

Miscellaneous

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Board of Pilot Commissioners
Pilotage Rate Review Committee

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
PILOTAGE RATE REVIEW COMMITTEE

IN RE: APPLICATION FOR CHANGE IN RATES OF PILOTAGE FOR THE PORT OF CANAVERAL
FILED BY THE CANAVERAL PILOTS ASSOCIATION

To all interested parties: the Pilotage Rate Review Committee has determined that as of January 1, 2023, the rates of pilotage at the Port of Canaveral are MODIFIED to the following:

1. Pilotage Rates. The formula for calculating pilotage rates shall be:
(LOA) Rate * LOA) + (Beam Rate * Beam) + (Draft Rate * Draft) + (GRT Rate * GRT) + Docking/Undocking Fee + Pilot Boat Fee

Definitions:

Docking/Undocking Fee – charged when the pilot performs the docking or undocking.

Pilot Boat Fee – shall be dedicated to a Pilot Boat Capital Fund, which will be used exclusively for pilot boat capital expenditures.

LOA Fee – determined using the maximum length overall, rounded up to the foot. The length overall for conventional tug and barge combinations, whether towing astern, alongside, or pushing ahead, shall be the combined length overall of the tug and barge. The length overall for articulated tug barge and integrated tug barge combinations shall be the length overall of the combined unit when the tug is secured in its designated pushing position.

Beam Fee – determined using the maximum waterline beam, rounded up to the foot. The beam for tug and barge combinations, whether conventional or articulated tug barge/integrated tug barge combinations, shall be the maximum waterline beam of the widest vessel contained in the unit.

2. Base Rate. The initial base rate in dollars per foot/GRT/fee shall be:

	Standard Rate	Less than 10,000 GRT	Draft Deeper than 32.0 fee
LOA Rate	\$1.00	\$0.75	\$1.00
Beam Rate	\$5.00	\$3.75	\$5.00
Draft Rate	\$30.00	\$22.50	\$35.00
GRT Rate	\$0.0125	\$0.0100	\$0.0125
Docking/Undocking Fee	\$300.00	\$200.00	\$300.00
Pilot Boat Fee	\$50.00	\$50.00	\$50.00

3. Minimum Pilotage: The following minimum charges will apply:

LOA: 100 feet

Draft: 18 feet

Beam: 30 feet

GRT: 5,000 GRT

4. Additional Fees. Additional fees shall be:

- a) Detention of Pilot: An additional 25% of total pilotage fee per hour after the first half hour.

A delay in departure caused by a medical emergency will not be considered detention. A delay in arrival, departure, or shift caused by weather conditions inside

Port Canaveral and/or the area offshore of Port Canaveral out to and including the pilot boarding area will not be considered a detention.

- b) Cancellation of Pilot: 25% of total pilotage fee.
Cancellation fee will be assessed for vessels on which the pilot boarding is canceled with less notice than the current pilot call-out time.
 - c) Shifting Fee within the Harbor. 75% of total LOA/Beam/Draft/GRT fee, plus applicable Docking/Undocking and Pilot Boat Fees.
 - d) Dead Ship Movement. 150% of total pilotage fee.
A dead ship movement is defined as the movement of any vessel equipped with motive power and/or steering capability when such motive power and/or steering capability is or becomes unavailable, for any reason, during any part of the vessel's transit.
 - e) Late Payment Charge: 3.0% of total pilotage fee per month after 30 days from the date of invoice submission.
- 5. The draft rate for vessels with a draft of 32 feet 0 inches or deeper shall increase by 6.0% each year for 9 consecutive years starting on the anniversary date one year following the effective date of this rate.
 - 6. All other rates and fees shall increase by 2.5% per year for a period of 9 years starting on the anniversary date one year following the effective date of this rate.

A complete copy of the Notice of Intent to Modify Rates issued in this cause may be obtained by contacting the Executive Director of the Committee at the Department of Business and Professional Regulation, P.O. Box 5377, Tallahassee, Florida 32314-5377, Amanda.Ackermann@myfloridalicense.com.

NOTICE OF HEARING RIGHTS

This Order will become final agency action if no request for a hearing is received by the Pilotage Rate Review Committee (PRRC) by any person whose substantial interests will be affected by this action within twenty-one days after receipt or publication of this notice in the Florida Administrative Register or in the newspaper, or by close of business on September 30, 2022, whichever is latest. A person whose substantial interests will be affected may petition the PRRC for a hearing involving disputed issues of material fact before an administrative law judge pursuant to Section 120.57(1), Florida Statutes, by filing an appropriate petition with the Executive Director of the Committee at Department of Business and Professional Regulation, P.O. Box 5377, Tallahassee, Florida 32314-5377.

A petition for a hearing involving disputed issues of material fact must contain information required by Rule 28-106.201, Florida Administrative Code, ***including a statement of all disputed issues of material fact***. The PRRC may refer a petition to the Division of Administrative Hearings for assignment of an administrative law judge only if the petition is in substantial compliance with the rule requirements.

In the absence of such a petition or if the PRRC concludes that the petitioner has not raised a disputed issue of material fact and does not designate the petition for hearing, this Order shall become final agency action for purposes of Section 120.68, Florida Statutes.

In accordance with Section 120.573, Florida Statutes, mediation is not available.