

## Upcoming Changes To Rates & Tariffs

FMC Tariff No. 2

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### SECTION III - USE OF BOARD PROPERTY

TERMINAL USE FEE - BARGE CARGOES - TERMINAL LESSEES 325

~~Issued - October 2, 1998~~      ~~Effective - October 5, 1998~~  
 Issued - December 7, 2007      Effective - January 1, 2008

Lessees of Board facilities using them to provide stevedoring services, pursuant to an application filed in accordance with Item 414 (5) ("Special Dockage Rate - Barge Cargoes - Terminal Lessees") shall be assessed a terminal use fee (Terminal Use Fee) of ~~\$.15~~ \$0.17 per ton for all cargo discharged.

This Terminal Use Fee, which is in lieu of any wharfage charge, is due solely by the party performing the service(s). It is in addition to any other charge(s) and shall be based on the number of net tons of all cargo discharged in accordance with Item 414(5).

This item is not applicable if any cargoes are discharged from the vessel to the wharf of any Board facility.

### SECTION IV - VESSEL CHARGES/CARGO CHARGES

HARBOR FEE 400

~~Issued - August 27, 1997~~      ~~Effective - October 1, 1997~~  
 Issued - December 7, 2007      Effective - January 1, 2008

All vessels engaged in foreign, coastwise or intercoastal trade, arriving in the port limits, shall be assessed a harbor fee based upon the registered length of the vessel, to defray the expense of the administration and maintenance of the port and harbor, including the operation of tug(s) to aid vessels in distress and extinguishing fires, and policing the river and riverfront. LASH and SEABEE barges are exempt only when the barge carrying vessel (mother vessel) is assessed the harbor fee.

Fee Per Vessel

- Under 250 feet ~~\$100.00~~ \$115.00
- 250 feet and over ~~\$400.00~~ \$450.00

DOCKAGE CHARGES FOR VESSELS ENGAGED IN  
FOREIGN, COASTWISE OR INTERCOASTAL TRADE

414

~~Issued - July 1, 2004~~      ~~Effective - September 1, 2004~~  
Issued - December 7, 2007      Effective - January 1, 2008

Exceptions

(5) Special Dockage Rate - Barge Cargoes - Terminal Lessees - Vessels assigned public berths for the purpose of conducting cargo operations involving the loading and /or discharge of either bulk or breakbulk commodities to vessels from barges or from vessels to barges where the cargo operations by a lessee are performed at a berth assigned under the terms of its lease shall be assessed dockage at the rate of ~~\$.24~~ \$0.26 per gross registered ton of the vessel. Cargo may not be loaded from or discharged to the assigned facility while the vessel is accorded this rate, except with the prior written consent of the Board. The Board's consent shall be subject to such conditions as the ~~Executive Director~~ President & Chief Executive Officer may require. Item 325 shall apply in lieu of all other tariff charges, except in those instances where prior written consent has been granted as provided herein.

In the event that, on completion of cargo operations conducted in accordance with this provision, the vessel elects to conduct further cargo operations or remain at the berth, a change in status will be required and shall be handled in accordance with the applicable provisions of the Tariff.

The term "gross registered tonnage" (GRT), with respect to vessels engaged in foreign, coastwise or intercoastal trade, shall mean the tons appearing in the Certificate of Registry as the official gross tonnage of the vessel. Such gross tonnage appearing in Lloyd's Register will be acceptable as evidence thereof. Where additional gross tonnages are assigned to certain vessels in association with a tonnage mark on the vessel's sides, or otherwise, the highest of all listings of gross tonnages shall be applicable in determining gross tonnage for the purpose of assessment of charges under this Tariff.

SHEDDAGE AND/OR MARGINAL TRACK USAGE CHARGE  
FOR VESSELS ENGAGED IN FOREIGN, COASTWISE OR  
INTERCOASTAL TRADE

416

~~Issued - February 26, 1999~~      ~~Effective - April 1, 1999~~  
Issued - December 7, 2007      Effective - January 1, 2008

Item Deleted

~~A vessel, including vessels moored outside of vessels lying at the wharf, using a shedded wharf and/or marginal tracks on any public wharf shall be assessed a sheddage and/or marginal track usage charge as shown in COLUMN 2 of Item 418 of this tariff. This one-time charge shall be in addition to the dockage charges.~~

~~When a vessel is assessed dockage charges under the alternative basis of Item 420, the above sheddage and/or marginal track usage charges shall be assessed on each arrival of such vessel at this port.~~

~~Exception: Vessels handling 500 tons or less of cargo in this port  
Vessels having a length of 325 feet and over and handling at public or at both public and private berths a total of 500 tons or less of cargo, inward and/or outward, shall be assessed sheddage and/or marginal track usage charges on the basis of 75 percent of the total of such charges computed on the above schedule of rates.~~

~~Exception: Passenger vessels  
Vessels carrying passengers subject to the charges set forth in Item 438 shall be exempt from the sheddage charges.~~

SCHEDULE OF DOCKAGE, SHEDDAGE AND/OR MARGINAL TRACK USAGE RATE

418

~~Issued - January 14, 2000~~      ~~Effective - As Provided Below~~  
 Issued - December 7, 2007      Effective - January 1, 2008

Where reference is made hereto by Items 414, ~~416~~, and 310, and other provisions of this tariff, the following schedule of dockage rates per foot of vessel length shall apply on a 24- hour per day basis, or fraction thereof, and sheddage/marginal track rates of COLUMN 2 shall apply for the entire period of the berth assignment:

VESSEL LENGTH OVER-ALL	COLUMN 1 Regular Dockage	COLUMN 2 Sheddage / Marginal Track	COLUMN 3 Canal Dockage	COLUMN 4 Special Dockage
LOA in FEET	<del>09/01/00</del>	Column Deleted	<del>09/01/00</del>	<del>09/01/00</del>
0 - 199	<del>\$1.31</del> \$1.44	<del>\$.24</del>	<del>\$.66</del> \$0.73	<del>\$.55</del> \$0.61

200 -	<del>1.46</del>	<del>.54</del>	<del>1.09</del>	<del>.63</del>
299	1.61		1.20	0.69
300 -	<del>1.82</del>	<del>.73</del>	<del>1.48</del>	<del>.78</del>
349	2.00		1.63	0.86
350 -	<del>1.82</del>	<del>.83</del>	<del>1.58</del>	<del>.78</del>
399	2.00		1.74	0.86
400 -	<del>2.47</del>	<del>1.02</del>	<del>2.12</del>	<del>1.05</del>
449	2.72		2.33	1.16
450 -	<del>2.84</del>	<del>1.16</del>	<del>2.25</del>	<del>1.20</del>
499	3.12		2.48	1.32
500 -	<del>3.65</del>	<del>1.26</del>	<del>2.61</del>	<del>1.53</del>
549	4.02		2.87	1.68
550 -	<del>4.15</del>	<del>1.50</del>	<del>3.12</del>	<del>1.73</del>
599	4.57		3.43	1.90
600 -	<del>5.10</del>	<del>1.93</del>	<del>3.79</del>	<del>2.13</del>
699	5.61		4.17	2.34
700 -	<del>6.25</del>	<del>2.45</del>	<del>4.90</del>	<del>2.65</del>
799	6.88		5.39	2.92
800 -	<del>6.40</del>	<del>2.60</del>	<del>5.43</del>	<del>2.69</del>
899	7.04		5.97	2.96
900 -	<del>6.91</del>	<del>2.85</del>	<del>6.03</del>	<del>2.90</del>
Over	7.60		6.63	3.19

Charges assessed, pursuant to this provision, will be determined by multiplying the vessel length overall by the applicable rate.

DOCKAGE CHARGES FOR INLAND WATERCRAFT

422

~~Issued -- May 12, 1999~~      ~~Effective -- July 1, 1999~~  
 Issued - December 7, 2007      Effective - January 1, 2008

Inland watercraft shall be assessed dockage charges, based upon the registered length, at the following rates per vessel, per day, or fraction.

75 feet and under.....	Over 175 ft to 200 ft....	<del>\$14.50</del> \$16.00	<del>\$43.25</del> \$47.75
Over 75 ft to 100 ft...	Over 200 ft to 250 ft....	<del>\$21.50</del> \$23.75	<del>\$72.50</del> \$79.75
Over 100 ft to 175 ft.	Over 250 ft.....	<del>\$28.75</del> \$31.75	<del>\$86.50</del> \$95.25

Exceptions

(1) Tugs or towboats landing tows will be exempt from dockage charges provided they do not remain at the wharves longer than is necessary to land the tows.

(2) Harbor excursion boats over 250 tons, shall be assessed dockage of ~~\$89.00~~ \$98.00 per day for consecutive daily usage of wharves, and ~~\$95.00~~ \$105.00 per day for intermittent usage. Harbor excursion boats, 250 tons and under, shall be assessed ~~\$29.00~~ \$32.00 per day.

SHEDDAGE AND/OR MARGINAL TRACK USAGE CHARGE FOR INLAND WATERCRAFT 424

~~Issued - February 26, 1999~~      ~~Effective - April 1, 1999~~  
 Issued - December 7, 2007      Effective - January 1, 2008

Item Deleted

~~Inland watercraft handling domestic cargo and sea-barges transported aboard vessels, which make use of a shedded wharf and/or marginal tracks, shall be assessed the following charges based upon the registered length:~~

<del>75 feet and under.....</del>	<del>Over 175 feet to 200 feet.....</del>
<del>\$11.75-</del>	<del>\$34.50-</del>
<del>Over 75 feet to 100 feet.....</del>	<del>Over 200 feet to 250 feet.....</del>
<del>\$17.00-</del>	<del>\$57.50-</del>
<del>Over 100 feet to 175 feet.....</del>	<del>Over 250 feet.....</del>
<del>\$23.00</del>	<del>\$68.75</del>

~~PAYMENT OF DOCKAGE, SHEDDAGE, AND/OR MARGINAL TRACK USAGE CHARGES~~ 426

~~Issued - February 26, 1999~~      ~~Effective - April 1, 1999~~  
 Issued - December 7, 2007      Effective - January 1, 2008

~~Dockage, sheddage, and/or marginal track usage charges assessed against a vessel, pursuant to any provision of this tariff, shall be payable by the said vessel, her owners, charterers and agents.~~

ANNUAL LICENSE CHARGES FOR HARBOR TUGS AND AUXILIARY SERVICE CRAFT 428

~~Issued - February 26, 1999~~      ~~Effective - April 1, 1999~~  
 Issued - December 7, 2007      Effective - January 1, 2008

Harbor tugs and auxiliary service craft, including heavy lift derrick barges, operating wholly within the port and harbor, at their option, maybe granted an annual license which will permit such vessels to use the public wharves free of dockage, sheddage and/or marginal track usage charges, at the following annual license fees:

- Vessels under 250 tons - Per vessel.....  
~~\$230.00~~ \$500.00
- Vessels 250 tons and over - Per vessel.....  
~~\$750.00~~ \$1,500.00
- Fleet of barges and tugs operated under single ownership - Per annum.....~~\$2,300.00~~ \$5,000.00

Vessels which are granted an annual license shall nevertheless obtain permission from the Marine Terminal Superintendent in advance of berthing at any of the Board's wharves or facilities, at any time. Requests may be made by telephone. Such vessels shall promptly vacate such berths upon order of the Marine Terminal Superintendent.

Note: All vessels handling cargo into or out of the port limits shall pay all applicable tariff charges.

## SECTION V - SERVICE AND EQUIPMENT CHARGES

BOARD'S MULTI-PURPOSE CRANES NOS. ~~1 and 2~~ 1,2,3 AND 4 AT ~~NASHVILLE~~ NAPOLEON AVENUE ~~WHARF~~ CONTAINER TERMINAL 512

~~Issued -- August 27, 1997~~                      ~~Effective -- October 1, 1997~~  
Issued - December 7, 2007                      Effective - January 1, 2008

(1) The Port of New Orleans multi-purpose cranes nos. 1 and 2 at Nashville Avenue Wharf, B and C are the property of the Board of Commissioners of the Port of New Orleans (Board), and will be made available at a charge to owners, charterers, and agents of any vessel which has been assigned to those berths in accordance with Item 300 of this tariff for the loading and/or unloading of 20', 35', 40' or 45' container units or breakbulk cargo.

(2) The Board has developed a procedure for the priority of assignment of the multi-purpose cranes, and assignments of the multi-purpose cranes will be made in accordance with that procedure. Copies of the procedure are available from the office of the Marine Terminal Superintendent.

(3) The multi-purpose crane rental charge for the use of said crane in the loading or discharging of container units shall be at a rate of ~~\$450.00~~ \$500.00 per hour and for breakbulk cargo shall be at a rate of ~~\$325.00~~ \$360.00 per hour.

Billing shall be in half-hour increments, subject to the following:

(a) There shall be a minimum charge of two hours rental for servicing vessels and a one-hour minimum rental for servicing barges.

(b) Crane time shall be computed from the time crane is ordered to be available (desired start-up time), until the crane is dismissed and secured. Stand-by time, calculated from desired start-up time until the crane is actually put into use, shall be charged at the rate of ~~\$110.00~~ \$125.00 per hour.

(c) No charge shall be made for time crane is inoperable because of any mechanical malfunction, inclement weather, or non-working meal hours.

(d) The charge for the multi-purpose crane rental includes the services of crane mechanics.

(e) The vessel, her owners, charterers and agents canceling crane use application within six hours of desired start-up time shall be assessed one hour of crane rental.

(f) On containers other than 20', 35', 40' or 45', rental charges shall be established, in advance, by special arrangement with the Board.

(4) Invoices for the rental and use of the Board's multi-purpose crane(s) shall be issued and collected by the Board. The vessel, her owners, charterers, and agents agree to guarantee and pay all said charges within 30 days of billing date. A penalty at a rate of .05 percent per day, or equal to approximately 18 percent per year, simple interest shall be assessed on the balance due on invoices more than 30 days old, and the amount of such penalty shall be added to the amount due each month until the amount of the arrearage is paid.

(5) The vessel, her owners, charterers, and agents desiring to rent and use the Board's multi-purpose crane(s) shall make application no later than 12 hours prior to the desired start-up time. Application shall be made directly to the Board in a form acceptable to Board. Contact:

Board of Commissioners  
of the Port of New Orleans  
Crane Department  
France Road Terminal  
3501 France Road  
New Orleans, Louisiana 70126  
Telephone: (504) 945-8953  
Telefax: (504) 947-5647

The signed application form, when approved by a representative of the Board, shall constitute a contract, subject to the rates, rules and regulations, and permissions contained in this item and tariff and the ordinances of this Board, by and between the Board of Commissioners of the Port of New Orleans and the vessel, her owners, charterers, and agents, jointly, severally and in solido.

(6) The vessel, her owners, charterers, and agents shall operate the crane(s) with qualified crane operators trained and certified or approved by the Board.

(7) The vessel, her owners, charterers and agents hereby assume, jointly, severally and in solido, liability for any claims, losses, costs or expenses occurring or resulting from the operation of the multi-purpose cranes, and shall defend, save harmless, and indemnify the Board from and against any and all such claims for property damage and personal injury, including death, excluding any such claims resulting from the negligent act or omission of the Board, or from any structural failure of said cranes not occasioned by

an act or omission on the part of the party operating the cranes.I.

(8) The vessel, her owners, charterers, and agents shall be responsible for furnishing to the Board evidence of liability insurance coverage, including, but not limited to, Worker's Compensation, Comprehensive General Liability, and such other insurance, in such form and with such minimum limits as the President and Chief Executive Officer may require.

## SECTION VII - SECURITY CHARGES

### VESSEL SECURITY FEE

702

~~Issued -- March 7, 2005~~

Issued - December 7, 2007

~~Effective -- April 1, 2005~~

Effective - January 1, 2008

Vessels assessed dockage charges in accordance with Item 414, 422, 423, or 431 shall be subject to an additional charge equal to ~~5% (five percent)~~ 5.5% (five and one-half percent) of the total invoiced amount of such dockage charges.

Vessels which are either exempt from dockage charges by virtue of the provisions of a lease agreement with this Board or which are entitled to incentive or other reduced dockage rates as provided in this tariff shall never the less be assessed and shall pay a vessel security fee equal to ~~5% (five percent)~~ 5.5% (five and one-half percent) of the appropriate dockage fee calculated without regard to any waiver or alternate pricing arrangement.

Vessels assessed a Harbor Fee or Supplemental Harbor Fee in accordance with Item 400 or 402 shall be subject to a vessel security charge equal to ~~5% (five percent)~~ 5.5% (five and one-half percent) of the total invoiced amount of such Harbor Fee or Supplemental Harbor Fee. Payment of the Vessel Security Fee as provided herein shall be in accordance with Item 426 of this Tariff.

### CARGO SECURITY FEE

704

~~Issued -- March 7, 2005~~

Issued - December 7, 2007

~~Effective -- May 1, 2005~~

Effective - January 1, 2008



A Cargo Security Fee based on the following schedule shall be assessed on all cargo or freight as provided and as described in Item 433 and in Item 430 at leased or non leased facilities:

Breakbulk	<del>\$0.10</del> \$0.12/ton
Bulk	<del>\$0.02</del> \$0.025/ton
Liquid bulk	<del>\$0.02</del> \$0.025/ton
Cargo Containers	<del>\$2.00</del> \$2.30/loaded
Rail Cars	<del>\$2.00</del> \$2.00/loaded or empty

**Exception**

The charges assessed herein shall not apply to the activities described in Item 325.