

Frequently Asked Questions

Q: *Am I covered by this rule?*

A: Yes, if you operate a passenger vessel. Beginning on December 1, 2011, each passenger vessel must be in compliance with stability criteria based on the new Assumed Average Weight Per Person (AAWPP) of 185 lb or another weight approved in writing by the cognizant Officer-in-Charge, Marine Inspection (OCMI).

Q: *What action must I take if I am?*

A: If the Coast Guard has not issued a stability letter associated with the new AAWPP or greater average weight, or the Coast Guard has not confirmed that existing stability guidance is acceptable relative to the new AAWPP, then the owner or operator must certify to the OCMI that the vessel complies with applicable stability requirements.

Q: *What does "Certification of stability compliance" mean?*

A: Certification of stability compliance by an owner or operator means that –

(1) The owner or operator has provided a written statement to the OCMI together with documentation clearly supporting the total weight and number of passengers and crew permitted to be carried at the new AAWPP; and

(2) A copy of this information has been provided to the Marine Safety Center (MSC) if the vessel is a pontoon vessel or demonstrates compliance with the provisions of subchapter S.

In each case, a copy of the vessel's current stability letter should be included with the documentation.

Q: *Do I have to submit something?*

A: Owners and operators must provide the statement and documentation referred to in paragraph (1) above to the OCMI, in writing, not later than December 1, 2011. Owners and operators are encouraged to voluntarily comply with the new AAWPP as soon as practicable.



Small Entity Compliance Guide

If you have questions on this rule, contact:

**U.S. Coast Guard
Office of Vessel Activities
Domestic Vessel Compliance Division**

Telephone: (202) 372-1224

Email: CG5431@uscg.mil

www.uscg.mil/hq/cg5/cg521/



Small Entity Compliance Guide

Passenger Weight and Vessel Stability Requirements



**46 CFR Chapter I—Coast Guard,
Department of Homeland Security**

United States Coast Guard



Homeland Security

The Basics

The Coast Guard amended regulations governing the maximum weight and number of passengers that may safely be permitted on board a vessel and other stability regulations, including increasing the assumed average weight per person to 185 lb. The maximum number of persons permitted on a vessel is in need of an update partly because the average American weighs significantly more than the Assumed Average Weight per Person (AAWPP) used in current regulations. Updating these regulations will maintain intended safety levels by accounting for this weight increase.

Although the final rule on passenger weight and vessel stability requirements takes effect on **March 14, 2011**, the new AAWPP becomes effective on **December 1, 2011**. The final rule followed a notice of proposed rulemaking (NPRM) published on August 20, 2008 (73 FR 49243). The NPRM followed previous notices to the public, published in the *Federal Register* on April 26, 2006 (71 FR 24732) and November 2, 2006 (71 FR 64546), recommending voluntary interim measures for passenger vessel owners and operators to follow while the Coast Guard studied the issue of increased passenger weight. This Compliance Guide, issued under the Small Business Regulatory Enforcement Act of 1996, provides a plain-language overview of the final rule, **but you should refer to the final rule directly for details.**

Q: What options exist for certification?

A: A number of options exist for this certification, including but not limited to the following:

(1) **Weight ratio.** The simplest way to demonstrate compliance with the new AAWPP requirement is to reduce the total number of passengers and crew permitted to a number less than or equal to the former capacity, multiplied by the ratio of weight per person the current stability guidance was based on to the new AAWPP. If documentation of the old assumed weight per person is not available, the most conservative weight commensurate with the vessel's service should be used.

In formula, this means:

New passenger and crew capacity =

$$\frac{(\text{Existing Capacity} \times \text{Previous Assumed Weight Per Person})}{185 \text{ lbs}}$$

(2) **Weight compensation.** One method to demonstrate compliance with the new AAWPP requirement is to reduce the cargo weight carried by an amount equal to the difference in permitted weight of passengers and crew associated with the new and old AAWPPs. This is only available to vessels carrying either deck or vehicular cargo in addition to passengers.

(3) **Direct verification.** Every time a vessel is loaded, the owner or operator ensures that the weight of persons loaded on the vessel does not exceed the total permitted weight. The way this may be verified, such as weighing all persons as they board, must be accepted in writing by the cognizant OCMI.

(4) **Stability calculations.** The owner or operator may prepare or have prepared revised stability calculations demonstrating that the vessel complies with applicable stability requirements when loaded with persons at the new AAWPP. These calculations may use the results of previous or new stability tests. New stability tests associated with revised stability calculations must be conducted in the presence of a Coast Guard Marine Inspector.

(5) **New stability proof tests.** The owner or operator may choose to conduct a new SST or PSST in the presence of a Coast Guard Marine Inspector to demonstrate compliance at the new AAWPP.

Q: Are there other considerations?

A: The number of passengers permitted aboard small passenger vessels is also limited by other criteria including

length of rail, deck area, or fixed seating. As the total test weight for these vessels is typically determined with consideration of these restrictions, a vessel may be able to continue to carry close to, if not the same, number of passengers at the new AAWPP. Adequate stability in this regard will, however, still need to be determined by a method like (4) or (5).

Q: Will I get a new stability letter?

A: The Coast Guard will verify the owner or operator's certification that the vessel meets stability requirements no later than the vessel's next annual inspection following December 1, 2011. Stability letters will be revised and Certificates of Inspection will be amended as needed and as Coast Guard resources permit. Owners and operators of vessels with stability letters issued by the MSC or a Coast Guard District must submit this certification information to the MSC, with a copy to the OCMI. The MSC will review and issue a new stability letter as appropriate. Pending revision of these documents, owners and operators must still comply with stability requirements.

How to Find This Rule

The Final Rule for Passenger Weight and Vessel Stability Requirements rule was published in the Federal Register on **December 14, 2010** (75 FR 78064). The Federal Register is available through your local library or on the Web at www.archives.gov/federal-register/.

To view a copy of the vessel stability rule, you may also visit the Coast Guard's Office of Design and Engineering Standards Web site, www.uscg.mil/hq/cg5/cg521.

For additional details on the rulemaking record, including the final rule and regulatory analysis, you can visit the Web site www.regulations.gov. The docket number for this rule is USCG-2007-0030.