

Section 2

GENERAL INFORMATION, RULES

AND REGULATIONS

Issued: June 15, 1955

Effective: July 1, 1955

Issued By:
THE GREATER BATON ROUGE PORT COMMISSION

Section 2
General Information, Rules and Regulations

Item 1 (A)

Gulf
Seaports
Marine
Terminal
Conference

IMPORTANT

Gulf Seaports Marine Terminal Conference
(Federal Maritime Commission Agreement No. 224-200163)
Approved January 1, 1988

Participating Members

- (1) Board of Commissioners of the Port of New Orleans
- (2) Board of Commissioners of Lake Charles Harbor and Terminal District
- (3) Greater Baton Rouge Port Commission
- (4) Orange County Navigation and Port District , Orange, TX
- (5) Mississippi State Port Authority at Gulfport
- (6) Port of Beaumont Navigation District of Jefferson Co., TX
- (7) Board of Trustees of the Galveston Wharves
- (8) Alabama State Docks Department - Port of Mobile
- (9) South Louisiana Port Commission, LaPlace, LA
- (10) Brownsville Navigation District, Brownsville, TX
- (11) Port of Port Arthur Navigation District of Jefferson County, TX
- (12) Tampa Port Authority
- (13) Port of Corpus Christi Authority
- (14) Panama City Port Authority
- (15) Brazos River Harbor Navigation District, Freeport, TX
- (16) Port of Houston Authority
- (17) Port of Pensacola
- (18) Port of Pascagoula
- (19) Manatee County Port Authority
- (20) St. Bernard Port, Harbor & Terminal District
- (21) Plaquemines Port, Harbor & Terminal District

NOTICE: The Gulf Seaports Marine Terminal Conference Agreement permits the participating members to discuss and agree upon port terminal charges, rules and regulations. Any such rates, charges, rules and regulations, adopted pursuant to said agreement, shall be published in the respective tariffs of said members and so identified by proper symbol and explanation.

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THE GREATER BATON ROUGE PORT COMMISSION

Section 2
General Information, Rules and Regulations

Item
1(C)

Gulf
Seaports
Marine
Terminal
Conference

SHIPPERS' REQUESTS AND COMPLAINTS

Shippers, or other users of the facilities and services of the members of said Conference, desiring to present requests or complaints with respect to any such rates, charges, rules and regulations, adopted pursuant to said Conference agreement, should submit the same, in writing, to the Chairman of the Conference, at the address below, giving full particulars, including all relevant facts, conditions and circumstances pertaining to the request or complaint. Should further information be required by the Conference for full consideration of the request or complaint, the Conference Chairman will so advise by mail. The said Chairman will notify such shipper or complainant of the docketing of the matter and of the date and time of the proposed meeting and if said shipper or complainant desires to be heard, he shall make request therefore upon the Conference Chairman in advance of the meeting.

John Roby, Conference Chairman
P.O. Drawer 2297
Beaumont, TX 77704

Issued: June 1, 2006

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THE GREATER BATON ROUGE PORT COMMISSION

Section 2
General Information, Rules and Regulations

*Item 5	Jurisdiction	<p>The Greater Baton Rouge Port Commission has jurisdiction over the commerce and traffic within the Port area, consisting of the parishes of East Baton Rouge, West Baton Rouge, Iberville and Ascension (Mile 168.5 A.H.P. - Mile 253.0 A.H.P.) as the boundaries and limits of said parishes are now fixed by law, except the industrial area created in the parish of East Baton Rouge by the provisions of Section 1.08 (b) of the Plan of Government of the parish of East Baton Rouge and the City of Baton Rouge; and jurisdiction over and control of the use of all wharves, sheds, warehouses, freight handling machinery and equipment owned or operated by it with the power to regulate and fix charges for the use of the waterways and facilities within the Port area as hereinbefore named.</p>
Item 10	Application of Tariff & Amendments	<p>The rates, rules and regulations contained in this tariff shall apply equally to all users of the waterways and facilities and shall apply to all traffic on the waterways and facilities on the effective date shown on this tariff or any amendments thereto. Amendments shall be issued to cover changes in this tariff, but this tariff is subject to change without notice.</p> <p>The Greater Baton Rouge Port Commission shall be the sole judge as to the interpretation of this tariff.</p>
Item 15	Consent to Terms of Tariff	<p>The use of the waterways and facilities under the jurisdiction of the Greater Baton Rouge Port Commission shall constitute a consent to the terms and conditions of this tariff, and evidences an agreement on the part of all vessels, their owners and agents, and other users of such waterways and facilities to pay all charges specified in this tariff and be governed by all rules and regulations herein contained.</p> <p>(A) Comply with the terms and conditions of this tariff and</p> <p>(B) Comply the Terminal Operator Regulations of the Terminal Operator with whom each user is transacting business and</p> <p>(C) Comply with the requirements and instructions of the Port of Greater Baton Rouge's facility security officer (F.S.O.) as required for the facilities of the Port of Baton Rouge to remain in compliance with its facility security plan adopted pursuant to 33 C.F.R. Part 105 and approved by the United States Coast Guard, and evidences an agreement on the part of all vessels, their owners and agents and other users of such waterways and facilities to pay all charges specified in this tariff and be governed by all rules and regulations herein contained.</p> <p>Enforcement of compliance with Terminal Operator Regulations is the responsibility of each Terminal Operator.</p>

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Effective: July 01, 2016

*Change in Wording Only

Issued By:
THE GREATER BATON ROUGE PORT COMMISSION

Section 2 (Continued)
General Information, Rules and Regulations

Item 20	Crane Rental	CANCELLATION
Item 23(C)	Stevedore and/or Linehandlers License	<p>(A) Stevedoring and/or linehandling companies desiring to operate on or in connection with any public facility under the legal jurisdiction of the Port Commission including Midstream shall file a completed stevedore/linehandling application with the Port Commission, accompanied by the necessary supporting documents called for therein together with payment of the appropriate licensing fee.</p> <p>(B) Rejection of application and revocation of stevedore and/or linehandling license will result from failure to comply with the rules and regulations contained in this tariff and in the stevedore/linehandling license application.</p>

Issued: October 31, 1996

Effective: January 1, 1997

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THE GREATER BATON ROUGE PORT
COMMISSION

Section 2 (Continued)
General Information, Rules and Regulations

Item 24(C)

Furnishing
of Cargo
Pallets

Each firm engaged in the stevedoring business at the Port of Greater Baton Rouge is permitted to furnish, store and utilize its own cargo pallets, in addition to utilizing pallets rented from others, in connection with any and all of its business operations conducted within the area of the Port Commission's jurisdiction and authority.

Cargo
Handling
Procedure

Each such stevedoring firm is likewise permitted to perform car loading and unloading with respect to any and all cargo as to which it has been engaged to perform stevedoring services.

As to any cargo arriving at the Port of Greater Baton Rouge as to which no stevedoring firm has been engaged to perform stevedoring, the Port Commission will assign the car loading and unloading on a rotation basis to those stevedoring firms who have advised the Commission that they wish to perform car loading and unloading with respect to such cargo.

Notwithstanding any of the above, a shipper has the right to negotiate a rate lower than that listed in Section 6 of this tariff for volume shipments of 250 tons or more of a single commodity, shipped on a single vessel by a single shipper and received by a single consignee. The rate which is negotiated between the shipper and stevedore shall be published by the Commission in Section 6 of this tariff as exceptions to the rates contained in that Section. The stevedore shall notify the Commission in writing at least 72 hours in advance of the proposed effective date of any such reduced rate or charge in order that the Commission may publish and file the reduction with the Federal Maritime Commission. In the case of forest products, it is not necessary for the Commission to publish the negotiated rate.

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THE GREATER BATON ROUGE PORT
COMMISSION

Section 2 (Continued)
General Information, Rules and Regulations

Item 25	Measurement of Vessels	The Greater Baton Rouge Port Commission reserves the right to measure all vessels when deemed necessary; said measurements to be used by the Commission as a basis for Port charges. The Commission's rules for the measurement of vessels may be secured from the Executive Director upon request.
Item 30	Manifest Report	Vessels, their owners or agents, shall submit to the Executive Director or his designee a manifest within five (5) working days of loading to or discharging from the vessel. The Greater Baton Rouge Port Commission reserves the right to audit all manifests and to use such audits as a basis for charges. Failure to comply with this requirement will result in the assessment of a penalty of \$1000 per day for each day the manifest is not submitted.
Item 35	Time, Computation of	All charges are based on straight running time except where otherwise stated. A day in computing charges shall be considered as commencing when the vessel arrives at her berth and shall comprise a period of 24 hours, or fraction thereof. The time when a vessel arrives alongside the wharf with the first two lines made fast shall be considered as the arrival time. The time the last line is let go shall be considered as the sailing time.
Item 45	Anchorage, Special Permission To Anchor	<p>It will be the policy of the Executive Director not to permit a vessel to anchor within 750 feet of a wharf.</p> <p>In the event it becomes necessary, in order to facilitate navigation or commerce, or for the protection of other vessels or property, that any vessel be moved, or the position thereof changed, the Executive Director is authorized to order and enforce the removal of such vessel at its own expense to such place as he may direct. Upon the failure or refusal of the person in charge of such vessel to change the position thereof as directed, it shall be the duty of the Executive Director and he is authorized to board such vessel with such assistance as may be necessary and to change the position thereof at the expense of such vessel.</p>

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THE GREATER BATON ROUGE PORT COMMISSION

Section 2 (Continued)
General Information, Rules and Regulations

Item 50	Dumping Into Waters	The dumping of oil, oily waters, grease or other objectionable matter into the waters of the Port of Greater Baton Rouge is prohibited by National, State and Commission laws and ordinances.
Item 55	Storage of Gasoline or Other Liquid Petroleum Products Prohibited, Etc.	The storing of gasoline, distillate or any liquid petroleum products other than lubricating oils or kerosene or any automobiles or trucks in the sheds and warehouses upon the wharves or landing is prohibited except as otherwise provided. Gasoline, distillate or liquid petroleum products other than lubricating oils, or kerosene, will be permitted to be received on a wharf for a vessel at the dock, but the same shall not be placed in close proximity to other freight subject to damage by contact.
Item 60	Smoking	Smoking in the warehouses, transit sheds, on the wharves or on vessels at the Port of Greater Baton Rouge is prohibited. Smoking on ships and tugs is allowed in spaces designated by the vessel Master and clearly posted. These posted spaces must be isolated from the deck and outside areas with portholes/windows and exterior/interior bulkhead passageways doors closed. There should be no device present, such as an air conditioning unit that could potentially circulate outside vapor into these designated smoking spaces. A/C units should be on recirculation mode.
Item 65	Damage to Property	Persons and vessels responsible for damage to property of the Port of Greater Baton Rouge shall be liable for the expense of the replacement or repair to property damaged or destroyed. In the event damage is done to a wharf by any person or vessel, a report must be made in writing to the Executive Director to the extent of such damage.
*Item 70	Cleanliness	Exceptional cleaning, charge per vessel: Charges for exceptional cleaning will be based on cost of labor required to perform the service, plus 20%, plus cost of materials or supplies required to clean the assignment.

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*Amendment No. 253

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THE GREATER BATON ROUGE PORT COMMISSION

Section 2 (Continued)
General Information, Rules and Regulations

Item 71	Fumigation	When it is necessary for cargo to be fumigated on the dock, it will be the responsibility of the party performing the fumigation to clean up the sand and other debris resulting from such fumigation. If such party fails to perform cleaning, the Port will do so at cost, with minimum charge of \$50.00 per cleaning.
Item 75	Hazardous Commodities	Shipment of articles classified as explosive or dangerous by the U.S. Coast Guard will be accepted only after a full compliance by shippers or delivering carrier with the rules and regulations of the Interstate Commerce Commission governing the transportation of such articles. Wharfage and handling facilities will not be provided except under special arrangements.
Item 77	Grounding of Vessels at the Grain Dock	CANCELLED

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THE GREATER BATON ROUGE PORT COMMISSION

Section 2 (Continued)
General Information, Rules and Regulations

*Item 80	Berth, Application For	<p>Vessels, their owners or agents desiring a berth at any public/private wharf must apply to the Executive Director or his designee at least 96 hours prior to vessel arrival, on forms furnished by the office of the Port of Greater Baton Rouge. Failure to provide 96 hours notice will result in a \$250.00 (two hundred fifty dollars) fine per vessel.</p> <p>Form BR-1 should be used in making application for inward/outward cargo berth for the General Cargo Docks, Grain Elevator, Apex Oil Terminal and Molasses Terminal, Mid-stream Buoys or anchorages, and Inland Rivers Marine Terminal.</p> <p>The signed application form and the signed approval of application form shall constitute a contract by and between the Greater Baton Rouge Port Commission and the vessel, her owner or agents.</p>
Item 82	Vessel Report	<p>Vessels, their owners or agents must submit to the Executive Director or his designee a BR-28 (vessel report), in duplicate, furnished by his office, for vessels arriving at the Port. This form shall be furnished to the Port within five (5) working days after the vessel sails.</p> <p>Failure to comply with this requirement will result in the assessment of a penalty of \$500.00 per day for each day the Vessel Report is not submitted.</p>

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*Change in Wording Only

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THE GREATER BATON ROUGE PORT COMMISSION

Section 2 (Continued)
 General Information, Rules and Regulations

*Item 85	Loss or Damage Responsibility	<p>To the fullest extent permitted by law, each person (hereafter referred to as "user") using a facility of the Greater Baton Rouge Port Commission assumes all liability and responsibility which might be in any way imposed on the Greater Baton Rouge Port Commission , as a result of user's use of any facility of the Greater Baton Rouge Port Commission, and user shall indemnify, exonerate, and hold harmless, the Greater Baton Rouge Port Commission and its agents, officers and employees from and against any and all liability, damage, expenses, including reasonable attorney's fees and litigation expenses, claims, demands, suits, actions, or judgments against the Greater Baton Rouge Port Commission, its agents, servants, officers and employees, in any way arising out of user's uses of the facilities of the Greater Baton Rouge Port Commission against any such claims by user, any subcontractor of user, or any employee, agent or servant of user, or any third person, on account of bodily injury, sickness, disease or death of any person, or damage to any property or cargo of user, user's subcontractors, or any of its or their officers, agents, employees, servants, or of third persons, said indemnity to include liability or damage arising from any cause whatsoever including, but not limited to strict liability on the part of the Greater Baton Rouge Port Commission, and whether or not caused in whole or in part by any negligence, fault or strict liability of user, and except <u>only</u> to the extent of any such loss or damage occasioned by reason of the Greater Baton Rouge Port Commission's own negligence.</p>
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Issued: February 9, 1988

Effective: February 10, 1988

*Amendment No. 241,
 Item 85

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 THE GREATER BATON ROUGE PORT COMMISSION

Section 2 (Continued)
General Information, Rules and Regulations

Item 90	Fire Signal	<p>In the event of fire occurring on board any vessel in the Port of Baton Rouge except vessels under way, such vessels may sound five prolonged blasts of the whistle or siren as an alarm indicating fire on board or at the dock to which the vessel is moored. Such signal shall be repeated at intervals to attract attention, and is not a substitute for, but may be used in addition to other means of reporting a fire. The words, "Prolonged Blast" used in this rule shall mean a blast of from four to six seconds duration.</p>										
Item 95-D	Legal Holidays	<p>Legal holidays referred to in this Tariff are as follows:</p> <table border="0"> <tr> <td>New Year's Day</td> <td>Fourth Of July</td> </tr> <tr> <td>Martin Luther King</td> <td>Labor Day</td> </tr> <tr> <td>Mardi Gras</td> <td>Thanksgiving Day</td> </tr> <tr> <td>Good Friday</td> <td>Christmas Day</td> </tr> <tr> <td>Memorial Day</td> <td></td> </tr> </table>	New Year's Day	Fourth Of July	Martin Luther King	Labor Day	Mardi Gras	Thanksgiving Day	Good Friday	Christmas Day	Memorial Day	
New Year's Day	Fourth Of July											
Martin Luther King	Labor Day											
Mardi Gras	Thanksgiving Day											
Good Friday	Christmas Day											
Memorial Day												
Item 100-E (C)	Docks, Assigning and Vacating of	<p>The Executive Director or his designee will assign docks to all vessels for inward or outward cargo, and in order to expedite the movement of vessels as well as cargo over, under or across Port Commission Docks, wharves, or piers, the assigning of vessels to such docks, the shifting of vessels in berth as well as the vessel's turn in berth shall be left solely to the discretion and option of the Executive Director or his designee.</p> <p>In the event there are more vessels assigned to specific docks or in port waiting to be assigned berths than can be accommodated or when in the judgment of the Executive Director or his designee such a congested condition appears imminent, then, in order to expedite the handling of vessels and cargo, the Executive Director or his designee has full and complete discretion in determining the order in which vessels work at all port docks, regardless of the order of arrival of such vessels. Accordingly, in such event, the Executive Director or his designee may in his discretion direct the vessels already at berth to halt operations and/or vacate each berth to allow other vessels to work or may require vessels already in berth to work the amount of overtime, at their own expense, to the extent deemed necessary by the Executive Director or his designee.</p>										

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Section 2 (Continued)
General Information, Rules and Regulations

Item 100-E (Cont.)	Docks, Assigning and Vacating of	<p>Vessels shall also be required to work at the maximum capacity deemed expedient and necessary in the judgment of the Executive Director or his designee, and shall work the necessary type and amount of equipment and personnel as ordered by the Executive Director or his designee.</p> <p>Upon failure or default on the part of any vessel to any provision hereof, and upon receipt by such vessel of notice from the Executive Director or his designee of any such failure or default, the vessel so notified shall immediately vacate the berth at the vessel's expense. Failure to vacate the berth promptly shall result in a liquidated damages assessment of \$5000 per hour to be charged to the vessel, its owner or agent.</p>
Item 105(C)	Payment of Bills	<p>All bills are payable upon receipt of the invoice. Any user of Port facilities, including the vessel and its owners and agents and/or any other user who fails to pay within the specified terms, net 30 days, shall be placed on a Delinquent List, conditions of which are hereinafter defined. A 1% per month finance charge accrued on a daily basis will be assessed against all delinquent invoices. The delinquent period will be the 31st day from the date of the invoice.</p> <p>All common carriers, vessels, their owners and/or agents, or other users of the facilities, landing goods on or in the facilities or receiving goods on or over the facilities or delivering or receiving goods from barges or other watercraft while said vessel is berthed at a wharf, or at anchorage in the harbor, thereby contract to pay and are responsible for the dockage, storage or other charges on such goods at the rates provided herein to be collected either from the common carrier, vessel, their owners and/or agents, or other users of the facilities.</p> <p>The Greater Baton Rouge Port Commission reserves the right to estimate and collect in advance all charges which may accrue against common carriers, vessels, their owners and/or agents, or against cargo loaded or discharged by such vessels or other users of the facilities of the Port of Greater Baton Rouge, whose credit has not been properly established with the Commission or who are habitually on the delinquent list. Use of the facilities may be denied until such advance payments or deposits are made.</p> <p>The Commission reserves the right to apply any payment received against the oldest bills rendered against common carriers, vessels, their owners and/or agents, or other users of facilities.</p>

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THE GREATER BATON ROUGE PORT COMMISSION

Section 2 (Continued)
General Information, Rules and Regulations

Item 105 (Cont.)	Payment of Bills	<p>All Common carriers, vessels, their owners and/or agents or other users of the facilities of the Port of Baton Rouge placed on the delinquent list for reasons heretofore listed shall be denied further use of the facilities by the Commission until all such reports have been filed and all charges thereon, together with any other charges due, have been paid.</p> <p>The collection and payment of vessel charges under this tariff for dockage, sheddage, harbor fee, marginal track, wharf apron, water and cleanliness must be guaranteed by the vessel, her owners and agents, and use of the waterways under the jurisdiction of the Greater Baton Rouge Port Commission shall be deemed an acceptance and acknowledgment of this guarantee.</p>
Item 110	Electric Power	Charges for the use of electric power may be obtained from the Executive Director.
Item 115	Storage, Open	Ample space is available for open storage. Rates for open storage will be quoted upon request to the Executive Director.
Item 117	Rat Guards	<p>Every vessel engaged in foreign and domestic trade, when moored to the general cargo dock or grain dock, shall immediately provide and install rat guards on all lines between the vessel, its owner or agent to see that all such rat guards are in place at all times. Failure to comply with this regulation will result in the vessel being shifted from its berth, at the vessel's expense.</p> <p>Further, all stevedores are prohibited from working any vessel moored at the general cargo dock or grain dock that does not have all such lines protected by rat guards. Failure of the stevedore to comply with this provision will result in the immediate cancellation of the individual stevedoring license together with forfeiture of the license fee.</p>
*Item 122	Minimum Invoice	The minimum invoice for service provided herein shall be \$25.00.

Issued: November 22, 1988

Effective: January 1, 1989

*Amendment No. 245

Issued By:
THE GREATER BATON ROUGE PORT COMMISSION

Section 2 (Continued)
General Information, Rules and Regulations

*Item 125	Water	<p>A charge for water shall be made at the rate of \$5.00 per ton of 2,000 lbs. A service charge of \$30.00 for each hour or fraction thereof shall apply between the hours of 7:00 a.m. and 5:00 p.m. Monday through Thursday, subject to minimum charge per vessel of \$120.00.</p> <p>The charge for service between the hours of 5:00 p.m. and 7:00 a.m. and Fridays, Saturdays, Sundays and holidays shall be \$48.00 for each hour or fraction thereof subject to minimum charge per vessel of \$200.00. The date and time service is started will determine the service charge and minimum.</p>
Item 128	Gross Tonnage	<p>As used in this tariff the term gross tonnage, gross registered tonnage or gross tons with respect to vessels engaged in foreign, coastwise or intercostal trade shall be the tons appearing in Lloyd's Register as the official gross tonnage of the vessel.</p> <p>Where two gross tonnages are assigned to certain vessel in association with a Tonnage Mark on the vessel's sides, the higher figures shall be applicable in determining gross tonnage for the purpose of assessment of charges under this tariff.</p>
Item 129	Vessel Length	<p>For the purpose of the computation of charges under this tariff, the term "length" or "overall length" of a vessel shall be that length measured from the extreme forward point to the extreme after point of the vessel as may appear in the Certificate of Registry of the vessel. With respect to vessels engaged in foreign, coastwise or intercostal trade, such overall length appearing in Lloyd's Register will be acceptable as evidence thereof. In the event of any dispute regarding the official or actual overall length of a vessel this Commission reserves the right to actually measure such vessel for the purpose of determining her overall length.</p>

Issued: July 01, 2016

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Amendment No. 254
*Increase

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THE GREATER BATON ROUGE PORT COMMISSION