

Oct 28, 2013

Congressman Andy Barr Statement for the Coast Guard and Maritime Transportation Subcommittee Record

Good Morning. I would like to thank Chairman Hunter, Ranking Member Garamendi, and the Subcommittee on Coast Guard and Maritime Transportation for holding this hearing. I greatly appreciate the opportunity to appear before you and to offer testimony on how the Committee can provide a commonsense and practical remedy to an unnecessary hardship in my district. I offer these comments for the record in order to encourage this subcommittee to include language within Coast Guard and maritime transportation authorization legislation or similar legislation that will transfer the licensing authority for the Valley View Ferry from federal operating licensing to a state-based operating license.

In 1785, the Virginia legislature granted John Craig, a Revolutionary War soldier, a perpetual franchise to operate the ferry located in what is now Valley View, Kentucky. In operation since that time, the Valley View Ferry is currently the oldest continuously-operated ferry west of the Appalachian Mountains and is the third oldest ferry in the United States.

Federal regulations changed in 2006 to establish a new requirement that the Valley View Ferry must comply with all U.S. Coast Guard inspection and licensing regulations. These licensing regulations are threatening the closure of this historic ferry because the Valley View Ferry is now required to employ operators who hold a Merchant Mariners License, which is the highest level of operator licensing issued by the U.S. Coast Guard. This new licensing requirement is unnecessary and does not properly represent the unique operation of the Valley View Ferry.

This toll-free ferry does not have steering capabilities; instead, it is attached to two overhead cables that guide the boat onto landings on each side of the river, approximately 500 feet apart. As you can see, there is obviously a huge difference between the Valley View Ferry and the towboats that operate on the Ohio and Mississippi Rivers or vessels that operate on the open seas. Yet, due to current federal regulation, a person seeking to become an operator of the Valley View Ferry must have the same licensing requirements as someone who wants to operate the Staten Island ferry in New York City, a towboat on the Mississippi or the Belle of Louisville on the Ohio River.

As a result of the federal government changing how the ferry is regulated, the Valley View Ferry Authority, which manages the ferry, has been forced to reduce operating hours and search all over the county to find a properly certified operator willing work for less than half of the normal wages demanded by operators who similarly possess a Merchant Mariners License. So, while the Valley View Ferry is

currently able to operate – albeit, in a diminished capacity and with tremendous hardship – there is no guarantee that the ferry’s managers will continue to be able to find a viable operator in the future. Rather than rely on the current, temporary fix, what the Valley View Ferry truly needs is the permanent solution that can be provided by this committee’s members.

The bottom line is that the Valley View Ferry supports jobs and commerce in central Kentucky. Every day the Valley View Ferry is not in operation, it causes economic disruption for nearby businesses and tremendous hardship for the merchants and workers who need to use the ferry to commute efficiently to and from work.

With your help, I seek to remedy this senseless federal regulatory overreach by transferring the licensing authority for the Valley View Ferry from federal operating licensing to a state-based operating license. My bill, H.R. 2570, the Valley View Preservation Act of 2013 is designed to act in conjunction with Kentucky state law, and therefore will not take effect, until the Commonwealth of Kentucky establishes a safety and licensing program tailored to the Valley View Ferry.

While my bill is designed to prevent any lapse in federal or state regulations, I would be open to working with committee members to make any changes that your members might deem appropriate to remedy this hardship.

The situation with the Valley View Ferry is a classic example of an overbroad federal regulation impeding the ability of state and local governments to operate. I am confident that there is a simple and practical fix to this problem and I would, again, like to thank Chairman Hunter, Ranking Member Garamendi, and committee members for affording me the time to speak this morning. I ask for your consideration and support on this very important issue to central Kentucky. Thank you.