U.S. Department of Transportation
United States Coast Guard

Commandant
United States Coast Guard

2100 Second Street, S.W.
Washington, DC 20593-0001
Staff Symbol: G-MOC
Phone: (202) 267-0490
Fax: (202) 267-0506

16714
MOC Policy Letter 02-05
NOV 25 2002

MEMORANDUM

From: J. A. Servidio 17 Nov 02
COMDT (G-MOC)

To: Distribution

Subj: NAVIGATION SAFETY EQUIPMENT TESTING REQUIRED UNDER 33 CFR 164.25 FOR CRUISE SHIPS

Ref: (a) Title 33, Code of Federal Regulations, Part 164.25
(b) International Convention on the Safety of Life at Sea (SOLAS), 1974 Amended

1. Reference (a) requires all vessels to conduct tests of specific navigation and emergency equipment 12 hours prior to both arrival into and getting underway upon the navigable waters of the United States. Reference (b) contains a similar requirement in Chapter V, Regulation 19.2 for testing of steering systems.

2. Passenger vessel industry representatives have pointed out that many cruise vessels operating from U.S. ports have itineraries that include transit times of 24 hours or less between port calls, particularly those vessels operating in Alaska and the Caribbean. Regulations in references (a) and (b) may result in excessive testing frequency of emergency equipment on voyages of short duration. This testing may also cause greater harm than any benefits gained by the testing of the equipment. For example, starting the emergency generator and testing storage batteries several times every week may decrease their readiness. Instead, it may work to their detriment, in that the probability of failure may actually increase due to repeated stops and starts of the equipment and due to increased opportunity for human or organizational errors.

3. In light of this, the International Council of Cruise Lines (ICCL) has requested a national waiver from the testing of emergency equipment as required in reference (a). While it appears that such a waiver may be appropriate, a careful regulatory review, has determined that the authority to allow deviations from these testing requirements rests solely with the COTPs, precluding the issuance of a National, Area or District waiver. Specifically, the COTP may, upon written application, determine that the deviation does not impair safe navigation under anticipated conditions and will not result in a violation of the rules for preventing collisions at sea.

4. To ensure consistent enforcement of this regulation and provide guidance to field personnel and industry alike, the following guidelines are provided to COTPs. Upon receipt of a written

application from a vessel owner, each COTP should take the following into account when deciding on a waiver:

a. Does the vessel's itinerary involve multiple port calls? What is the expected number of port calls and frequency of testing per 33 CFR 164.25 and SOLAS Chapter V/19-2 during the vessel's voyage? [Testing more than twice weekly may contribute little to safety.]

b. Do the risk factors present in the AOR such as weather, traffic (density and type) and navigational complexities preclude issuing a waiver?

c. What are the implications of the human element in terms of excessive testing? [Are many steps involved in going from a fully automated system to local/manual control and back that may be inadvertently omitted?]

d. Is there an increased likelihood of damage to emergency equipment due to repeated starts and stops or operation under low load conditions? [If so, consider granting the waiver.]

e. What is the vessel's class and its own operating history for steering gear, emergency source of power and propulsion systems? Does the vessel employ any new or novel technology that has not been in existence long enough to establish a satisfactory performance history? [Problematic or unknown performance history argues against a waiver.]

f. Does the vessel have an existing waiver from their administration relaxing the testing requirements in SOLAS Chapter V/19.2? [If the vessel has requested a waiver from flag and been denied, determine why. If the vessel does not have a waiver, then it is already conducting these tests according to SOLAS upon each departure.]

5. Nothing in this Policy Letter should be construed as limiting or usurping the authority of the local COTP. In order to facilitate consistency nationwide, G-MOC recommends Area and District Commanders support COTPs who consider modifying the testing intervals required in reference (a) in the following manner:

a. Primary and secondary steering gear – test in accordance with 33 CFR 164.25(a)(1)(iv) and (vii) prior to departure and in the vicinity of the sea buoy prior to entering port; all other requirements in 33 CFR 164.25(a)(1) shall be completed weekly during the test as outlined below.

b. Internal vessel control communications and vessel control alarms – tested weekly.

c. Standby or emergency generator auto start feature (if applicable) – tested weekly. The vessel must demonstrate that it has procedures (Safety Management System) in effect for testing the steering gear while powered by the alternative power source and supply as required by Chapter II-1/Regulation 29.14 and Regulation 42.7 in reference (b). In this

regulatory context, the term "alternative power supply" in 33 CFR 164.25(a)(1)(iii) has been interpreted by G-MSE and G-MSO to mean from the emergency switchboard, whereas the "source" is interpreted to mean the emergency generator.

d. Storage batteries for emergency lighting and power systems – tested weekly.

e. Main propulsion machinery ahead and astern prior to departure and in the vicinity of the sea buoy.

6. In order to ensure consistency, it is requested that Area Commanders provide a copy of all letters in response to requests for waivers per reference (a) to Commandant G-MOC-2.

7. The G-MOC-2 point of contact for this issue is LCDR Rich Pruitt at (202) 267-1406.

#

Dist: Commandant (G-MSO/G-MSE)
All Area Commanders (m)
All District Commanders (m)
All MSOs/Activities