U.S. Department of Homeland Security

United States Coast Guard

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PCV Policy Letter 06-08

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To: Distribution

Subj: ENFORCEMENT ACTIONS FOR U.S. AND FOREIGN FLAGGED PASSENGER SHIPS ON INTERNATIONAL VOYAGES HAVING SURVIVAL CRAFT NOT FIT FOR SERVICE

Ref: (a) SOLAS Chapter III, Life-Saving Appliances and Arrangements
(b) Title 46, Code of Federal Regulations Part 199, Lifesaving Appliances and Arrangement

1. Purpose. This policy letter outlines the enforcement actions to take when inspectors find passenger ship survival craft (lifeboats or life rafts) damaged or otherwise not fit for service.

2. Action. Field units shall use the following guidance for both U.S. and foreign flagged passenger ships.

3. Directives Affected. None.

4. Background and Information.

a. Requirement: Modern-day passenger ships carry thousands of passengers and crew members. Both U.S. and foreign-flag passenger vessels on international voyages must have sufficient lifeboats and life rafts on board to accommodate 100 percent of the total number of persons on board (SOLAS Regulation III/21.1.1 and 46 CFR 199.201(b)(1)). At least 75 percent of this capacity must be lifeboats. Further, the references (a) and (b) require equal distribution lifeboat and life raft arrangements on both sides of the vessel. In addition, the vessel must have additional life rafts to accommodate 25 percent of the total number of persons on board (SOLAS Regulation III/21.1.2 and 46 CFR 199.201(b)(2)). As an example, a foreign-flag passenger ship which may carry 4000 passengers and crew must have survival craft for 5000 persons, of which lifeboats must serve at least 3000 persons.

b. Non-Conformity: Survival craft found damaged or otherwise not fit for service effectively reduces the total number of persons the vessel may carry. If a Marine Inspector or Port State Control Officer finds survival craft damaged or otherwise not fit for service, the appropriate action would be repair or replacement of the defective survival craft. If this is not possible, the appropriate requirement would be a temporary reduction in the total

persons allowed on the vessel. In several past instances involving a lifeboat not fit for service, the Coast Guard has erroneously reduced the total number of persons by more than the number of persons normally carried by the unfit lifeboat. For example, the Coast Guard reduced the total persons allowed on a foreign flag passenger ship with one substandard 150 person lifeboat by 300 persons, based on the argument that SOLAS requires equal distribution of lifeboat arrangements on both sides of the vessel. Note this particular SOLAS requirement is a design requirement for arranging lifeboats and stations on the vessel and this requirement does not apply to operational and temporary situations where individual lifesaving equipment is substandard.

c. Temporary Reduction of Total Persons on Board: Given that SOLAS lifeboat requirements for a passenger vessel presume that the ship has all of its required lifeboats and life rafts available during abandon ship, the Coast Guard should not normally require any reduction of total persons allowed beyond the lifeboat capacity lost due to damaged or otherwise not fit for service lifeboats or life rafts. Examples: If a 150 person lifeboat is substandard, the Coast Guard should not reduce the total persons allowed by more than 150 persons. If a 35 person life raft (part of the 100 percent requirement) is substandard, the Coast Guard should not reduce the total persons on board by more than 35 persons. If a 35 person life raft (part of the 25 percent additional life raft requirement in SOLAS Regulation III/21.1.2 or in 46 CFR 199.201(b)(2)) is substandard, the Coast Guard may reduce the total persons on board as discussed in paragraph 4.f. below.

d. Temporary Addition of Life Rafts for Lifeboats. A vessel with a substandard lifeboat may fully or partially offset a reduction in total persons allowed by adding one or more SOLAS-approved life rafts on the appropriate side of the vessel. The vessel may only do so if it meets the following conditions: the life raft is capable of davit launch; the vessel provides the appropriate SOLAS-approved launching arrangements for the added life rafts; and the aggregate capacity of the remaining non-substandard lifeboats is not less than 75 percent of the reduced total number of persons on board the vessel.

e. Temporary Substitution of Existing Life Rafts for Lifeboats. A vessel with a substandard lifeboat may offset a reduction in total persons allowed by changing the service of one or more of the existing rafts required by SOLAS Regulation III/21.1.2 or 46 CFR 199.201(b)(2) on the appropriate side of the vessel. The vessel may only this only if it meets the conditions specified in paragraph 4.d. above. In addition, when considering a reduction in the total persons allowed, the Coast Guard should ensure that the change provides capacity requirements of references (a) and (b) for the temporary reduction in total persons allowed. For example:

1. A vessel that may carry 2270 total persons has 6 – 150 person lifeboats, 1 – 60 person rescue boat/lifeboat and 5 – 35 person life rafts as primary lifesaving equipment (i.e. the 100 percent requirement) on each side of the vessel. The vessel also has 18 – 35 person additional life rafts which exceeds the 25 percent additional life raft requirement. The vessel has one substandard 150 person lifeboat on the starboard side.

2. The compliant lifeboat and life raft aggregate capacity (of the original 100 percent requirement) now supports 2120 persons. However, two of the existing additional 35 person life rafts (part of the 25% requirement) may partially offset the total reduction to 2190 persons allowed.

3. The remaining additional life rafts (16 – 35 person life rafts) still meets the 25 percent requirement for 2190 total persons.

4. The remaining lifeboats support 1770 persons, and a vessel that has 2190 total persons allowed must only have lifeboats supporting 1643 persons.

f. Temporary Reduction of Total Persons Allowed due to Substandard Life Rafts (that are part of 25 percent requirement). If a life raft required under SOLAS Regulation III/21.1.2 or 46 CFR 199.201(b)(2) is substandard, a reduction of total persons allowed beyond the capacity of the substandard life raft(s) may be appropriate. For example, a vessel that meets the 100 percent lifeboat and life raft requirement for 2800 total persons allowed must have an additional 700 person life raft aggregate capacity to meet the aforementioned requirements. If the vessel has lifeboats for 2220 persons and life rafts for 580 persons to meet the 100 percent requirement and 20 - 35 person life rafts to meet the 25 percent requirement, and two of the latter life rafts are substandard, then the vessel must account for this loss of capacity. For this case, determine the total number of persons served by the lifeboats and all of the non-substandard life rafts. In this case, total survival craft capacity is 3430 persons. Noting that the total lifeboat and life raft capacity must be at least 125 percent of the total persons allowed, multiply this number by 0.8 to yield the reduced total persons allowed (2744).

5. Implementation. If a Marine Inspector or Port State Control Officer finds a required lifeboat or life raft not fit for service:

a. Require repair or replacement of the substandard lifesaving equipment before allowing the vessel to sail.

b. In cases where the vessel cannot repair or replace the substandard equipment before sailing, require a reduction of total persons allowed commensurate with the number of persons served by the substandard lifesaving equipment.

c. For foreign vessels, do not detain the vessel, but issue the Master a CG Form 5437A/B describing the deficient lifesaving equipment and the reduction in total persons allowed on the vessel. This reduction in total persons allowed will remain effective until the vessel repairs or replaces the substandard lifesaving equipment. An appropriate time for temporary reductions in total persons allowed for operations originating in the U.S. is 30 days. The vessel may request additional time for lifeboat repair or replacement.

d. For U. S. vessels, allow the vessel to sail, but issue the Master a CG Form 835, in accordance with the Marine Safety Manual, Volume II, Section A.2.c, describing the deficient lifesaving equipment and the reduction in total persons allowed on the vessel.

This reduction in total persons allowed will remain effective until the vessel repairs or replaces the substandard lifesaving equipment. An appropriate time for temporary reductions in total persons allowed for operations originating in the U.S. is 30 days. The vessel may request additional time for lifeboat repair or replacement.

e. Make appropriate entries in MISLE.

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Cc: CG LANTAREA (Ap)
CG PACAREA (Pp)
CG Marine Safety Center
All Districts, Sectors, Activities, and MSUs