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April 25, 2025

Committee On Transportation
Attn: Senator Tim Nangle (Chair)
Maine Senate and Maine House of Representatives
2 and 3 State House Station
Augusta, Maine 04333

RE: LEGISLATIVE DOCUMENT 1477
AN ACT TO PROVIDE AN EXEMPTION FROM PILOTAGE...

Dear Senator Nangle:

As a professional advocate of maritime safety, I strongly oppose Legislative Document 1477 and feel LD 1477 could compromise Maine's coastline. I am a maritime academy graduate and licensed merchant mariner. Moreover, I served as a Coast Guard Marine Safety officer for over 21 years, with multiple assignments in New England including Maine. More directly, I served as the Maine Pilotage Commission Administrator from 2013-2024. Summarizing my background, I feel uniquely qualified to professionally opine regarding pilotage.

Pilotage is a critical component of the marine transportation system, as the pilot's role is specifically designed to assure safety of ships transiting Maine waters. Pilots safeguard Maine ports and waterways from marine accidents which can cause fatalities, injuries, and significant environmental pollution. LD 1477 appears on its face to "check some of the boxes," but it does not contemplate less tangible benefits of employing Maine pilots which fall under the province of the Maine Pilotage Commission (MPC).

The proposed legislation fails to consider that ships (particularly ferries), are highly focused on schedules and other operational demands that challenge ships' crews, particularly the master, who, as LD 1477 outlines, will also be the pilot. As an employee, the vessel's master can be influenced by company pressure (actual or perceived) straining safety parameters to meet operational demands and company goals, which may often be counter to Maine's safety and environmental protection interests. The marine environment is a dynamic and ever-changing space.

Pilotage is more than merely memorizing a route as LD 1477 suggests. Pilots offer an objective voice to say "no" to potentially unsafe course and speed decisions when fishing traffic is too dense, fog is too thick, or schedules are falling behind. Pilots are external experts hired by shipping companies to offer their local expertise to vessels' masters. Maine pilots are removed from the company structure and are insulated from corporate pressure, thus enhancing navigation safety. Maine pilots assure, through their independence and local expertise, the vitality of Maine's marine habitat to preserve our lobster fishery and coastal tourism industry.

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Additionally, Maine state pilots are licensed by the State of Maine (MPC) and are thus, accountable to the people of Maine, not an individual company. The MPC is statutorily charged to investigate State licensed pilot accidents and is authorized to suspend or revoke Maine pilot licenses. The Commission nor any State entity has such authority over ships' masters.

I strongly urge the Committee to reject LD 1477 to best protect Maine's fragile coast. If you have any questions regarding this submission please don't hesitate to contact me at brian.downey@marinecs.com or (207) 899-7123.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Downey Jr.", with a stylized flourish at the end.

Brian J. Downey Jr.
Principal, Marine Compliance Solutions, LLC
Commander, USCG (Ret)

Brian Downey
Falmouth
LD 1477

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