

HOUSE No. 4103

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. Section 1 of chapter 21M, as appearing in section 5 of chapter 268 of the
2 acts of 2008, is hereby amended by striking out the definition of “Rescue tug” and inserting in
3 place thereof the following:- “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; provided further, that state-provided tugboat escorts shall provide on the
6 water monitoring of these tank vessels, have the ability to warn vessels of actual or potential
7 threats to navigation, be available to assist immediately to the threat of an accident and shall
8 never be more than ¼ of a nautical mile away from a tank vessel. State-provided tugboat escorts
9 shall be equipped with: (i) twin radar displays equipped with ECDIS or ARPA capable of
10 integrating AIS; (ii) a towing winch and associated wire and gear capable of towing, at
11 minimum, a 470 foot fully loaded tank vessel; (iii) pilot disembarkment gear; and (iv) fire
12 fighting equipment as determined adequate by the commissioner pursuant to subsection (c) of
13 section 6.

14 SECTION 2. Said section 1 of said chapter 21M, as so appearing, is hereby further
15 amended by striking out the definition of “Response time”.

16 SECTION 3. Said section 1 of said chapter 21M, as appearing in the 2006 Official
17 Edition, is hereby further amended by striking out, in lines 47 through 51, inclusive, the second
18 sentence.

19 SECTION 4. Subsection (c) of section 9 of said chapter 21M, as appearing in section 13
20 of chapter 268 of the acts of 2008, is hereby amended by striking out the words “rescue tugs in
21 Buzzards Bay to be available to” and inserting in place thereof the following words:- state-
22 provided tugboat escorts in Buzzards Bay to escort every

23 SECTION 5. Said subsection (c) of said section 9 of said chapter 21M, as so appearing, is
24 hereby further amended by striking out the second sentence.

25 SECTION 6. Subsection (f) of said section 9 of said chapter 21M, as so appearing, is
26 hereby amended by striking the following words:- “authorize longer response times and fewer
27 state pilots if he determines that exigent circumstances exist” and inserting in place thereof the
28 following words:- not dispatch state-provided tugboat escorts and state pilots if the department
29 determines that exigent circumstances exist

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

34 SECTION 8. Subsection (g) of said section 9 of said chapter 21M, as so appearing, is
35 hereby amended by striking out the words “maximum response times” and inserting in place
36 thereof the following words:- the dispatching of state-provided tugboat escorts