualifying piloting experience of the license candidate. The Examiners shall be unanimously satisfied that the evidence of experience provided adequately demonstrates the necessary experience for the license for which the candidate is to be licensed.

(3) The Examiners shall orally examine each candidate for licensure with spontaneous questions and discussion. These questions shall be of equal importance and difficulty. These questions shall be of a technical maritime nature.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.15
Authority: O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Board of Examiners" adopted. F. May 31, 1994; eff. June 20, 1994.

Rule 494-1-1-.16. Application, License and Registration Fees.

(1) The following fees shall be remitted to the Commissioners for each of the respective licenses issued at Brunswick:

(a) First Short Branch following apprenticeship, valid for a period of not less than twelve (12) months..... $150.00

(b) Second Short Branch, valid for a period of not less than twelve (12) months..... $100.00

(c) Full Branch..... $150.00

(d) Certificate of Apprenticeship..... $ 50.00

(2) Every State pilot shall pay an annual registration fee, remitted to the Commissioners of Pilotage as follows:

(a) Full Branch..... $100.00

(b) Short Branch..... $ 50.00

(3) Every applicant for apprenticeship shall remit to the Commissioners of Pilotage a non-refundable fee of $150.00.

(4) The Commissioners shall remit to each member of the Board of Examiners a sum of $25.00 as compensation for each license examination.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.16
Authority: O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Application, License and Registration Fees" adopted. F. May 31, 1994; eff. June 20, 1994.
Amended: F. Apr. 14, 2004; eff. May 4, 2004.

Rule 494-1-1-.17. Pilot Vessel Operation.

(1) The pilots at Brunswick shall obtain and engage the dedicated services of two or more privately owned pilot vessels for the benefit of the pilots.

(2) An adequate number of such vessels shall be manned and available for duty 24 hours per day, seven days per week, such number to be determined by the Commissioners.

(3) Every pilot vessel shall be materially sufficient and properly manned for its intended duty to the satisfaction of the Commissioners.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.17
Authority: Authority O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Pilot Vessel Operation" adopted. F. May 31, 1994; eff. June 20, 1994.
Amended: F. Sept. 16, 2010; eff. Oct. 6, 2010.

Rule 494-1-1-.18. Pilot Communications Center at Brunswick.

(1) The pilots at Brunswick shall ensure the continuous receipt of communications, messages and other information necessary to provide commercial vessel pilot services on a 24 hour per day, seven days per week basis.

(2) Nothing shall prevent such a communications system from collecting and assimilating such information, and from providing it gratuitously, or otherwise, to subscribers and other interested parties.

(3) The pilots shall not be responsible to the Commissioners for any misuse, incurred costs, or damage resulting from the dissemination of information acquired by the communications center unless such information, known to be false, incorrect, or misleading, is knowingly and willfully disseminated.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.18
Authority: O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Pilot Communications Center at Brunswick" adopted. F. May 31, 1994; eff. June 20, 1994.

Rule 494-1-1-.19. Pilot Charges and Fees.

(1) Pilotage charges and rates shall be fixed by the Commissioners in accordance with Sections 52-6-45, 52-6-46, 52-6-47, 52-6-48 of the Georgia Code.

(2) The pilots shall be due payment for individual pilotage charges and fees upon the departure of any vessel from the Port, except when the pilots have elected to extend credit to such vessel owner, vessel operator, principal agent or local agent. In such cases, all payments are due not later than forty-five (45) days after the vessel's arrival in port.

(a) Payments received later than forty-five (45) days after the vessel's inward pilotage service will be assessed the maximum permissible annual percentage rate allowed by law against any unpaid balance. The pilots shall be entitled to recover reasonable attorneys' fees if they take legal action to collect any unpaid balance. The above finance charges shall begin to accrue from the date of the vessel's inward pilotage service(s). The application of this finance charge does not prevent or preclude the pilots from placing a lien on the vessel as specified by O.C.G.A. Sec. 52-6-49.

(3) Any agent or other non-vessel owner who makes arrangements for credit for pilotage shall be held responsible by the pilots for the amount credited if that amount is not paid within the forty-five (45) day period.

(4) Pilotage charges are based upon the services of one pilot unit. No additional charges are authorized for other pilots or apprentices taken aboard a vessel for the purpose of training or route familiarization. However, nothing shall prohibit additional pilotage charges from being made whenever additional pilots are required to assure the safe maneuvering of the

vessel. In such cases, one additional pilot unit may be charged for every additional pilot so embarked.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.19
Authority: Authority O.C.G.A. Secs. 52-6-11, 52-6-45, 52-6-46, 52-6-47, 52-6-48.
History. Original Rule entitled "Pilot Charges and Fees" adopted. F. May 31, 1994; eff. June 20, 1994.
Amended: F. Sept. 16, 2010; eff. Oct. 6, 2010.

Rule 494-1-1-.20. Federal Pilot Licensure.

(1) In order that every U.S. flag vessel calling at the Port of Brunswick be rendered properly authorized pilotage, every pilot at Brunswick, in addition to his/her state license, may also hold a valid federal First Class Pilot license for the Brunswick bar and harbor. Such federal licensure, while a practical necessity, is not a prerequisite for State licensure.

(2) The pilots are authorized to perform federal pilotage services to merchant vessels requiring federally licensed pilots, and to public vessels of the United States, provided that such service does not conflict with their duties as State pilots.

(3) Federal law [46 USC 8502(b)] prohibits State pilots from charging more for federal pilotage than the customary rates. The pilots are authorized to charge less and are further authorized to enter into contract(s) for the performance of federal pilotage.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.20
Authority: O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Federal Pilot Licensure" adopted. F. May 31, 1994; eff. June 20, 1994.

Rule 494-1-1-.21. Commissioner Authority over Federal Pilotage.

(1) The Commissioners have no authority over any vessel required to take a federal pilot, [see 46 USC 8501(d) and 46 USC 8502(c) and (d)], nor do they have any authority over the service of any individual who is licensed as a federal pilot.

(2) Any State pilot whose federal license is suspended or revoked may be subject to the suspension and revocation of his or her State license, pursuant to Section 52-6-37 of the Georgia Code.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.21
Authority: O.C.G.A. Sec. 52-6-11, 52-6-37.
History. Original Rule entitled "Commission Authority over Federal Pilotage" adopted. F. May 31, 1994; eff. June 20, 1994.

Rule 494-1-1-.22. Marine Casualties, Accidents and Other Reports.

(1) A marine casualty reportable incident is any incident or potential incident arising within the Commission's area of jurisdiction that, due to its nature, should be brought before the Commission, including those that affect or could affect safety within the Port. All incidents that are federally required to be reported to the Coast Guard may not necessarily be required to be reported to the Commission.

(2) Marine Casualties are defined in 46 CFR 4 and Hazardous Conditions are defined in Title 33 of the Code of Federal Regulations and must be reported to the Coast Guard.

(3) Every pilot must report or cause to be reported as soon as practicable every marine casualty and hazardous condition to the Commissioners and to the Coast Guard as set forth above in (1) and (2), respectively.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.22
Authority: Authority O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Marine Casualties, Accidents and Other Reports" adopted. F. May 31, 1994; eff. June 20, 1994.
Amended: F. Sept. 16, 2010; eff. Oct. 6, 2010.

Rule 494-1-1-.23. Reports of Coast Guard Investigations.

(1) The Commissioners shall request copies of all Coast Guard investigations pertaining to accidents, marine casualties, complaints, and disciplinary actions including suspension and revocation proceedings and civil penalty actions, which occurred within their area of jurisdiction.

(2) The Commissioners shall establish procedures to take appropriate action whenever a State pilot has been subjected to a Coast Guard finding of misconduct, negligence, physical or mental incompetence, or violation of federal law or regulation.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.23
Authority: O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Reports of Coast Guard Investigations" adopted. F. May 31, 1994; eff. June 20, 1994.

Rule 494-1-1-.24. Pilot Functions and Responsibilities.

(1) Pilot services shall be made available to the Master of every inbound vessel that requires a State pilot pursuant to Section 52-6-45 of the Georgia Code.

(2) The Boundary Lines defined in 46 CFR 7.75, 46 CFR 7.80, and 46 CFR 7.85 describe the areas of the coastal waters along the coast of Georgia that delineate the application of federal pilotage requirements. These same Boundary Lines shall encompass those waters upon which the Commissioners also require pilotage on those vessels subject to State pilotage laws and regulations. Nothing shall prevent the Board of Pilot Commissioners from extending these areas seaward of the federal Boundary Lines if necessary to assure that deep-draft vessels have appropriately licensed pilots on board while transiting offshore waters that otherwise may present a risk of grounding.

(3) The pilot station for the pilot vessels cruising offshore shall be in the approximate vicinity of the designated "sea buoy", or on waters up to two nautical miles seaward of the Boundary Lines.

(4) Every vessel subject to State pilotage shall be conducted and piloted by an appropriately licensed pilot whenever such vessel is underway on those pilotage areas designated in paragraph A above.

(5) Every pilot received on board a vessel at Brunswick subject to the jurisdiction of the Commissioners, shall remain on board such vessel while in transit between the Pilot Station and its terminal or anchorage. The transit shall begin on inbound vessels when the pilot assumes the conn of the ship and shall end when the first line is passed to a pier, wharf or other waterfront facility, or until the vessel is anchored fast to the bottom. The transit shall begin on outbound vessels when the last line is passed, or when the anchor is aweigh, and shall end when the pilot is discharged by the vessel master, having arrived at that place on the bar where the adjoining depths of water are sufficient for safe navigation. The transit on shifting vessels shall be from the passing of the last line, or weighing of the anchor, until the first line is passed or the anchor is made fast to the bottom.

(6) Every vessel requiring a State pilot shall receive on board such pilot to direct the vessel movement for every inward and outward transit of the port. Every vessel proceeding inward in direction, whether from anchorage within the port to berths or terminals inshore of the anchorage, or from one berth or terminal to another berth or terminal upstream, is considered to be on an inward movement. Every vessel proceeding outward from any berth or terminal upstream to another berth or terminal downstream, or to an anchorage seaward of that berth or terminal, shall be considered to be on an outward movement. Every berth or terminal on the Turtle River shall be considered upstream of any berth or terminal on the East River. Every berth or terminal on the South Brunswick River shall be considered to be upstream of any berth or terminal on the Turtle or East Rivers. This requirement for a State pilot applies regardless of the source of vessel propulsion, be it self propelled or propelled by tugs. If the master or operator of any seagoing vessel requiring a State pilot shall refuse to receive on board a pilot, such circumstance shall be considered a "Hazardous Condition" pursuant to 33 CFR 160.203 and shall immediately be reported to the Coast Guard.

(7) No pilot licensed by the Commissioners shall knowingly pilot any vessel, the operation of which, in the opinion of such pilot, may introduce an unnecessary risk to the port, other vessels, or the marine environment.

(a) An "unnecessary risk" includes situations where any vessel is deemed by the pilot not to be in compliance with applicable federal Navigation Safety Regulations, or where the condition of any vessel's operation, in the opinion of the pilot, constitutes a "Hazardous Condition" as defined by federal regulations.

(b) An "unnecessary risk" may also include situations that may prevent or inhibit the safe movement of a vessel, including, but not limited to, instances wherein the wheelhouse or bridge is not properly manned by sufficient numbers of qualified crew members or, conversely, when the wheelhouse or bridge is encumbered by the presence of extraneous persons who are not members of the crew, pilots or apprentice pilots, owners, agents, operating managers or federal officials conducting official business authorized by law.

(c) Nothing in this subpart shall prevent a pilot from piloting any vessel, when in his or her opinion, the vessel's safety or the safety of the port would be further impaired or endangered by the pilot's refusal to provide pilotage.

(8) No pilot may depart any outbound vessel in pilot waters until that vessel has met or passed any other vessel also navigating on those pilot waters.

(9) The pilots may assign more than one pilot to any given vessel if, in their opinion, an additional pilot is necessary to assure adequate visibility or otherwise ensure the safe maneuvering of said vessel.

(10) A master or licensed operator of any vessel may relieve the State pilot on board under certain circumstances where the safety of the vessel is perceived by the master, or licensed operator, to be at risk, however;

(a) No master or licensed operator of any vessel, having relieved the State pilot on board, shall then serve as the pilot on such vessel when the pilot has refused to pilot the vessel pursuant to the conditions described in subparts 494-1-1-.24(7)(a) and 4-941-1-.24(7)(b).

(b) Whenever a pilot on a vessel has been relieved by a master, or licensed operator, of said vessel, or whenever a pilot refuses to pilot any vessel, such pilot shall immediately broadcast a SECURITE' voice message on VHF Channels 13 and 16 stating the name of the vessel, its present position, direction of movement and speed, and the fact that a properly licensed pilot is neither directing nor controlling the vessel's movement. Whenever a pilot on a vessel has been relieved by the vessel's master, or licensed operator, or whenever a pilot refuses to pilot any vessel, he shall remain aboard until his disembarkation can be safely effected. Under such circumstances, such pilot is not in the service of his or her license. If such a pilot believes he or she can be of value to the vessel master or

operator, subsequent to the aforementioned relief or refusal, the pilot shall offer his or her services and recommendations to the master, or licensed operator, so as to mitigate risk or to provide the maximum safety under the conditions. Unless such a pilot broadcasts a second SECURITE' call on VHF Channels 13 and 16 that he or she has reassumed control, such pilot will not be considered in the service of his or her license.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.24
Authority: Authority O.C.G.A. Secs. 52-6-11, 52-6-33, 52-6-45.
History. Original Rule entitled "Pilot Functions and Responsibilities" adopted. F. May 31, 1994; eff. June 20, 1994.
Amended: F. Sept. 16, 2010; eff. Oct. 6, 2010.

Rule 494-1-1-.25. Vessel Traffic Movement Restrictions.

(1) The pilots may, from time to time, under the authorities of their licenses make general determinations relative to safe vessel movement. These determinations may consider, but not be limited to, vessel draft, state of tide, channel depths, direction of tidal currents, individual vessel maneuvering characteristics, vessel size, presence of other vessels, width of channels, and visibility.

(2) The pilots shall consider any portended vessel movement that does not meet their criteria for safety as a "Hazardous Condition" and may refuse to serve. Any pilot encountering this situation shall report same accordingly pursuant to subpart 070H(2), if the vessel persists in its intentions to move against the advice of the pilots.

(3) The owners or operators of any vessel adversely affected by a pilot's decision regarding its movement may appeal that decision to the Commissioners; provided, that such decision was not made by the Coast Guard based upon the report of a "Hazardous Condition" by a pilot, in which case the appeal should be made to the Coast Guard.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.25
Authority: O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Vessel Traffic Movement Restrictions" adopted. F. May 31, 1994; eff. June 20, 1994.

Rule 494-1-1-.26. Docking and Undocking.

(1) Every vessel requiring State pilotage shall be under the direction and control of State licensed pilots.

(2) State pilots will serve every vessel on board which they are embarked during docking and undocking operations. Under such circumstances, their functions will be:

(a) Provide communications services to the vessel's master with respect to the movement of other vessels;

(b) Perform the duties of bar and harbor pilot regardless of the presence or status of tugs alongside.

(3) No State pilot on board any vessel, on which he or she is serving as pilot, shall be held responsible by the Commissioners for the consequences of any unsuccessful docking or undocking maneuver whenever the master or operator has elected not to cooperate closely with the State pilot.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.26
Authority: Authority O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Docking and Undocking" adopted. F. May 31, 1994; eff. June 20, 1994.
Amended: F. Sept. 16, 2010; eff. Oct. 6, 2010.

Rule 494-1-1-.27. Prearrival, Preshifting and Predeparture Conference.

(1) Upon boarding every vessel the assigned pilot shall confer with the vessel's master for the purpose of communicating certain information to the vessel master and receiving certain information from the master concerning the ship. The conference shall include but not be limited to the following subjects:

(a) Prevailing wind and sea conditions;

(b) Intended maneuvers;

(c) Underkeel clearances if appropriate;

(d) Bridge clearances if required.;

(e) Vessel traffic conditions, blown congestion areas, dredging projects underway, Coast Guard movement restrictions, predicted inclement weather conditions, visibility, and such other matters of special safety interest that may arise during the transit;

(f) Pilot boat operations;

(g) Any special maneuvering limitations of the vessel;

(h) Upon the vessel's departure from a berth or anchorage, the adequacy of the temperature of the fuel oil to assure that the engine(s) may properly respond to speed orders.

(2) The pilot shall be satisfied that the vessel master with whom the pilot confers is sufficiently fluent in the English language to understand the meaning of the pilot's communication. If not, the vessel shall provide a suitable translator.

(3) If the pilot is not satisfied of the adequacy of the conference, he or she may refuse to move the vessel until proper communications are effected.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.27
Authority: Authority O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Prearrival, Preshifting and Predeparture Conference" adopted. F. May 31, 1994; eff. June 20, 1994.
Amended: F. Sept. 16, 2010; eff. Oct. 6, 2010.

Rule 494-1-1-.28. Pilot Coordination.

(1) The pilots will act upon all requests for pilot services without delay, provided, they have been notified a minimum of three hours prior to any vessel's intended movement.

(2) The pilots will ensure the coordination of pilot assignments in the movements of all State piloted vessels that are, or will be, underway at the same time on those waters subject to the jurisdiction of the Commissioners.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.28
Authority: O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Pilot Coordination" adopted. F. May 31, 1994; eff. June 20, 1994.

Rule 494-1-1-.29. Appeals.

(1) Any person or organization that has any complaint or other grievance with the actions of the Commissioners, or the pilots, shall submit such complaint to the Commissioner's of Pilotage in writing. The Commissioners shall thereupon take any action required by statute.

(2) Appeals to decisions resulting from suspension and revocation proceedings shall be made in accordance with Applicable Section of the Georgia Code.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.29
Authority: O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Appeals" adopted. F. May 31, 1994; eff. June 20, 1994.

Rule 494-1-1-.30. Penalties.

(1) Suspension or revocation of pilot licenses shall be initiated and prosecuted pursuant to Section 52-6-37 of the Georgia Code.

(2) Fines, forfeitures and other penalties shall be prosecuted pursuant to Section 52-6-6 of the Georgia Code.

(3) Nothing contained within the penalty provisions of Title 52, Chapter 6 of the Georgia Code, shall be construed to preempt or constrain the investigation or imposition of any criminal or civil action authorized or required by either federal or State law.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.30
Authority: O.C.G.A. Sec. 52-6-6, 52-6-11, 52-6-37.
History. Original Rule entitled "Penalties" adopted. F. May 31, 1994; eff. June 20, 1994.

Rule 494-1-1-.31. Pilot Licenses Restricted To Vessels Less Than 1600 Gross Registered Tons.

(1) The Commissioners may issue a Restricted Pilot License to an apprentice who has been certified pursuant to part 494-1-1-.07(7) of these Regulations for service as a State-licensed pilot on board vessels less than 1600 gross registered tons, provided:

(a) The apprentice pilot holds a valid Federal first class pilot license or endorsement for the waters upon which such restricted pilotage is to be provided, and

(b) The apprentice pilot is recommended for such restricted licensure by a majority of the licensed pilots registered pursuant to Part 494-1-1-.14 of these regulations, and

(c) Such issuance of a restricted license for vessels less than 1600 gross registered tons shall not reduce, eliminated or alter the three year apprentice training and qualification program promulgated by Parts 494-1-1-.06, 494-1-1-.11 and 494-1-1-.12 of these regulations.

(d) Such restricted license shall be valid as long as the said party remains an apprentice.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.31
Authority: Authority O.C.G.A. Sec. 52-6-11.
History. Original Rule entitled "Pilot Licenses Restricted To Vessels Less Than 1600 Gross Registered Tons" adopted. F. Jan. 20, 1998; eff. Feb. 9, 1998.

Rule 494-1-1-.32. Rules for Ordering and Receiving State Pilots Onboard a Vessel in the Port of Brunswick.

(1) Any State Pilot at Brunswick who is ordered and received onboard a vessel pursuant to Section 52-6-45 of the Georgia Code and who is subject to the jurisdiction of the Commissioners is obligated to deviate speed for the reasons contained in 50 CFR 224.105(c), and take all such other actions deemed necessary and appropriate, during any period of time where vessel safety is perceived by the Pilot to be at risk or such action is deemed necessary by the State Pilot to prevent such risk.

(2) The master or licensed operator of a vessel calling at or departing the Port of Brunswick and who is subject to the jurisdiction of the Commissioners shall cooperate with lawful deviations made pursuant to subpart 494-1-1-.32(1) ordered by the State Pilot, as described herein.

(a) A master or licensed operator of such vessel shall be required to sign an agreement confirming the master's or licensed operator's understanding and agreement that the State Pilot has the authority, responsibility, and sole discretion to deviate speed, when in the interest of safety, pursuant to subpart 494-1-1-.32(1) and 50 CFR 224.105(c). This agreement shall further provide that, unless the master or licensed operator formally relieves the State Pilot in accordance with subpart 494-1-1-.24(10), it shall be presumed the master or licensed operator concurs with the decision to deviate in accordance with subpart 494-1-1-.32(1) and 50 CFR 224.105(c), or as amended.

(b) Any master or licensed operator of any such vessel who refuses to enter into such agreement and abide by its terms shall be subject to pay one-half of the pilotage charges and fees in accordance with subpart 494-1-1-.19, and subject to other penalties provided for in subpart 494-1-1-.32(6).

(3) In the event that the master or licensed operator relieves the State Pilot in accordance with subpart 494-1-1.-32(2)(a), the State Pilot shall immediately broadcast a SECURITE' voice message on VHF FM Channels 13 and 16 stating the information required under subpart 494-1-1-.24(10)(b).

(4) The act of ordering and receiving a State Pilot at Brunswick on board a vessel shall be considered by the Commissioners implied consent for the State Pilot to exercise sole discretion and responsibility with respect to deviations made pursuant to section 494-1-1-.32(1) and 50 CFR 224.105(c), or as amended.

(5) Every State Pilot at Brunswick is hereby authorized to establish the deviation speed for vessels at Brunswick that are subject to the jurisdiction of the Commissioners, including vessels equipped with Engine Power Limitation (EPL) devices. Every such vessel equipped with an EPL is required by this subpart to have an easily accessible system override in order to attain a safe speed in accordance with the State Pilots' judgment, as needed. The master or licensed operator of such vessel must fully disclose the existence of an EPL, and its manner of use, during the master-pilot exchange.

(6) Any vessel, master, licensed operator, or other party that fails to comply with this section 494-1-1-.32(1)-(2), shall be considered to be in violation of Section 52-6-45 of the Georgia Code and may be subject to penalties in Section 52-6-49 of the Georgia Code.

Cite as Ga. Comp. R. & Regs. R. 494-1-1-.32
Authority: O.C.G.A. § 52-6-11.
History. Original Rule entitled "Rules for Ordering and Receiving State Pilots Onboard a Vessel in the Port of Brunswick" adopted. F. July 31, 2024; eff. Aug. 20, 2024.