

(3) agree that, if appointed as a United States registered pilot, the applicant will be available for service when required.

(b) The Secretary shall issue to each registered pilot under this chapter a certificate of registration describing the areas within which the pilot may serve. The pilot shall carry the certificate when in the service of a vessel.

(c) The Secretary shall prescribe by regulation the duration of validity of registration.

(d) The Secretary may prescribe by regulation the conditions for service by United States registered pilots, including availability for service.

(e) Subject to sections 551–559 of title 5, the Secretary may suspend or revoke a certificate of registration issued under this section if the holder fails to comply with a regulation prescribed under this chapter. Suspension or revocation of the holder's license under chapter 77 of this title includes the holder's certificate of registration.

(f) The Secretary shall prescribe by regulation rates and charges for pilotage services, giving consideration to the public interest and the costs of providing the services. The Secretary shall establish new pilotage rates by March 1 of each year. The Secretary shall establish base pilotage rates by a full ratemaking at least once every 5 years and shall conduct annual reviews of such base pilotage rates, and make adjustments to such base rates, in each intervening year.

(g) The Secretary shall ensure that a sufficient number of individuals are assigned to carrying out subsection (f).

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 558; Pub. L. 104–324, title VII, §735, Oct. 19, 1996, 110 Stat. 3941; Pub. L. 109–241, title III, §302, July 11, 2006, 120 Stat. 527.)

#### HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
9303(a) .....	46:216b(a)
9303(b) .....	46:216b(b)
9303(c) .....	46:216b(c)
9303(e) .....	46:216b(c)
9303(f) .....	46:216c

Section 9303 authorizes the Secretary to prescribe regulatory standards of competency for registered pilots.

Subsection (a) requires an applicant for registration as a pilot to have a master's, mate's, or pilot's license, 24 months of licensed service, or equivalent, on vessels on the oceans or Great Lakes, with a minimum of 6 months on the Great Lakes, and agree to be available for service as a United States registered pilot if appointed.

Subsection (b) requires the Secretary to issue a certificate of registration describing the areas of service of a registered pilot who must carry the certificate when in a vessel's service.

Subsection (c) authorizes the Secretary to prescribe the duration of the validity of registration, while subsection (d) authorizes the Secretary to prescribe conditions for service by United States registered pilots.

Subsection (e) provides for the suspension or revocation of a certificate or registration by the Secretary.

Subsection (f) provides for setting the rates and charges for pilotage services.

#### Editorial Notes

##### AMENDMENTS

2006—Subsec. (f). Pub. L. 109–241, §302(1), inserted at end “The Secretary shall establish new pilotage rates

by March 1 of each year. The Secretary shall establish base pilotage rates by a full ratemaking at least once every 5 years and shall conduct annual reviews of such base pilotage rates, and make adjustments to such base rates, in each intervening year.”

Subsec. (g). Pub. L. 109–241, §302(2), added subsec. (g).

1996—Subsec. (a)(2). Pub. L. 104–324 inserted “as measured under section 14502 of this title, or an alternate tonnage measured under section 14302 of this title as prescribed by the Secretary under section 14104 of this title” after “4,000 gross tons”.

#### § 9304. Pilotage pools

(a) The Secretary may authorize the formation of a pool by a voluntary association of United States registered pilots to provide for efficient dispatching of vessels and rendering of pilotage services.

(b) For pilotage pools, the Secretary may—

- (1) limit the number of the pools;
- (2) prescribe regulations for their operation and administration;
- (3) prescribe a uniform system of accounts;
- (4) perform audits and inspections; and
- (5) require coordination on a reciprocal basis with similar pool arrangements authorized by the appropriate agency of Canada.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 559.)

#### HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
9304 .....	46:216b(e)

Section 9304 provides for the formation of a pool by a voluntary association of United States registered pilots to provide for efficient pilotage services.

Subsection (a) permits the Secretary to authorize formation of United States pilotage pools.

Subsection (b) sets forth the restrictions and conditions that the Secretary may prescribe for these pools.

#### § 9305. Agreements with Canada

To provide for a coordinated system of pilotage service on the Great Lakes, the Secretary, subject to the concurrence of the Secretary of State, may make agreements with the appropriate agency of Canada to—

- (1) fix the number of pilots to be registered in each country;
- (2) provide for participation on an equitable basis;
- (3) prescribe joint or identical rates and charges;
- (4) coordinate pool operations; and
- (5) establish conditions for services by registered pilots.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 559.)

#### HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
9305 .....	46:216b(d) 46:216d

Section 9305 authorizes the Secretary of Transportation, subject to the concurrence of the Secretary of State, to make agreements with Canada for a coordinated system of pilotage service on the Great Lakes. The agreements may fix the number of registered pilots, provide for equitable participation, prescribe rates and charges, coordinate pool operations, and establish conditions for service.