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April 29, 2025

Testimony of Matt Burns
Maine Department of Transportation
Before the 132nd Legislature, Joint Standing Committee on Transportation

In Opposition

LD 1477, An Act to Provide an Exemption from Pilotage Requirements for Passenger Ferry Service Between Bar Harbor, Maine and Yarmouth, Nova Scotia

Senator Nangle, Representative Crafts, and distinguished members of the Joint Standing Committee on Transportation, my name is Matthew Burns. I am the Deputy Director of the Office of Freight and Business Logistics at the Maine Department of Transportation. I am speaking in opposition to LD 1477, *An Act to Provide an Exemption from Pilotage Requirements for Passenger Ferry Service Between Bar Harbor, Maine and Yarmouth, Nova Scotia*.

MaineDOT opposes LD 1477 as drafted, which proposes to provide an exemption to pilotage service and associated fees for the CAT ferry. The CAT ferry (M/V Alakai) runs a seasonal passenger/auto high-speed ferry service between Bar Harbor, Maine and Yarmouth, Nova Scotia. The CAT is a U.S.-flagged, 349-foot, high-speed roll-on/roll-off passenger and vehicle ferry. It has a capacity of 866 passengers and 282 cars. The CAT is owned by the US Department of Transportation's Maritime Administration (MARAD) and was chartered in 2016 by Canadian company Bay Ferries Limited to operate a route from Portland to Yarmouth.

In ports in the United States and throughout world, harbor pilots are a critical component of the marine transportation system. Harbor pilots are licensed through their home state, port district, or national government, and are highly skilled and experienced navigators and ship handlers with specialized knowledge and training specific to their area of pilotage. In addition to being U.S. Coast Guard licensed masters with decades of seagoing experience, these pilots are required to document hundreds of training trips on commercial vessels. Training trips are done under the supervision of a licensed pilot for each route in the region during day and night hours in varying weather conditions. To say these pilots are the local waterway experts is an understatement, these individuals are the State's guarantee of accountability for all foreign and domestic commercial vessels that transit to and from our ports.

The stakes for safe vessel navigation are incredibly high. That is why Maine law requires that every foreign and American vessel with a draft of nine feet or more, entering or leaving any port or harbor within the waters described in 38 MRSA §86-A, must take on a State-licensed pilot.

Holding each licensed pilot individually accountable to the State of Maine is the most effective way to guarantee that, regardless of the time of day, when a State of Maine licensed pilot gets onboard, foreign and domestic commercial vessels can transit safely and efficiently to and from our ports. This system protects Maine's environment and ensures that its ports — and the economy they support — continue operating reliably.

If an exemption to pilotage is sought, MaineDOT feels that it would be appropriate to consider the authority and purpose of the Maine Pilotage Commission, and allow them the time necessary to weigh all the factors, with prudent navigation safety being the basis for any recommendation or decision to grant an exemption to pilotage. A potential amendment to this bill could be to change the law, so the Maine Pilotage Commission may grant exemptions to certain US flag international ferry vessels.

MaineDOT is willing to work with stakeholders to ensure a safe, fair, and reasonable outcome emerges through any work process to consider an exemption. Thank you for your consideration.