

HOUSE No. 3855

By Mr. Straus of Mattpoisett, for the committee on Environment, Natural Resources and Agriculture, on House, No. 810, a Bill to further prevent oil spills in Buzzards Bay (House, No. 3855). March 26, 2009.

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act to further prevent oil spills in Buzzards Bay ..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Said section 1 of said chapter 21M, as so appearing, is hereby amended by
2 striking out the term "Rescue Tug" and its corresponding definition and inserting in place thereof
3 the following term and definition:- "State-provided tugboat escort", a tugboat escort, the primary
4 purpose of which shall be to serve as an escort tug for unescorted tank vessels carrying 6,000 or
5 more barrels of oil, and provide on the water monitoring of these tank vessels, and have the
6 ability to warn vessels of actual or potential threats to navigation, and be available to assist
7 immediately to the threat of an accident, and shall never be more than ¼ of a nautical mile away
8 from a tank vessel. State-provided tugboat escorts shall be equipped with (i) twin radar displays
9 equipped with ECDIS or ARPA capable of integrating AIS, (ii) a towing winch and associated
10 wire and gear capable of towing, at minimum, a 470 foot fully loaded tank vessel, (iii) pilot
11 disembarkment gear, (iv) fire fighting equipment as determined adequate by the Commissioner
12 pursuant to subsection (c) of section 6 of this chapter; . Section 2: Said section 1 of said chapter
13 21M, as so appearing, is hereby amended by striking out the following definition: - "Response

14 time”, the amount of time required for a rescue tug to assist a tank vessel.” Section 3. Said
15 section 1 of said chapter 21M, as so appearing, is hereby further amended by striking out, in lines
16 47 through 51, the following sentence:- “As of January 1, 2006, a tugboat escort shall be
17 equipped with fire fighting equipment and, at a minimum, shall meet the requirements of the
18 following American Bureau of Shipping (ABS) classifications: Fire Fighting Vessel Class 1 and
19 Maltese Cross A1 (Towing Vessel).” Section 4: Section 9(c) of said Chapter 21M, as so
20 appearing, is hereby amended by striking out the words “be available to” and inserting in place
21 of the following words:- “escort every”. Section 5: Said section 9(c) of said Chapter 21M, as so
22 appearing, is hereby amended by striking out the following words:- “The commissioner shall
23 establish by regulation the maximum response times that state-provided tugboat escorts shall
24 maintain upon being dispatched.” Section 6: Section 9(f) of said Chapter 21M, as so appearing,
25 is hereby amended by striking the following words:- “authorize longer response times and fewer
26 state pilots if he determines that exigent circumstances exist.” and replacing them with the
27 following words:- “not dispatch state-provided tugboat escorts and state pilots if the department
28 determines that exigent circumstances exist.” Section 7: Said section 9(f) of said Chapter 21M,
29 as so appearing, is hereby further amended by inserting after the phrase, “joint committee on the
30 environment, natural resources and agriculture” the following words:- “as well as report in the
31 Environmental Monitor”. Section 8: Section 9(g) of said Chapter 21M, as so appearing is
32 hereby amended by striking out the words: - “maximum response times” and replacing it with
33 the following words:- “the dispatching of state-provided tugboat escorts ” SECTION 2. This
34 Act shall take effect upon its passage.