



UNITED STATES COAST GUARD

**REPORT OF THE INVESTIGATION
INTO THE
LOSS OF LIFE ON THE KIM LY (O.N. 588734)
WHILE FISHING CORPUS CHRISTI BAY ON
FEBRUARY 20, 2024**



U.S. Department of
Homeland Security

United States
Coast Guard



Commandant
United States Coast Guard

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16732/IIA # 7867677
09 February 2026

**LOSS OF ONE LIFE ON BOARD THE COMMERCIAL FISHING VESSEL KIM LY
(O.N. 588734) WHILE FISHING IN CORPUS CHRISTI BAY NEAR CORPUS CHRISTI,
TEXAS ON FEBRUARY 19, 2024**

ACTION BY THE COMMANDANT

The record and the report of the investigation completed for the subject casualty have been reviewed. The record and the report, including the findings of fact, analysis, conclusions, and recommendation, are approved subject to the following comments. This marine casualty investigation is closed.

ACTION ON RECOMMENDATION

Recommendation 1: Recommend that the Commandant of the U.S. Coast Guard (USCG) amend the applicability of Title 46 Code of Federal Regulations (CFR) Section 28.200 to include commercial fishing vessels (CFV) operating inside the boundary line. Currently, the regulation requires suitable guards or covers for rotary machinery only on vessels operating beyond the boundary line, leaving a gap in safety standards for vessels engaged in nearshore or inland operations.

The investigation identified that unguarded machinery, specifically winches, posed a direct risk of serious injury or death to crewmembers, regardless of operating location. According to the Centers for Disease Control and Prevention (CDC) article *Fatal and Nonfatal Injuries Involving Fishing Vessel Winches — Southern Shrimp Fleet, United States, 2000–2011*, entanglement in deck machinery is among the leading causes of traumatic injuries and deaths in the commercial fishing industry. Between 2000 and 2009, 504 U.S. fishermen lost their lives while working; 51 of these deaths resulted from onboard injuries, including machinery entanglement. Additionally, the report notes that from 2000 to 2011, the Southern shrimp fleet operating throughout the Gulf of America and along the Atlantic coast from Florida to North Carolina experienced eight fatal and 27 nonfatal winch-related incidents. These statistics clearly demonstrate that the risk posed by unguarded equipment is not limited to offshore operations and persists across all maritime environments.

According to the article *Reducing Winch Entanglements with Stationary Guarding*, by the National Institute for Occupational Safety and Health (NIOSH) in 2011, the USCG requested assistance from NIOSH due to a rise in winch entanglement incidents among shrimp fishermen in the Gulf of America. NIOSH engineers collaborated with fishermen to identify commonly used winch types and designed standardized, stationary guarding systems to improve safety.

These guards are cost-effective and easy to implement, typically costing only a few hundred dollars and requiring less than four hours to install. Most modern guard systems are modular, allowing them to be retrofitted onto older machinery without significant modifications.

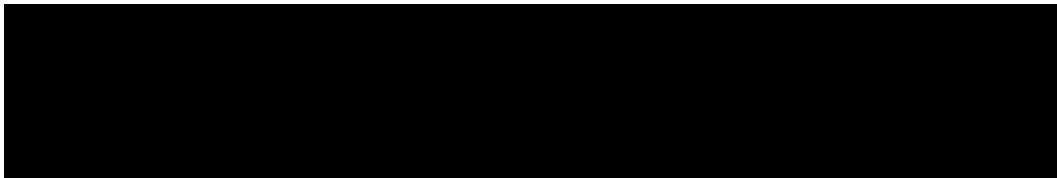
Amending the applicability of § 28.200 would close a regulatory loophole and bring consistent machinery safety standards to all CFVs regardless of operating area. The proposed change would directly mitigate the risk of machinery related injuries and fatalities, thereby enhancing overall safety in the commercial fishing industry.

Action: I do not concur with this recommendation. Expanding 46 CFR § 28.200 to include CFVs operating inside the boundary line would trigger a complete overhaul of § 28, Subpart C. This would affect numerous regulations for systems like firefighting, machinery, navigation, and communications. Such sweeping changes would require extensive justification, including an economic impact analysis, an assessment of the industry burden, public comment, and a review of the USCG's ability to support oversight. Pursuing these regulatory changes is not supported because the investigation's findings do not make a compelling argument that § 28, Subpart C is inadequate.

However, the USCG recognizes the hazards of unguarded machinery. To help raise awareness of those hazards, the USCG has previously issued Marine Safety Alerts (10-13 and 11-13) which recommended vessel owners and operators:

- Evaluate vessels for moving, rotating, or articulating machinery hazards.
- Implement documented safety policies and procedures for entanglement risks.
- Follow tag-out procedures and post clear hazard signs.
- Incorporate machinery hazards into safety plans and training.

The USCG will continue outreach measures that emphasize the need to be cognizant of exposed working equipment. Additionally, the USCG will consider publishing an update to past USCG Marine Safety Alerts, to stress the need for operators to evaluate their vessels for the presence of moving, rotating, or articulating machinery hazards.



R. C. COMPHER
Captain, U.S. Coast Guard
Director of Inspections & Compliance (CG-5PC)



16732

**LOSS OF LIFE ON THE KIM LY (O.N. 588734) WHILE FISHING CORPUS CHRISTI
BAY ON FEBRUARY 20, 2024**

**ENDORSEMENT BY THE COMMANDER,
COAST GUARD HEARTLAND DISTRICT**

The record and the report of the investigation convened for the subject casualty have been reviewed. The record and the report, including the findings of fact, analysis, conclusions, and recommendations are approved. It is recommended that this marine casualty investigation be closed.

COMMENTS ON THE REPORT

1. The loss of life was a tragic, yet preventable accident. I offer my sincerest condolences to the family and friends of the Operator who lost his life.
2. The investigation and report contain valuable information which can be used to address the factors that contributed to this marine casualty and prevent similar incidents from occurring in the future.

ENDORSEMENT ON RECOMMENDATIONS

Safety Recommendation 1: Recommend that the Commandant of the Coast Guard amend the applicability of 46 CFR § 28.200 to include commercial fishing vessels operating inside the boundary line. Currently, the regulation requires suitable guards or covers for rotary machinery only on vessels operating beyond the boundary line, leaving a gap in safety standards for vessels engaged in nearshore or inland operations.

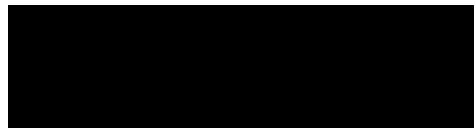
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Amending the applicability of § 28.200 would close a regulatory loophole and bring consistent machinery safety standards to all commercial fishing vessels regardless of operating area. The proposed change would directly mitigate the risk of machinery related injuries and fatalities, thereby enhancing overall safety in the commercial fishing industry.

Endorsement 1: I concur with the intent of this safety recommendation; however, until regulatory and enforcement resources are allocated for an increase in compliance requirements, a more effective strategy lies in advancing the use of machinery guards through strengthened outreach and education within our existing resource framework. Amending 46 CFR § 28.200, particularly for vessels operating within the boundary line where program participation remains voluntary, may not be the most effective or strategic path forward. The Heartland District's Commercial Fishing Vessel Safety (CFVS) Program, comprised of one coordinator and 11 dedicated examiners, has demonstrated sustained success in promoting best practices through education, outreach, and voluntary engagement. Our CFV examiners are deeply embedded within the fishing communities they serve, fostering trusted relationships with vessel operators and crews. The continued use of the *Commercial Fishing Industry Vessels Best Safety Practices Guide*, which emphasizes critical hazards such as those posed by rotating machinery, enables our examiners to effectively educate and influence behavior. This approach reinforces a proactive safety culture without imposing additional regulatory mandates which would have limited enforceability in our current force laydown.



J. B. WHEELER
Captain, U.S. Coast Guard
Chief of Prevention
Coast Guard Heartland (Eighth) District
By Direction

U.S. Department of
Homeland Security

United States
Coast Guard



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16732
June 06, 2025

LOSS OF LIFE ON THE KIM LY (O.N 588734) WHILE FISHING CORPUS CHRISTI BAY ON FEBRUARY 20, 2024

ENDORSEMENT BY THE OFFICER IN CHARGE, MARINE INSPECTION

The record and the report of the investigation convened for the subject casualty have been reviewed. The record and the report, including the findings of fact, analysis, conclusions, and recommendations are approved subject to the following comments. It is recommended that this marine casualty investigation be closed.

COMMENTS ON THE REPORT

1. I extend my deepest condolences to the family and friends of Kim Cui. It is my hope that this investigation will contribute to preventing future tragedies in the realm of commercial fishing vessel operations.

ENDORSEMENT/ACTION ON RECOMMENDATIONS

Safety Recommendation: Recommend that the Commandant of the Coast Guard amend the applicability of 46 CFR § 28.200 to include commercial fishing vessels operating inside the boundary line. Currently, the regulation requires suitable guards or covers for rotary machinery only on vessels operating beyond the boundary line, leaving a gap in safety standards for vessels engaged in nearshore or inland operations.

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Amending the applicability of § 28.200 would close a regulatory loophole and bring consistent machinery safety standards to all commercial fishing vessels regardless of operating area. The proposed change would directly mitigate the risk of machinery related injuries and fatalities, thereby enhancing overall safety in the commercial fishing industry.

Endorsement: Concur. Moving machinery, such as the winch involved in this incident, posed a significant hazard to personnel working in its vicinity. This danger exists regardless of whether the vessel is operating within or outside the boundary line, underscoring the importance of consistent safety standards across all operating environments. Installed guards or covers serve as critical safeguards designed to prevent contact with moving parts and are specifically intended to reduce the risk of entanglement or other injury. The absence or improper installation of such protective measures contributed directly to the circumstances that led to this tragedy. This case highlights the continued need for strict adherence to machinery guarding requirements and reinforces the importance of operator awareness and maintenance of safety equipment to protect all crewmembers onboard.

Administrative Recommendation: None.



T. H. Bertheau
Captain, U.S. Coast Guard
Officer in Charge, Marine Inspection

Enclosure: (1) Executive Summary
(2) Investigating Officer's Report



16732
August 5, 2024

LOSS OF LIFE ON THE KIM LY (O.N. 588734) WHILE FISHING CORPUS CHRISTI BAY ON FEBRUARY 20, 2024

EXECUTIVE SUMMARY

On 19 February 2024, at approximately 1900 the commercial fishing vessel KIM LY (O.N.588734) departed Conn Brown Harbor in Aransas Pass, TX. to Corpus Christi Bay for shrimping. The vessel was crewed by two individuals: the Operator and the Deckhand, with plans to fish until 0300 the following morning. At Approximately 2340 the Operator was conducting hull back operations near the Corpus Christi Ship Channel in Corpus Christi Bay when the operator was entangled in the ships winch resulting in his death. The Deckhand reached out for assistance to the commercial fishing vessel FRANCINE (O.N.652941) who was shrimping in the vicinity of the KIM LY. Approximately an hour later, the FRANCINE arrived on scene and assisted in extricating the Operator from the winch. The FRANCINE proceeded to place the KIM LY in tow and transited to Anne's Bait Shop in Ingleside, TX. where local authorities were contacted.

Local law enforcement authorities arrived at the scene and secured both the Bait Shop and Dock until the Coast Guard arrived to initiate their investigation. The Justice of the Peace for San Patricio County also attended the scene, pronouncing the Operator deceased, with the cause of death determined to be accidental; no autopsy was deemed necessary.

As a result of the investigation, the Coast Guard determined the initiating event to be the Operator falling into the winch resulting in his death. Causal factors contributing to this casualty were: 1) Lack of safety guard on winch, 2) Lack of an auxiliary-stop device, 3) Deteriorated state of the cable guide, and 4) Lack of preventive maintenance plan.



16732
June 06, 2024

LOSS OF LIFE ON THE KIM LY (O.N. 588734) WHILE FISHING CORPUS CHRISTI BAY ON FEBRUARY 20, 2024

INVESTIGATING OFFICER'S REPORT

1. Preliminary Statement

1.1. This marine casualty investigation was conducted, and this report submitted in accordance with Title 46, Code of Federal Regulations (CFR), Subpart 4.07, and under the authority of Title 46, United States Code (USC) Chapter 63.

1.2. No individuals, organizations, or parties either requested or were designated a party-in-interest in this investigation in accordance with 46 CFR Subparts 4.03-10.

1.3. The Coast Guard was the lead agency for all evidence collection activities involving this investigation. Due to this investigation involving a loss of life, the Coast Guard Investigative Service (CGIS) was notified and agreed to provide technical assistance as required. No other persons or organizations assisted in this investigation.

1.4. All times listed in this report are approximate, and in Central Daylight Time using a 24-hour format.

2. Vessels Involved in the Incident

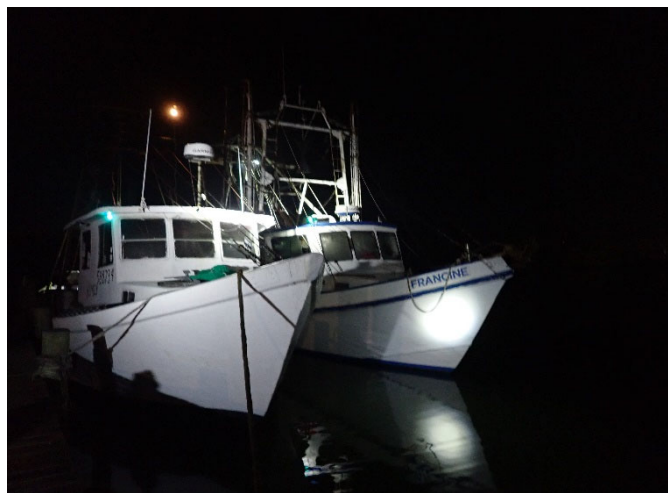


Figure 1. KIMLY moored Anne's Bait Shop Ingleside, TX. (February 20, 2024/USCG)

Official Name:	<i>KIM LY</i>
Identification Number:	588734
Flag:	United States
Vessel Class/Type/Sub-Type	Fish Catching Vessel/General/General
Build Year:	2009
Gross Tonnage:	24 GT
Length:	45.1 feet
Beam/Width:	Unknown
Draft/Depth:	Unknown
Main/Primary Propulsion:	Diesel
Owner:	Kim Cui [REDACTED]
Operator:	Kim Cui [REDACTED]

3. Deceased, Missing, and/or Injured Persons

Relationship to Vessel	Sex	Age	Status
Operator	Male	68	Deceased

4. Findings of Fact

4.1. The Incident:

4.1.1. On February 20, 2024, at 1900 hours, KIM LY was underway shrimping in Corpus Christi Bay with 2 persons on board, the Operator and Deckhand.

4.1.2. At 2330 the KIM LY started hull back operations by the Corpus Christi Ship Channel. The Deckhand was working the net while the Operator worked the winch.

4.1.3. At 2340, the guide for the cable broke and the Operator was entangled in the winch resulting in his death.



Figure 2. Broken cable guide Anne's Bait Shop Ingleside, TX. (February 20, 2024/USCG)

4.1.4. At 2340 the Deckhand called the FRANCINE, a shrimp fishing vessel in the nearby vicinity, for assistance.

4.1.5. At 0040 the FRANCINE arrived on scene and assisted the Deckhand in getting the Operator out of the winch by cutting the cable.

4.1.6. At 0117 the FRANCINE placed the KIM LY in tow and transited back to Anne's Bait Shop in Ingleside, TX. The FRANCINE requested the Bait Shop owner contact local authorities for assistance.

4.1.7. At 0215 the KIM LY and the FRANCINE were secured at Anne's Bait Shop where Ingleside PD secured the scene and placed all crewmembers on the dock for interviews with Coast Guard IO.

4.1.8. At 0800 the Justice of the Peace for San Patricio County arrived on scene and determined the cause of death to be accidental and did not order an autopsy. Funeral services took custody of the deceased. A CG-2692 was not submitted since the deceased was the owner and operator of the KIM LY.

4.2. Additional/Supporting Information:

4.2.1. On-scene weather on the day of the incident was an air temperature of 59 degrees Fahrenheit. Winds were out of the Southeast at around 10 mph with gusts up to 15 mph. Wave height was 1 foot. Visibility was 3 nautical miles.

4.2.2. The Operator had been in the fishing industry since 1980 and owned the KIM LY for over 3 years. The Operator had no formal training, nor did he hold any merchant mariner credentials and was not required to have them for commercial fishing inside the boundary line. The KIM LY primarily operated in Corpus Christi Bay, alternating between day and night fishing depending on anticipated catch results.

4.2.3. The Deckhand had worked on the KIM LY for a month and a half with no prior experience or training in maritime operations. The Deckhand did not hold any credentials nor was required to have any for his position on the vessel.

4.2.4. The KIM LY is a Commercial Fishing Vessel not subject to inspection. The vessel last received a fishing examination on September 25, 2013.

4.2.5. The KIM LY had no preventative maintenance plan. Preventive maintenance plans are in place to ensure that equipment is regularly inspected, maintained, and repaired as needed to prevent accidents and malfunctions.

4.2.6. The KIM LY did not have a safety guard installed on the winch. Safety guards help prevent workers' clothing, body parts, or tools from getting caught or trapped in the moving parts of the winch. Without guards, there is a risk of severe injuries or even fatalities if a person becomes entangled in the winch. Commercial Fishing Vessels that do not fish beyond the boundary line or with less than 16 individuals are not required to have safety guards installed in accordance with 46 CFR 28.200.



Figure 3. KIM LY winch with no guard - Anne's Bait Shop Ingleside, TX. (February 20, 2024/USCG)

4.2.7. The KIM LY winch was not equipped with an auxiliary-stop device. Auxiliary-stop devices are designed to automatically halt winch operation when engaged, reducing the risk of injury or fatality by quickly de-energizing the winch motor. These devices are not required by regulation.

4.2.8. The guide for the winch cable was in a deteriorated and corroded state. A cable guide on a winch serves to properly guide the cable as it winds onto the drum of the winch. The Operator would manually adjust a cable guide on a winch physically moving the guide to the desired position along the winch drum or track to lay the cable evenly.

5. Analysis

5.1. Lack of safety guard on winch. The absence of a safety guard on the winch of the KIM LY was captured by post-casualty photographs taken on scene. Safety guards play a vital role in preventing accidents and injuries by shielding workers from contact with hazardous moving parts, such as winch drums and cables. In the absence of safety guards, workers are exposed to significant risks during winch operations. Clothing, body parts, or tools can inadvertently come into contact with the rotating components of the winch, leading to entanglement. The absence of a safety guard increases the likelihood of such incidents occurring and amplifies the severity of potential injuries. By installing a safety guard over the winch, the KIM LY could have substantially reduced the risk of accidents and injuries associated with winch operations. The guard would have acted as a physical barrier, and possibly prevented the Operator from inadvertently making contact the moving parts of the winch and becoming entangled.

5.2. Lack of an auxiliary-stop device. The absence of an auxiliary-stop device on the winch of the KIM LY, was captured by post-casualty photographs taken on scene. Auxiliary-stop devices are designed to automatically halt winch operation when engaged, reducing the risk of injury or fatality by quickly de-energizing the winch motor. Had the winch on the KIM LY been equipped with such a device, it could have intervened to stop the winch operation upon detecting an abnormal condition, such as the entanglement of the Operator. By quickly halting the movement of the winch drum, the device could have prevented further entanglement and potential injuries to the Operator potentially preventing the fatality.

5.3. Deteriorated state of the cable guide. Photographs taken post casualty show the cable guide laying on the deck next to the winch broken in half. A cable guide on a winch serves to properly guide the cable as it winds onto the drum of the winch. The Operator would manually adjust the cable guide on the winch by physically moving the guide to the desired position along the winch drum. The cable guide's structural failure, as evidenced by its broken and corroded condition, suggests that it may have been compromised during the incident. Had the cable guide not broken in half, it is plausible to suggest that the Operator may not have fallen into the winch, thereby preventing his death.

5.4. Lack of preventive maintenances plan. The wife of the Operator reported the vessel did not have any preventive maintenance plan. Without regular maintenance and inspections, equipment like the cable guide for the winch on the KIM LY may have been operating with defects or issues. Equipment may exhibit warning signs of impending failure before a catastrophic incident occurs. Having a preventive maintenance plan could have led to the early detection and resolution of any issues with the cable guide for the winch, reducing the risk of entanglement. If the KIM LY had a preventive maintenance plan the incident may have been prevented.

6. Conclusions

6.1. Determination of Cause:

6.1.1. The initiating event for this casualty was the Operator becoming entangled in the winch causing his death. Causal factors leading to this event were:

6.1.1.1. The vessel did not have a safety guard installed on the winch.

6.1.1.2. The vessel did not have an auxiliary-stop device installed on the winch.

6.1.1.3. The cable guide broke due to its deteriorated state.

6.1.1.4. The vessel did not have a preventative maintenance plan for maintaining the winch and its equipment in good working condition.

6.2. Evidence of Act(s) or Violation(s) of Law by Any Coast Guard Credentialed Mariner Subject to Action under 46 USC Chapter 77: There were no acts of misconduct, incompetence, negligence, unskillfulness, or violations of law by a credentialed mariner identified as part of this investigation.

6.3. Evidence of Act(s) or Violation(s) of Law by U.S. Coast Guard Personnel, or any other person: There were no acts of misconduct, incompetence, negligence, unskillfulness, or violations of law by Coast Guard employees or any other person that contributed to this casualty.

6.4. Evidence of Act(s) Subject to Civil Penalty: This investigation did not identify any violations that are subject to civil penalty.

6.5. Evidence of Criminal Act(s): This investigation did not identify violation of criminal law.

6.6. Need for New or Amended U.S. Law or Regulation: As outlined in paragraph 8.1 below, this investigation identified one potential need for new or amended U.S. law or regulation.

6.7. Unsafe Actions or Conditions that Were Not Causal Factors; No unsafe actions or conditions that were not causal factors were identified.

7. Actions Taken Since the Incident

7.1. On July 23, 2024, Sector Corpus Christi Officer in Charge, Marine Investigations submitted a safety alert for approval aimed at local fishing vessel operators to ensure the understanding of hazards associated with moving machinery and take appropriate precautions to ensure their safety.

8. Recommendations

8.1. Safety Recommendation: Recommend that the Commandant of the Coast Guard amend the applicability of 46 CFR § 28.200 to include commercial fishing vessels operating inside the boundary line. Currently, the regulation requires suitable guards or covers for rotary machinery only on vessels operating beyond the boundary line, leaving a gap in safety standards for vessels engaged in nearshore or inland operations.

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8.2. Administrative Recommendations: None



U.S. Coast Guard
Investigating Officer