

**HOUSE . . . . . No. 3855**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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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; .

13           Section 2: Said section 1 of said chapter 21M, as so appearing, is hereby amended by  
14 striking out the following definition: -

15           “Response time”, the amount of time required for a rescue tug to assist a tank vessel.”

16           Section 3. Said section 1 of said chapter 21M, as so appearing, is hereby further  
17 amended by striking out, in lines 47 through 51, the following sentence:- “As of January 1, 2006,  
18 a tugboat escort shall be equipped with fire fighting equipment and, at a minimum, shall meet the  
19 requirements of the following American Bureau of Shipping (ABS) classifications: Fire Fighting  
20 Vessel Class 1 and Maltese Cross A1 (Towing Vessel).”

21           Section 4: Section 9(c) of said Chapter 21M, as so appearing, is hereby amended by  
22 striking out the words “be available to” and inserting in place of the following words:- “escort  
23 every”.

24           Section 5: Said section 9(c) of said Chapter 21M, as so appearing, is hereby amended by  
25 striking out the following words:- “The commissioner shall establish by regulation the maximum  
26 response times that state-provided tugboat escorts shall maintain upon being dispatched.”

27           Section 6: Section 9(f) of said Chapter 21M, as so appearing, is hereby amended by  
28 striking the following words:- “authorize longer response times and fewer state pilots if he  
29 determines that exigent circumstances exist.” and replacing them with the following words:- “not  
30 dispatch state-provided tugboat escorts and state pilots if the department determines that exigent  
31 circumstances exist.”

32           Section 7: Said section 9(f) of said Chapter 21M, as so appearing, is hereby further  
33 amended by inserting after the phrase, “joint committee on the environment, natural resources  
34 and agriculture” the following words:- “as well as report in the Environmental Monitor”.

35           Section 8: Section 9(g) of said Chapter 21M, as so appearing is hereby amended by  
36 striking out the words: - “maximum response times” and replacing it with the following words:-  
37 “the dispatching of state-provided tugboat escorts ”

38           SECTION 2. This Act shall take effect upon its passage.