Safety Equipment Requirements for Commercial Fishing Vessels

Fifth Coast Guard District

Black Sea Bass (Protogynous Hermaphrodites)

A relative of the grouper, the mild slightly delicate-tasting black sea bass is a popular commercial and recreational species along the East Coast. There are two separate stocks of black sea bass in the Atlantic, roughly divided at Cape Hatteras, North Carolina. Declared overfished in 2000, the Mid-Atlantic stock (north of Cape Hatteras) has recovered and is now rebuilt, thanks to improved reproduction and growth rates and strict regulations that reduced fishing pressure on the stock.

Black sea bass grow slowly, up to 2 feet and 9 pounds. They're able to reproduce when they reach 2 to 3 years old. Black sea bass are "protogynous hermaphrodites" – most black sea bass start out as females, and as they mature and grow, they become males. Researchers aren't sure why this happens, but one hypothesis suggests the relative scarcity of males in a spawning group may be the stimulus for a female to switch sex.

Black sea bass spawn in coastal areas from January through July. During spawning season, male black sea bass turn bright blue and develop a pronounced blue hump on their heads. They gather a group of females to mate with and aggressively defend their territory. Depending on their size, females can produce between 30,000 and 500,000 eggs in a spawning season. Females can live up to 8 years; males live up to 12 years.

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GENERAL INFORMATION

The most recent change to the Commercial Fishing Vessel Safety Program is that effective June 17, 2011, the safety decal is now valid for two years instead of one year.

The Commercial Fishing Vessel Safety Program has posted a wealth of information on the Internet at **www.fishsafe.info** related to fishing vessel safety. Follow the link to the Fishing Vessel Homeport page for links to the Analysis of Fishing Vessel Casualties, Stability Best Practices Booklet, and other useful information.

The Commercial Fishing Industry Vessel Safety Act of 1988 led to the creation of 46 Code of Federal Regulations (CFR) Part 28, the first regulations to apply specifically to commercial fishing vessels. Commercial fishing vessels are defined as vessels engaged in activities which are pursuant to the harvesting or processing of fish for commercial purposes. This includes tender vessels that transport, store, refrigerate or provide supplies to the commercial fishing industry. For the most part, 46 CFR Part 28 does not apply to vessels that are carrying passengers for hire such as charter boats, head boats, six packs and "T or H" boats, even though the fish caught by passengers may be sold.

This booklet is intended to summarize the regulations applying to most fishing vessels; it is not intended to be all-inclusive. The regulations are available at your local library, government bookstore or online at

http://www.access.gpo.gov/nara/cfr/cfr-table-search.html

If you have questions, want advice on safety requirements or a "NO Fault – NO Penalty" courtesy dockside examination for your fishing boat, please contact one of these fishing vessel safety professionals:

Commander (dpi)
Attn: Fishing Vessel Safety Coordinator
Fifth Coast Guard District
431 Crawford Street, Portsmouth VA 23704

Office: (757) 398-6554
Toll free: (800) 521-9219, Option 2
Fax: (757) 391-8149

In MD, call: the Baltimore, MD Examiner: (410) 576-2634

In VA, call: the Norfolk, VA Examiner: (757) 668-5533

In DE, eastern PA and southern NJ, call: the Philadelphia, PA Examiner: (215) 271-4880

In NC, call: the Atlantic Beach, NC Examiner: (252) 247-4526

USCG National Documentation Center (800) 799-8362

Successful completion of a courtesy dockside examination results in the issuing of a Commercial Fishing Vessel Safety Program "Safety Decal." This decal, valid for a period of two years, demonstrates your commitment to safe operating practices. It can reduce the likelihood of Coast Guard at-sea boardings and may be considered by marine insurance underwriters when setting insurance rates.

MOST COMMONLY ASKED QUESTIONS

What is the Commercial Fishing Industry Vessel Safety Act (CFIVSA) of 1988? It is a law, passed by Congress, which required the Coast Guard to issue new regulations for safety equipment and operating procedures for fishing, fish tender and fish processing vessels. It also increased the marine casualty reporting requirements.

Why are these regulations necessary? These regulations implement the CFIVSA and make the commercial fishing industry a safer place to work.

Which vessels do these regulations affect? These regulations apply to all U. S. uninspected commercial fishing, fish tender and fish processing vessels, whether Federally documented or state-numbered. Applicability of certain regulations may depend on the type and length of the vessel, the area of operations, seasonal conditions, the number of people on board, whether the vessel is documented or state-numbered and the date the vessel was built or converted.

Will my fishing vessel be boarded at-sea by Coast Guard Boarding Officers? Yes. Boardings of fishing industry vessels already occur on a random basis. This safety-boarding program will continue.

Will an at-sea boarding delay or disrupt my fishing operations? Not necessarily. Boarding Officers make an effort to keep the at-sea boarding as brief as possible, but delays may be encountered. You can help minimize delays by becoming familiar with the safety requirements and by being prepared and cooperative during the boarding.

If deficiencies are found during an at-sea boarding, what will happen? The Boarding Officer has the option of issuing a written warning or preparing a Report of Violation that could lead to assessment of a civil penalty. You are advised of any proposed civil penalty by a Letter of Inquiry, mailed to the mailing address provided during the at-sea boarding. The Letter of Inquiry explains the options available for reducing or canceling the proposed civil penalty. The Fifth Coast Guard District's enforcement program encourages vessel owners and operators to prove they have corrected safety discrepancies by participating in the Voluntary Dockside Examination Program. A successful dockside examination results in issuance of a "Safety Decal" and will usually cancel any proposed civil penalty. An owner/operator also has the right to provide written statements in defense and to provide evidence that the safety deficiencies have been corrected.

What is a Voluntary Dockside Examination? Part of the CFIVSA requirements is that the Coast Guard must establish a Voluntary Dockside Examination Program for fishing industry vessels. "Dockside exams" are thorough safety checks of the vessel by "Examiners", qualified Coast Guard personnel or third party organizations accepted and designated by the Coast Guard. They are free of charge and there is no penalty and/or fault to the owner/operator for safety discrepancies discovered during the dockside exam. There is no penalty for not passing the dockside exam. If the exam is passed, the Examiner will issue a safety decal indicating the vessel is in compliance with the applicable Coast Guard regulations. To request a voluntary dockside examination, contact one of the Examiners listed on the previous page.

DEFINITIONS

Accepted Organizations are third party organizations authorized to perform dockside exams of commercial fishing industry vessels. The Commandant of the Coast Guard designates accepted organizations in writing.

Berthing Space is a part of the vessel intended for crewmember sleeping and is provided with bunks and mattresses.

Boundary Line is the dividing point between internal and offshore waters for several legal purposes, including load line regulations. A specific description of the Fifth Coast Guard District's Boundary Line is found in Enclosure (3) of this booklet or in 46 CFR Part 7.

Captain is the title of the person in charge of a vessel, responsible for safe navigation and direction of operations, regardless of any official rank or license held. Captain is often used as a courtesy title, particularly for unlicensed individuals. In the commercial fishing industry, the captain is the person in charge of underway procedures, fishing operations and supervision of the crew.

Coastal Waters is the Territorial Seas of the United States (see definition on next page) and those directly connected waters (bays, sounds, harbors, rivers, inlets, etc.) where any entrance exceeds two miles in width. Coastal waters extend inland to the first point where the largest distance between shorelines narrows to two miles.

Coast Guard Boarding Officer means a commissioned, warrant or petty officer of the Coast Guard who is authorized to board any vessel. This authority is granted under the Act of 4 August 1949; 63 Stat.502, as amended by 14 USC 89.

Coast Guard Representative means a person employed at a Coast Guard Sector Office, an accepted organization or a similarly qualified organization approved by the Coast Guard to examine commercial fishing industry vessels.

Cold Water means water where the monthly mean low water temperature is normally 59 degrees Fahrenheit or colder. For a description of the seasonal cold and warm waters in the Fifth Coast Guard District, see Enclosure (1) of this booklet.

Documented vessels have admeasurements of at least 5 net tons or larger and have been issued a Certificate of Documentation by the Coast Guard.

Fish means finfish, mollusks, crustaceans and all other forms of marine animal and plant life except marine mammals and birds.

Fishing Vessel Drill Conductor means an individual who meets the training requirements of 46 CFR 28.270(c) for conducting drills and providing instruction once a month to each individual onboard those vessels to which 46 CFR 28.270 applies.

Fishing Vessel Safety Instructor means an individual or organization that has been accepted by the local Coast Guard Officer in Charge, Marine Inspection to train Fishing Vessel Drill Conductors to conduct drills and provide instruction on those vessels to which 46 CFR 28.270 applies.

Galley means a space that provides for preparation and extended storage of food. This does not include: small alcohol or propane stoves with limited cooking capability, ice chests or similar devices that are intended for keeping small quantities of food for short durations.

High Seas means waters beyond the Territorial Seas (see definition below).

Length means the length listed on the vessel's Certificate of Documentation or Certificate of State Numbers.

Operating Station means the principal steering station on the vessel from which the vessel is normally navigated.

Territorial Seas means the waters from 0 to 3 Nautical Miles (NM) from the coast of the United States.

Training refers to specific instruction to impart technical knowledge and develop practical skills in the application of knowledge.

Warm water means water where the monthly mean low water temperature is normally more than 59 degrees Fahrenheit.

Watertight means designed and constructed to withstand a static head of water without any leakage, except that "watertight" for the purpose of electrical equipment means enclosed so that equipment does not leak when a stream of water (from a hose with a nozzle one inch in diameter that delivers at least 65 gallons per minute) is played on the enclosure from any direction from a distance of 10 feet for five minutes.

INDEX

These items apply to all commercial fishing industry vessels.

INDEX (continued)

These additional items apply to documented commercial fishing industry vessels operating beyond the Boundary Line or with more than 16 persons on board.

Enclosures

ITEMS FOR ALL VESSELS

BACKFIRE FLAME CONTROL 46 CFR 25.35

Applies: All vessels with gasoline engines (except outboard motors).

Requirements: Backfire flame control can be provided by a backfire flame arrestor, an air/fuel induction system, or other approved attachment to the carburetor.

Acceptability: Devices must be securely mounted or installed on the engine and in good and serviceable condition. Flame arrestors and air/fuel induction systems must be Coast Guard, SAE Marine or UL Marine approved.

VENTILATION 46 CFR 25.40-1

Applies: All motor vessels with closed compartments, which use gasoline for electrical generation, mechanical power or propulsion.

Requirements: Bilges of every engine and fuel tank compartment shall be fitted with at least two ventilator ducts, with cowls or their equivalent for efficient removal of explosive or flammable gasses.

If the vessel was built between 4/25/1940 and 7/31/1980, use of natural ventilation is acceptable; if built on or after 8/1/1980, a power ventilation system (exhaust blower) is required. The use of power ventilation is encouraged.

Acceptability: At least one exhaust duct shall be installed so as to extend from the open atmosphere to the lower portion of the bilge; at least one intake duct shall be installed so as to extend from the open atmosphere to a point at least midway to the bilge or at least below the level of the carburetor intake.

The cowls attached to the intake and exhaust ducts shall be located and trimmed for maximum effectiveness and in such a manner that prevents any displaced fumes from being re-circulated. The minimum size of the intake and exhaust ducts must be two inches in diameter or a cross-section area of at least three square inches.

WARNING! Gasoline vapors can explode. Before starting any engines, check the engine compartment for gasoline vapors and ventilate the closed compartments by operating the exhaust blower for at least four minutes or the minimum period required by the vessel manufacturer. Excessive volatile fuel (gasoline or solvents) or volatile fuel vapors accumulating in the bilges, or a missing backfire flame control device, is considered an unsafe condition and may be grounds for termination of vessel operations. See Enclosure 2 of the booklet for more information.

PERSONAL FLOTATION DEVICES (PFDs) 46 CFR 28.110

Applies: All commercial fishing vessels.

Requirements for documented vessels:

Operating seaward of the Boundary Line and north of 32 degrees North Latitude: One immersion suit for each person on board (POB).

Operating in all other waters (vessels under 40 feet in length): One Type I, II, III, V or immersion suit for each POB.

Operating in all other waters (vessels 40 feet or more in length): One Type I, V or immersion suit for each POB.

Requirements for state-numbered vessels:

Operating on the High Seas (beyond three nautical miles (NM) from the coast of the United States) during "cold water" season (see Enclosure 1 for definition): One immersion suit for each POB.

Operating in all other waters (vessels under 40 feet in length): One Type I, II, III, V or immersion suit for each POB.

Operating in all other waters (vessels 40 feet or more in length): One Type I, V or immersion suit for each POB.

Acceptability: PFDs must be the proper size for each individual and stowed readily accessible for use. When operating beyond the Boundary Line, each immersion suit or other PFD must be equipped with an approved (approval number 161.012) PFD light.

Each immersion suit or other PFD must have at least 31 square inches of retroreflective material on the front and at least 31 square inches of retroreflective material on the back of the PFD, located high on the chest and shoulders where it would normally be visible to search aircraft or vessels. See page 3 for more information on types of retroreflective material.

Each immersion suit or other PFD shall be marked with the name of the vessel, the name of the PFD owner, or the name of the person assigned to wear the PFD.

Excess equipment: If a vessel carries more PFDs than required by regulation, all of those PFDs should be serviceable. Unserviceable PFDs should be removed. This will ensure crewmembers have safe and effective equipment during an emergency.

WARNING!

While an immersion suit may be substituted for any other type of PFD, if an immersion suit is required another PFD may not be substituted in its place. Failure to have required immersion suits or other PFDs may be grounds for termination of vessel operations. See Enclosure 2 of the booklet for more information.

RING LIFE BUOYS 46 CFR 28.115

Applies: All commercial fishing vessels 16 feet or more in length.

Requirements:

Vessels 16 feet to less than 26 feet, one 20 inch or larger orange ring life buoy with at least 60 feet of line attached. A Type IV buoyant cushion may be substituted; no retroreflective material or line is required.

Vessels 26 feet to less than 65 feet, one 24 inch orange ring life buoy with at least 60 feet of line attached.

Vessels 65 feet or more, three 24-inch orange ring life buoys, with at least one ring life buoy having at least 90 feet of line attached.

Acceptability:

Each ring life buoy must be in serviceable condition without significant deterioration of the cover material or grab line, and marked with approval number 160.009 or 160.050.

Ring life buoys may be painted orange so long as the Coast Guard approval information is not covered or obscured.

Strips of Type II retroreflective material, about two inches wide, should be wrapped around the ring at four evenly spaced points. See note below.

Each ring life buoy must be permanently marked with the name of the vessel or the state number if not named.

Certain Type V PFDs are approved for and may be substituted for the Type IV PFDs, when used as required by limitations and conditions found on the Coast Guard approval label. Among these are the LIFESLING (approval number 160.064/2764/0) and LIFESLING2 (approval number 160.064/3729/0).

Note: Retroreflective material for lifesaving equipment must be approved through 46 CFR 164.018. Type I retroreflective material is used on flexible surfaces and rigid surfaces, except rigid surfaces that are continuously exposed; it may be attached by sewing or by an adhesive. Type II retroreflective material is weather resistant material used on continuously exposed rigid surfaces; it may be attached by mechanical fasteners or an adhesive.

SURVIVAL CRAFT — 46 CFR 28.120

Applies: All commercial fishing vessels, with two exceptions and one exemption:

Exception 1: No survival craft is required for vessels under 36 feet in length operating within 12 NM of the coastline of the United States with no more than three persons-on-board (POB).

Exception 2: No survival craft is required for vessels under 36 feet in length operating within 12 NM of the coastline of the United States, when equipped with builder-certified positive flotation.

Exemption 1: If certain operating restrictions are met, no survival craft is required for vessels at least 36 feet but less than 65 feet in length operating exclusively inside the **Boundary Line of the Fifth Coast Guard District** (as described in 46 CFR Part 7). See page 7 and Enclosure (3) of this booklet.

Requirements:

For documented vessels, and state-numbered vessels with more than 16 POB, see Tables A and C on pages 5 and 6 for the type of survival craft permitted. For all other state-numbered vessels, see Tables B and D. The total survival craft must be able to accommodate all POB. See page 7 for survival craft stowage requirements.

Inflatable liferafts and inflatable buoyant apparatus must be serviced annually at a Coast Guard-approved facility, except for those less than two years past the date of manufacture. Once two years old, they must be serviced each year.

Containers for inflatable liferafts must be marked as containing the required Coastal Service, SOLAS B or SOLAS A equipment pack. Equipment packs are not accessible until the liferaft is inflated; see page 8 for a list of equipment pack contents.

Acceptable Substitutions:

The hierarchy of survival craft in descending order is: lifeboat, inflatable liferaft with SOLAS A pack, inflatable liferaft w/SOLAS B pack, inflatable liferaft w/Coastal Service pack, inflatable buoyant apparatus, life float, buoyant apparatus. A survival craft higher in the hierarchy may be substituted for any survival craft required in this table.

An auxiliary craft carried on board a vessel, which is necessary to normal fishing operations, may be used to satisfy a requirement for a buoyant apparatus, a life float or an inflatable buoyant apparatus, provided it is capable of carrying all POB; it may not be used to replace a required inflatable liferaft.

WARNING!

Failure to have a required survival craft of adequate capacity or failing to have a survival craft serviced when required may be grounds for termination of vessel operations. See Enclosure 2 of the booklet for more information.

SURVIVAL CRAFT (continued) 46 CFR 28.120

COLD WATER REQUIREMENTS FOR:

Note: The water is considered Cold from 1 November thru 31 May for all waters North of Cape Charles (37°07.4' N). From 1 December through 30 April, all waters from Cape Charles to Cape Hatteras (35°15.3' N) are also considered Cold Waters. Coastal water areas, adjacent ocean areas and connecting waters, including Lakes, Bays, Sounds or Rivers are also considered Cold Waters.

Table A: Documented Fishing Vessels and State-Numbered Vessels with more than 16 Persons-On-Board

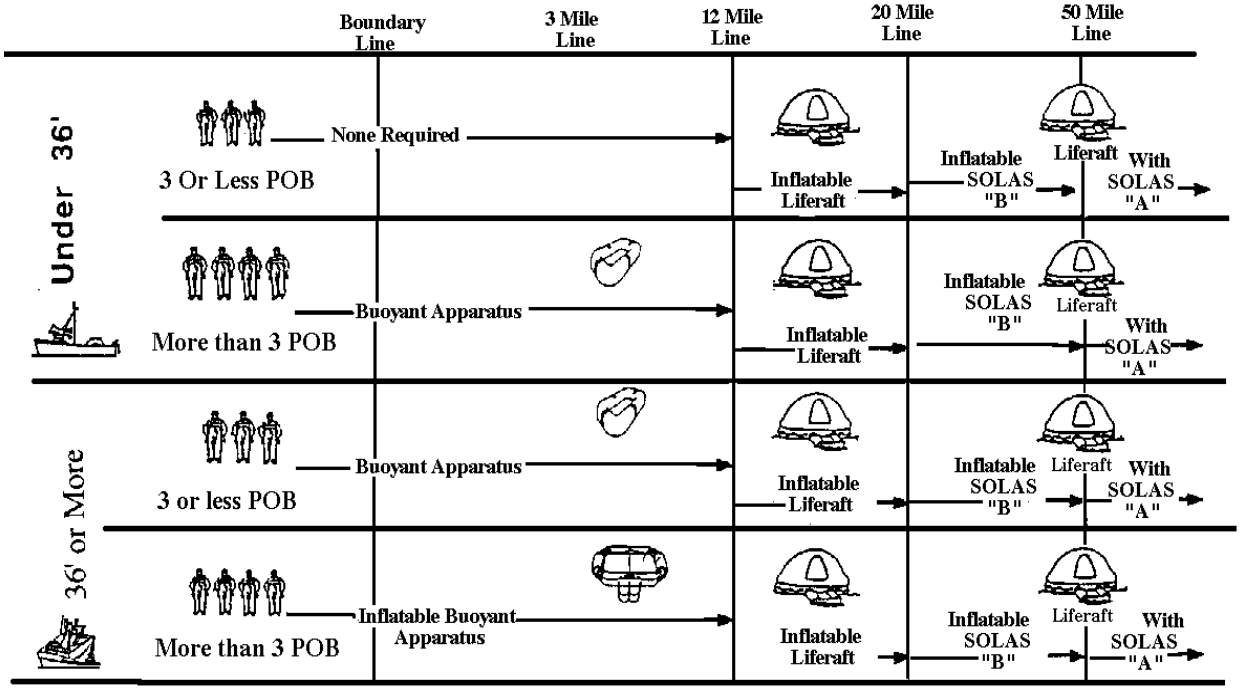
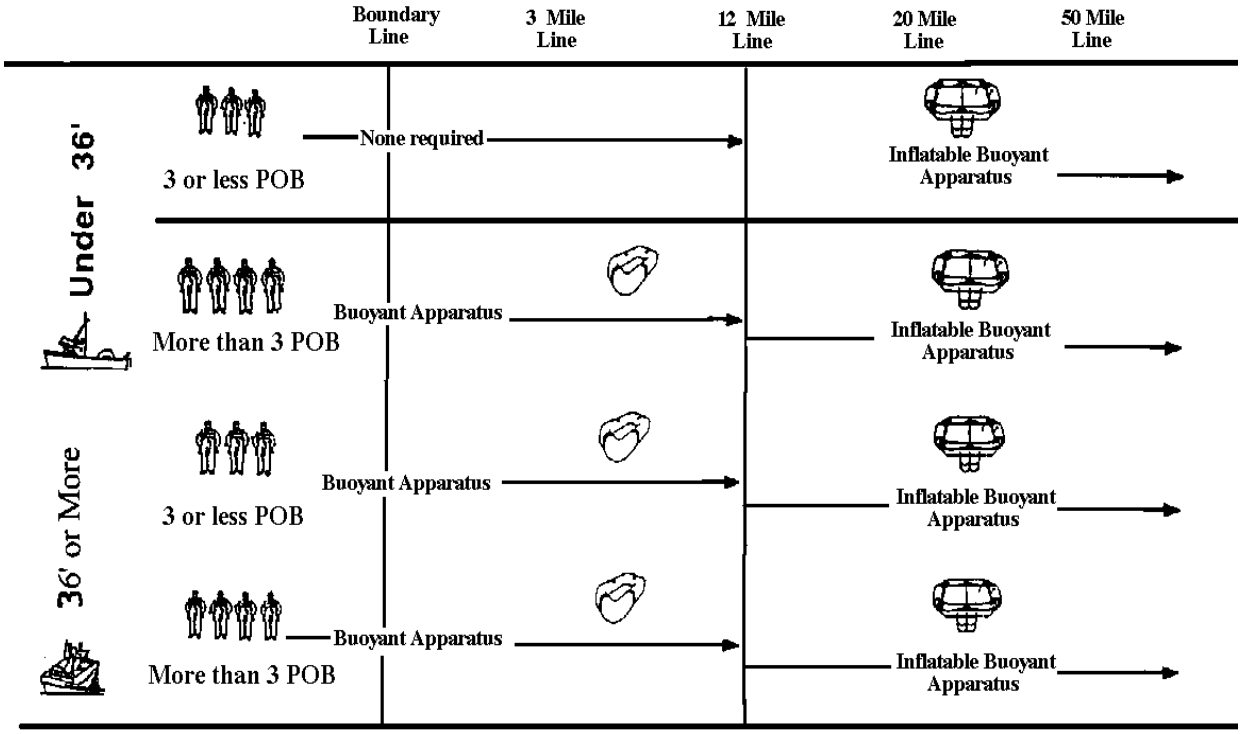


Table B: State-Numbered Fishing Vessels



WARM WATER REQUIREMENTS FOR:

Table C: Documented Fishing Vessels and State-Numbered Vessels with more than 16 Persons-On-Board

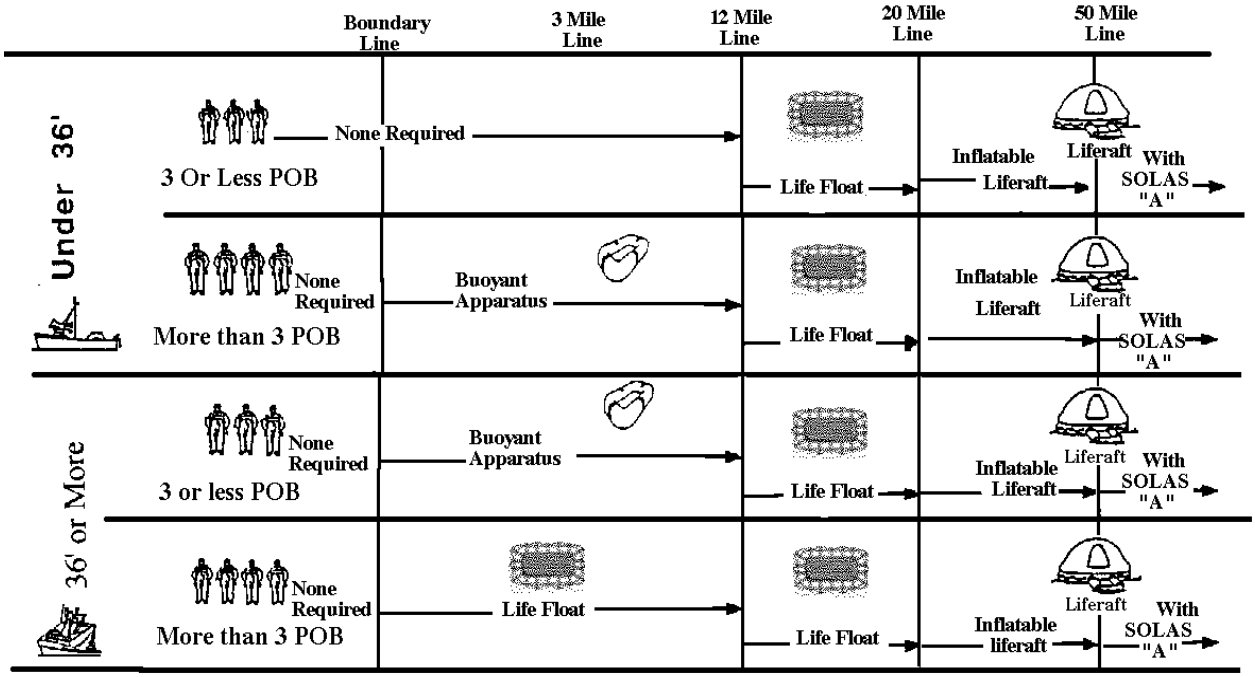
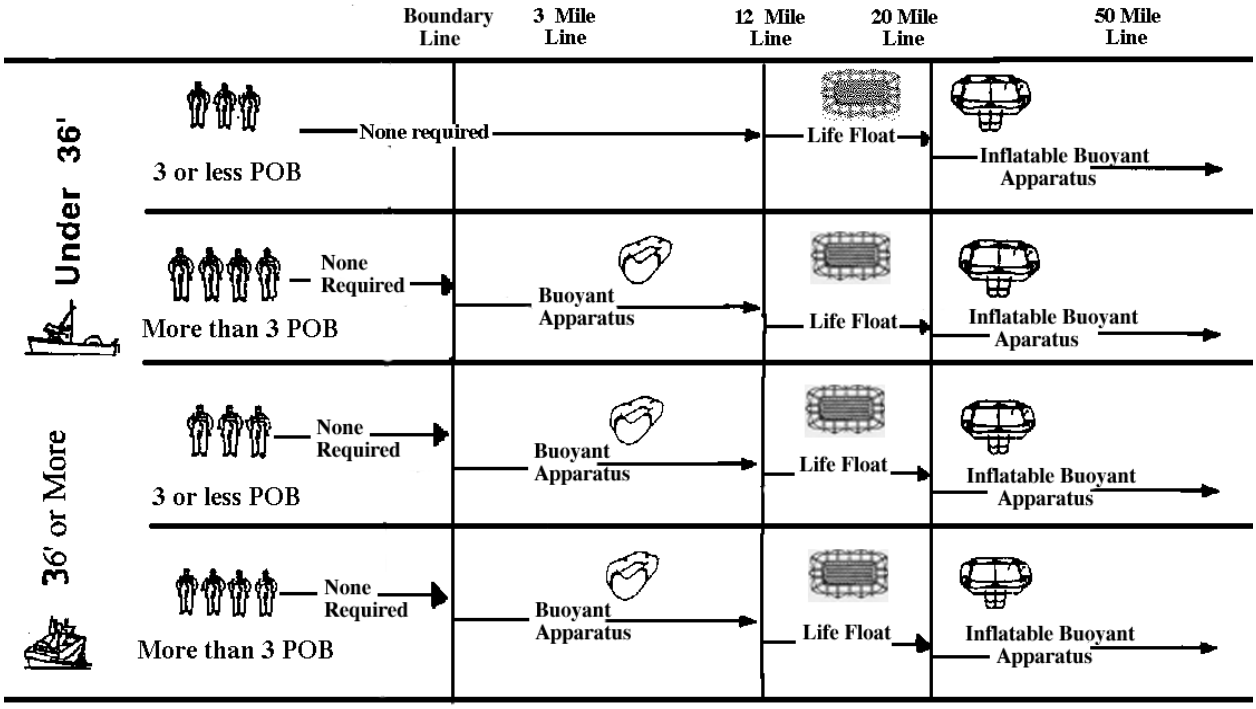


Table D: State-Numbered Fishing Vessels



STOWAGE OF SURVIVAL CRAFT 46 CFR 28.125

Applies: All commercial fishing vessels required to carry survival craft.

Requirements:

Each inflatable liferaft required to be equipped with a SOLAS A or SOLAS B equipment pack must be stowed to float free and automatically inflate in the event the vessel sinks.

Each inflatable liferaft, inflatable buoyant apparatus, and any auxiliary craft used in their place, must be kept readily accessible for launching or stowed so as to float free if the vessel sinks.

Acceptability:

Each hydrostatic release unit (HRU) used in a float-free arrangement must be approved under 46 CFR 160.062 and not be past the expiration date marked on the unit.

Each float-free link used with a buoyant apparatus or with a life float must be certified to meet 46 CFR 160.073 and display the certification tag provided with the link.

SURVIVAL CRAFT EXEMPTION 46 CFR 28.60

Applies: Commercial fishing vessels 36 feet or longer and less than 65 feet in length, operating exclusively inside the Boundary Line of Fifth Coast Guard District waters.

Background: The Coast Guard recognizes there are some cases where exemptions to the fishing vessel safety regulations are warranted. On October 30, 1998, the Fifth District Commander granted a permanent exemption to 46 CFR 28.120 for commercial fishing vessels 36 feet to less than 65 feet in length, operating exclusively inside the Boundary Line of Fifth Coast Guard District waters, subject to certain requirements.

Requirements: To be eligible for the survival craft exemption, these vessels must:

1. Be equipped with one Coast Guard-approved immersion suit for each person-on-board during the cold water months of November through May.
2. Be equipped at its main operating station (helm) with an operable VHF radio-telephone that complies with 46 CFR 28.245, capable of transmitting and receiving within the 156 MHz band, and installed in a safe manner.
3. The vessel carries onboard a minimum of three day/night visual distress signals approved under 46 CFR 160.021, 160.024 or 160.036.
4. Complete a successful dockside safety examination and maintain a current commercial fishing vessel safety examination decal. The decal is valid for two years from the date of issue.

Note: Failure to carry adequate immersion suits when required to meet the exemption requirements may be grounds for termination of vessel operations.

SURVIVAL CRAFT EQUIPMENT46 CFR 28.130 & 46 CFR 160.051

Applies: All commercial fishing vessels required to carry survival craft.

Requirements:

Every inflatable liferaft must be equipped with a Coastal Service equipment pack, a SOLAS B equipment pack or a SOLAS A equipment pack. The liferaft manufacturer or liferaft servicing facility will apply a label, on the exterior of the liferaft canister, indicating which equipment pack is included.

Each life float or buoyant apparatus must be equipped with a lifeline, pendants, painter, and floating electric water light approved through 46 CFR 161.010. The painter must be at least 100 feet in length and attach the survival craft to the vessel by means of a float-free link. All equipment must be of good quality, in good condition, and secured to the survival craft. Strips of retroreflective material must be placed at four locations on both the top and bottom sides.

Acceptability:

See Navigation and Vessel Inspection Circular (NVIC) 1-92 and Changes 1 and 2 for more information on survival craft equipment acceptability.

NVIC 1-92 is online at **http://www.uscg.mil/hq/cg5/nvic/1990s.asp#1992**

See NVIC 1-83 for more information on life float or buoyant apparatus equipment and stowage arrangements.

NVIC 1-83 is online at **http://www.uscg.mil/hq/cg5/nvic/1980s.asp#1983**

Note: The Coastal Service, SOLAS B and SOLAS A equipment packs are sealed in the liferaft canisters and cannot be checked during a boarding or dockside examination. These equipment lists are for information only.

The Coastal Service equipment pack consists of a repair outfit, a pump or bellows and plugs for pressure relief valves.

The SOLAS B equipment pack includes the items above plus: heaving line, jackknife, bailer, two sponges, two sea anchors, two paddles, first aid kit, whistle, two rocket parachute flares, three hand flares, one buoyant smoke signal, electric torch, radar reflector, signaling mirror, lifesaving signals table, anti-seasickness medicine, survival instructions, emergency instructions, and a thermal protective aid.

The SOLAS A equipment pack includes the entire SOLAS B equipment pack plus: two more rocket parachute flares, three more hand flares, one more buoyant smoke signal, fishing tackle, food rations, drinking water, and a drinking cup.

LIFESAVING EQUIPMENT MARKINGS — 46 CFR 28.135

Applies: all commercial fishing vessels.

Requirements: Each wearable PFD (Type I, II, III, V or immersion suit) must be marked with the name of the vessel, the name of the PFD owner, or the name of the person assigned to wear the PFD. See page 3 concerning retroreflective materials.

Each survival craft or auxiliary craft must be marked with the name of the vessel or state number if vessel is not named. Each Emergency Position Indicating Radio Beacon must be marked with the name of the vessel or the state number if vessel is not named.

Acceptability: All markings must be made using block capital letters.

LIFESAVING EQUIPMENT — 46 CFR 28.140

Readiness, Maintenance and Inspection — 46 CFR 25.26-5

Applies: All commercial fishing vessels.

Requirements: The master or person-in-charge of a vessel must ensure that each item of required lifesaving equipment must be in good working order, ready for immediate use and readily accessible before the vessel leaves port and at all times when the vessel is operated.

Acceptability: Maintenance and inspection must follow the schedule below:

EQUIPMENT	ACTION REQUIRED
Type I, II, III, V PFDs & immersion suit	Inspect/clean/repair annually & as needed
Inflatable wearable Type V PFD (hybrids)	Service annually
Buoyant apparatus and life float	Inspect/clean/repair annually
Inflatable liferaft	Service annually (See Note1)
Inflatable buoyant apparatus	Service annually (See Note1)
Hydraulic release units (metallic units)	Service annually
Disposable Hydrostatic Release Units (HRUs; such as a Hammar H20 or equal)	Replace on or before expiration date
Dated batteries & other items w/exp. dates	Replace on or before expiration date
Undated batteries	Replace annually
Water activated batteries	Replace after each use
EPIRB	Test monthly
EPIRB battery	Replace on or before expiration date

Note: 1. A new inflatable liferaft or inflatable buoyant apparatus is serviceable for two years after date of manufacture; it must then begin the annual service interval.

Maintenance and servicing of lifesaving equipment must be done in accordance with the manufacturer's guidelines. Servicing of an inflatable liferaft or inflatable buoyant apparatus must be done by a facility specifically approved by the Commandant. A list of approved facilities is available at **http://cgmix.uscg.mil/LifeRaftSearch/Default.aspx**.

VISUAL DISTRESS SIGNALS 46 CFR 28.145

Applies: All commercial fishing vessels operating on coastal or ocean waters.

Requirements (the approval cite in 46 CFR Parts 160 – 161 is given in parentheses)**:**

Inland Waters: None, unless carriage of three visual day/night signals (160.021, 160.024 and/or 160.036) is required to meet the Survival Craft Exemption.

Coastal Waters (0 to 3 Nautical Miles from the coast):

Day & Night: A total of three hand red flare distress signals (160.021), pistol-projected parachute red flare distress signals (160.024), hand-held rocket-propelled parachute red flare distress signals (160.036), or red aerial pyrotechnic flare distress signals (160.066) will meet the day and night requirements.

Day only: Three of the approved day & night distress signals listed above or three hand orange smoke distress signals (160.037) or one orange flag distress signal (160.072).

Night only: Three of the approved day & night distress signals listed above or one electric distress light (161.013).

Ocean Waters (3 to 50 Nautical Miles from the coast):

Day & Night: Three hand-held rocket-propelled parachute red flare distress signals (160.036) or SOLAS rocket parachute flares (160.136), plus six hand red flare distress signals (160.021) or SOLAS hand flares (160.121), plus three floating orange smoke distress signals (160.022) or hand orange smoke distress signals (160.037) or SOLAS 3-minute floating smoke distress signals (160.122)

Ocean Waters (more than 50 Nautical Miles from the coast):

Day & Night: Three SOLAS rocket parachute flares (160.136), plus six SOLAS hand flares (160.121), plus three SOLAS 3-minute floating smoke distress signals (160.122)

Acceptability:

Distress signals must be replaced before their expiration date.

If expired distress signals are retained aboard the vessel, they must be clearly marked as expired and stowed in a different location from the distress signals being used to meet the requirements. Dispose of expired distress signal properly.

Note: Distress signals should not be used for “training purposes” while on the water unless you call the Coast Guard first to advise that your vessel is not in distress.

EMERGENCY POSITION INDICATING RADIO BEACON (EPIRB)

46 CFR 28.150
46 CFR 25.26-50

Applies: All commercial fishing vessels operating on the high seas (more than three Nautical Miles from the coast of the United States).

Requirements:

Vessels 36 feet or more in length must have on board a float-free, automatically activated Category 1 406 MHz EPIRB stowed in a manner where it will float-free if the vessel sinks.

Vessels less the 36 feet in length or any vessel with builder-certified positive flotation must have on board a manually activated Category 2 406 MHz EPIRB stowed in a readily accessible location at or near the principal steering station. If desired, a Category 1 406 MHz EPIRB may be carried in its place.

Exception: A skiff or workboat is not required to carry an EPIRB if it is stored, when not working, aboard a mother ship equipped with an EPIRB.

Acceptability:

Category 1 EPIRBs require a hydrostatic release unit (HRU). A disposable "Hammar H2O" type HRUs includes a label to indicate the expiration month and year. These HRUs remain valid for two years from date placed in service.

EPIRBs must be tested, using the procedure specified in the Owner's Manual, at installation and at least monthly afterwards.

EPIRB batteries are valid for a period of five years but must be replaced if the EPIRB has been used during an emergency or if it has a false activation exceeding two hours. Almost all EPIRBs require that batteries be replaced at an authorized servicing facility. The battery expiration date is recorded on a label attached to the body of the EPIRB and not on any protective casing.

The vessel name must be marked on the body of the EPIRB.

EPIRBs must be listed on your Federal Communications Commission (FCC)-issued radio license. See pages 18 and 19 of this booklet for more information. EPIRBS must also be registered with NOAA. Registration decals must be attached to the body of the EPIRB and not any protective casing. See Enclosure (5) for the NOAA registration form and registration instructions.

How to use your EPIRB in an emergency:

When deployed in an emergency, the EPIRB should be placed upright, with a clear view of the sky and away from metal that could distort the emergency signal. If abandoning ship, allow the EPIRB to float in the water for maximum signal effectiveness.

EPIRB TESTING AND REGISTRATION

Applies: Category 1 and 2 406 MHz EPIRBs.

Requirements:

Test EPIRB at installation and at least monthly per Owner's Manual.

Example – the test procedure of Pains-Wessex SOS Rescue 406 EPIRB is:

- Remove EPIRB from bracket or storage case.
- Press and hold READY button (on rear of EPIRB) for ten seconds.
- The red lamp will come on for four seconds to confirm test is in progress.
- When the red light goes out, the strobe lamp **must flash** three times [PASS].
- If the strobe does not flash [FAIL], repeat the test once more.
- If it fails a second test, an approved service agent must service the EPIRB.

406 MHz EPIRB registration procedures:

Each 406 MHz EPIRB transmits a coded digital signal with a unique identification signal. The National Oceanographic and Atmospheric Administration (NOAA) maintains a registration database of EPIRBs aboard U. S. vessels. Proper registration simplifies the Coast Guard search and rescue response by identifying the vessel and points of contact to call when a distress signal is received. Registration is free of charge. You may register your EPIRB on-line at **http://www.beaconregistration.noaa.gov/** or by mail.

To get a **registration form** for mail-in registration:

- See Enclosure (5) to this booklet, or
- Call the NOAA SARSAT Division at (301) 457-5678
- Print the form mail-in registration form available at the NOAA website above, or
- Call the Coast Guard Fishing Vessel Safety Coordinator at (800) 521-9219.

To register, mail the form to:

NOAA SARSAT Beacon Registration
NSOF E/SP3
4231 Suitland Road
Suitland, MD 20746

A sample decal is shown below:

FIRE EXTINGUISHERS

46 CFR 25.30-20
46 CFR 28.160

Applies: All commercial fishing vessels.

Requirements (minimum):

Vessels under 26 feet: One B-I

Vessels 26 feet to under 40 feet: Two B-I or One B-II

Vessels 40 feet to under 65 feet: Three B-I or one B-I and one B-II

Vessels over 65 feet:

Safety areas & communicating corridors:	One A-II in each main corridor, not more than 150 feet apart
Pilothouse:	Two C-I in vicinity of exits
Galley & service areas:	One B-II or C-II for each 2500 square feet
Paint lockers:	One B-II outside in vicinity of exit
Accessible baggage & storerooms:	One A-II for each 2500 square feet; in vicinity of exit, inside or outside
Workshops or similar spaces:	One A-II outside in vicinity of exit
Machinery spaces (internal combustion propelling machinery):	One B-II for each 1000 BHP, but not less than two or more than six B-IIs
Electrical propulsion or generator unit:	One C-II in vicinity of exit, inside or outside
Auxiliary spaces:	One B-II in vicinity of exit, inside or outside
Machinery room:	One B-II in vicinity of exit, inside or outside
Electrical emergency motors or generators:	One C-II in vicinity of exit, inside or outside

Acceptability:

It is recommended that all fire extinguishers be mounted in a manufacturer provided bracket. Fire extinguishers used to meet these requirements must have a decal or label showing: Marine Type, Coast Guard Approved, Size, Type and Approval Number (162.028), or bear the Underwriters Laboratory (UL) approval for marine use. Fire extinguishers in excess of the minimum requirements need not meet Coast Guard or UL approval for marine use, but must be listed and labeled by a nationally recognized laboratory.

Substitutions: A Coast Guard approved fixed firefighting system may be substituted for one B-I. One B-II = two B-I. One C-II = two C-1.

WARNING:

Failure to have required fire extinguishers while operating a vessel is considered an unsafe condition and may be grounds for termination of vessel operations. See Enclosure 2 of the booklet for more information.

INJURY PLACARD

46 CFR 28.165

Applies: All commercial fishing vessels.

Requirements:

To the right is the Injury Placard most often used. It contains the required text.

Acceptability:

The injury placard must be at least five inches by seven inches in size and posted in a highly visible location, accessible to the crew. Your office telephone number should be the contact number.

WASTE MANAGEMENT PLAN

33 CFR 151.57

Applies: All commercial vessels 40 feet or more in length and operating more than three Nautical Miles from the coast of the United States.

Requirements: A written **Waste Management Plan**. Note: Garbage logs are no longer required unless the vessel is 400 gross tons or larger.

Acceptability:

The written Waste Management Plan must be on board, describe procedures for collection, processing, storage and discharge of garbage and waste, and designate the person who is responsible for carrying out the plan.

MARINE SANITATION DEVICE (MSD)

33 CFR 159.7

Applies: All vessels having an installed toilet facility and operating inside the Boundary Line or within three Nautical Miles of the coastline of the United States.

Requirements:

Portable toilets or “porta-potties” are not considered installed toilets and vessels equipped only with those devices are not subject to the MSD regulations.

Vessels 65 feet or less in length must have a Type I, Type II or Type III MSD.

Vessels over 65 feet in length require a Type II or Type III MSD.

MARINE SANITATION DEVICE (cont.) 33 CFR 159.7

Acceptability:

The MSD must be operational (i.e. required chemicals/electrical power in place).

Type I and Type II MSDs must have the manufacturer's certification label required by **33 CFR 159.16**. Type I and Type II MSDs are certified under **33 CFR 159.12**.

Type III MSDs are holding tanks only, certified under **33 CFR 159.12a** and do not require a label. For Type III MSDs:

> If equipped with a "Y" valve, while inside the Boundary Line or within three Nautical Miles of the coastline of the United States, the "Y" valve must be aligned or closed to prevent the accidental discharge of sewage overboard. Use of a padlock, non-releasing wire-tie or valve handle removal is a recommended method of securing the MSD. **Merely closing the valve is not acceptable**. The holding tank must be provided with a vent extending outside the vessel's hull to the outside atmosphere.

Prohibited Waters: In **40 CFR 140.3**, the Environmental Protection Agency (EPA) establishes standards for the EPA and the states to designate "prohibited waters," where all overboard discharge of treated or untreated sewage is prohibited. These are usually freshwater lakes, freshwater reservoirs or other freshwater impoundments. If unsure whether you are operating in prohibited waters, contact the state government agency or department responsible for water quality enforcement at that location.

NAVIGATION RULES 33 CFR 88.05

Applies: All self-propelled vessels greater than 12 meters (39.4 feet) in overall length and operating inside the COLREGS (International Regulations for Preventing Collisions at Sea) Demarcation Line shown on nautical charts. The COLREGS Demarcation Line is not always the same as the Boundary Line.

Requirements:

Each vessel must have on board and available for ready reference a current copy of the Inland Navigation Rules. This may be the Coast Guard publication COMDTINST M16672.2D titled NAVIGATION RULES, INTERNATIONAL – INLAND, published by the Government Printing Office or an acceptable substitute such as the Reed's Nautical Companion. The Inland Navigation Rules book may be purchased at Government Printing Offices located in many major cities, ordered by telephone from (866) 512-1800 (toll free), ordered online at **http://bookstore.gpo.gov/**, or by mail at: Superintendent of Documents, P. O. Box 371954, Pittsburgh, PA 15250-7954. Note: Copies of the Inland Navigation Rules may also be downloaded and printed from **http://www.navcen.uscg.gov/mwv/navrules/inland.htm** at no cost. Current Coast Guard policy requires the navigation publications be in hard copy; copies existing solely in electronic media do not meet the carriage requirements.

NAVIGATION LIGHTS — 33 USC 2020 & 2021

Applies: All vessels at anchor or underway from sunset to sunrise, or in or near areas of restricted visibility; the rules concerning shapes shall be complied with by day.

Requirements/Acceptability: Please refer to COMDTINST M16672.2D, titled NAVIGATION RULES, INTERNATIONAL – INLAND, for specific information on proper **range of visibility**, **arc of visibility**, and **configurations for lights and shapes**.

Masthead lights are white and show an arc of 225°, 112.5° to each side of the bow. Side lights are red to port and green to starboard and show an arc of 112.5° from the bow aft on its respective side. Stern lights are white and show an arc of 135°, 67.5° to each side of the stern. All-round lights have an arc of 360°.

Navigation Lights: Vessels underway display a masthead light, side lights and a stern light. Vessels at anchor display a white all-round light. On vessels less than 12 meters (39.4 feet), masthead and stern lights may be combined in a white all-round light.

Fishing Lights: Vessels engaged in trawling display a green all-round light over a white all-round light in a vertical line. Vessel engaged in fishing, other than trawling, display a red all-round light over a white all-round light in a vertical line. These lights have a minimum vertical separation of one meter (3.3 feet) if less than 20 meters in length, and two meters (6.6 feet) if 20 meters or more in length.

Day Shapes: Vessels engaged in trawling display two cones, apex to apex, in a vertical line one above the other. See Rule 26.

Warning:

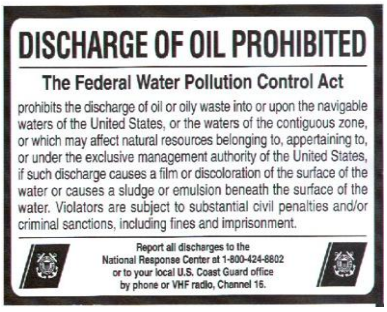
Lack of any operable navigation lights during periods of reduced visibility is considered an unsafe condition and may be grounds for termination of vessel operations. See Enclosure 2 for additional information.

OIL POLLUTION PLACARD — 33 CFR 155.450

Applies: All vessels 26 feet or more in length.

Requirements:

There must be at least one placard permanently affixed in the machinery space or near the bilge pump-operating switch. It must be at least 5” by 8” in size, of a durable material and written in a language the crew understands.


DISCHARGE OF OIL PROHIBITED

The Federal Water Pollution Control Act

prohibits the discharge of oil or oily waste into or upon the navigable waters of the United States, or the waters of the contiguous zone, or which may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States, if such discharge causes a film or discoloration of the surface of the water or causes a sludge or emulsion beneath the surface of the water. Violators are subject to substantial civil penalties and/or criminal sanctions, including fines and imprisonment.

Report all discharges to the National Response Center at 1-800-424-8802 or to your local U.S. Coast Guard office by phone or VHF radio, Channel 16.

Acceptability:

The approved wording for the placard is:

OIL TRANSFER PROCEDURES 33 CFR 155.720 & 155.750

Applies: All vessels with a fuel capacity of 10,500 gallons or greater.

Requirements:

Provide on board written procedures for transferring oil products to or from the vessel and from tank to tank within the vessel. Procedures must contain all information required by 33 CFR 155.720, in the order listed or by use of a cross-reference page.

Acceptability:

Section 155.750 Contents of transfer procedures.

(a) The transfer procedures required by Section 155.720 must contain, either in the order listed or by use of a cross-reference index page:

(1) A list of each product transferred to or from the vessel, including the following information:

(i) Generic or chemical name;

(ii) Cargo information as described in 33 CFR 154.310(a)(5)(ii); and

(iii) Applicability of transfer procedures;

(2) A description of each transfer system on the vessel including:

(i) A line diagram of the vessel's transfer piping, including the location of each valve, pump, control device, vent, and overflow;

(ii) The location of the shutoff valve or other isolation device that separates any bilge or ballast system from the transfer system; and

(iii) A description of and procedures for emptying the discharge containment system required by Sections 155.310 and 155.320;

(3) The number of persons required to be on duty during transfer operations;

(4) The duties by title of each person in charge for each transfer operation;

(5) Procedures and duty assignments for tending the vessel's moorings during the transfer of oil or hazardous material;

(6) Procedures for operating the emergency shutdown and communications means required by Sections 155.780 and 155.785, respectively;

(7) Procedures for topping off tanks;

(8) Procedures for ensuring that all valves used during the transfer operations are closed upon completion of transfer;

(9) Procedures for reporting discharges of oil or hazardous material into the water; and

(10) Procedures for closing and opening the vessel openings in Section 155.815.

(b) Exemptions or alternatives granted must be placed in front of the transfer procedures.

(c) The vessel operator shall incorporate each amendment to the transfer procedures under Section 155.760 in the procedures with the related existing requirement, or at the end of the procedures if not related to an existing requirement.

POLLUTION EQUIPMENT 33 CFR 155.350

Applies: All vessels less than 400 gross tons.

Requirements: The vessel must be capable of retaining onboard all oily mixtures and be properly equipped to discharge the oily mixture to a reception facility. A bucket and sponge are the minimal acceptable discharge equipment. Additional requirements apply for documented vessels beyond the Boundary Line or with more than 16 POB; see page 32, titled BILGE PUMPS, PIPING & DEWATERING.

WARNING!

While the vessel's bilges may be used to store oily mixtures, it is a violation of Federal law (**33 CFR 155.770**) to intentionally drain oil or hazardous materials into the bilge of a vessel. Oily mixtures containing volatile materials (gasoline or solvents) may create an unsafe condition and may be grounds for termination of vessel operations.

PUMPING, PIPING AND DISCHARGE 33 CFR 155.420

Applies: All oceangoing vessels of 100 GTs and above but less than 400 GTs fitted with main or auxiliary machinery spaces.

Requirements: There must be at least one sufficient means to discharge oily mixtures through a fixed piping system to a Reception facility.

Acceptability:

Section 155.420 Pumping, piping and discharge requirements for oceangoing ships of 100 gross tons but less than 400 gross tons.

(a) No person may operate an oceangoing ship of 100 gross tons and above but less than 400 gross tons that is fitted with main or auxiliary machinery spaces unless:
  (1) The ship has at least one pump installed to discharge oily mixtures through a fixed piping system to a reception facility;
  (2) The piping system required by this section has at least one outlet accessible from the weather deck;
  (3) for a ship on an international voyage, the outlet required by this section has a shore connection that meets the specifications in §155.430, or the ship has at least one adapter that meets the specifications in §155.430 and fits the required outlets.
  (4) For a ship not on an international voyage, the outlet required by this section has a shore connection hat is compatible with the reception facilities in the ship's area of operation.
  (5) The ship has a means on the weather deck near the discharge outlet to stop each pump that is used to discharge oily mixtures; and
  (6) The ship has a stop valve installed for each outlet required by this section.

(b) Paragraph (a) does not apply to a ship that has approved oily-water separating equipment for the processing of oily mixtures from bilges or fuel oil tank ballast.

(c) This does not apply to a fixed for floating drilling rig or other platform.

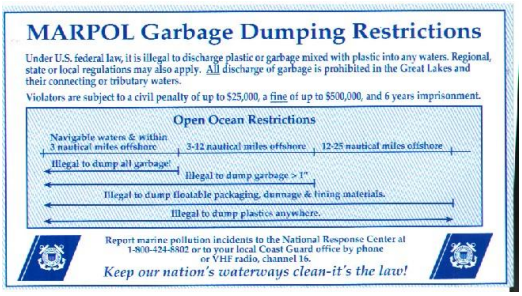
GARBAGE PLACARD

33 CFR 151.59

Applies: All vessels 26 feet or more in length.

Requirements: There must be sufficient numbers of placards as to be read by passengers or crew, displayed in prominent locations.

Acceptability: Placards must be at least 4 X 9 inches in size and made of durable material. Letters must be at least 1/8th inch high. While the wording is not mandatory, this placard must contain the information shown:



FCC SHIP RADIO STATION LICENSE

47 CFR 80.405

Applies:

All documented vessels equipped with radio transmitting equipment, operating outside the Boundary Line, are required to have a current FCC Ship Radio Station License.

All vessels greater than 20 meters (65.6 feet) in length equipped with radio transmitting equipment, operating inside the Boundary Line, are also required to have a current FCC Ship Radio Station License.

Note: Vessels 20 meters or less, operating **exclusively** inside the Boundary Line, **are not required** to have a FCC Ship Radio Station License.

FCC SHIP RADIO STATION LICENSE (cont.) 47 CFR 80.405

Requirements/Acceptability:

A valid original station license must be aboard and should be posted; if a license application is pending, a copy of FCC Form 605A should be used as a temporary license.

The license must display the correct name and/or number of the vessel, list at licensee the current owner or manager of the vessel, list all radio transmitting equipment (including EPIRBs), list all authorized operating frequencies, and be stamped with the FCC Seal.

Licenses are valid for a period of ten years but an updated license should be obtained whenever the type or quantity of radio transmitting equipment changes from that listed on the license.

Crewmembers are not required to have a personal Operator's License as long as the vessel doesn't dock in a foreign port or leave from a foreign port to dock in a U. S. port.

License Application Procedures:

In addition to the procedure below, application for a new or modified license may be made on-line at **http://wireless.fcc.gov/uls/**.

To apply for a new or modified Ship Radio Station License, complete and submit FCC Form 605A with any required fee.

To determine if a fee is required, consult FCC Form 1070Y (if a fee is required, the Fee Remittance Advice Form 159 must also be submitted).

Forms 605A, 1070Y and 159 are available online at **http://www.fcc.gov/formpage.html** or by calling the FCC's Forms Distribution Center at (800) 418-3676.

Form 605A includes a listing of addresses where the forms and fees should be submitted.

LOAD LINES 46 USC 5102, 5106 and 5112

Applies:
Fish processing vessels more than 5,000 gross tons, operating beyond the Boundary Line.

Fish tender vessels more than 500 gross tons, operating beyond the Boundary Line.

Fish processing or tender vessels, greater than 79 feet, on a foreign voyage.

LOAD LINES (cont.) 46 USC 5102, 5106 and 5112

Fish processing vessels greater than 150 but not more than 5,000 gross tons, on a domestic voyage outside the Boundary Line, which was constructed as a fish processing vessel after August 24, 1974 or was converted for use as a fish processing vessel after December 31, 1982.

Fish tender vessels greater than 150 but not more than 5,000 gross tons, on a domestic voyage outside the Boundary Line and not engaged in the Aleutian trade, that was constructed or under contract to be constructed as a fish tender vessel after December 31, 1979; or was converted for use as a fish tender vessel after December 31, 1982.

Requirements:

Vessels required to have load lines may not proceed beyond the Boundary Line without a valid load line and load line certificate.

Vessels required to have load lines shall have the load lines permanently and conspicuously marked amidships with a weld bead or some permanent method.

A vessel may not be loaded in a way that submerges the assigned load line.

Note: Vessel operators are encouraged to use voluntary load lines to assist in recognizing and avoiding unsafe conditions.

WARNING!

Instability resulting from overloading, improper loading or lack of freeboard is an unsafe condition and may be grounds for termination of vessel operations.

NUMBERING/REGISTRATION 33 CFR 173.15 & 33 CFR 173.27

Applies: All state-numbered fishing vessels equipped with propulsion equipment.

Requirements: A valid original, temporary or official duplicate State Certificate of Numbers must be aboard the vessel whenever underway. The numbers must be painted or permanently attached to each side of the forward half of the vessel. Numbers must be three-inch block characters in a color contrasting with the background and reading from left-to-right. Spaces the width of a letter must be placed between the letters and numbers, as shown in the example below:

VA 2345 PM

MAGNUSON ACT REQUIREMENTS 50 CFR 648.8 & 600.504

Applies: All vessels permitted to fish for a Federally-regulated species in the Exclusive Economic Zone (EEZ) of the United States.

Requirements: Vessels greater than 25 feet in length must display:

- The Coast Guard Official Number or State Registry Number on both sides of the deckhouse and on an appropriate weather deck.
- Characters must be block Arabic and ten inches high for vessels greater than 25 feet but not more than 65 feet in length and 18 inches high for vessels greater than 65 feet in length.

To assist Coast Guard Boarding Officers with conducting fishery inspections and to facilitate a safe boarding, vessel operators should adhere to the following guidelines:

- A vessel operator must stop the vessel when directed to do so.
- A vessel operator who does not understand a signal from an enforcement unit must consider the signal as an order to stop.
- If a vessel has more than four feet of freeboard, a vessel operator must provide a Coast Guard approved pilot ladder (see 46 CFR 163.003) when directed. This is an amendment to 50 CFR 600.730 published 11/17/2008 and effective on 1/1/2009.
- A vessel must illuminate the pilot ladder when directed.
- A vessel operator must provide a manrope or safety line when directed.

CERTIFICATE OF FINANCIAL RESPONSIBILITY (COFR) FOR WATER POLLUTION 33 CFR 138.65

Applies: All vessels greater than 300 gross tons.

Requirements: The original certificate must be carried aboard the vessel.

To apply for or determine if a vessel has a valid COFR, access the **COFR site** or call the National Pollution Funds Center (during normal working hours) at (202) 493-6780.

OPERATING A VESSEL WHILE INTOXICATED 33 CFR 95

Applies: All commercial fishing vessels.

Requirements: An individual is considered to be operating a vessel when serving as a crewmember, pilot or watchstander aboard a vessel other than a recreational vessel.

An individual is considered to be intoxicated when: the individual is operating a vessel other than a recreational vessel and has an alcohol concentration of 0.04 percent by weight in their blood (BAC), or the individual is operating any vessel and the effect of intoxicant(s) consumed by the individual on the person's manner, disposition, speech, muscular movement, general appearance or behavior is apparent by observation.

Note: A 2006 change to **46 CFR 4.06** requires vessels to have a capability to perform alcohol screening of the crew within two hours after a serious marine incident. See page 24 for more information.

SOUND PRODUCING DEVICE 33 USC 2033

Applies: All commercial fishing vessels.

Requirements:

Vessels less than 12 meters (39.4 feet) in length must have some means of producing an efficient sound. No bell is required.

Vessels 12 to less than 20 meters (39.4 to less than 65.6 feet) in length operating under Inland Rule 33 must have a whistle or horn audible for 0.5 nautical miles.

Vessels 20 to 100 meters (65.6 to 328.1 feet) must have a whistle audible for one nautical mile and a bell 11.8 inches or more in diameter.

Vessels over 100 meters (over 328.1 feet) must have a whistle audible for 1.5 nautical miles, a bell 300mm (11.8 inches) or more in diameter, and a gong.

Acceptability: Equipment must be good and serviceable. An automatic bell must have a manual backup. When a bell is required, it must be aboard the vessel and accessible, but **does not have to be mounted**.

MARINE CASUALTY REPORTING 46 CFR 4.05 & 46 CFR 28.80

Applies: All commercial fishing vessels.

Requirements:

Verbal notice of Marine Casualty (see 46 CFR 4.05-1): Immediately after addressing safety concerns, the owner, master, operator, or person-in-charge shall notify the nearest Coast Guard Sector or Sector Field Office whenever a vessel is involved in a marine casualty consisting of:

- An unintended grounding or an unintended striking of a bridge;
- An intended grounding or an intended strike of a bridge that creates a hazard to navigation, the environment or the safety of a vessel;
- A loss of main propulsion, primary steering or any associated component or control system that reduces the maneuverability of the vessel;
- An occurrence adversely affecting the vessel's seaworthiness or fitness for route or service, including but not limited to fire, flooding, or failure of or damage to fixed fire extinguishing systems, lifesaving equipment, auxiliary power generating equipment or bilge pumping systems;
- A loss of life;
- An injury that requires professional medical treatment (treatment beyond first aid) and, if the person is engaged or employed on board a vessel in commercial service, that renders the individual unfit to perform his or her routine duties; or
- An occurrence causing property damage in excess of $25,000; this damage including the cost of labor and material to restore the property to its condition before the occurrence, but not including the cost of salvage, cleaning, gas-freeing, drydocking or demurrage.

Substance of Verbal Notice of Marine Casualty: The notice must include the following information:

- The name and official number of the vessel involved;
- The name of the vessel's owner or agent;
- The nature and circumstances of the casualty;
- Location in which it occurred;
- Nature and extent of the injuries to persons; and
- The extent of damage to property.

Written Report of Marine Casualty: The owner, agent, master, operator or person-in-charge shall, within five days, file a written report of any marine casualty described on the previous page. This written report is in addition to the immediate verbal notice required by 46 CFR 4.05-1 and must:

- Be delivered to a Coast Guard Marine Safety Office, Marine Inspection Office or Activities Office;
- Be provided on Form CG-2692 (Report of Marine Accident, Injury or Death); and
- Be supplemented as needed by Form CG-2692A (Barge Addendum) and Form CG-2692B (Report of Required Chemical Drug & Alcohol Testing Following a Serious Marine Incident).
- Forms CG-2692 and the supplement forms may be downloaded at **http://www.fedforms.gov/bgfPortal/main.do** as Adobe Acrobat files.

Report of Marine Casualty to underwriter of primary insurance for the vessel: Except for a marine casualty that is required to be reported to the Coast Guard on Form CG-2692 by 46 CFR 4.05-1, the owner, agent, operator, master or individual-in-charge of a vessel involved in a casualty must submit a report as soon as possible to the underwriter of primary insurance for the vessel (or to Marine Index Bureau (MIB), Inc., 67 Scotch Road, Ewing, NJ 08628) whenever the casualty involves any of the following:

- Loss of life;
- An injury that requires professional medical treatment (treatment beyond first aid) and that renders the individual unfit to perform his or her routine duties;
- Loss of a vessel; or
- Damage to or by a vessel, its cargo, apparel or gear, except for fishing gear while not on board a vessel, or that impairs the seaworthiness of the vessel, or that is initially estimated at $2,500 or more.

MARINE CASUALTY REPORTING (cont.) 46 CFR 4.05 & 28.80

These reports must contain the following information:

- Name and address of the vessel owner and operator (if different from owner);
- Name and address of the underwriter of primary insurance for the vessel;
- Name, registry number, call sign, gross tonnage, build year, length & hull material of the vessel;
- The date, location, primary cause and nature of the casualty;
- The specific fishery, intended catch and length of fishery opening, when applicable;
- The date that the casualty was reported to the underwriter of primary insurance for the vessel (or MIB);
- The activity of the vessel at the time of the casualty;
- The weather conditions at the time of the casualty, if the weather contributed to the cause of the casualty;
- The damages to or by the vessel, its apparel, gear or cargo;
- The monetary amount paid for damages;
- The name, birth date, social security number, address, job title, length of disability, type of injury, and medical treatment required for each individual incapacitated for more than 72 hours, or deceased as a result of the casualty;
- The name, registry number and call sign of every other vessel involved in the casualty; and
- The monetary amounts paid for an injury or death.

Alcohol or Drug Use in Marine Casualties: For each marine casualty required to be reported by 46 CFR 4.05-10, the marine employer shall determine whether there is any evidence of alcohol or drug use by individuals directly involved in the casualty and include in the written report (Form CG-2692), information which:

- Identifies those individuals for whom evidence of drug or alcohol use, or evidence of intoxication, has been obtained; and
- Specifies the method used to obtain such evidence, such as personal observation of the individual, or by chemical testing of the individual.

★ **Alcohol screening:** There have been major changes to 46 CFR 4.06 effective June 20, 2006. Marine employers must ensure alcohol screening equipment is aboard each commercial vessel to permit testing of crewmembers for alcohol use within two hours after a Serious Marine Incident occurs. Testing devices must be currently listed by the National Highway Transportation Safety Administration on either the Conforming Products List (CPL) titled "Modal Specifications for Devices to Measure Blood Alcohol" or "Conformal Products List of Screening Devices to Measure Alcohol in Bodily Fluids." While electronic screening devices may be used, the single-use, disposable saliva alcohol test devices manufactured by Chematics, Inc., OraSure Technologies, Inc., and Varian, Inc. may be the most cost-effective option. These devices are readily available from medical supply distributors and easily found by searching the Internet using the term "alcohol screening devices" in the search engine.

Serious Marine Incident: A serious marine incident requires action by the marine employer to conduct the chemical testing required by 46 CFR 16.240. A serious marine incident involving a vessel in commercial service includes any marine casualty or accident that results in any of the following:

- One or more deaths;
- An injury to a crewmember, passenger, or other person which requires professional medical treatment (treatment beyond first aid) and, in the case of a person employed on board a vessel in commercial service, which renders the individual unfit to perform his or her routine duties;
- An occurrence causing property damage in excess of $100,000, this damage including the cost of labor and material to restore the property to its condition before the occurrence, but not including the cost of salvage, cleaning, gas-freeing or demurrage;

a. Actual or constructive total loss of any self-propelled vessel of 100 gross tons or more;
b. A discharge of oil of 10,000 gallons or more into the navigable waters of the United States, as defined in 33 USC 1321, whether or not resulting from a marine casualty;
c. Discharge of a reportable quantity of a hazardous substance into the navigable waters of the United States, or a release of a reportable quantity of a hazardous substance into the environment of the United States, whether or not resulting from a marine casualty.

ITEMS FOR DOCUMENTED FISHING VESSELS BEYOND THE BOUNDARY LINE OR WITH MORE THAN 16 POB

BREATHING APPARATUS

46 CFR 28.205

Applies: All documented commercial fishing vessels that operate beyond the Boundary Line with more than 49 POB or that have ammonia-based refrigeration systems.

Requirements: Two self-contained breathing apparatus (SCBA) that have a full face piece, at least a 30-minute air supply, at least one spare 30-minute air cylinder for each SCBA, and is approved by the Mine Safety and Health Administration (MSHA) and the National Institute for Occupational Safety and Health (NIOSH).

FIREMAN'S OUTFIT

46 CFR 28.205

Applies: All documented commercial fishing vessels with more than 49 POB.

Requirements: Two fireman's outfits stored in widely separated locations.

Acceptability: Each fireman's outfit must include: one SCBA (as described above) with lifeline attached, one spare 30-minute air cylinder, one flashlight, a rigid helmet, boots, gloves, protective clothing, and one fire ax.

FIRST AID EQUIPMENT & TRAINING

46 CFR 28.210

Applies: All documented commercial fishing vessels that operate beyond the Boundary Line or with more than 16 POB.

Requirements: A First Aid Manual, a Medicine Chest, and persons trained and certified in cardiopulmonary resuscitation (CPR) and first aid as follows:

Total Persons on Board:	Persons on Board Trained and Certified in First Aid	CPR:
1 or 2 POB	None	None
3 to 16 POB	1	1
17 to 49 POB	2	2
50 or more POB	4	4

FIRST AID EQUIPMENT & TRAINING (continued) 46 CFR 28.210

Acceptability: The First Aid Manual and Medicine Chest must be of a size suitable for the number of POB and kept readily accessible. First aid training and certification is shown by possessing a certificate indicating completion of an approved First Aid Course provided by the American National Red Cross or other Coast Guard-approved instructor. CPR training and certification is shown by possessing a certificate indicating completion of a CPR Course provided by the American National Red Cross, American Heart Association or other Coast Guard-approved instructor. An individual certified in both first aid and CPR may be counted against both requirements. Note: 46 CFR 28.210 requires initial certification only. While not required, annual recertification is strongly encouraged.

GUARDS FOR EXPOSED HAZARDS 46 CFR 28.215

Applies: All documented commercial fishing vessels that operate beyond the Boundary Line or with more than 16 POB.

Requirements: Suitable hand covers, guards or railings must be installed in the way of machinery that can cause injury to personnel. Examples: gearing, chain or belt drives and rotating shafts. This is not meant to restrict access to fishing equipment such as winches, drums and gurdies.

NAVIGATIONAL INFORMATION 46 CFR 28.225

Applies: All documented commercial fishing vessels that operate beyond the Boundary Line or with more than 16 POB.

Requirements: Each vessel must have on board:

- Currently corrected marine charts of the area to be transited. Chart information may be found at **http://www.nauticalcharts.noaa.gov/**.
- A current copy of, or extract from, the U. S. Coast Pilot for the area. This may be Volume 3, Sandy Hook, NJ to Cape Henry, VA or Volume 4, Cape Henry, VA to Key West, FL. The U. S. Coast Pilots may be downloaded and printed at **http://nauticalcharts.noaa.gov/nsd/coastpilot.htm.**
- A current copy of, or extract from, the Coast Guard Light List for the area. This may be Volume 1: Atlantic Coast, St. Croix River, Maine to Shrewsbury River, New Jersey and/or Volume 2: Atlantic Coast, Shrewsbury River, New Jersey to Little River, South Carolina. The Coast Guard Light Lists may be downloaded and printed at **http://www.navcen.uscg.gov/pubs/LightLists/LightLists.htm**.
- A current copy of, or extract from, the Tide and Tidal Current Tables for the area. Tide and Tidal Current Tables may be downloaded and printed at **http://www.co-ops.nos.noaa.gov/tide_pred.html**.
- A copy of the Inland Navigation Rules (required for vessels 12 meters (39.4 feet) or more in length operating shoreward of the COLREGS Demarcation Line).

NAVIGATIONAL INFORMATION (continued) 46 CFR 28.225

Acceptability: Marine charts should be of large enough scale to safely navigate the area and be currently corrected. The Coast Guard does not currently accept Reed's Nautical Almanac as a substitute for the above publications.

Note: Marine charts, Coast Pilots and Tide Tables are available through most marine supply firms or nautical stores. The Inland Navigation Rules and Coast Guard Light List may be available from the same sources or purchased from the Government Printing Office via phone, fax, or online. To order by phone call (202) 512-1800; to fax, call (202) 512-2250; to order online, visit the Online Bookstore at **http://bookstore.gpo.gov/**. Current Coast Guard policy requires the navigation publications to be in hard copy; copies existing solely in electronic media do not meet the carriage requirements.

COMPASSES 46 CFR 28.230

Applies: All documented commercial fishing vessels that operate beyond the Boundary Line or with more than 16 POB.

Requirements: Each vessel must be equipped with an operable magnetic compass and a current compass deviation table.

Acceptability: A sample compass deviation table is shown below:

SHIP'S HEADING (MAGNETIC)	DEVIATION
0	
15	
30	
45	
60	
75	
90	
105	
120	
135	
150	
165	

SHIP'S HEADING (MAGNETIC)	DEVIATION
180	
195	
210	
225	
240	
255	
270	
285	
300	
315	
330	
335	

ANCHOR 46 CFR 28.235

Applies: All documented commercial fishing vessels that operate beyond the Boundary Line or with more than 16 POB.

Requirements: Each vessel must be equipped with an anchor with chain, rope or cable appropriate for the vessel and waters. The following tables are provided for information purposes only.

ANCHOR (continued)

46 CFR 28.235

ANCHORS FOR POWER BOATS; HORIZONTAL LOAD REQUIREMENTS

SIZE OF BOAT		STORM ANCHOR	ANCHOR WEIGHT	
LOA	BEAM	Holding Power in pounds (horizontal load)	Standard Design	Advanced Design
10	5	320	5	3
15	6	500	8	5
20	8	720	11	7
25	9	980	14	8
30	11	1400	18	10
35	13	1800	35	13
40	14	2400	53	22
50	16	3200	82	28
60	18	4000	150	28
70	20	4800	N/A	41
80	22	5600	N/A	45
90	24	6400	N/A	53
100	26	7200	N/A	90

WORKING STRENGTH OF GROUND TACKLE

DIAMETER (Nominal Inches)	ROPE					CHAIN		SHACKLES (Weldless Steel)
	Three Strand Twisted			Double Braided		Proof High		
	Nylon	Polyester	Polypropylene	Nylon	Polyester	Coil	Test	
1/4	182	182	113	420	350	1250	2500	1000
5/16	281	281	171	680	560	1875	4000	1500
3/8	407	407	244	960	750	2625	5100	2000
1/2	704	704	420	1630	1400	4500	8200	4000
5/8	1144	1100	700	2800	2400	6800	11500	6500
3/4	1562	1375	1090	3600	3000	9500	16200	9500
7/8	2200	1980	1490	5300	4800	11375		12000
1	2750	2420	1800	6260	5600	13950		15000
1-1/4	4125	3652	2700					
1-1/2	5830	5184	3820					
2	8800	8800	6700					

Selection Example: For a vessel 68 feet in length, round up to 70 feet.

Anchor: A holding power of 4800 pounds is required; the anchor should be of advanced design and weighing 41 pounds or more.

Anchor line: If using double braided nylon, it should be 7/8 inch or larger. Note: to provide a good pulling angle, the length of the anchor line should be at least five to seven times the depth of the water where you expect to anchor.

Chain: Any chain used to connect the anchor to the anchor line (commonly used to protect the anchor line from wearing against bottom obstructions and to improve the pulling angle) should be at least 5/8 inch in diameter.

Shackles: Shackles used to connect anchor to chain and chain to anchor line should be at least 5/8 inch in diameter.

RADAR REFLECTORS

46 CFR 28.235

Applies: All documented commercial fishing vessels that have a non-metallic hull and operate beyond the Boundary Line or with more than 16 POB.

Requirements: Each vessel must have a radar reflector, unless it is rigged with gear that provides a radar signature at a distance of six miles.

GENERAL ALARM SYSTEM

46 CFR 28.240

Applies: All documented commercial fishing vessels that have an accommodation or workspace that is not adjacent to the operating station and operates beyond the Boundary Line or with more than 16 POB.

Requirements:

An audible general alarm system, with a contact maker at the operating station.

A flashing red light must be installed in spaces where noise makes the audible general alarm system difficult to hear.

Warning signs must be posted with each alarm bell and light.

The alarm system must be tested prior to operation of the vessel and at least once each week thereafter.

Acceptability:

The alarm system must be capable of notifying an individual in any accommodation or workspace where they may be normally employed. A public address system may be used for the alarm system, provided it is capable of performing all the above functions.

The lettering on the sign must be **in red**, at least one-half inch high and state:

ATTENTION - GENERAL ALARM – WHEN ALARM SOUNDS, GO TO YOUR STATION

COMMUNICATION EQUIPMENT 46 CFR 28.245

Applies: All documented commercial fishing vessels that operate beyond the Boundary Line or with more than 16 POB.

Requirements:

All vessels must have the capability to communicate on the 156 - 162 MHz frequency band (VHF-FM radiotelephone).

Vessels operating more than 20 miles from the coastline must have the capability to communicate on the 2 – 4 MHz frequency band (single side band radio).

Vessels operating more than 100 miles from the coastline must have the capability to communicate on the 2 – 27.5 MHz frequency band (single side band radio).

Acceptability:

A single radio capable of communicating on all required frequencies is acceptable.

Acceptable substitutes for the 2 – 4 and 2 – 27.5 MHz single side band radios are a satellite communication system or a satellite-based vessel monitoring system (required to participate in certain fisheries) if equipped to exchange two-way text messages with a continuously manned shore side monitoring station.

A cellular telephone, capable of communicating with a Coast Guard station, may be substituted for the radios that operate in the 2 – 4 and 2 – 27.5 MHz bands, but cellular service is often unreliable in the marine environment. (Note: Other than in certain areas of Alaska, the Coast Guard has discontinued use of ***CG** call forwarding).

A 4 – 20 MHz radio installed before September 15, 1991 may continue to be used in place of the radio that operates in the 2 – 27.5 MHz band.

The principle operating position of the communication equipment must be at the operating station.

The equipment must be located to ensure safe operation; facilitate repair; protect against water intrusion from window breakage by high seas; and protect against vibration, moisture, temperature and excessive current/voltage.

All required communication equipment must be provided with an emergency electrical power source, which is independent of the main power source and capable of supplying the load **for at least three hours**. The emergency power source must be located outside the main machinery space and, if it is a generator, have a fuel source independent of the main engine.

HIGH WATER ALARMS 46 CFR 28.250

Applies: All documented commercial fishing vessels 36 feet or more in length that operate beyond the Boundary Line or with more than 16 POB.

Requirements: A visual and audible alarm at the operating station to indicate high water levels in normally unmanned spaces.

Acceptability: The following spaces should be included, as appropriate:

- Any space where there is a through-hull fitting below the deepest load waterline (such as the rudder shaft packing glands in a lazarette);
- An unmanned engineroom;
- A machinery space bilge;
- A bilge well;
- A shaft alley bilge;
- Any other space subject to flooding from sea water piping;
- Any other space with a non-watertight closure, such as a fish hold covered with a non-watertight deck hatch.

For vessels without watertight subdivision (where there is one common bilge throughout the vessel), one high water alarm must be located in the lower bilge area (normally in the engineroom).

For vessels with watertight subdivision (where there are separate compartments with bilges separate from each other), a high water alarm is required in each bilge space. One audible alarm bell or buzzer connected to all alarms will meet the audible alarm requirement, but there must also be a visual indicator for each space with an alarm. The visual alarm near the operating station must be labeled to identify the space where the alarm activated.

High water alarms should be tested regularly to ensure they are working properly. Wherever possible, the test method should simulate the actual activation of the alarm system: As an example, for float-activated alarms you should ensure the switch float is not damaged or waterlogged by using a container of water to raise the switch float and activate the alarm.

BILGE PUMPS, PIPING & DEWATERING 46 CFR 28.255

Applies: All documented commercial fishing vessels that operate beyond the Boundary Line or with more than 16 POB.

Requirements:

Each vessel must have bilge pumps and bilge piping capable of draining any watertight compartment (except tanks and small buoyancy compartments).

Engine rooms and other large spaces must be fitted with more than one bilge system suction line.

Spaces used for the sorting or processing of the catch must be fitted with a dewatering system capable of dewatering the space at the same rate as water is introduced.

Acceptability:

If a required bilge pump is portable, it must be provided with a suitable suction hose of adequate length to reach the bilges of each watertight compartment it might serve and with a discharge hose of adequate length to ensure overboard discharge. A portable pump must be capable of dewatering each space it serves at a rate of at least two inches (51 millimeters) of water depth per minute.

Except for a required fire pump, a bilge pump may be used for other purposes.

Except where an individual pump is provided for a separate space, or for a portable pump, each individual bilge suction line must be led to a manifold. To prevent unintended flooding of a space, each bilge suction line must be provided with a stop valve at the manifold and a check valve at some accessible point in the bilge line.

Each bilge suction line and dewatering system must be fitted with a suitable strainer to prevent clogging of the suction line. Strainers must have an open area of not less than three times the open area of the suction line.

Each vessel must comply with the oil pollution prevention requirements of 33 CFR Parts 151 and 155.

In spaces used for sorting or processing of the catch, the dewatering pump must be interlocked with the pump supplying the water so that if the dewatering pump fails, the water supply pump will be deactivated.

Note: Pumps used as part of processing the catch do not count for meeting this bilge pump requirement.

WARNING:

Operating a vessel with an inoperative bilge pump and/or bilge piping system is an unsafe practice and may be grounds for termination of vessel operations. See Enclosure 2 of the booklet for more information.

ELECTRONIC POSITION FIXING DEVICE 46 CFR 28.260

Applies: All documented commercial fishing vessels 79 feet or more in length that operate beyond the Boundary Line or with more than 16 POB.

Requirements: Each vessel must be equipped with at least one electronic position fixing device such as: SATNAV (satellite navigation), GPS (global positioning system), LORAN (long range aid to navigation) or RDF (radio direction finder).

Acceptability: The device must provide accurate fixes for the vessel's operating area.

EMERGENCY INSTRUCTIONS 46 CFR 28.265

Applies: All documented commercial fishing vessels that operate beyond the Boundary Line or with more than 16 POB.

Requirements: emergency instructions must be posted in conspicuous locations that are accessible to the crew.

Acceptability: The emergency instructions must include at least the following information, as appropriate for the vessel:

1. The survival craft embarkation stations aboard the vessel and the survival craft to which each individual is assigned;
2. The fire, emergency and abandon ships signals;
3. If immersion suits are provided, the location of the suits and illustrations on the method for donning the suits;
4. The procedures for making a distress call;
5. Essential actions that each individual must take in an emergency:
   a. Making a distress call,
   b. Maximizing watertight integrity (by closing hatches, air ports, watertight doors, vents, scrapers, and valves for intake and discharge lines which penetrate the hull, and the stopping of fans and ventilation systems),
   c. Preparing and launching survival craft and rescue boats,
   d. Fighting a fire (manning of fire parties, operation of firefighting equipment and any special duties required for its operation), and
   e. Mustering of personnel (seeing that all are properly dressed and have donned personal flotation devices or immersion suits, assembling personnel and directing them to their appointed stations);
6. The procedures for fighting a fire; and
7. The procedures for rough weather at sea (crossing hazardous bars, controlling flooding, anchoring during rough weather), for anchoring the vessel and the procedures to use if an individual falls overboard; the information required by Item 7 may be kept readily available as an alternative to posting.

Note: On a vessel that operates with less than four persons on board, the emergency instructions may be kept available instead of posting.

INSTRUCTIONS, DRILLS & SAFETY ORIENTATION

46 CFR 28.270

Applies: All documented commercial fishing vessels that operate beyond the Boundary Line or with more than 16 POB.

Requirements: To ensure that each individual on board is familiar with their duties and responses in an emergency, the master or individual-in-charge of each vessel must ensure that, at least once each month: drills are conducted and instructions are given (by a trained drill conductor) to each individual on board. Drills and instruction must include at least the following contingencies:

1. Abandoning the vessel;
2. Fighting a fire in different locations aboard the vessel;
3. Recovering an individual from the water;
4. Minimizing the effects of unintentional flooding;
5. Launching survival craft and recovering lifeboats;
6. Donning immersion suits and other wearable personal flotation devices;
7. Donning a fireman's outfit and self-contained breathing apparatus (if required);
8. Making a voice radio distress call and using visual distress signals;
9. Activating the general alarm; and
10. Reporting inoperative alarm and fire detection systems.

Safety Orientation: Before a vessel may be operated, the master or individual-in-charge of a vessel must ensure that a safety orientation is given to each individual on board that has not participated in the required drills.

Acceptability: A Fishing Vessel Drill Conductor must provide the required drills and instructions. A Fishing Vessel Drill Conductor is an individual who holds a document, issued by a Fishing Vessel Safety Instructor or the organization providing the training, indicating that the individual has successfully completed all of the training requirements of 46 CFR 28.270(c). The individual conducting the drills and instruction need not be the master, individual-in-charge of the vessel, or a member of the crew.

A Fishing Vessel Safety Instructor is an individual that has been accepted by the local Coast Guard Officer-in-Charge, Marine Inspection to train Fishing Vessel Drill Conductors to provide the required drills and instructions. The training, experience and acceptance requirements for Fishing Vessel Safety Instructors can be found in **46 CFR 28.275**, with additional information provided by NVIC 7-93, titled Guidelines for Acceptance of "Fishing Vessel Safety Instructors" and Course Curricula for Training "Fishing Vessel Drill Conductors." NVIC 7-93 is also available on-line at **http://www.uscg.mil/hq/cg5/nvic/1990s.asp#1993**.

DOCUMENTATION — 46 CFR 67.7
OFFICIAL NUMBER MARKING — 46 CFR 67.121
NAME AND HAILING PORT — 46 CFR 67.123
DOCUMENT ONBOARD — 46 CFR 67.313

Applies: All documented commercial fishing vessels.

Requirements:

Documentation: Any vessel of at least five net tons wholly owned by a citizen or citizens of the United States is eligible for documentation under 46 CFR Part 67. Any vessel of at least five net tons which engages in the fisheries on the Navigable Waters of the United States or in the Exclusive Economic Zone, unless exempt under **46 CFR 67.9(c)**, must have a Certificate of Documentation bearing a valid endorsement for the activity in which engaged.

Name: The name of the vessel must be marked in clearly legible letters on the port and starboard bow and the stern of the vessel. The letters must be durable, in a contrasting color to the background, and at least four inches high.

Hailing Port: The hailing port of the vessel must be marked in clearly legible letters on the stern of the vessel. The letters must be durable, in a contrasting color to the background, and at least four inches high.

Official Number: The official number of the vessel must be permanently marked in clearly legible letters on some clearly visible structural part of the hull (main beam). The numbers must be preceded by the abbreviation “No.” and at least three inches high

Document Onboard: The Certificate of Documentation must be on board the vessel, except for when it is a non-self propelled vessel, when the document has been submitted to a Documentation Officer, or when the vessel is in storage or drydock.

CREW LICENSING REQUIREMENTS — 46 USC 8304

Applies: All documented commercial fishing vessels, 200 gross tons or more, operating on the High Seas (for this section, High Seas means beyond the Boundary Line).

Requirements: An individual may not serve as Master, Mate or Engineer on a vessel subject to this section if the individual does not have a Merchant Mariner’s License, issued under **46 USC 7101**, in the capacity in which the individual will be employed.

REPORT OF SEXUAL OFFENSE — 46 USC 10104

Applies: All documented vessels.

Requirements: The master or individual-in-charge shall immediately report to the Coast Guard any complaint of a sexual offense prohibited by **18 USC 109A**. A master or individual-in-charge who knowingly fails to make a required report could face a civil penalty of up to $5,000. Any reports of sexual offenses made to a Coast Guard Boarding Officer shall be immediately forwarded to the cognizant Sector Office.

CHEMICAL TESTING — 46 CFR Part 16 & 33 CFR Part 95

Applies: All individuals on board a vessel who are acting under the authority of a license, certificate of registry or merchant mariner's document. Only fishing industry vessels of 200 gross tons or greater require licensed Masters, Mates and Engineers, who are subject to the pre-employment, periodic and random chemical testing requirements found in 46 CFR Part 16. Vessels of less than 200 gross tons do not require licensed officers and are not subject to the pre-employment, periodic and random chemical testing requirements. The pre-employment, periodic and random chemical testing programs are beyond the scope of this booklet.

33 CFR Part 95, Operating a Vessel While Intoxicated, and the post-casualty chemical testing regulations of 46 CFR Part 16, applies to all commercial fishing vessels. See page 22 of this booklet for a discussion of the 33 CFR Part 95 (Operating a vessel while intoxicated) regulations.

Requirements:

Three definitions are critically important: ***Serious Marine Incident*** is defined on page 24; ***Marine Employer*** is defined as the owner, managing operator, charterer, agent, master or person-in-charge of a vessel other than a recreational vessel; and ***Individual Directly Involved in a Serious Marine Incident*** is an individual whose order, action or failure to act is determined to be, or cannot be ruled out as a causative factor in the events leading to or causing a Serious Marine Incident.

46 CFR 4.06 requires chemical testing after a Serious Marine Incident. The Marine Employer is responsible for determining if the casualty is or potentially could become a Serious Marine Incident, and ensuring that any individual directly involved in a Serious Marine Incident is chemically tested for evidence of drug or alcohol use. See page 24 concerning the reporting of chemical testing results.

Note: Effective June 20, 2006, 46 CFR 4.06 has been amended to require all commercial vessels to carry alcohol screening devices or have arrangement to provide screening services within two hours; see page 24 for more information.

CITIZENSHIP/PERCENT MANNING 46 USC 8103

Applies: Each fishing, fish processing or fish tender vessel that is engaged in the fisheries in the navigable waters of the United States or the Exclusive Economic Zone.

Requirements: The master of a vessel must be a citizen of the United States. Each unlicensed seaman must be: (1) a citizen of the United States; (2) an alien lawfully admitted to the United States for permanent residence; or (3) any other alien admitted to be employed under the Immigration & Naturalization Act (I&NA) (**8 USC 1101 et esq**.). Not more than 25 percent of the unlicensed seamen aboard a vessel may be aliens in the third category referred to above. The seaman requirements do not apply to vessels fishing exclusively for highly migratory species (See Section 3 of 16 USC 1802).

Acceptability:

Per **8 CFR 274a.2(b)(1)(v)(A)**, the following documents, so long as they appear to relate to the individual presenting the document, are acceptable to evidence both identity and employment eligibility:

- United States passport (unexpired or expired);
- Alien Registration Receipt Card or Permanent Resident Card, Form I-551;
- An unexpired foreign passport that contains a temporary I-551 stamp;
- An unexpired Employment Authorization Document issued by the Immigration And Naturalization Service which contains a photograph, Form I-766; Form I-688, Form I-688A, or Form I-688B;
- In the case of a nonimmigrant alien authorized to work for a specific employer incident to status, an unexpired foreign passport with an Arrival-Departure Record, Form I-94, bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, so long as the period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the Form I-94.

Per **8 CFR 274a.2(b)(1)(v)(C)**, the following are acceptable documents to establish employment authorization only:

- A social security number card other than one which has printed on its face ``not valid for employment purposes'';
- A Certification of Birth Abroad issued by the Department of State, Form FS-545;
- A Certification of Birth Abroad issued by the Department of State, Form DS-1350;
- An original or certified copy of a birth certificate issued by a State, county, municipal authority or outlying possession of the United States bearing an official seal;
- Native American tribal document;
- United States Citizen Identification Card, INS Form I-197;
- Identification card for use of resident citizen in the United States, INS Form I-179;
- An unexpired employment authorization document issued by the Immigration and Naturalization Service.

Per Section 264 of the I&NA, every alien 18 years of age or over shall at all times carry and have in their personal possession any certificate of alien registration or alien registration receipt card issued to them. Failure to comply is a misdemeanor offense.

The Coast Guard has amended the citizenship requirements for ownership of vessels less than 100 feet in length that are eligible for a fishery endorsement. For fishing vessels owned and controlled by corporations, the percentage of interest that must be held by U. S. citizens is increased from more than 50 percent to more than 75 percent.

Note: Under some circumstances, the Coast Guard permits a waiver of the citizenship requirements for crewmembers. For more information, see Coast Guard and Department of Labor policy and procedures posted at **G-MOC Policy Letter 01-02** and **http://www.foreignlaborcert.doleta.gov/h-2b.cfm**.

Update on U.S. Commercial Fishing Industry Vessel Requirements

Based On

Section 604 of the *Coast Guard Authorization Act of 2010*

(Public Law 111-281)

And

Section 305 of the *Coast Guard and Maritime Transportation Act of 2012*

(Public Law 112-213)

On December 20, 2012, the President signed the Coast Guard and Maritime Transportation Act of 2012 (CGMTA). This law made significant changes to the Coast Guard Authorization Act of 2010 (CGAA) which had previously established safety and equipment requirements for commercial fishing vessels (Chapters 45 and 51 of Title 46 United States Code). The requirements in both laws build upon the standards established in the Commercial Fishing Industry Vessel Safety Act of 1988.

While some provisions of both the CGAA and CGMTA are self-executing and do not necessarily require new or amended regulations (for example; vessel construction standards, survey and classification, and loadline requirements for new vessels), changes made by the laws will be implemented through new or amended regulations. Title 46 Code of Federal Regulations Parts 28 and 42 will be amended to reflect the requirements in these laws and to implement rules where the USCG has authority or discretion. Below, is a quick summary highlight of the pending changes due to both laws, and then on the following pages, a more detailed explanation and discussion of each topic is provided.

The changes will:

- Establish parity with respect to equipment requirements for state-registered and federally-documented vessels operating beyond 3 nautical miles of the baseline.
- Establish the "demarcation line" beyond which certain equipment requirements apply as 3 nautical miles from the territorial sea baseline or 3 nautical miles from the coastline of the Great Lakes instead of the Boundary Line.
- Require installation of a survival craft that ensures no part of an individual is immersed in water on all commercial fishing vessels operating beyond 3 nautical miles of the baseline.
- Require individuals in charge of commercial fishing vessels operating beyond the 3 nautical mile demarcation line to keep a record of equipment maintenance and required instruction and drills.
- Require periodic dockside safety examinations on all commercial fishing vessels operating beyond the 3 nautical mile demarcation line.
- Require training, or demonstration of knowledge and competency, for all individuals in charge of commercial fishing vessels operating beyond the 3 nautical mile demarcation line.
- Require new commercial fishing vessels, built after January 1, 2010, that are less than 50 feet overall in length to be constructed in a manner that provides a level of safety equivalent to the minimum standards established for recreational vessels.
- Require new commercial fishing vessels, built after July 1, 2013, that are 79 feet or greater in length to be assigned a load line.
- Require new commercial fishing vessels, built after July 1, 2013, that are at least 50 feet overall in length and will operate beyond the 3 nautical mile demarcation line to meet survey and classification requirements. Commercial fishing vessels built to class requirements before July 1, 2013 must remain in class.
- Require certain commercial fishing vessels that undergo a major conversion to comply with an "alternate safety compliance program" to be developed for both load line and construction standards requirements.

The information provided in this document has been developed by the U.S. Coast Guard, Fishing Vessels Division, Office of Commercial Vessel Compliance, Washington, DC. For more information on Fishing Vessel Safety, please visit www.fishsafe.info. Or, direct questions to Mr. Jack Kemerer at 202-372-1249, or jack.a.kemerer@uscg.mil.

Enhanced Discussion of Requirements for Commercial Fishing Vessels

Parity for All Vessels: Uniform safety standards and equipment requirements are established by the CGAA for all commercial fishing vessels operating beyond 3 nautical miles of the territorial sea baseline or coastline of the Great Lakes. (**Note:** The CGMTA had no effect on this provision.) In 46 United States Code (USC) §4502(b)(1), "documented" is deleted, so there will no longer be different standards for federally-documented and state-registered vessels operating on the same waters. 46 Code of Federal Regulations (CFR) Part 28, subpart C, will be amended to reflect the change in applicability and other requirements discussed in some of the following paragraphs.

Why the change? The CGAA establishes standards that are uniform for ALL vessels operating on the same waters. Prior to passage of the CGAA, state-numbered vessels operating beyond the Boundary Line were NOT required to meet the higher equipment and safety standards for documented vessels operating in the same area. When the regulations are amended, ALL commercial fishing vessels operating beyond 3 nautical miles of the territorial sea baseline or coastline of the Great Lakes will have to meet the same standards regardless of how they are documented or registered.

Replacement of Boundary Line with 3 Nautical Miles: 46 U.S.C. §4502(b)(1)(A) is amended by the CGAA deleting the words "Boundary Line" and replacing them with "3 nautical miles from the baseline from which the territorial sea of the United States is measured or 3 nautical miles from the coastline of the Great Lakes." (**Note:** The CGMTA had no effect on this provision.) This change establishes a new demarcation line for vessels subject to specific safety standards. 46 CFR Part 28 must be amended to reflect this change.

Why the change? The "Boundary Line," used as a demarcation line, was often confusing and its distance from shore was not uniform around the U.S. coastline. Also, it is not shown on most charts. The 3 nautical mile line is measured consistently around the country, is shown on most charts, and is familiar to commercial fishermen.

Survival Craft: 46 U.S.C. §4502(b)(2)(B) is amended by the CGAA deleting the words "lifeboats or liferafts" and replacing them with "a survival craft that ensures that no part of an individual is immersed in water..." This will require all commercial fishing industry vessels operating beyond 3 nautical miles to carry survival craft that more accurately reflect the performance standard for primary lifesaving equipment. (**Note:** The CGMTA had no effect on this provision.) 46 CFR Part 28 must be amended to reflect this change.

Why the change? Life floats and buoyant apparatus do not keep an individual out of the water when used in an emergency. This can be critical to survival, particularly in cold water areas. The change to the type of survival craft required means that life floats and buoyant apparatus will no longer be accepted as survival craft on commercial fishing vessels operating beyond 3 nautical miles.

Records: 46 U.S.C. §4502(f) is amended by the CGAA to add a requirement that the individual in charge of a vessel operating beyond 3 NM keep a record of equipment maintenance, and required instruction and drills. (**Note:** The CGMTA had no effect on this provision.) 46 CFR Part 28 will be amended to reflect this requirement.

Why the change? This provision will ensure there is a maintenance record documenting safety equipment testing and repair required by regulation or manufacturers' recommendations. These provisions will also ensure that required emergency instruction and drills are being conducted by a qualified individual with crew participation. It will be incumbent upon the master or individual in charge of a commercial fishing vessel to maintain these records onboard the vessel.

Examinations and Certificates of Compliance: 46 U.S.C. §4502(f) is amended to add a requirement that commercial fishing vessels operating beyond 3 nautical miles must be examined dockside at least once every 5 years and be issued a Certificate of Compliance (COC). The 2012 CGMTA further amended §4502(f) by requiring that the first such exam for a vessel must be completed not later than October 15, 2015. Section 608 of the CGAA also added authority for the USCG to remove a certificate from a vessel that does not comply with its provisions. Vessels operating without a certificate required by Title 46 U.S.C. may have their voyage terminated. 46 CFR Part 28 will be amended to reflect these requirements and authorities. (**Note**: The CGAA requirement for a dockside examination at least once every 2 years was changed to at least once every 5 years by the CGMTA.)

***Why the change*?** Currently, dockside safety examinations are voluntary unless a valid safety decal is required for a reason specific to the vessel's operation, such as vessels subject to carriage of a NOAA Fisheries Observer. Approximately only about 10% of the nation's estimated active commercial fishing fleet is examined at the dock during a year. Studies have shown that fatalities and vessel losses occur more frequently on, or with those vessels, that have not been examined or its decal has expired. The Coast Guard does not have authority to inspect fishing vessels, so this requirement for safety examinations will guarantee that a good portion of the commercial fishing fleet is checked for compliance with all the safety and survival equipment requirements.

At-sea boardings for fisheries enforcement and safety equipment checks are conducted on even less than 10% of the estimated commercial fishing fleet. The COC, when issued after successfully completing an exam, is expected to document what the vessel is required to carry for its operating area. Commercial fishing vessels operating beyond the 3 nautical mile line will be required to have a valid COC and be in compliance with its provisions. If a vessel is found operating without a COC or not in compliance with all its required equipment and conditions, the Boarding Officer will have authority to remove the COC and terminate its voyage. If a vessel is found operating in an unsafe condition, it may be required to return to a mooring until the conditions are corrected and is issued a COC if required.

Training for Commercial Fishing Vessel Operators: The CGAA added subsection, 46 U.S.C. §4502(g), that requires the individual in charge of a commercial fishing vessel that operates beyond 3 nautical miles to pass a training program and hold a certificate issued under that program. The program must address certain topical areas and it must be based on professional knowledge, skills, and competencies. The program also must recognize and give credit to the individual for recent past experience in fishing vessel operation. The training certificate will be valid for 5 years after which refresher training will be required to keep the certificate current. **Note:** The CGMTA did not change the training and certificate requirements, however, it did amend subsection (g)(4) so that the database listing the names of individuals completing the training need not be publicly accessible. 46 CFR Part 28 will be amended to reflect these requirements.

***Why the change*?** Most commercial fishing vessel operators are unlicensed. A licensed operator is only required on vessels over 200 gross tons. The training requirement for operators will help ensure their competency to command the vessel. Individuals in charge of a commercial fishing vessel will have to pass a training program or demonstrate knowledge and competency in seamanship, navigation and publications, collision prevention, stability, fire fighting and prevention, damage control, personal survival, emergency medical care, emergency drills, weather, and emergency communication.

Construction Standards for Newly-Built Smaller Vessels: The CGAA added subsection, 46 U.S.C. §4502(h), that requires commercial fishing vessels less than 50 feet overall in length, built after January 1, 2010, to be constructed in a manner that provides a level of safety equivalent to the minimum safety standards established for recreational vessels. (**Note:** The CGMTA had no effect on this provision.) 46 CFR Part 28 will be amended to reflect this change, but the requirement is already effective by law. The standards/requirements for recreational vessels can be found in 33 CFR Parts 181 and 183.

***Why the change*?** With respect to smaller commercial fishing vessels in particular, there is little guidance and there are few requirements on how the vessel must be constructed to ensure the safety of the vessel and crew. Construction standards imposed by this provision should improve the integrity of these smaller fishing vessels, and, maintaining the vessel to original construction condition is important to ensure better integrity of a commercial fishing vessel as it ages. Casualty data shows that 67% of vessels lost to flooding result from hull or equipment failure. Construction and maintenance standards that have been needed for smaller commercial fishing vessels are addressed by establishment of this requirement.

Note: "Overall in length", means the horizontal distance of the hull between the foremost part of the stem and the aftermost part of the stern excluding fittings and attachments. This is different from the "registered length".

Load Lines: 46 U.S.C. §5102(b) is amended to require commercial fishing vessels 79 feet or greater in length to have a load line assigned. Under the CGAA, this provision applied to commercial fishing vessels built after July 1, 2012, however, the CGMTA changed the effective date to July 1, 2013.

The CGAA also added a provision that requires fishing vessels that undergo a "substantial change to the dimension of or type of vessel" after July 1, 2012, or on a date set by the Coast Guard, to comply with an alternate load line compliance program developed in cooperation with the industry. Again, the CGMTA changed the statutorily imposed effective date from July 1, 2012 to July 1, 2013.

The CGMTA also deleted the phrase "substantial change…" and replaced it with "major conversion." 46 CFR Part 28 and Part 42 will be amended to reflect these requirements.

Note: *Major conversion* is defined in 46 U.S.C. § 2101(14a) as meaning a conversion of a vessel that: substantially changes the dimensions (e.g. length, breadth, or depth) or carrying capacity of the vessel; changes the type of the vessel; substantially prolongs the life of the vessel; or, otherwise so changes the vessel that it is essentially a new vessel, as decided by the Commandant. *Built* date can be inferred from definitions provided in the U.S. Code and Regulations for "new" and "existing" vessels where determination is made based on when the keel is laid or the vessel was at a similar stage of construction.

***Why the change*?** Generally, most commercial fishing vessels have been exempt from load line requirements. A load line indicates the minimum safe freeboard to which a vessel may be loaded. Conditions evaluated when calculating and assigning a load line include watertight integrity of the vessel, subdivision, and loading capacity. Casualty data has shown that commercial fishing vessels that are overloaded are more vulnerable to loss of stability that can lead to flooding and capsizing, particularly in severe weather or sea conditions. Having and complying with an assigned load line will help ensure safe loading and improved seaworthiness of vessels.

With regard to major conversion determinations, fishing vessels are often modified such that their dimensions are changed or they are converted to a different type of commercial fishing vessel. When that action is taken, the loading conditions and seaworthiness of the vessel can be affected. Re-evaluation of the watertight integrity and safe loading capacity of the vessel may be needed and an alternate load line compliance program is to be developed by the Coast Guard in cooperation with the commercial fishing industry. This program should ensure these substantially changed vessels that have undergone a major conversion meet an equivalent standard of safety for the vessel that would have been met if there had been a load line assigned to the vessel.

Classing of Vessels: 46 U.S.C. §4503 was amended by the 2010 CGAA to add a requirement that commercial fishing vessels at least 50 feet overall in length, built after July 1, 2012 that operate beyond 3 nautical miles must be designed, constructed, and maintained to the standards of a recognized classification society. The CGAA also required that vessels classed before July 1, 2012 shall remain subject to the requirements of a classification society and have on board a certificate from that society. The 2012 CGMTA changed the effective date to July 1, 2013 after which if a vessel 50 feet or more in length is built, it must meet survey and classification requirements. Further, the law defines "built" for vessels subject to 46 U.S.C. §4503. 46 CFR Part 28 will be amended to reflect this change, but the requirement will become effective by law and consequently, new commercial fishing vessels, built after July 1, 2013, will be required to meet survey and classification standards.

Note: The 2012 CGMTA added a subsection (e) to 46 U.S.C. §4503 that states the term *"built"* means, with respect to a vessel, that the vessel's construction has reached any of the following stages: (1) The vessel's keel is laid. (2) Construction identifiable with the vessel has begun and assembly of the vessel has commenced comprising of at least 50 metric tons or one percent of the estimated mass of all structural material, whichever is less.

Alternate Safety Compliance Program: The 2010 CGAA added a subsection (d) to 46 U.S.C. §4503. This provision requires the Coast Guard to prescribe and develop, in cooperation with the commercial fishing industry, an alternate safety compliance program for commercial fishing vessels that operate beyond the 3 nautical mile line, if the vessel: is at least 50 feet overall in length, is built before July 1, 2012, and is 25 years of age or older (in 2020); or, is built on or before July 1, 2012, and undergoes a substantial change to the dimension of, or type of vessel, completed after July 1, 2012, or a later date set by the Coast Guard. The 2012 CGMTA changed the dates of applicability from July 1, 2012 to July 1, 2013.

Alternate safety compliance programs may be developed for specific regions and fisheries. In general, the alternate safety compliance programs must be prescribed by 2017 and implementation begun by 2020. 46 CFR Part 28 will be amended to reflect these requirements.

Note: The meaning of "built" as described in the Note under the "Classing of Vessels" is also applicable to commercial fishing vessels that will be subject to alternate safety compliance programs.

Why the changes? Casualty data shows that approximately two thirds of commercial fishing vessels lost to flooding result from hull or equipment failure; poor maintenance is often a factor. The older the vessel, the more likely it is to experience a catastrophic event. The Coast Guard does not have authority to require inspection of fishing vessels. Except for fish processing vessels built after 1990, commercial fishing vessels have not been required to meet construction standards such as survey and classification requirements. Thus, there has been little authority or ability to enforce construction standards and material condition on commercial fishing vessels. Standards to ensure a well-built and maintained vessel and application of equivalent safety standards on older and modified commercial fishing vessels are needed to improve the safety of the vessel. Construction and maintenance standards have been needed for some time and had never been fully addressed in the law or regulations previously.

Clarification of Existing Equipment Requirements: Section 604 of the 2010 CGAA also clarified or changed certain existing equipment standards by amending parts of 46 U.S.C. §4502(a) and §4502(b) as noted in the following paragraphs. 46 CFR Part 28 will be amended to reflect these added requirements or changes to existing requirements.

Applicable to all commercial fishing vessels:

46 U.S.C. §4502(a) was amended to add a new paragraph (6) that grants authority for the Coast Guard to require "other equipment required to minimize the risk of injury to the crew during vessel operations if the Secretary determines that a risk or serious injury exists that can be eliminated or mitigated by that equipment." (This used to be found as 46 U.S.C. §4502(b)(2)(G) before the amendment.)

Applicable to commercial fishing vessels operating beyond 3 nautical miles of the baseline of the territorial sea or 3 nautical miles from the coastline of the Great Lakes:

46 U.S.C. §4502(b)(2)(D) was amended by specifying that radio communication equipment must be "marine radios" for effective communication with land-based search and rescue facilities. This implies that cellular telephones will not be accepted as primary or secondary emergency communication equipment.

46 U.S.C. §4502(b)(2)(E) was amended by striking the requirement for "radar reflectors" and "anchors." The revision added "publications" to the requirement for navigation equipment, compasses and nautical charts. The publications may include U.S. Coast Pilot, Coast Guard Light List, tide tables, and Inland Navigation Rules.

46 U.S.C. §4502(b)(2)(F) was amend by replacing the requirement for "medicine chests" with "medical supplies sufficient for the size and area of operation of the vessel." This will permit the development of standards for first-aid kits and other emergency medical equipment for vessels operating in different areas.

46 U.S.C. §4502(b)(2)(G) was amended to require "ground tackle sufficient for the vessel." This would include appropriate anchoring capability for the vessel, a requirement that was deleted by the change made to §4502(b)(2)(E) as noted above. Further, with respect to that change, there are no standards for radar reflectors, and they may not be necessary on most vessels.

Note: None of the above changes was affected by the CGMTA.

***Why the changes*?** The impact of these changes will be to more accurately reflect equipment that is better suited for and needed in today's commercial fishing industry for vessels based on their operating areas.

U.S. Department of Homeland Security

United States Coast Guard

Commandant
United States Coast Guard

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16701
January 16, 2013

Dear Commercial Fishing Industry Vessel Owner and Operator:

On August 15, 2012, I issued a letter explaining that after October 15, 2012, all commercial fishing, fish tender and fish processing vessels that operated (or transited) more than 3 nautical miles offshore must demonstrate full compliance with existing fishing industry vessel safety regulations by completing a biennial safety examination. That requirement was one of several mandates established by the *Coast Guard Authorization Act of 2010*. The examination requirement applied to State-registered or Federally-documented vessels, to vessels with more than 16 individuals on board operated anywhere, and to fish tender vessels engaged in the Aleutian Trade.

That statutory biennial examination requirement for these vessels has changed. The *Coast Guard and Maritime Transportation Act of 2012*, which was signed into law by the President on December 20, 2012, modified the law to require that dockside safety examinations must be completed at least once every 5 years (instead of 2 years), and that the first dockside exam of a vessel must be completed no later than October 15, 2015. Please note, however, that depending on the type and area of vessel operations, other examination requirements may still apply (such as for Distant Water Tuna Fleet manning exemptions, District-granted equipment exemptions, post-SAR boarding and safety checks, post-voyage termination compliance checks, etc.).

The development of specific regulations to clarify the new examination (and other) requirements of the law is ongoing. Mandatory safety exams on many vessels, for now, are not required until after October 15, 2015. If you had your vessel examined for the first time based on the mandates described in my August letter, please recognize that it was not done in vain. Completion of the exam demonstrated that your vessel was in compliance with current safety regulations. At this point, I encourage you to continue to have your vessel examined at least every 2 years, which will help you align with the current period for which a safety decal is issued after successfully completing an examination. Also, be aware that a 2-year examination requirement remains in effect for your vessel and operation if you are subject to carrying a NOAA Fisheries Observers, or if your vessel is a fish processing vessel or fish tender vessel engaged in the Aleutian trade.

To arrange for an examination, or to obtain more information on methods to ensure compliance, please contact your local Coast Guard Sector, Marine Safety Unit, or Field Office and ask for the local fishing vessel safety examiner. They will make every effort to accommodate your operations and schedule an examination. You may also request an examination through a link on the www.fishsafe.info website. If you have any questions regarding exam requirements, please feel free to contact Mr. Jack Kemerer, Chief of my Fishing Vessels Division at Coast Guard Headquarters (CGCVC3@uscg.mil), or one of our Area or District Fishing Vessel Safety Program coordinators listed on our website.

For your future awareness, and as required by the *Coast Guard Authorization Act of 2010* and the *Coast Guard and Maritime Transportation Act of 2012*, the Coast Guard is updating the regulations applicable to all U.S. commercial fishing vessels, fish processing vessels, and fish tender vessels. That project, when finished, may have additional requirements for fishing vessels beyond the current regulations. There will also be a new Coast Guard Certificate of Compliance (COC) form that will be used when the regulations are updated, but in the interim, a valid safety decal or signed exam form will signify compliance.

As a last note, if you operate your vessel and it is boarded and found not to be in full compliance with the current regulations, your operation may be subject to enforcement action for noncompliance with 46 C.F.R. Part 28, as well as other applicable regulations currently in effect. Such enforcement action may include civil penalties, termination of the vessel's voyage, or other operational controls such as a Captain of the Port Order.

Kyle P. McAvoy
Captain, U.S. Coast Guard
Chief, Office of Commercial Vessel Compliance
By direction

Enclosure (1)

U.S. Department of Homeland Security

United States Coast Guard

Commandant
United States Coast Guard

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16701
August 15, 2012

Dear Commercial Fishing Industry Vessel Owner and Operator:

Beginning October 16th of this year, all commercial fishing, fish tender and fish processing vessels that operate (or transit) more than 3 nautical miles offshore must be able to demonstrate full compliance with the existing fishing industry vessel safety regulations found in 46 C.F.R. Part 28, via a mandatory safety examination. While there are a few options of how to demonstrate this compliance, having a current Commercial Fishing Vessel Safety Decal (not more than 2 years old), is the most straightforward method.

This examination requirement is one of several new mandates established by the *Coast Guard Authorization Act of 2010.* While there is additional background on these pending mandates on www.fishsafe.info, the Authorization Act establishes a mandatory examination requirement if you operate beyond 3 nautical miles of the baseline of the U.S. territorial sea or the coastline of the Great Lakes, regardless of whether your vessel is State-registered or Federally-documented. It also applies to vessels operating anywhere with more than 16 individuals on board and to fish tender vessels engaged in the Aleutian Trade.

As noted, it is envisioned that the most straightforward way to demonstrate compliance will be by having a current Commercial Fishing Vessel Safety Decal. On October 16th, a valid decal will be honored as proof of compliance. Two additional methods include, having a "Form CG-5587" signed by a Coast Guard examiner, or having a signed letter of compliance from an accepted third party organization (marine surveyor) as proof that your vessel passed an examination and is therefore compliant with the current regulations.

To arrange for an examination, or to obtain more info on the other methods of compliance, please contact your local Coast Guard Sector, Marine Safety Unit, or Field Office. They will make every effort to accommodate your operations and schedule an examination. You may also request an examination through a link on the www.fishsafe.info website. If you have any additional questions, please feel free to contact Mr. Jack Kemerer, Chief of my Fishing Vessels Division at Coast Guard Headquarters (CGCVC3@uscg.mil), or one of our District program coordinators listed on our website.

For your future awareness, and as required by the *Coast Guard Authorization Act of 2010*, the Coast Guard is updating the regulations applicable to all U.S. commercial fishing vessels, fish processing vessels, and fish tender vessels. That project, however, is not yet completed, which is why the mandatory verification of compliance to safety regulations, will be to the current regulations. When the regulation updates are finished, there will also be a new Coast Guard Certificate of Compliance (COC) form that will be issued at the end of an examination. But in the interim, as noted, the Coast Guard will accept a valid safety decal, or signed exam form.

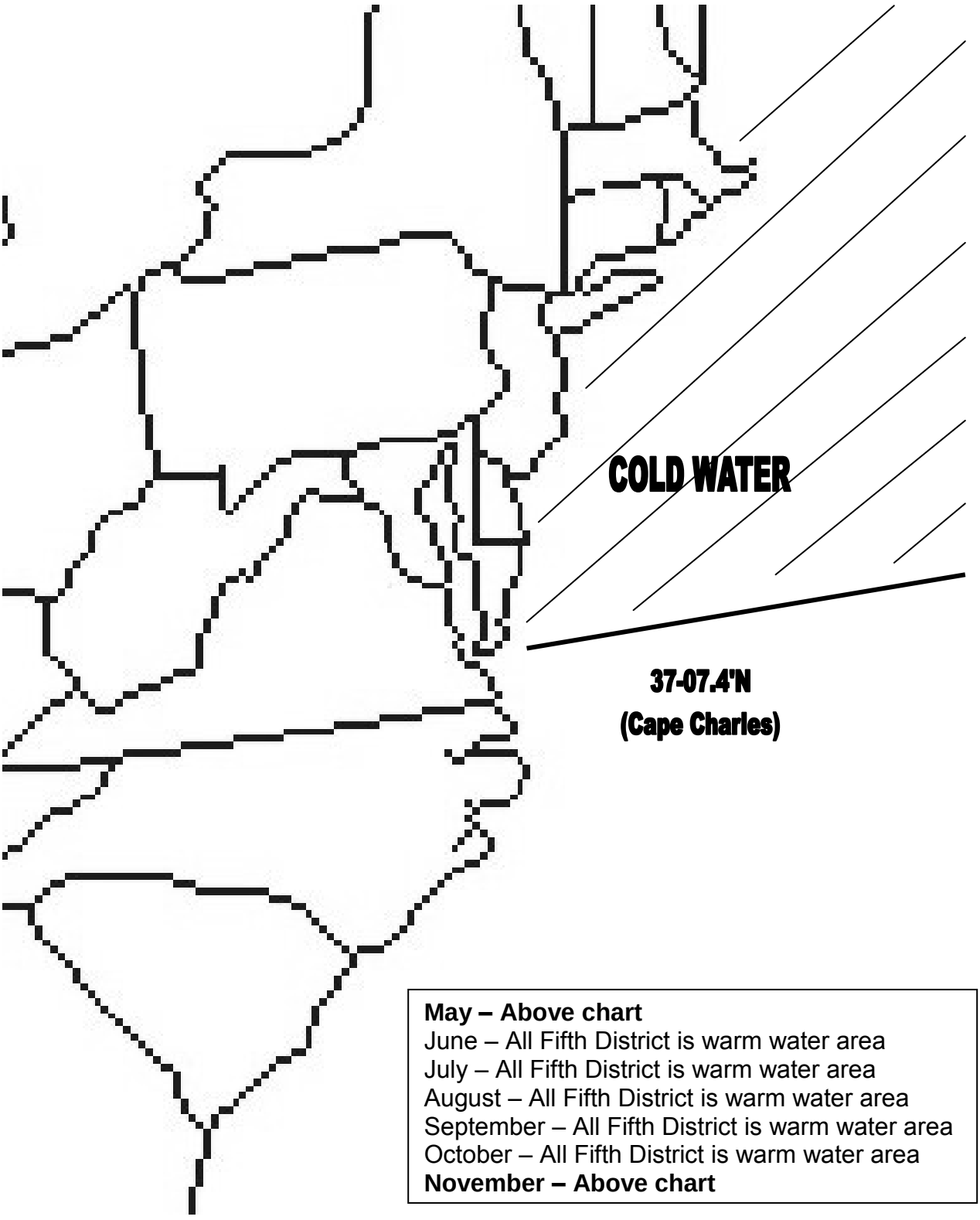
In summary, if you operate your vessel beyond the "3-mile line" as of October 16, 2012, you must be able to demonstrate your vessel is in compliance with current safety regulations. Therefore, if your vessel has not recently been examined dockside, or it has never undergone a safety exam, you should complete a biennial safety examination as soon as possible. Also, if you are entering fisheries service for the first time on or after October 16, 2012, your vessel must pass an exam before it begins commercial fishing operations.

As a last note, if you operate beyond the "3-mile line" after October 16th without the vessel being verified in compliance with the current regulations, and it should have been, your operation may be subject to enforcement action for noncompliance with 46 C.F.R. Part 28, as well as other applicable regulations currently in effect. Such enforcement action may include civil penalties, termination of the vessel's voyage, or other operational controls such as a Captain of the Port Order.

Kyle P. McAvoy
Chief, Office of Commercial Vessel Compliance
U.S. Coast Guard
By direction

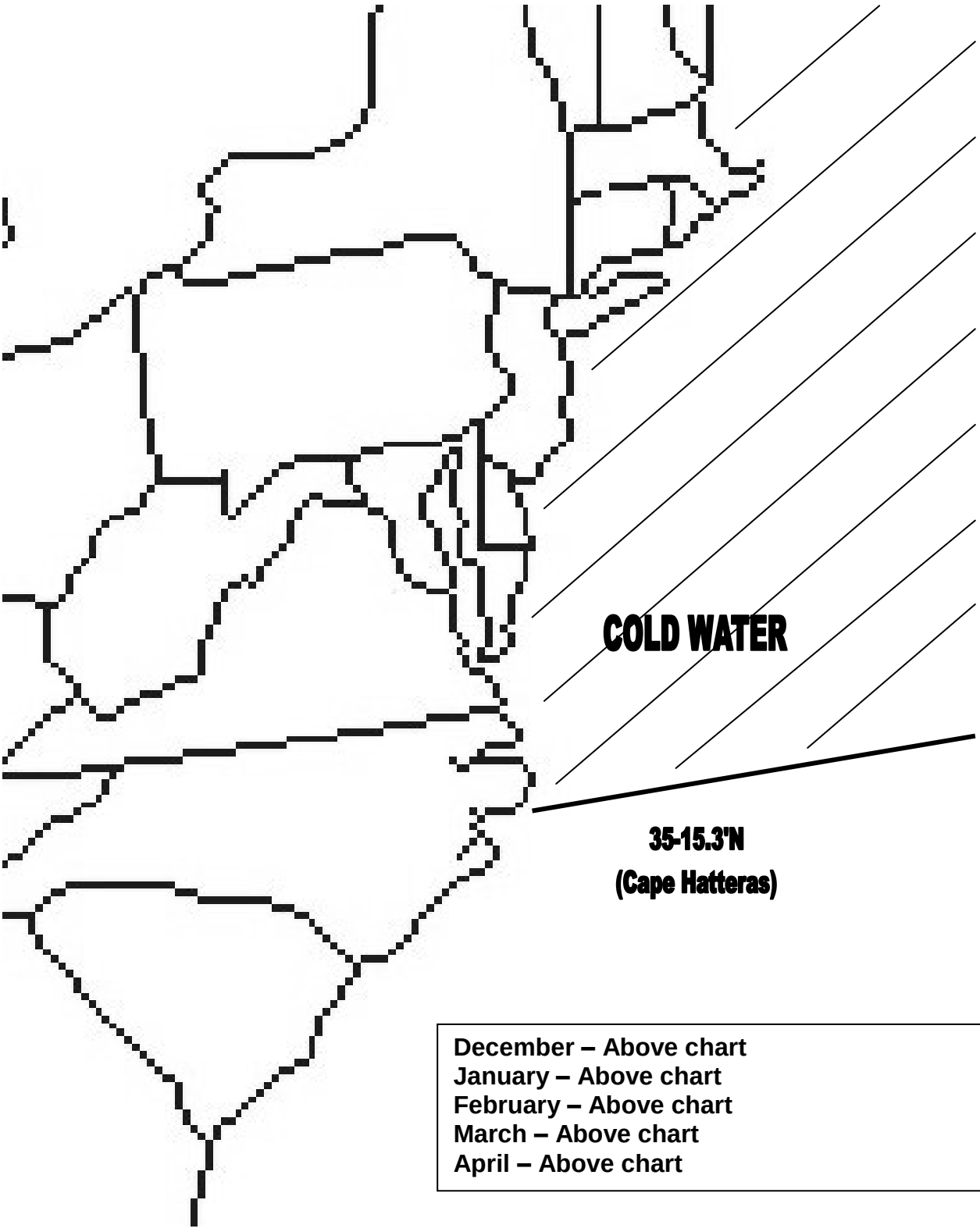
Enclosure (1)

COLD WATER AREAS – MAY AND NOVEMBER



May – Above chart
June – All Fifth District is warm water area
July – All Fifth District is warm water area
August – All Fifth District is warm water area
September – All Fifth District is warm water area
October – All Fifth District is warm water area
November – Above chart

COLD WATER AREAS – DECEMBER TO APRIL



December – Above chart
January – Above chart
February – Above chart
March – Above chart
April – Above chart

TERMINATION OF UNSAFE OPERATIONS

ONBOARD COMMERCIAL FISHING VESSELS
(Extracted from Enclosure (1) to COMDTINST 16711.13B)

The following practices are considered to be unsafe and may create especially hazardous conditions for individuals onboard commercial fishing vessels. A vessel found with one of these unsafe conditions, while operating (at sea), may be considered for termination by a Coast Guard Boarding Officer. Termination will result in ordering an individual in charge of a vessel to return the vessel to a mooring or dock until the hazardous condition is corrected, or ordering cessation of a specific operation until especially hazardous condition is alleviated or corrected. This list does not exclude any other conditions that in the opinion of the Boarding officer are especially hazardous. Termination decisions shall be made with the concurrence of the District Commander. These items apply to United States flagged vessels that are commercial fishing, fish processing or in a fish tendering operation. However, each item may not apply to all vessels; certain regulations apply only to limited categories of vessels. In all cases, refer to 46 CFR Part 28 for specific applicability.

UNSAFE PRACTICES

1. Operation without sufficient lifesaving equipment onboard. This may include:
   a. No personal flotation devices (PFDs) or required immersion suits onboard, an insufficient quantity of PFDs or immersion suits, or PFDs and immersion suits which are unserviceable; or
   b. No survival craft onboard, insufficient survival craft capacity for the number of persons-on-board, or a survival craft in an unserviceable condition. Inflatable survival craft more than five months overdue for required servicing are considered unserviceable. If equipped with hydrostatic release units (HRUs) more than five months past required replacement date, the installation is considered unserviceable.
2. Operation without either an operable Emergency Position Indicating Radio Beacon (EPIRB) or radio communication equipment. Either or both may be required by the regulations. When both are required then one must be operable. The intent is that there must be at least one means of communicating distress.
3. Operation without adequate firefighting equipment onboard.
4. Excessive volatile fuel (gasoline or solvents) or volatile fuel vapors in bilges.
5. Instability resulting from overloading, improper loading or lack of freeboard.
6. An inoperable bilge system.
7. Intoxication of the operator, as defined in **33 CFR 95.020**. See page 22 for more information on operating vessels while intoxicated.
8. Lack of any operable navigation lights.
9. Watertight closures missing or inoperable.
10. Flooding or uncontrolled leakage.
11. Failure to have a currently endorsed Load Line Certificate, when required.

Boundary Line Descriptions from 46 CFR 7.35-7.60

Sec. 7.35 Sandy Hook, NJ to Cape May, NJ.

(a) A line drawn from Shark River Inlet North Breakwater Light ``2'' to Shark River Inlet South Breakwater Light ``1''.
(b) A line drawn from Manasquan Inlet North Breakwater Light to Manasquan Inlet South Breakwater Light.
(c) A line drawn along the submerged Barnegat Inlet North Breakwater to Barnegat Inlet North Breakwater Light ``2''; thence to Barnegat Inlet Light ``5''; thence along the submerged Barnegat Inlet South Breakwater to shore.
(d) A line drawn from the seaward tangent of Long Beach Island to the seaward tangent of Pullen Island across Beach Haven and Little Egg Inlets.
(e) A line drawn from the seaward tangent of Pullen Island to the seaward tangent of Brigantine Island across Brigantine Inlet.
(f) A line drawn from the seaward extremity of Absecon Inlet North Jetty to Atlantic City Light.
(g) A line drawn from the southernmost point of Longport at lat. 39 deg.18.2' N. long. 74 deg.32.2' W. to the northeasternmost point of Ocean City at lat. 39 deg.17.6' N. long. 74 deg.33.1' W. across Great Egg Harbor Inlet.
(h) A line drawn parallel with the general trend of the seaward, highwater shoreline across Corson Inlet.
(i) A line formed by the centerline of the Townsend Inlet Highway Bridge.
(j) A line formed by the shoreline of Seven Mile Beach and Hereford Inlet Light.

Sec. 7.40 Delaware Bay and tributaries.

A line drawn from Cape May Inlet East Jetty Light to lat. 38 deg.55.8' N. long. 74 deg.51.4' W. (Cape May Harbor Inlet Lighted Bell Buoy ``2CM''); thence to lat. 38 deg.48.9' N. long. 75 deg.02.3' W. (Delaware Bay Entrance Channel Lighted Buoy ``8''); thence to the northernmost extremity of Cape Henlopen.

Sec. 7.45 Cape Henlopen, DE to Cape Charles, VA.

(a) A line drawn from the easternmost extremity of Indian River Inlet North Jetty to lat. 38 deg.36.5' N. long. 75 deg.02.8' W. (Indian River Inlet Lighted Gong Buoy ``1''); thence to Indian River Inlet South Jetty Light.
(b) A line drawn from Ocean City Inlet Light ``6'' to lat. 38 deg.19.4' N. long. 75 deg.05.0' W. (Ocean City Inlet Entrance Lighted Buoy ``4''); thence to lat. 38 deg.19.3' N. long. 75 deg.05.1' W. (Ocean City Inlet Entrance Lighted Buoy ``5''); thence to the easternmost extremity of the south breakwater.
(c) A line drawn from Assateague Beach Tower Light to lat. 37 deg.50.2' N. long. 75 deg.24.9' W. (Chincoteague Inlet Lighted Bell Buoy ``CI''); thence to the tower charted at lat. 37 deg.52.6' N. long. 75 deg.26.7' W.
(d) A line drawn from the southernmost extremity of Cedar Island to lat. 37 deg.34.7' N. long. 75 deg.36.0' W. (Wachapreague Inlet Entrance Lighted Buoy ``1''); thence due south to shore at Parramore Beach.
(e) A line drawn from the seaward tangent of Parramore Beach to the lookout tower on the northern end of Hog Island chartered in approximate position lat. 37 deg.27.2' N. long. 75 deg.40.5' W.

Sec. 7.50 Chesapeake Bay and tributaries.

A line drawn from Cape Charles Light to lat. 36 deg.56.8' N. long. 75 deg.55.1' W. (North Chesapeake Entrance Lighted Gong Buoy ``NCD''); thence to lat. 36 deg.54.8' N. long. 75 deg.55.6' W. (Chesapeake Bay Entrance Lighted Bell Buoy ``CBC''); thence to lat. 36 deg.55.0' N. long. 75 deg.58.0' W. (Cape Henry Buoy ``1''); thence to Cape Henry Light.

Sec. 7.55 Cape Henry, VA to Cape Fear, NC.

(a) A line drawn from Rudee Inlet Jetty Light ``2'' to lat. 36 deg.50' N. long. 75 deg.56.7' W.; thence to Rudee Inlet Jetty Light ``1''.
(b) A line drawn from Bodie Island Light to lat. 35 deg.49.3' N. long. 75 deg.31.9' W. (Oregon Inlet Approach Lighted Whistle Buoy ``OI''); thence to Oregon Inlet Radiobeacon.
(c) A line drawn from Hatteras Inlet Light 255 deg. true to the eastern end of Ocracoke Island.
(d) A line drawn from the westernmost extremity of Ocracoke Island at lat. 35 deg.04' N. long. 76 deg.00.8' W. to the northeasternmost extremity of Portsmouth Island at lat. 35 deg.03.7' N. long. 76 deg.02.3' W.
(e) A line drawn across Drum Inlet parallel with the general trend of the seaward, highwater shoreline.
(f) A line drawn from the southernmost extremity of Cape Lookout to lat. 34 deg.38.4' N. long. 76 deg.40.6' W. (Beaufort Inlet Lighted Bell Buoy ``2BI''); thence to the seaward extremity of the Beaufort Inlet west jetty.
(g) A line drawn from the seaward extremity of Masonboro Inlet north jetty to lat. 34 deg.10.3' N. long. 77 deg.48.0' W. (Masonboro Inlet Lighted Whistle Buoy ``A''); thence to the beach in approximate position lat. 34 deg.10' N. long. 77 deg.49.4' W.

Sec. 7.60 Cape Fear, NC to Sullivans Island, SC.

(a) A line drawn from the southernmost extremity to Cape Fear to lat. 33 deg.49.5' N. long. 78 deg.03.7' W. (Cape Fear River Entrance Lighted Bell Buoy ``2CF''); thence to Oak Island Light.
(b) A line drawn from the southernmost extremity of Bird Island at approximate position lat. 33 deg.51.2' N. long. 78 deg.32.6' W. to lat. 33 deg.50.3' N. long. 78 deg.32.5' W. (Little River Inlet Entrance Lighted Whistle Buoy ``2LR''); thence to the northeasternmost extremity of Waties Island at approximate position lat. 33 deg.51.2' N. long. 78 deg.33.6' W.
(c) A line drawn from the seaward extremity of Murrells Inlet north jetty to lat. 33 deg.31.5' N. long. 79 deg.01.6' W. (Murrells Inlet Lighted Bell Buoy ``MI''); thence to Murrells Inlet South Jetty Light.
(d) A line drawn from Georgetown Light to lat. 33 deg.11.6' N. long. 79 deg.05.4' W. (Winyah Bay Lighted Bell Buoy ``2WB''); thence to the southernmost extremity of Sand Island.

Navigation and Vessel Inspection Circulars (NVICs)

NVICs are published by the Commandant of the Coast Guard to provide guidance, interpretation or policy for a variety of subjects related to commercial vessel safety. The NVICs that directly affect commercial fishing vessels are listed below. NVICs may be purchased from:

National Technical Information Services
5825 Port Royal Road
Springfield, VA 22161
Phone: (703) 605-6000

They are also available at **http://www.uscg.mil/hq/cg5/nvic/nvic.asp**

NVIC 7-93: Guidelines for Acceptance of "Fishing Vessel Safety Instructors" and Course Curricula for Training "Fishing Vessel Drill Conductors" - Expands on 46 CFR 28.270 & .275 to explain the training and certification requirements.

NVIC 1-92: Lifesaving Equipment Regulations for Commercial Fishing Vessels with Changes 1 and 2: Implementation of Lifesaving Equipment Regulations for Commercial Fishing Vessels - Provides guidance on maintenance, inspection and storage of equipment.

NVIC 12-91: Termination of Unsafe Operations Aboard Commercial Fishing Industry Vessels - Explains commercial fishing vessel termination criteria.

NVIC 7-91: Determination of Cold Water Areas - Defines the location and effective dates of cold water areas.

NVIC 6-91: Fire Drills and On-Board Training - Discusses minimum standards for fire drills and training.

NVIC 5-86: Voluntary Standards for U.S. Uninspected Commercial Fishing Vessels - Describes the voluntary program in place before passage of CFIVSA.

NVIC 4-86: Hydraulic Release Units for Life Rafts, Life Floats and Buoyant Apparatus, and Alternate Float-Free Arrangements - Discusses installation and maintenance of HRUs as well as float-free arrangements for survival craft.

NVIC 12-83: Intact Stability of Towing and Fishing Vessels; Research Results - The report of a Coast Guard study of fishing vessel stability.

NVIC 1-83: Painters for Life Floats and Buoyant Apparatus - Discusses the installation of float-free or “weak” links.

NVIC 4-82: Uninspected Commercial Vessel Safety - Somewhat dated historical information about the Commercial Fishing Vessel Safety program.

Save Time! Register your beacon online at: www.beaconregistration.noaa.gov

Official 406 MHz EPIRB Registration Form

Mail or Fax to:
NOAA/SARSAT
NSOF, E/SP3
4231 Suitland Road
Suitland, MD 20746
Fax No. 301-817-4565

EPIRB Information

Beacon ID (Unique Identifier Number)

(15 digit character ID provided by EPIRB manufacturer)

☐ Category I (Automatic Deployment)
☐ Category II (Manual Deployment)

EPIRB Manufacturer _____
Model No. _____

EPIRB Registration

☐ New EPIRB Registration
☐ Renewal of EPIRB Registration
☐ Change of EPIRB Information or Ownership
☐ Replacement of EPIRB Decal
☐ Check here if this EPIRB is a replacement for a previously registered EPIRB.
Please enter the old EPIRB unique ID number _____

Owner/Operator Information

Name _____
(Last, First, Middle Initial)

Mailing Address _____

_____

City _____ State/Province _____

ZIP (Postal) Code _____ Country _____

E-mail _____

Telephone

( )_____ ☐ Home ☐ Work ☐ Cellular ☐ Fax ☐ Other
Area Code

( )_____ ☐ Home ☐ Work ☐ Cellular ☐ Fax ☐ Other
Area Code

( )_____ ☐ Home ☐ Work ☐ Cellular ☐ Fax ☐ Other
Area Code

( )_____ ☐ Home ☐ Work ☐ Cellular ☐ Fax ☐ Other
Area Code

Vessel Information

Usage: ☐ Commercial ☐ Non-commercial ☐ Government Military ☐ Government Non-military

Type

Sail: Number of Masts _____

Power: ☐ Fishing ☐ Tug ☐ Cargo ☐ Tanker ☐ Pleasure Craft ☐ Other _____

Non-power: ☐ Life Boat ☐ Life Raft ☐ Other_____

Vessel Name _____

Vessel Color_____

Survival Craft(s) on Vessel: Life Boat ____ (No. of) Life Raft ____ (No. of)

Is your EPIRB equipped with a Simplified Voyage Data Recorder (SVDR)? ☐ Yes ☐ No

Radio Equipment (Check all that apply)
☐ VHF ☐ MF ☐ HF ☐ SSB ☐ Other _____

Vessel Telephone Numbers

Radio Call Sign _____ INMARSAT _____
Cellular _____ MMSI Number _____

Federal / State Registration Number _____

Length Overall (ft) _____ **Capacity** _____
Crew and Passengers

Homeport _____
Marina/Dock

_____ _____
City State

Additional Data _____

_____

Emergency Contact Information ***(Please indicate someone other than the owner)***

Name of **Primary** 24-Hour Emergency Contact:

_____

Telephone

( )_____ ☐ Home ☐ Work ☐ Cellular ☐ Fax ☐ Other
Area Code

( )_____ ☐ Home ☐ Work ☐ Cellular ☐ Fax ☐ Other
Area Code

( )_____ ☐ Home ☐ Work ☐ Cellular ☐ Fax ☐ Other
Area Code

( )_____ ☐ Home ☐ Work ☐ Cellular ☐ Fax ☐ Other
Area Code

Name of **Alternate** 24-Hour Emergency Contact:

_____

Telephone

( )_____ ☐ Home ☐ Work ☐ Cellular ☐ Fax ☐ Other
Area Code

( )_____ ☐ Home ☐ Work ☐ Cellular ☐ Fax ☐ Other
Area Code

( )_____ ☐ Home ☐ Work ☐ Cellular ☐ Fax ☐ Other
Area Code

( )_____ ☐ Home ☐ Work ☐ Cellular ☐ Fax ☐ Other
Area Code

Signature _____ Date _____

If you have any questions about this form or with EPIRB registration in general, please call 1-888-212-SAVE (7283) or 301-817-4515.
For information on the U.S. Search & Rescue Satellite-Aided Tracking system, please visit: www.sarsat.noaa.gov

OMB Auth. (0648-0295) Expires: 30JUN2011

Enclosure (6)

Important Notice - *Please Read Before Completing Registration*

Registration is an important facet for all Cospas-Sarsat 406 MHz emergency beacons. Not only is it required by Federal Regulations but the information you furnish is used by Search And Rescue (SAR) agencies in the event of beacon activation. The registration information is an important tool to assist the United States Coast Guard, United States Air Force, and other SAR agencies in locating and quickly responding to you, your vessel, or your aircraft. Failure to register your beacon may delay a rescue response. Accurate, up-to-date registration information will also be used to conserve resources by helping to eliminate false alert deployments, as an inadvertent activation can be resolved with a phone call.

There is no charge for beacon registration. This is a service provided by the U.S. National Oceanic and Atmospheric Administration (NOAA).

All online registrations will be entered into the National 406 MHz Beacon Registration Database on the same day of entry. Registration forms received via postal mail will be entered within 2 business days of receipt. For online registrations, a confirmation letter with your completed registration information form will be sent immediately via e-mail or fax (if provided). Confirmation letters sent via postal mail should arrive within two weeks. Once your registration confirmation is received, please review all information. Any changes or updates to your registration information can be done via the internet, fax, e-mail or postal mail. If you do not receive your registration confirmation from NOAA on the same day you submit it over the internet or within two weeks if you submit it by postal mail, please call NOAA toll-free at: 1-888-212-SAVE (7283) or 301-817-4515 for assistance.

After initial registration (or re-registration) you will receive a NOAA Proof of Registration Decal by postal mail. This decal is to be affixed to the beacon and should be placed in such a way that it is clearly visible. If for some reason you do not receive the registration decal within two weeks, please call NOAA toll-free at: 1-888-212-SAVE (7283) or 301-817-4515.

Failure to register, re-register (as required every two years), or to notify NOAA of any changes to the status of your 406 MHz beacon could result in penalties and/or fines being issued under Federal Law. The owner or user of the beacon is required to notify NOAA of any changes to the registration information at any time. By submitting this registration the owner, operator, or legally authorized agent declares under penalty of law that all information in the registration information is true, accurate, and complete. Providing information that is knowingly false or inaccurate may be punishable under Federal Statutes. Solicitation of this information is authorized by Title 47, Part 80 of the U.S. Code of Federal Regulations (CFR) and the U.S. Office of Management & Budget (OMB) Control Number: 0648-0295. Additional registration forms can be found on the NOAA-SARSAT website at: **www.sarsat.noaa.gov** or at: **www.beaconregistration.noaa.gov**.

Please note, NOAA will complement or update your registration information accordingly if your registration has expired and credible information is provided from SAR sources. NOAA will also seek information from other databases to update and/or complement the existing information for an expired beacon registration. Although the information provided will become a matter of public record, there is no intent to circulate beyond its intended purpose, i.e., to assist SAR agencies in carrying out their mission. Public reporting burden for the collection of this information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, and completing and reviewing the collection of information. Comments regarding this burden or any other aspect of this collection of information, including suggestions for reducing this burden should be sent to:

NOAA/SARSAT
NSOF, E/SP3
4231 Suitland Road
Suitland, MD 20746

Or call: 1-888-212-SAVE (7283) or 301-817-4515

Finally, false alerts remain a chief concern for SAR agencies. We ask that you carefully refer to the beacon's user manual for instructions on properly operating, installing, testing, performing required maintenance, and/or stowage of your beacon. We find that these are important factors in reducing the number of false alerts. ***Please use the utmost care at all times!***

GENERAL VESSEL REQUIREMENTS

Vessel Name:	**I.D. Number:**

	BRIDGE & DOCUMENTS	
33 CFR 173 46 CFR 67	**Registration/Documents/Markings**	**O** Yes **O** No **O** N/A
47 CFR 80.405	**FCC Ship Station License**	**O** Yes **O** No **O** N/A
46 CFR 28.165	**Injury Placard** (All Vessels)	**O** Yes **O** No **O** N/A
33 CFR 155.450	**Oil Pollution Placard** (Vessels ≥ 26 Feet)	**O** Yes **O** No **O** N/A
33 CFR 151.59	**MARPOL (Garbage) Placard** (Vessels ≥ 26 Feet)	**O** Yes **O** No **O** N/A
33 CFR 151.57	**Waste Management Plan** (Ocean Going Vessels ≥ 40 Feet)	**O** Yes **O** No **O** N/A
33 CFR 151.55	**Garbage Log** (Ocean Going Vessels ≥ 400 Gross Tons)	**O** Yes **O** No **O** N/A
46 USC Chap 51	**Load Line Certificate** (Fish Tenders or Fish Processors)	**O** Yes **O** No **O** N/A
46 USC 8304	**Licensing/Manning** (Master/Mate/Chief Eng. on Vessels ≥ 200 Gross Tons)	**O** Yes **O** No **O** N/A
46 USC 8103	**Citizenship** (Master & crew requirements met)	**O** Yes **O** No **O** N/A
46 CFR 28.225 33 CFR 88.05	**Inland Navigation Rules on Board** (Inland Waters Only; Vessels ≥ 39.4 ft)	**O** Yes **O** No **O** N/A
33 USC 1602 33 USC 2020 72 COLREGS	**Dayshapes** (Two black cones, apex to apex; per Rule 3(d), dayshapes & fishing lights not required if fishing gear does not restrict maneuverability)	**O** Yes **O** No **O** N/A
33 USC 1602 33 USC 2020 72 COLREGS	**Navigation Lights:** Side Lights (112.5°), Stern Light (135°), & Mast Head Light (225°) Anchor Light (360°; for vessels ≥ 39.4 Feet) Red over White (360° other than trawling; see Rule 3(d) for exceptions) Green over White (360° trawling; see Rule 3(d) for exceptions)	**O** Yes **O** No **O** N/A
33 USC 1602 33 USC 2020 72 COLREGS	**Sound Producing Devices:** ☐ Vessels < 39.4 ft: Means of Making an Efficient Sound Signal ☐ Vessels 39.4 ft – 65.6 ft: Audible ½ Mile, Whistle & 7.9" Bell ☐ Vessels 65.6 feet – 328.1 ft: Audible 1 Mile, Whistle & 11.8" Bell	**O** Yes **O** No **O** N/A
33 CFR 164	**Navigation Safety Requirements** (Vessels ≥ 1600 Gross Tons)	**O** Yes **O** No **O** N/A
	LIFESAVING	
46 CFR 28.145	**Visual Distress Signals**	**O** Yes **O** No **O** N/A
46 CFR 28.110 46 CFR 28.135 46 CFR 28.140	☐ Immersion Suits ☐ PFDs Number of Immersions Suits On-Board: _____ Number of PFDs On-Board: _____ ☐ Marking with name and retro-reflective tape ☐ Properly maintained	**O** Yes **O** No **O** N/A
46 CFR 28.115 46 CFR 28.135 46 CFR 28.140	**Ring Life Buoys:** ☐ Marking with name and retro-reflective tape ☐ 60 Feet of Line ☐ 90 Feet of Line ☐ Properly Maintained	**O** Yes **O** No **O** N/A
46 CFR 28.120 46 CFR 28.125 46 CFR 28.130 46 CFR 28.140	**Survival Craft:** Number Survival Craft Onboard: ____ Total Survival Craft Capacity: ____ Type: ☐ Inflatable Raft ☐ Rigid Liferaft ☐ IBA ☐ BA ☐ Life Float Pack Type: ☐ SOLAS A ☐ SOLAS B ☐ COASTAL SERVICE ☐ Hydrostatic Release & Date: _____ ☐ Float Free ☐ Proper Storage	**O** Yes **O** No **O** N/A
46 CFR 28.150 46 CFR 25.26 46 CFR 28.135 47 CFR 80 46 CFR 28.140	**Emergency Position Indicating Radio Beacon (EPIRB):** Bracket Category: ☐ One ☐ Two Hydrostatic Release exp. date: _____ Battery expiration date: _____ NOAA Registration exp. date: _____ Beacon ID: |_|_|_|_|_ - _|_|_|_|_ - _|_|_|_|_|	**O** Yes **O** No **O** N/A

GENERAL VESSEL REQUIREMENTS

Vessel Name:	**I.D. Number:**

ENGINE ROOM/MISCELLANEOUS

46 CFR 28.155 46 CFR 28.160 46 CFR 25.30	**Fire Extinguishing Equipment:** BI: _____ BII: _____ BIII: _____ CI: _____ Other: ☐ Pre-engineered ☐ Fixed System ☐ CO2 Cylinders For Fixed System Located Outside Engine Room	**O** Yes **O** No **O** N/A
46 CFR 28.140	**Unobstructed Escape Routes**	**O** Yes **O** No **O** N/A
46 CFR 25.35	**Flame Arrestor** (gas power)	**O** Yes **O** No **O** N/A
46 CFR 25.40	**Ventilation** (gas power)	**O** Yes **O** No **O** N/A
33 CFR 159.7	**Marine Sanitation Device** ☐ Type I ☐ Type II ☐ Type III ☐ None	**O** Yes **O** No **O** N/A
33 CFR 155.330	**Non-Oceangoing Vessels Are Able To:** ☐ Retain oily mix on board ☐ Discharge to a facility	**O** Yes **O** No **O** N/A

VESSELS GREATER THAN 100 GT, USE SUPPLEMENT 1 (CG-5587B)

ADDITIONAL REQUIREMENTS FOR DOCUMENTED VESSELS OPERATING BEYOND THE BOUNDARY LINE OR WITH MORE THAN 16 PEOPLE ON BOARD

BRIDGE

46 CFR 28.210	**First Aid/CPR** ☐ First Aid Kit/Medicine Chest ☐ First Aid Manual ☐ Individual Certified in First Aid ☐ Individual Certified in CPR	**O** Yes **O** No **O** N/A
46 CFR 26.03-4 46 CFR 28.225	**Navigation Publications** ☐ Charts for Safe Navigation ☐ Extracts of Publications Used ☐ Tidal/Current Tables ☐ CG Light List ☐ US Coast Pilot	**O** Yes **O** No **O** N/A
46 USC 10601	**Crew Contracts (Vessels > 20 Gross Tons)**	**O** Yes **O** No **O** N/A
46 CFR 28.230	**Magnetic Compass/Compass Deviation Table**	**O** Yes **O** No **O** N/A
46 CFR 28.235	**Anchors & Radar Reflectors**	**O Yes O No O N/A**
46 CFR 28.245 47 CFR 80 33 CFR 26.03 46 CFR 28.375	**Communication Equipment** ☐ VHF ☐ SSB ☐ HF ☐ Cell Phone ☐ 3 Hour Emergency Power Supply	**O** Yes **O** No **O** N/A
46 CFR 28.260	**Electronic Position Fixing Device** (Vessels ≥ 79 feet) ☐ GPS ☐ SATNAV ☐ Other	**O** Yes **O** No **O** N/A
46 CFR 28.240	**General Alarm System** ☐ Tested ☐ Flashing Red Light in Engine Room	**O** Yes **O** No **O** N/A
46 CFR 28.250	**High Water Alarms** (Vessels ≥ 36 feet) ☐ Tested in all floodable spaces	**O** Yes **O** No **O** N/A
46 CFR 28.265	**Emergency Instructions** (Must be posted on vessels with ≥ 4 POB)	**O** Yes **O** No **O** N/A
46 CFR 28.270	**Instructions, Drills, & Safety Orientation** ☐ Drills Conducted ☐ Drills Witnessed ☐ Safety Orientation Provided ☐ Qualified Drill Conductor Name: _____	**O Yes O No O N/A**
33 CFR 155.1030	**SOPEP** (Vessels > 400 Gross Tons traveling over international waters)	**O Yes O No O N/A**
46 CFR 16	**Drug Testing Program** (Credentialed Crew on Vessels > 200 Gross Tons)	**O Yes O No O N/A**
46 CFR 4.06-15	**Alcohol Testing** Does vessel carry devices or have arrangements to accomplish testing within 2 hours after a serious marine incident?	**O Yes O No O N/A**

ADDITIONAL REQUIREMENTS FOR DOCUMENTED VESSELS OPERATING BEYOND THE BOUNDARY LINE OR WITH MORE THAN 16 PEOPLE ON BOARD

Vessel Name:	**I.D. Number:**	
	LIFESAVING	
46 CFR 28.205	**Fireman's Outfits** (if more than 49 POB)**:** ☐ SCBA (Two 30 minute SCBAs) ☐ Boots (2 sets) ☐ SCBA Spare Bottles (Two 30 minute bottles) ☐ Gloves (2 sets) ☐ Fire Axe (2 axes) ☐ Lifeline (2 lines) ☐ Protective Clothing (2 sets) ☐ Rigid Helmut (2 helmets) ☐ Flashlight (2 lights)	**O** Yes **O** No **O** N/A
46 CFR 28.205	**SCBAs (**required only if vessel equipped with ammonia refrigerant) ☐ SCBA (Two 30 minute SCBAs) ☐ SCBA Spare Bottles (Two 30 minute bottles)	**O** Yes **O** No **O** N/A
	ENGINE ROOM	
46 CFR 28.215	**Guards for Exposed Hazards**	**O** Yes **O** No **O** N/A
46 CFR 28.255	**Bilge Pump, Piping & Dewatering Systems**	**O** Yes **O** No **O** N/A
	MISCELLANEOUS	
47 CFR Subchapter W	**GMDSS** (Vessels ≥ 300 Gross Tons; see NVIC 3-99 for exemptions) ☐ Radio Operators License ☐ DSC equipped VHF, MF, & HF radios ☐ SART (Search & Rescue Transponder) ☐ NAVTEX receiver ☐ 406 MHz EPIRB (in addition to requirement in 46 CFR 28.150)	**O** Yes **O** No **O** N/A
	DSC (For any vessel with a DSC-capable radio, verify the MMSI is properly programmed); MMSI (9 characters) is: |_|_|_|_|_|_|_|_|_|	**O** Yes **O** No **O** N/A
33 CFR 161.12 33 CFR 164.46	**AIS** (Fish Tenders & Fish Processors ≥ 65 feet operating within a VTS or on an international voyage)	**O** Yes **O** No **O** N/A
50 CFR 600.730	**Safe Boarding Ladder** (Vessels with more than 4 feet of freeboard)	**O** Yes **O** No **O** N/A
46 CFR 28.300 46 CFR 28.400	**Vessel Constructed Or Had A Major Conversion After 15 Sep 91 & Carry More Than 16 POB** (If YES, use Supplement 2; CG-5587B)	**O** Yes **O** No
46 CFR 28.500	**Vessel ≥ 79' Not Required Load Lines & Constructed Or Had A Major Conversion/Alteration To Fishing/Processing Equipment After 15 Sep 91** (If YES, use Supplement 2, Subpart E; CG-5587B)	**O** Yes **O** No
	Vessel Has Capacity To Carry ≥ 10,500 gallons (250 BBL) Of Oil Or Hazardous Materials (If YES, use Supplement 3; CG-5587B)	**O** Yes **O** No
46 CFR 28.700 46 CFR 28.720	**Fish Processor** ☐ Must have a Certificate of Compliance* ☐ If built or converted after 27 Jul 90 must be classed* * From ABS, DNV, or approved 3rd Party, Not Coast Guard	**O** Yes **O** No **O** N/A
	STCW Requirements (Fish Processors more than 200 Gross Tons)	**O** Yes **O** No **O** N/A

CFVS EXAMINATION BOOKLET GUIDELINES

This booklet is to be used to record voluntary examinations of commercial fishing industry vessels. It provides a summary list of Coast Guard requirements to examiners and owners/operators of commercial fishing industry vessels. This booklet should be used in conjunction with the regulations or other aids developed by the Coast Guard to assist in understanding of the regulations. Examiners should retain the "Examiner Copy" of the first page, continuation sheet and the checklist pages for their records. The "Vessel Copy" of the first page and continuation sheet should be left with the vessel.

PRIVACY ACT STATEMENT for VOLUNTARY DOCKSIDE EXAMINATIONS on COMMERCIAL FISHING VESSELS

PRIVACY ACT STATEMENT: Required by Public law 93-579

AUTHORITY: 46 USC 4502, 46 USC 4504, 46 USC 4507, 46 USC 6104 and 14 USC 89

PRINCIPAL PURPOSE(S): To document the Voluntary Dockside Examiner's report, enhance fishing vessel safety and promote public awareness and education. Information may be retained on file indefinitely.

ROUTINE USE(S): This information is to be used for uniform Coast Guard reporting and administration of Voluntary Dockside Examination data. It will be used to record the number of vessels and level of compliance with Coast Guard regulations.

MANDATORY OR VOLUNTARY DISCLOSURE: Providing any information during the course of a voluntary dockside examination is voluntary. Failure to provide information necessary to ensure compliance with applicable regulations may prevent issuance of the safety decal. Providing a vessel document/certificate of number by the operator of a vessel is mandatory. Failure to provide vessel documentation/registration may prevent issuance of the safety decal.

ENCLOSURE (7)

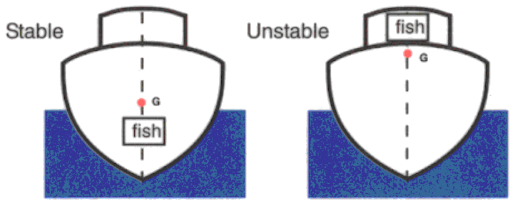
Quick Reference Stability Guide

CFIVAC

CENTER OF GRAVITY RULES OF THUMB

- Keep all weights low in the vessel.

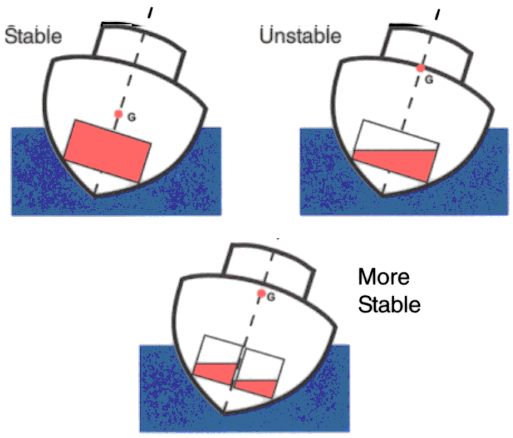
Adding weights high on vessel raises the Center of Gravity. Removing weights low on a vessel also raises the Center of Gravity.



FREE SURFACE EFFECT

Free surface reduces stability, leaving your vessel more susceptible to capsizing.

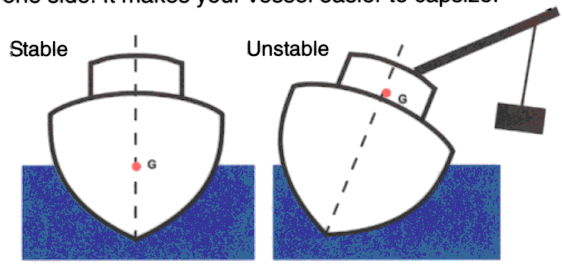
- Minimize width of holds, fuel tanks and live bait wells.
- Keep holds and tanks completely full or completely empty when possible.
- Do not permit water to collect on your deck. KEEP YOUR FREEING PORTS OPEN.



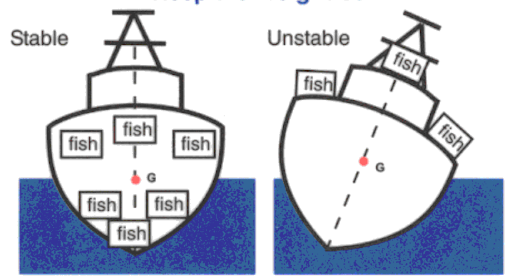
LOADING AND UNLOADING OPERATIONS

- Limit the duration of over the side lifting operations.

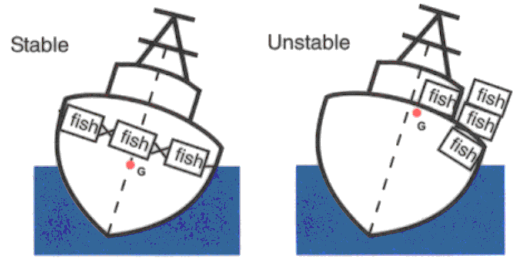
Suspending weights above the water and over the side is like adding that weight at the head of the boom. This causes the Center of Gravity to rise and shift to one side. It makes your vessel easier to capsize.



Keep the Weight Low.



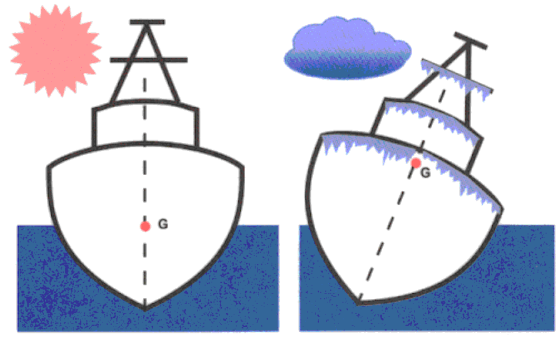
Prevent Loads from Shifting.



ICING RULES OF THUMB

Ice buildup adds a great deal of weight up high on the vessel and causes the Center of Gravity to rise. It makes your vessel easier to capsize.

- Be aware of icing conditions. Avoid them.
- Minimize, by all possible means, the buildup of ice on deckhouse, railings, superstructure and outriggers.



QUICK TIPS:

- Keep weights low.
- Minimize width of tanks and holds.
- Keep freeing ports open.
- Prevent loads from shifting.
- Do not allow ice buildup.

This information provided by the U.S. Coast Guard and the Commercial Fishing Industry Vessel Advisory Committee

Developed under Contract DTCG23-95-D-HMS026

Enclosure (8)

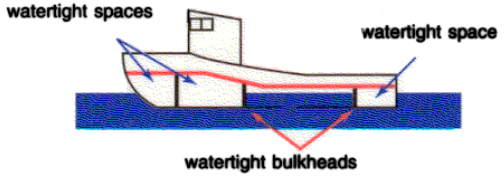
Quick Reference Stability Guide

USCG

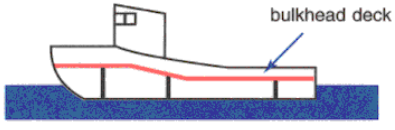
DEFINITIONS

Watertight - If water enters a space due to damage, the water is not able to leak into neighboring spaces.

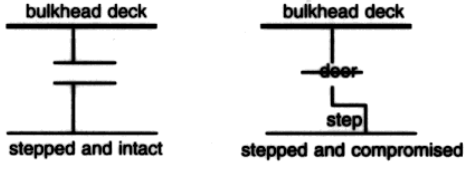
Watertight Bulkhead - A bulkhead that does not allow flooding waters to move between spaces.



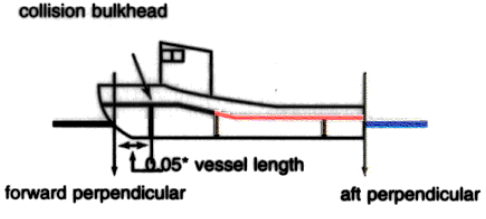
Bulkhead Deck - The uppermost deck to which watertight bulkheads extend.



Stepless and Intact Bulkhead - Strictly vertical bulkhead with minimal pipe penetrations and **no** doors.



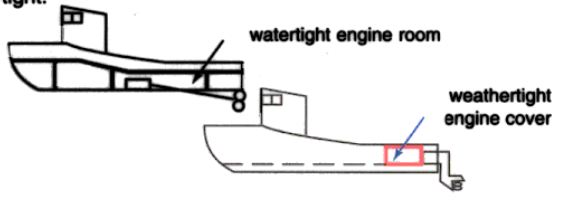
Collision Bulkhead - Bulkhead designed to minimize spread of damage due to collisions in the bow area. Shall be stepless and intact.



Weathertight - Water and weather is prevented from entering a space, but the space is not watertight.
Example: A house is weathertight, but not watertight.

WATERTIGHT & WEATHERTIGHT INTEGRITY

* Maintain watertight bulkheads watertight.
  - Minimize number of penetrations.
  - Penetrations must be watertight.
* Discharge piping penetrating the hull shall be fitted with positively closing check valves.
* Inlet piping shall be fitted with positive closing valves located as close as possible to the sea chests and shell plating.
* Deckhouse openings shall be fitted with weathertight doors.
* Doors shall be steel or equivalent material permanently attached to the bulkhead.
* Weathertight doors shall open outward and be fitted with gasket seals and a minimum of two dogging devices in addition to hinges.
* All emergency doors shall be quick acting.
  - Each machinery space containing propulsion, auxiliary power, fire or bilge pumping equipment shall be enclosed by watertight bulkheads.
  - Access to adjoining spaces below the bulkhead deck shall be by normally closed quick acting watertight doors.
  - Watertight doors shall open outward from the machinery space.
* Propulsion machinery spaces above the bulkhead deck shall be weathertight.



SUBDIVISION

* Collision bulkheads.
  - Be stepless and intact up to the bulkhead deck.
  - Only minimum pipe penetrations are permitted. Penetrations shall include valves operable from aft of the collision bulk head and above the bulkhead deck.
  - Pipe penetrations shall be as far inboard and high as practicable.
  - No doors or scuttles permitted.
  - Located at least 5 percent of the length aft of the forward perpendicular.
* Watertight bulkheads - Install them where appropriate and maintain them watertight.

VESSEL CLEANLINESS

- ✔ Keep bilges clean and free of debris.
- ✔ Protect any exposed wiring used for bilge pumps and dewatering devices.
- ✔ Maintain ability to access bilge pumps and dewatering devices.

CREW TRAINING

Conduct prior to getting underway:

- ✔ Dewatering equipment familiarization and use
- ✔ Pipe patching
- ✔ Hole plugging
- ✔ Putting on survival suit
- ✔ Abandon ship procedures

Conduct semiannually:

- ✔ Importance of watertight integrity
- ✔ Importance of vessel cleanliness
- ✔ Importance of keeping vessel ice free
- ✔ Importance of eliminating free surface

PRUDENT SEAMANSHIP RULES OF THUMB

- ✔ Be alert to all the dangers of following or quartering seas.
- ✔ If excessive heel or yawing occurs, reduce speed as a first precaution.

Be aware of your surroundings.
Look out after your crew.

QUICK TIPS:

- ✔ Maintain your vessel water and weather tight.
- ✔ Maintain vessel subdivision.
- ✔ Train your crew before getting underway.
- ✔ Demand good housekeeping.
- ✔ Look out after yourself and your crew.