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NAVIGATION AND VESSEL INSPECTION CIRCULAR NO. 7 00

Subj: CLARIFICATION OF THE APPLICATION OF THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS (STCW), 1978, AS AMENDED, TO VESSELS LESS THAN 200 GROSS REGISTER TONS (GRT)

1. PURPOSE. This policy clarifies the application of the STCW to U.S. mariners serving on U.S. flag vessels of less than 200 GRT (500 gross tonnage (GT) under the International Tonnage Convention).

2. ACTION. Use this Circular when evaluating the application of STCW to those mariners serving on U.S. flag vessels less than 200 GRT. Officers in Charge, Marine Inspection (OCMIs) should bring this Circular to the attention of the appropriate people in the marine industry within their zones. This NVIC is available on the World Wide Web at:

   http://www.uscg.mil/hq/g-m/nvic/index.htm

3. DIRECTIVES AFFECTED. None.

4. BACKGROUND.

   a. International Standards.

      (1) STCW regulation II/3 paragraph 7, together with section A-III/1 paragraph 9, section A-III/2 paragraph 8, and section A-III/3 paragraph 8 of the STCW Code, allow each Administration (government) to vary the requirements for masters, chief engineers, and officers of the navigation and engineering watches on board a vessel, dependent on the vessel's size and conditions of voyage.

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(a) This variance is allowable for deck officers serving on a vessel less than 500 GT, which equates to 200 GRT, if the vessel's size and the conditions of its voyage make the application of the full requirements unreasonable or impracticable.

(b) The variance also applies to engineering officers serving on a near coastal vessel powered by main propulsion machinery of less than 3,000 kW (4,000 HP). STCW doesn't apply to engineering officers serving on a seagoing vessel less than 750 kW (1000 HP).

(2) STCW regulation II/4 describes the minimal requirements for ratings forming part of a navigational watch. It applies only to unlicensed mariners working on a seagoing vessel of 500 GT or more, and will not figure further in this Circular.

(3) STCW regulation III/4 describes the minimal requirements for ratings forming part of a watch in a manned engineroom or designated to perform duties in a periodically unmanned engineroom. It and the corresponding STCW Code section A-III/4 apply only to a seagoing vessel powered by main propulsion machinery of 750 kW (1,000 HP) propulsion power or more. It does not apply to an U.S. vessel less than 200 GRT (500 GT) on a domestic voyage, as per 4.b.(2) below.

(4) STCW regulations I/1 defines near coastal voyages as those voyages in the vicinity of a Party (signatory government) as defined by the Party. Each party to STCW has defined its own boundary for near coastal waters and that boundary may not be consistent with the definition within 46 CFR 10.103 (see paragraph 5.f.). STCW section B-I/3 explains that near coastal voyages should not be extended worldwide and where the near coastal voyages includes voyages off another Party's coast, a bilateral agreement should be established.

b. Domestic Standards.

(1) It is the policy of the Coast Guard that some variance is appropriate for personnel serving on U.S. flag vessels less than 200 GRT on domestic voyages. But the OCMI should consider the safety of all vessels operating in the same waters before he/she grants any such variance.

(2) The Coast Guard has specifically determined that, for certain small vessels on domestic near coastal voyages, the scheme of safety provided by the current licensing programs and the inspection and oversight programs for small vessels deliver a level of safety comparable to the STCW. Therefore, it imposes no new requirements <u>either</u> on mariners serving on passenger vessels of less than 100 GRT inspected under subchapter T or K or on other vessels less than 200 GRT on domestic voyages <u>or</u> on the owners or operators of such vessels.

(3) The Coast Guard considers near coastal voyages to be those voyages within 200 miles of the U.S. shore and within the jurisdictional waters of the U.S.

(4) For a master or other mariner (deck or engineering) serving on a vessel of less than 200 GRT on a domestic near coastal voyage, no new training requirements will be imposed beyond existing regulations, in accordance with Title 46, Code of Federal Regulation (46 CFR), sections 10.202(k), 12.02-7(f), and 15.103(f). This decision is due to the equivalency between STCW and current U.S. laws and industry practice. Holding a suitably endorsed U.S. license for service on these vessels complies with STCW under domestic laws.

5. DEFINITIONS.

a. Boundary lines are lines drawn following the general trend of the seaward, highwater shorelines and lines continuing the general trend of the seaward, highwater shorelines across entrances to small bays, inlets and rivers. The boundary lines are further described in 46 CFR part 7.

b. Domestic service means a vessel used in trade from one U.S. port to another U.S. port. This could include a voyage to nowhere that returns to the originating port.

c. Gross Tonnage (GT) is that tonnage as measured under the International Convention on Tonnage Measurement of Ships, 1969.

d. Gross Register Tons (GRT) is that tonnage as measured under the U.S. tonnage measurement system found in Title 46, United States Code, section 14502 (46 U.S.C. 14502).

e. An international voyage means, for the purposes of this Circular, a sea voyage from a port in the United States to a port in a foreign country.

f. Near Coastal, as defined within the 46 CFR 10.103, means ocean waters not more than 200 miles offshore.

6. DISCUSSION.

a. STCW regulation II/3, and sections A-III/1 and A-III/3 of the STCW Code, allow us to determine the portions of STCW that should be applied to officers on vessels less than 200 GRT (500 GT) and 3,000 kW, as applicable, when full application would be unreasonable or impracticable. Under 46 CFR 10.202 and 15.103(f), U.S. vessels less than 200 GRT operating on domestic voyages are not required to provide additional proof of qualification to meet the requirements of STCW, except for those vessels inspected under subchapter H of 46 CFR. Officers serving on these vessels will not be required any additional requirements beyond those of our domestic regulations.

b. Neither any mariner serving on any of the following vessels, nor the owners or operators of the vessels, need meet the requirements of STCW, because the vessels are either exempt by STCW or U.S. laws:

(1) Fishing vessels;

(2) Fish tender vessels as defined in 46 U.S.C. 2101;

(3) Pleasure yachts not engaged in trade;

(4) Wooden vessels of primitive build;

(5) Uninspected passenger vessels as defined in 46 U.S.C. 2101;

(6) Barges as defined in 46 U.S.C. 2101, including non-self-propelled mobile offshore-drilling units; and

(7) Vessels operating exclusively on the Great Lakes or the inland waters of the U.S. Inland waters, for the purposes of this Circular, mean those waters shoreward of the boundary line.

c. No mariner serving on a vessel listed in the previous paragraph need either hold or be issued a STCW certificate.

d. Requirements for mariners serving on vessels on domestic voyages beyond the boundary line.

(1) An officer operating a vessel on domestic voyages will have an appropriate STCW endorsement automatically placed directly on his or her license. This endorsement is available to any officer on an inspected passenger vessel less than 100 GRT and on any other U.S. vessel less than 200 GRT (500 GT) that is operating exclusively on a domestic voyage if the mariner does not already hold a STCW certificate.

(2) No STCW endorsement or certificate is necessary for officers operating the vessels listed in 6.b. above.

(3) Officers operating vessels inspected under subchapter H must fully comply with STCW.

(4) The endorsement should read as follows:

When the holder of this license is serving on an U.S. vessel of less than 200 gross register tons (500 gross tonnage) in domestic service, no added STCW endorsement is necessary to meet the U.S. regulations implementing the STCW Convention.

e. Requirements for mariners on international voyages.

(1) A mariner licensed for service on vessels of less than 100 GRT inspected under subchapter T or K, and on other vessels less than 200 GRT (500 GT), when operating on international voyages, except for voyage specific exemptions addressed in paragraph 6.e.(3) below, must meet the requirements for training and assessment of the applicable U.S. and STCW regulations, in accordance with 46 CFR 10.202. A mariner seeking a license or certificate valid for international voyages must meet the requirements for training and assessment of the STCW Code section A-II/3, A-III/1, A-III/3, or A-III/4 (where they apply to mariners on vessels not engaged on near coastal voyages) and all other requirements of the STCW, including those on basic safety training, hours of rest, and watchkeeping of section A-VIII of the STCW Code. A license endorsed for near coastal waters is not valid for international voyages or operation in waters of a foreign country.

(2) An unlicensed mariner assigned a watch in an engineroom or designated to perform duties in a periodically unmanned engineroom on a vessel on an international voyage, must have an STCW endorsement documenting that he or she meets the competencies of the STCW Code, section A-III/4, in accordance with 46 CFR 12.02-7(e). This requirement applies only to those vessels driven by main propulsion machinery of 750 kW of propulsion power or more. Any mariner who entered into service before August 1, 1998, and holds a merchant mariner's document endorsed as qualified member of the engine department, need only meet the requirement for basic safety training for issuance of a 1995 STCW certificate. For further information on the transitional arrangements, see Navigation and Vessel Inspection Circulars 4-97 and 8-97.

(3) An officer licensed for service on vessels covered by this Circular and not otherwise specifically exempt from the requirements of STCW, may have a separate STCW certificate or endorsement issued when the OCMI determines that such certificate or endorsement is necessary to enable a specific vessel or vessels to occasionally operate on a voyage specific route. The OCMI should consider the following before he or she issues such a certificate or endorsement:

(a) A letter from the company explaining the necessity to allow their employees to operate on international voyages.

(b) Each crewmember requiring an STCW certificate must meet the following requirements:

1. If the crewmember is filling an officer's position on the vessel, then he or she must hold a license endorsed for oceans route (knowledge of COLREGS, ocean navigation).

2. Demonstrated proficiency (knowledge and/or demonstration) of the safety & navigational equipment installed on the vessel. The demonstration should be conducted in the presence of a marine inspector (ideally during the most recent annual inspection or reinspection).

3. Either completed STCW basic safety training or has demonstrated proficiency in emergency drills (man overboard, abandon ship, fire emergency, steering failure, etc…). The demonstration should be conducted in the presence of a marine inspector (ideally during the most recent annual inspection or reinspection).

(c) A letter or other documentation that details the mariner's experience on the specific vessel(s) to be considered. The details should at least include vessel name(s), official number(s), length of service on each vessel, and routes on which the mariner has served.

(4) This paragraph sets forth a method to issue a STCW certificate to a mariner required to make an occasional international voyage, whose routine trade is on domestic voyages, when the OCMI determines a certificate is warranted by the necessity of the circumstances. A certificate issued under paragraph 6.e.(3) may not serve to establish experience or training necessary for raises of grades of licenses or certificates. It must bear a limitation within the CAPACITY-LIMITATIONS section with an endorsement listed in either paragraph 6.e.(4)(i) or (ii) below and the endorsement of paragraph (iii):

(a) If the limitation is vessel-specific, adjacent to the CAPACITY (master, mate, chief engineer, or the like) it should read:

Restricted to service on M/V XXXXXXX.

(b) If the limitation is to a specific class of sister vessels owned by a specific company, adjacent to the CAPACITY it should read, for example:

Restricted to Small Passenger Vessels of Delta Hull 88 design owned by ABC Charters, Inc. of not more than 100 gross register tons/500 gross tonnage (or applicable vessel description and/or tonnage limitation).

The tonnage limitation in most cases should also appear in gross tonnage. This specific example demonstrates the endorsement for a license restricted to small passenger vessels not more than 100 GRT.

(c) The certificate should also include an endorsement for the specific route, which should read:

Valid for voyages between the United States and (applicable port) only.

f. Direct questions you may have regarding this guidance to any Regional Examination Center or the National Maritime Center at (202) 493-1000.

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Assistant Commandant
for Marine Safety and
Environmental Protection

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