



16710
CG-ENG
Policy Letter 02-25
July 29, 2025

From: J. R. Doherty, CAPT
COMDT (CG-ENG)

To: Distribution

Subj: WATCH MONITORING DEVICES ON SMALL PASSENGER VESSELS, INTERIM
RULE CLARIFICATION

Ref: (a) 46 U.S.C. § 3306(n)
(b) Section 8441 of the Elijah E. Cummings Coast Guard Authorization Act of 2020,
Pub. L. 116-283, 01 Jan 2021
(c) Fire Safety of Small Passenger Vessels, Interim Rule, 86 Federal Register 73160,
December 27, 2021

1. PURPOSE. This policy letter clarifies and promotes consistency regarding Coast Guard implementation of the night watch monitoring device requirements for covered small passenger vessels (CSPVs) with overnight accommodations for passengers. Specifically, this policy provides guidance on how the Coast Guard will verify compliance with the requirements of 46 C.F.R. §§ 122.410 and 185.410. This policy letter will expire on the effective date of any final regulations issued by the Coast Guard, as required by reference (a).

2. BACKGROUND.

- a. Reference (b) added reference (a), which directs the Secretary of Homeland Security to prescribe fire safety regulations for “covered small passenger vessels.” Reference (a) defines CSPV to mean a small passenger vessel (as defined in 46 U.S.C. § 2101), except a ferry or a fishing vessel, that has overnight accommodations for passengers or that is operating on a coastwise or oceans route. Prior to issuing final regulations, reference (a) required that the Coast Guard issue interim requirements, which were promulgated as an interim rule, reference (c).
- b. An agency’s authority to promulgate regulations is typically derived from statutory law. Reference (a) requires “the installation and use of monitoring devices to ensure the wakefulness of the required night watch” on CSPVs. However, this law does not specifically require devices to be arranged throughout the vessel. The addition of the arrangement requirements in 46 C.F.R. §§ 122.410(b)(3) and 185.410(b)(3) was adopted

at the discretion of the Coast Guard during the promulgation of the interim rulemaking to implement the statutory requirement. The intent of 46 C.F.R. §§ 122.410(b)(3) and 185.410(b)(3) was to ensure passenger accommodation spaces, common areas, and spaces with potential fire hazards are properly monitored.

- c. Reference (a) also required the Coast Guard to conduct a comprehensive review of all requirements in existence on January 1, 2021, with respect to fire detection, protection, and suppression systems, and avenues of egress on board such vessels. Following this comprehensive review, which also included a review of public comments, the Coast Guard determined that, for these spaces, the statutory monitoring requirements described in subsection (3)(iii) of reference (a) are adequately addressed by 46 C.F.R. §§ 122.410(a)-(b)(2) and 185.410(a)-(b)(2) without the additional requirements of 46 C.F.R. §§ 122.410(b)(3) and 185.410(b)(3).

3. ACTION.

- a. A device or devices that meet the following requirements are considered to be compliant with 46 C.F.R. §§ 122.410(b) and 185.410(b):
 - i. The device must ensure the wakefulness of the watchmen.
 - ii. The device should be able to alert the master or another crew member in the event the watchmen are unresponsive.
 - iii. The device must be operable during the nighttime watch.
- b. The arrangement of monitoring devices must ensure the wakefulness of all watchmen. Depending on the size, arrangement and the operation of the vessel, and its watch complement, multiple systems may be required to ensure all members of the watch remain alert. However, in some cases, a singular system that is properly located, such as on the bridge, may be permissible. Although the arrangement of the system must cover all watchmen, the devices do not have to be physically arranged with checkpoints that provide coverage throughout all spaces monitored by the watch of the vessel. Final approval of arrangements remains to the satisfaction of the OCMI.
- c. Vessels with systems already installed that include multiple checkpoints throughout the vessel may continue to use them. If the owner or operator elects to not use the installed systems, they must ensure that they have a system that is compliant with 3.a. As a reminder, in accordance with 46 C.F.R. §§ 115.700 and 176.700, changes or modifications to existing systems must be approved by the cognizant OCMI.
- d. Maintaining watch monitoring devices and having a suitable number of watchmen is vital to the safety of CSPVs. Owners and operators must continue to meet the requirements in

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46 C.F.R. §§ 122.410(a) and 185.410(a). Owners and operators should consider how many watchmen are required and which monitoring device(s) will best meet operational requirements. Maintaining watch monitoring devices and a suitable number of watchmen is vital to the safety of CSPVs.

4. AUTHORIZED RELEASE. Internet release is authorized. An electronic version of this policy is located on the CG-ENG public website at [CG-ENG Policy \(uscg.mil\)](https://uscg.mil) and on the CG-ENG MMS SharePoint Page (Coast Guard personnel only) at <https://uscg.sharepoint-mil.us/sites/USCG-cgeng>.
5. DIRECTIVES AFFECTED. None.
6. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATIONS. Environmental considerations were examined in the development of this instruction and have been determined to be not applicable.
7. DISCLAIMER. This policy letter provides guidance and is not a substitute for applicable legal requirements. It is not intended, nor does it impose legally binding requirements on any party. It represents the Coast Guard's current thinking on this topic and may assist industry, mariners, the general public, and the Coast Guard, as well as other federal and state regulators in applying statutory and regulatory requirements.
9. QUESTIONS. Questions concerning this policy letter should be directed to the Office of Engineering and Design Standards, COMDT (CG-ENG), via CGENG@uscg.mil.

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