

**Coast Guard Authorization Act of 2010
(Public Law 111-281)**

**UPDATE: NEW REQUIREMENTS
FOR
COMMERCIAL FISHING INDUSTRY
VESSELS**



**Office of Vessel Activities
Fishing Vessel Safety Division
U.S. Coast Guard Headquarters**

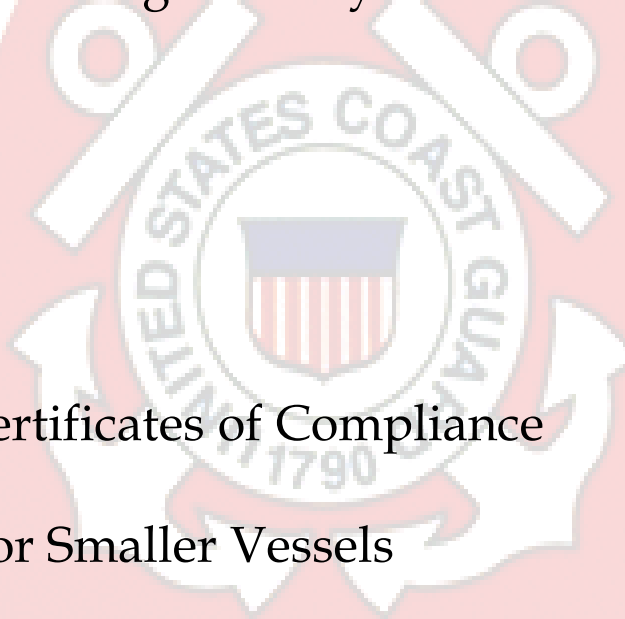
IN REVIEW

What the Law did:

Section 604, 608 and 609 of the “Coast Guard Authorization Act of 2010,” (P.L. 111-281) signed into law on 15 October 2010, made numerous changes to Chapter 45 of Title 46 United States Code (U.S.C.) [46 USC 4502-4508], “Uninspected Commercial Fishing Industry Vessels” and Chapter 51, “Load Lines.”

Areas Impacted:

- Parity for All Vessels
- Survival Craft
- Records
- Vessel Examinations & Certificates of Compliance
- Training for Operators
- Construction Standards for Smaller Vessels
- Load Line Requirements
- Classing of Vessels
- Other Provisions (Training/Research Grants & CFSAC)
- Replacing Boundary Line with Three Nautical Miles from Baseline



GOING AHEAD

Regulatory Strategy:

- USCG intends to publish an **Interim Rule**:
 - > Deemed fastest means for implementation
 - > Rule language will follow Authorization Act verbiage to the letter; no discretionary language
 - > Will utilize “Good Cause” exemption to APA since delays would frustrate the rule’s purpose and would be contrary to the public interest
 - > Defers the need for notice-and-comment procedures (Comments after)
 - > Allows for statutes to become enforceable
 - > Final Rule to follow after public meeting and comment period to provide discretionary and interpretive language to regulations

GOING AHEAD

Timeline for Requirements:

- Construction standards for vessels under 50 feetApplicable January 1, 2010
- Load lines required for vessels 79 feet or greater, built afterJuly 1, 2012
- Survey and classification on vessels 50 feet or Greater, built afterJuly 1, 2012
- Buoyant apparatuses and life floats no longer allowable.....January 1, 2015
- Develop an Alternate Safety Compliance Program for vessels at least 50 feet in length, built before July 1, 2012, and over 25 years of age by.....January 1, 2017
- Vessel above must comply with an Alternate Safety Compliance Program described above by(**).....January 1, 2020

** Owners of more than 30 vessels subject to an Alternate Safety Compliance Program must meet program requirementsJanuary 1, 2030

++ Rulemaking is a deliberative process that requires an extensive amount of review. The Interim Rule must be finalized/cleared through the USCG, DHS and OMB before publication.

GOING AHEAD

Thinking of building a new fishing vessel?



The law affects the construction of new fishing vessels that **operate beyond 3 nm from the baseline** from which the territorial sea of the United States is measured or 3 nm from the coastline of the Great Lakes.

The vessels are grouped and/or identified as follows:

- Vessels less than 50' **overall** in length built after January 1, 2010
- Vessels 50' **overall** in length or greater built after July 1, 2012
- Vessels 79' or greater in length, and built after July 1, 2012

* **Overall length can differ from registered length**

GOING AHEAD

Vessels less than 50' overall in length built after January 1, 2010:

- Such vessels are to be built in a manner that provides a level of safety equivalent to the minimum safety standards the Secretary may establish for recreational vessels under section 4302.
- The existing regulations for recreational boats that apply are:
 - 33 CFR PART 181 – MANUFACTURER REQUIREMENTS**
 - 33 CFR PART 183 – BOATS AND ASSOCIATED EQUIPMENT**
- Those parts pertain mostly to flotation and systems.
- Topics covered include, but are not limited to:
 - Safe Loading
 - Safe Powering
 - Flotation Requirements
 - Electrical Systems
 - Fuel Systems
 - Ventilation

CODE OF FEDERAL
REGULATIONS

33

Parts 125 to 199
Revised as of July 1, 2011

**Navigation and
Navigable Waters**

GOING AHEAD

Vessels 50' overall in length or greater built after July 1, 2012:

Such vessels that are built after July 1, 2012, are subject to classification society survey and classification requirements.

That means construction standards that your vessel needs to meet will be determined by the classification society that you choose.

Vessels 79' or greater in length, and built after July 1, 2012:

Such vessels that are built after July 1, 2012, are subject to load line requirements. Load lines can be issued by the classification society on behalf of the USCG.

* In both of the above cases the Coast Guard does not prescribe the structural standards; USCG accepts the standards of the class society that will survey, class and/or load line your vessel

SURVEYING, CLASSIFICATION, & LOAD LINES

Before cutting steel, forming cement or laying fiberglass:

- Builder/owner needs to start dialog with a *recognized* class society
- Once the builder/owner and a class society agree to work together then the process starts



SURVEYING, CLASSIFICATION, & LOAD LINES



Classification & Survey:

Classification provides assurance that a set of requirements laid down in rules and standards established by the classification society are met during design, construction and are maintained during operation.

Survey and Classification process can include:

- Plans Approval (Pre-construction)
- Review of technical drawings for compliance with class society rules
- Surveys during construction (hull & machinery)
- Alterations Approval
- Surveys of Control Equipment
- Workmanship (Shipyard)
- Issuance of evidence of class (Hull & Machinery Certificates)
- Periodic surveys (annual and dry docking) to verify that the vessel is maintained to the applicable Class Rules

SURVEYING, CLASSIFICATION, & LOAD LINES

Load Lines:

The purpose of having a Load Line is to ensure the seaworthiness of the intact (undamaged) vessel.

Load Line assignment process can include:

- Stability Review & Approval
- Freeboard Calculations (Assignment of Load Line Marks)
- Conditions of Assignment
- Survey Report
- Exemptions and Equivalencies (“Equivalent Level of Safety”)
- Issuance of Load Line certificate
- Annual Surveys (Class Survey)



CLASSIFICATION SOCIETY CONTACT INFORMATION:

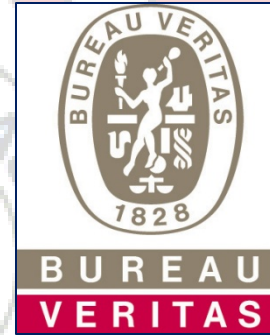
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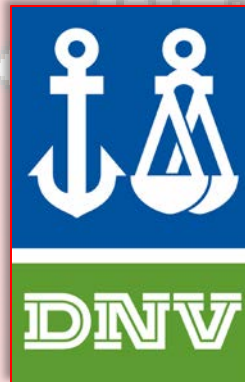
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www.regulations.gov

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QUESTIONS?

