

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

**Coast Guard and Maritime Transportation Act of 2012
(Public Law 112-213)**

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



**Office of Commercial Vessel Compliance
Fishing Vessels Division
U.S. Coast Guard Headquarters
Jack Kemerer, 202-372-1249**

IN REVIEW

What the Laws did:

Section 604 of the CG Auth Act of 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 the Act also amended Chapter 51, “Load Lines.” Section 305 of the CG and Maritime Transportation Act of 2012 changed compliance requirements regarding safety exams and construction of new vessels.

Areas Impacted:

- Parity for All Vessels Operating beyond 3 NM, - Boundary Line deleted
- Survival Craft that keeps you out of the water (IBA, L/R)
- Records of Drills and Maintenance, - Training for Operators - TBD
- Vessel Examinations, 1st by Oct 2015, - Classing of Vessels >50 ft
- Construction Standards for Smaller Vessels – Like RBS stds
- Load Line Requirements – vessel >79 ft - ASCPs for older vessels

Regulatory Strategy:

- USCG intends to publish an *Interim Rule* – non-discretionary requirements
- Follow-up with a *NPRM* – some items from previous project and other discretionary items
- Slow/involved process – IR under administrative review, NPRM under development

NOW: continue with current policies, outreach and education efforts, push for exams

STATUS & ISSUES

Activities:

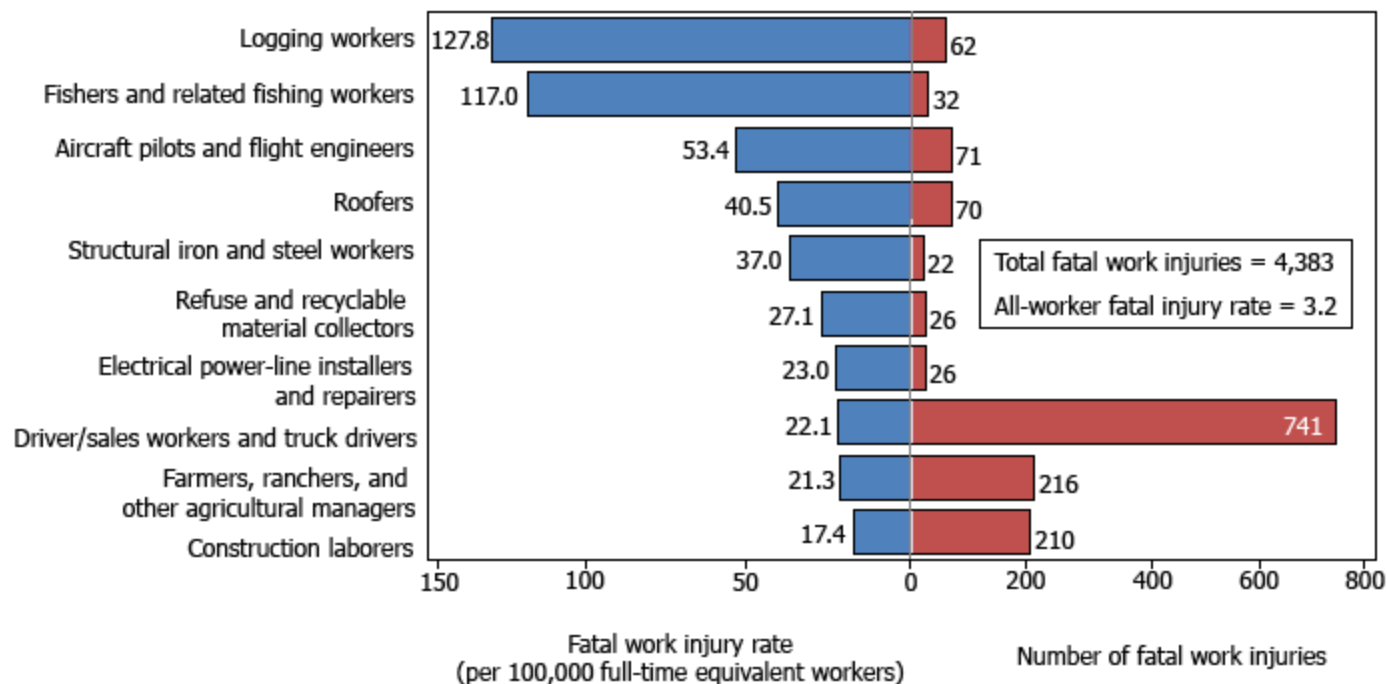
- Exam numbers down since last Fall; 2012 Act delayed mandatory exam deadline
- Compliance rates appearing lower during boardings
- Fatality rate dropped slightly last year; may go up again this year (30 fatalities already)
- Added 23 new examiner positions & 4 coordinators in FY-12 (some hires pending)
- Monthly Program teleconferences with coordinators & other stakeholders
- Looking at areas to focus on for development of ASCPs; by region and/or fishery?

Issues, Areas for Attention:

- Examiner outreach activities continue, expand where possible
- Stress completing an Exam before the deadline (which seems a long ways off)
- Stress PFD wear to help prevent MOB fatalities
- Exams on a 2 yr basis still in effect for vessels subject to Observer carriage
- Vessel service – T-Boats and UPVs vs Fishing vessels
- Supporting safety training programs as resources allow
- Auxiliary and Third Party Organizations can conduct exams
- FY-14 Budget – impact on personnel and exams

Check www.FishSafe.info for notices and CFVS information, and links to other resources.

Occupations with high fatal work injury rates, 2012*



The preliminary data for 2012 showed fatal work injury rates were high for logging workers and fishers and related fishing workers.

*Data for 2012 are preliminary.

NOTE: Fatal injury rates exclude workers under the age of 16 years, volunteers, and resident military. The number of fatal work injuries represents total published fatal injuries before the exclusions. For additional information on the fatal work injury rate methodology, please see <http://www.bls.gov/iif/oshnotice10.htm>.

SOURCE: U.S. Bureau of Labor Statistics, U.S. Department of Labor, 2013.