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CG-ENG
Policy Letter 03-19
December 31, 2019

A handwritten signature in blue ink that reads "R. C. Compher".

From: R. C. Compher, CAPT
COMDT (CG-ENG)

To: Distribution

Subj: ACCEPTED DISTRESS SIGNAL DEVICES FOR OCEAN GOING VESSELS

1. Purpose. This policy letter provides guidance for the acceptance of suitable distress signal systems on vessels that transit outside the territorial limits and may require long-range rescue response provided through the Global Maritime Distress and Safety System (GMDSS). This policy letter also serves to meet the provisions of 46 U.S.C. 3306(l).
2. Background.
 - a. The U.S. Coast Guard has statutory authority under Title 46, U.S. Code, Sections 3306(a) & (b), 4302(a), and 4502(a) & (c)(2)(B) to prescribe regulations for the design, construction, performance, testing, carriage, use, and inspection of lifesaving equipment (including distress signals) on commercial and recreational vessels.
 - b. The “Save Our Seas Act of 2018” (Pub. L. 115-265, Oct. 11, 2018), amended 46 U.S.C. 3306 to require distress signaling and location technology for persons working aboard inspected vessels. The new provision is 46 U.S.C. 3306(l).
 - c. Personal locator beacons (PLBs) are currently available for marine use. PLB device technology, performance, and detection capabilities require further evaluation prior to the development of a regulatory requirement for commercial vessels. Specific limitations on PLB performance in a distress situation include lack standards for flotation or attachment to personal lifesaving appliances. These inherent reliability issues present challenges to mandating them as devices for increased mariner safety among the currently required suite of lifesaving and distress signal equipment. However, PLBs may be carried as excess equipment on vessels to provide a voluntary measure to potentially improve a person’s survivability.
 - d. Vessel emergency position indicating radio beacons (EPIRBs) are currently included in the lifesaving communications equipment regulations in 46 CFR Part 199 Subpart B for inspected vessels referenced in 46 CFR 199.10. Vessels subject to SOLAS are also required to carry an EPIRB per SOLAS Regulation IV/7. Vessels not subject to SOLAS are required to carry an EPIRB per 46 CFR 199.510.

- e. The USCG accepts EPIRBs designed, tested, and laboratory certified to the environmental and operational specifications in Radio Technical Commission for Maritime Services (RTCM) Standard 11000 for Emergency Position Indicating Radio Beacons in accordance with 46 CFR 161.011, together with Federal Communications Commission (FCC) requirements for signal characteristics and registration with the National Oceanographic and Atmospheric Administration (NOAA) per Title 47 CFR Part 80.
- f. Under 46 CFR 159.005-7(c), the USCG has the authority to approve an item of equipment that does not meet all of the requirements of 46 CFR 161.011 if it has equivalent performance characteristics.

An item of equipment or material that does not meet all of the requirements of this subchapter for design or performance may be approved by the Commandant if it has equivalent performance characteristics. The item has equivalent performance characteristics if the application and any approval tests prescribed by the Commandant, in place of or in addition to the approval tests required by this subchapter, demonstrate to the satisfaction of the Commandant that the item is at least as effective as one that meets the requirements of this subchapter.

3. Discussion.

- a. The GMDSS provides the framework for international search and rescue (SAR) response to maritime distress situations for vessels on the high seas. One of the primary initiators of a rescue via GMDSS is an international Rescue Coordination Center (RCC) receipt of a distress signal from an EPIRB. The Coast Guard participates in the performance standards development process for distress signal devices.
- b. Based on USCG accepted performance standards and regulatory requirements for currently available satellite distress signal technologies for marine use on the market, the 406 MHz EPIRB remains the best available device to ensure successful rescue operations. When properly maintained and registered, an EPIRB provides the distress alert, location, and vessel identification globally, with a 48 hour continuous signal. Until a suitable alternative is accepted, carriage of a 406 EPIRB in accordance with SOLAS Regulation IV/7.1.6 shall be considered as complying with 46 USC 3306(l).
- c. The Coast Guard is continuously striving to improve SAR response capabilities with consideration of new devices and technology. While devices, such as PLBs, are available with global positioning system (GPS) location capability is similar to 406 MHz EPIRBs, these devices currently have no standards or requirements for servicing, flotation, ease of use with personal lifesaving attachment, or attachment location.

4. Action.

- a. Operators of vessels on oceans routes should verify they meet minimum distress signal requirements in accordance with the applicable USCG regulations in 46 CFR Part 199.60 and SOLAS, with EPIRBs that are FCC listed/approved and properly registered with NOAA. These actions ensure the best emergency response from rescuers within the GMDSS.
- b. All other vessels not required to carry an EPIRB for commercial or recreational use should consider the benefits of carrying an EPIRB for improved rescue communications in the event of an emergency situation in a remote area out of radio and/or cell phone range.
- c. Owners and operators may consider augmenting their distress signal suite with 406 MHz PLBs for crewmembers. Although PLB performance is not equivalent to an EPIRB and methods of carriage or deployment have not been established, the PLB, when properly maintained and registered, provides the distress alert, location, and owner identification globally.
- d. New technologies and systems for emergency communications equipment will be evaluated for alert and locating purposes to effect efficient rescue. Where equipment is assessed to be suitable for that purpose, vessel regulations may be developed to recognize those technologies or devices and specify new carriage requirements.
- e. The USCG will specifically authorize any new distress signal devices and technologies that we have determined to be equivalent in performance to currently accepted devices for alert and locating capabilities to meet carriage requirements for emergency distress signal and response requirements. Any changes to the suite of acceptable distress signals will also need to be incorporated into training courses for the benefit of first responders, commercial vessel safety programs, mariners, and recreational boaters.

5. Additional Considerations.

- a. Any single distress signal device should be considered as a part of a vessel's complete emergency response and distress signal system. Other communications, safety, and distress signal equipment should always be considered for outfitting and appropriately used to maintain personal preparedness for a worst case distress situation.
- b. Distress signal devices should be checked per manufacturer instructions and regulatory requirements for proper operation and maintenance to ensure functionality when needed.

6. Disclaimer. The guidance in this policy letter is not a substitute for applicable legal requirements and is not a regulation. It is not intended to impose legally binding requirements on any party. This guidance represents the USCG's current thinking on this topic and may assist industry, mariners, the public, and the Coast Guard, as well as other Federal and state regulators, in applying statutory and regulatory requirements. An alternative approach for

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complying with these requirements is acceptable, if that approach satisfies the requirements of the applicable statutes and regulations.

7. Changes. This policy will be revised as necessary. It will be available with any changes on the CG-ENG website at <https://www.dco.uscg.mil/CG-ENG/>.
8. Questions. Questions concerning equipment approval should be directed to Commandant (CG-ENG-4), Commercial Regulations and Standards Directorate, Office of Design and Engineering Standards, Lifesaving and Fire Safety Division at TypeApproval@uscg.mil.

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