



# BOARD OF EXAMINERS

*New Orleans and Baton Rouge Steamship Pilots for the Mississippi River*

## Title 46

### PROFESSIONAL AND OCCUPATIONAL STANDARDS

#### Part LXX. River Pilots

#### Subpart 3. Board of Examiners for the New Orleans and Baton Rouge Steamship Pilots

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#### Chapter 62. Qualifications and Examination of Pilots

##### §6201. Statement of Purpose

A. The purposes of these rules and regulations is to establish standards for recommendation by the board to the governor of the State of Louisiana for appointment as a New Orleans and Baton Rouge steamship pilot, pursuant to R.S. 34:1043.

B. The board is charged by the Louisiana Legislature with the responsibility of promoting the health, safety and welfare of the citizens of the State of Louisiana and maintaining safety of maritime commerce along the Mississippi River. To this end, the board has set the requisite qualifications to become a pilot at a high level. The combination of education, licensing and experience will foster the type of conscientious pilots who will conduct

themselves in a professional manner. It is the sole responsibility of each individual state commissioned pilot to conduct themselves in accordance with the rules and regulations of this board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:1041 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots, LR 30:2472 (November 2004), amended by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots for the Mississippi River, LR 36:494 (March 2010).

## §6202. Authority

A. As mandated by R.S. 34:1041, these rules and regulations are issued by the board in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., for the purpose of adopting rules, regulations and requirements regarding the general qualifications and examination of pilots.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:1041 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots, LR 30:2472 (November 2004), amended by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots for the Mississippi River, LR 36:494 (March 2010).

## §6203. Definitions

A. As used in this Chapter, the following terms, unless the context otherwise requires or unless redefined by a particular part hereof, shall have the following meanings:

*Accredited Institution of Higher Learning*—an institution that is accredited by the Commission of Colleges of the Southern Association of Colleges and Schools, the Louisiana Community and Technical College System, or is part of the Louisiana State University System or one whose credits are honored by any of these systems.

*Administrative Procedure Act (APA)*—the Louisiana Administrative Procedure Act, R.S. 49:950 et seq.

*Applicant*—any person who has submitted an application to be considered for selection into the Pilot Development Program for New Orleans and Baton Rouge Steamship Pilots.

*Application*—the completed written application including all supporting documentation supplied to the board by an applicant who desires to become a New Orleans and Baton Rouge steamship pilot

*Apprentice*—any person duly selected by the members of NOBRA, but not yet commissioned, who is serving in the Pilot Development Program.

*Association or NOBRA*—New Orleans and Baton Rouge Steamship Pilot Association.

*Board of Examiners or Board*—Board of Examiners for New Orleans and Baton Rouge Steamship Pilots for the Mississippi River, as established in R.S. 34:1041 et seq.

*Deputy Pilot*—a commissioned pilot in the Pilot Development Program.

*NOBRA Pilot*—a state commissioned New Orleans and Baton Rouge Steamship Pilot, as designated in R.S. 34:1041, et seq.

*Pilot Development Program*—a period of training and instruction administered to apprentice and deputy pilots.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:1041 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots, LR 30:2472 (November 2004), amended by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots for the Mississippi River, LR 36:495 (March 2010).

## §6204. Application

A. Any person wishing to submit an application to enter the Pilot Development Program shall obtain an application from the board. The board's contact information is:

Board of Examiners for New Orleans and Baton Rouge  
Steamship Pilots for the Mississippi River  
2805 Harvard Avenue, Suite 101  
Metairie, Louisiana 70006  
Telephone: 1 (504) 887-5797  
Facsimile: 1 (504) 887-5799  
Website: www.nobraexaminers.louisiana.gov

B. All applications shall be in writing, signed by the applicant and presented to a member of the board or their authorized representative by the applicant. All persons wishing to submit an application shall make an appointment with an examiner or their authorized representative by contacting the board's office. All applications shall be notarized and be accompanied by satisfactory proof of compliance with all of the board's objective requirements. Upon submission a board member or their authorized representative will provide a stamped copy to the applicant indicating the date and time of submission. The board or their authorized representative shall reject all deficient applications and provide an applicant written notice of the specific deficiency.

C. It is the responsibility of the applicant to inform the board of any changes in their contact information.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:1041 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots, LR 30:2473 (November 2004), amended by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots for the Mississippi River, LR 36:495 (March 2010), LR 38:3165 (December 2012).

## §6205. General Requirements

A. An applicant must be of good moral character. An applicant shall be required to submit to a background check conducted by the Jefferson Parish Sheriff's office. An applicant shall sign all pertinent authorization forms allowing the board to obtain and verify the authenticity of all documents submitted to the board.

B. An applicant must have been a registered voter of the State of Louisiana for the preceding two consecutive years prior to submitting an application.

C. An applicant shall submit proof of a current satisfactory United States Coast Guard approved physical (Merchant Mariner Physical Examination Report). Upon notification of an impending NOBRA selection of apprentices, the applicant shall submit to a physical examination administered by an Examiner appointed

physician specializing in occupational medicine no more than 40 days prior to the selection.

D. An applicant must not have reached his forty-fifth birthday prior to the date of selection into the Pilot Development Program.

E. An applicant shall submit evidence of satisfactory completion of training programs approved by the board for the following courses of instruction:

1. bridge resource management;
2. basic ship handling (5 day);
3. radar observer;
4. advanced firefighting; and
5. CPR.

F. An applicant shall provide proof they have passed a board approved drug screen test consistent with the board's drug screen policy (See Chapter 65 of the board's rules) within 30 days prior to submission of an application. Additionally, upon notification of a pending NOBRA selection of apprentices, the applicant shall submit proof that they have passed a board approved drug screen test not more than 40 days prior to the selection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:1041 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots, LR 30:2473 (November 2004), amended by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots for the Mississippi River, LR 36:495 (March 2010), LR 38:3166 (December 2012).

#### **§6206. Licenses/Education/Experience**

A. In addition to the above, an applicant must submit satisfactory proof of the following licensing, education and experience criteria.

1. An applicant must hold at least a current First Class Pilots License, Any Gross Tons, upon the Lower Mississippi River from Chalmette, Louisiana to Baton Rouge Railroad and Highway Bridge at Baton Rouge, Louisiana, including physical, and, at least, either a Master of Steam or Motor Vessels; or Master of Towing Vessels; or Third Mate; or an equivalent or greater United States Coast Guard license.

a. Notwithstanding Paragraph A.1 of this Section, an applicant with first class pilotage from mile marker 92.7 AHP to mile marker 225 AHP shall be eligible for selection into the Pilot Development Program. However, an applicant selected for the Pilot Development Program shall be required to obtain first class pilotage from mile marker 88.0 AHP to Baton Rouge Railroad and Highway Bridge prior to commissioning.

2. An applicant must hold a bachelor's degree or higher degree from an accredited maritime academy approved by and conducted under rules prescribed by the Federal Maritime Administrator and listed at title 46, *Code of Federal Regulations*, part 310.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:1041 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots, LR 30:2473 (November 2004), amended by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots for the Mississippi River, LR 36:495 (March 2010), LR 38:3166 (December 2012), LR 44:44 (January 2018).

#### **§6207. Notice of Apprentice Selection**

A. At least 40 days prior to an apprentice selection, NOBRA must inform the board, in writing, that a selection will be held and the date of the selection.

B. At least 35 days prior to the apprentice selection, the board will advertise the date of the apprentice selection, as well as the deadline for submission of application materials, in at least two periodicals, one of which shall have a circulation of the greater New Orleans area and one of which shall have a circulation of the greater Baton Rouge area. In addition, all relevant dates will be posted on the board's website.

C. At least 30 days prior to the apprentice selection, the board will give notice, via U.S. Mail, to all applicants of the date of the selection and the deadline for submitting documentation in support of their application.

D. The deadline for submitting an application and supporting documentation, shall be 3 p.m., 20 days prior to the apprentice selection.

E. At least 18 days prior to the apprentice selection, the board will forward to NOBRA a list of all qualified candidates who meet the criteria for selection, as enumerated in the board's rules.

F. At the conclusion of a NOBRA apprentice selection, NOBRA shall provide the board, in writing, a list of those candidates selected for admission into the Pilot Development Program as an Apprentice Pilot. The board shall unilaterally determine the maximum number apprentices admitted into the Pilot Development Program at any given time. After receipt of notification from NOBRA, the board will notify the selected applicant via U.S. Mail of the time, date and location of the commencement of the Pilot Development Program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:1041 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots, LR 30:2474 (November 2004), amended by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots for the Mississippi River, LR 36:496 (March 2010), LR 38:3166 (December 2012), LR 44:44 (January 2018).

#### **§6208. Expiration of Applications**

A. Following an apprentice selection, all unselected applications on file with the board will be deemed expired and destroyed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:1041 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots, LR 30:2474 (November 2004), amended by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots for the Mississippi River, LR 36:496 (March 2010), LR 38:3166 (December 2012), LR 44:44 (January 2018).

### **§6209. Pilot Development Program**

A. The Pilot Development Program is a mandatory program administered by the board for all Association selected applicants wherein each applicant must successfully and satisfactorily perform such duties, receive training and instruction, meet required standards, pass examinations and obtain such licensure as determined by the board. The program will last not less than four calendar years and be comprised of an apprentice period and a deputy pilot period. Successful completion of the program is required prior to the board approving the deputy pilot for unrestricted pilot status.

1. The board shall determine the number of selected applicants admitted into the Pilot Development Program at any given time.

#### **B. Apprentice Period**

1. All persons participating in the Pilot Development Program shall successfully complete the apprentice portion of the program designed and administered by the board. The Apprenticeship Period shall last for a period of not less than one calendar year. This Apprentice Period shall include the following:

- a. not less than one year of training and instruction prior to commissioning, during which time the apprentice shall accompany state commissioned pilots in the performance of their duties;
- b. advanced qualification testing;
- c. any necessary license preparation and upgrades; and
- d. any other industry related professional development that may be relevant and necessary.

#### **C. Deputy Pilot Period**

1. The Deputy Pilot Period of the Pilot Development Program shall last for a period of not less than three calendar years. The Deputy Pilot Period shall include the following:

- a. movement of vessels of particular types and sizes and at times under specific conditions set by the board;
- b. training and instruction during which the Deputy Pilot accompanies pilots in the performance of their duties;
- c. advanced qualification testing;
- d. any necessary license preparation and upgrades;
- e. successful completion of licensure and education requirements; and
- f. any other industry related professional development that may be relevant and necessary.

#### **D. Time to Complete the Pilot Development Program**

1. The Apprentice Period shall be successfully completed within a timely period unless the board determines that exceptional conditions apply such as illness, injury or limited availability of a necessary resource. Participants who fail to demonstrate satisfactory progress as determined by the board shall be subject to dismissal from the Apprenticeship Program.

2. The Deputy Pilot Period may last up to four years provided the participant is making acceptable progress as determined by the board.

3. The Deputy Pilot Period may be extended up to one additional year after the initial four years at the discretion of the board. If, after the one year extension period, the deputy pilot fails to meet the criteria and standards set by the board, said deputy pilot shall be released from the Pilot Development Program and a recommendation will be made to the governor to have the deputy pilot's state commission revoked.

#### **E. Grounds for Release from the Pilot Development Program**

1. Any program participant who fails to meet the criteria and standards set by the board shall be released from the Pilot Development Program and will not be recommended to the governor for commissioning. If, already commissioned, a recommendation will be made to have the deputy pilot's state commission revoked.

2. Grounds for release from the Pilot Development Program include, but are not limited to:

- a. failure to complete the requirements of any period, stage, segment, license upgrades or educational requirements necessary to progress or complete the program;
- b. recklessness and/or display of lack of judgment;
- c. disregard of state rules, laws, and regulations;
- d. disregard of United States Coast Guard rules and regulations;
- e. lack of fitness for the position and responsibilities of a pilot; and
- f. any violations of standards of conduct as enumerated in §6307 of the board's rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:1041 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots, LR 30:2474 (November 2004), amended by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots for the Mississippi River, LR 36:496 (March 2010), LR 38:3167 (December 2012).

**§6210. Examination by the Board of Examiners;  
Recommendation to Governor**

A. In order to be recommended to the governor for commissioning as a pilot, all apprentices must complete an examination to be conducted by the board as a practicum, orally, written or a combination thereof. This examination shall test the apprentice's knowledge of pilotage and demonstrate the apprentice's proficiency and capability to serve as a state commissioned pilot.

B. The board shall certify to the governor for consideration to be commissioned as a New Orleans and Baton Rouge steamship pilot those apprentices who satisfactorily complete all requirements established by state law and these rules and who successfully complete the examination(s) given by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:1041 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots, LR 30:2474 (November 2004), amended by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots for the Mississippi River, LR 36:497 (March 2010).

**§6211. Severability**

A. It is understood that any provision and/or requirement herein that is deemed invalid or unenforceable, for any reason whatsoever, may be severed from the whole and that the remaining provisions and/or requirements shall be deemed valid.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:1041 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots, LR 30:2475 (November 2004), amended by the Office of the Governor, Board of Examiners for New Orleans and Baton Rouge Steamship Pilots for the Mississippi River, LR 36:497 (March 2010).