

**CFSAC Task Statement #01-17 / Exec Order 13771**

Priority	Regulation, Policy, or Guidance	Specific Cite	Repeal, Replace, or Modify	Reason for Action	Specific Language to be Adopted	Cost, Burden, or Data Statement	Impacts to Safety	Reference	Notes from FVSAC Sub-Committee
1	Notice of Proposed Rule Making # USCG-2012-0025	46 CFR Part 28.201(b)	Repeal	Classing of fishing vessel is cost prohibitive & will not produce sufficient safety benefits needed in the fishing industry. Further, classification requirements in this section are not current with US Code.	Repeal proposed regulation 46 CFR 28.201 (b)	The proposed class requirement is preventing the construction of new fishing vessels due to excessive costs (btwn 15%-30%). Requirement is eliminating shipbuilding jobs. Further, classing does not address the most pressing safety needs w/in the fishing fleets	High costs associated w/construction of classed vessels is forcing owners to continue operating older, less efficient vessels	CFSAC 1, CFSAC 1.5, See also GAO Report 18-16 dated December 2017 on Commercial Fishing Vessels	To support this regulatory change, the sub-committee recommends that 46 USC 4503 (c) (2)(A) be amended as follows: delete "79'" and replace with "(a length to be determined by Congress)"
2	Regulation	46 CFR Part 69 (Tonnage)	Modify	Regulatory tonnage should not be allowed for new vessels. Concurrent with this action, upward adjustments of tonnage thresholds in numerous legislative / regulatory thresholds would be necessary (manning, inspection, pollution prevention, MARPOL, navigation safety)	This action would modify various vsI documentation, manning, vessel inspection, pollution prevention, and other regulations.	Current US Tonnage measurement system is costing millions of dollars in superficial design & construction costs for fishing vessels.	The existing regulatory tonnage system, and resulting design features / adjustments can compromise safety.	CFSAC 2, CFSAC 2.5	This would require multiple changes to various statutes & changes to international treaty.

3	Regulation	46 CFR 28 Subpart E	Modify	Existing stability regulations for fishing vessels > 79' have not been updated since 1990. Numerous inconsistencies, poorly worded sections, require clarifications & revision.	Changes would be made to numerous sections of 46 CFR 28 Sub-Part E and USCG Marine Safety Center (MSC) Procedure Number H2-20 dated June 2013.	Current stability requirements are poorly written, which creates confusion and potentially adds thousands of \$\$\$ in additional costs to the industry.	There are no increased safety risks anticipated through these revisions to 46 CFR 28 Sub Part E & MSC Proc # H2-20	CFSAC 3	
4	Regulation	46 CFR Part 28.270 (a)	Modify	Current regulation is ambiguous and as written is subject to multiple interpretations during enforcement, creating inefficiencies, uncertainty & burdens on the industry	Change 46 CFR 28.270 (a) to read as follows: "Each required drill and the required instruction be performed before vessels engage in fishing activities and within periods of no more than 30 days in duration while engaged in fishing activities."	There is no additional cost to industry or the Coast Guard. Industry burden will be reduced w/ clearer regulations and the USCG will issue fewer unwarranted enforcement actions.	There are no increased safety risks anticipated through this revision of 46 CFR 28 Part 270 (a)	CFSAC 4	
5	Notice of Proposed Rule Making # USCG-2012-0025	Collection of Information	Modify	This modification will allow the marine industry to leverage technological advances, reducing F/V operator time and effort to comply with operational readiness regulations for primary lifesaving and firefighting equipment		Vessel operators will be burdened if they do not have access to manufacturer's recommendations for servicing & care of CG required equipment. Implementing this modification will reduce record keeping and administrative burdens for vessel operators.	Over time risks to health or safety would likely decrease as the benefits of having all manufacturer's inspection and maintenance guidance is realized.	CFSAC 5	

6	Notice of Proposed Rule Making # USCG-2012-0025	Notice of Proposed Rule Making # USCG-2012-0025	Modify	CG Auth Act of 2010 eliminated the distinction between documented and undocumented fishing vessels for purposes of fishing vessel safety regulations found in 46 CFR Part 28. Congressional intent was that state registered fishing vessels meet the same safety requirements.	The proposed action would modify NPRM USCG- 2012-0025 to expand implementation of vessel parity to fully include regulations which would affect undocumented fishing vessels.	Proposed regulation as written continues to apply an outdated, less stringent (and less costly) safety standard to state registered vesssels. This puts federally documented fishing vessels of a similar size and operation at an unfair financial disadvantage.	This change will reduce vessel losses and improve accident surviveability with state numbered (undocumented) fishing vessels	CFSAC 6	
7	Notice of Proposed Rule Making # USCG-2012-0025	46 CFR Part 28.201 (a)	Modify	Increasing the frequency of dockside exams is a long term preventative strategy designed to reduce fatalities, vessel losses & serious injury while ensuring the safe operation of commercial fishing industry vessels to the net benefit of the nation. A five year interval for these examinations is not supported by the industry.	The proposed modification would change the language in 46 CFR 28.201 (a) to read "at least once every two years."	Over 90% of fishing vessel safety exams are conducted free of charge by the USCG. The remaining 10% of exams are performed by 3rd party examiners, ususally free of charge in conjunction w/ other survey requirements (for insurance or classifcation).	A two year exam cycle will maintain or greatly improve existing levels of safety.	CFSAC 7	

8	Regulation	46 CFR Part 28.140 (b)	Modify	The effectiveness of annual servicing of liferafts has not been demonstrated. In many regions of the country, servicing costs are very high & lack of nearby servicing facilities results in additional shipping costs to cover annual servicing requirements.	Change the language in Table 46 CFR 28.140 (b) to read "to be serviced once every 24 months."	Cost data varies around the country, however, it is anticipated that this action would reduce servicing costs by 30% over the life of the raft.	There is no evidence to suggest that less frequent, but still regular servicing will negatively impact safety. Existing USCG and international regulations allow for servicing intervals up to 17 months.	CFSAC 8, CFSAC 8.5 See also USCG Study on Liferaft Servicing dated Sep 2017	
9	Guidance	NVIC 7-93	Modify	NVIC 7-93 is outdated and creates confusion when applied in the field for compliance & enforcement purposes. The course outline of a 100GT or higher license does not address the emergency drill requirement found in 46 CFR Part 28.270	Delete the following in NVIC 7-93: Para 3(a) after "activities" & Para 3(b) delete ", who - more"	There is no data that can be provided to illustrate the impact, cost, or burden of this modification. Overall impact would be positive in that fishermen would be receiving training that is more relevant to their needs.	There are no increased risks to health or safety risks anticipated through this revision to NVIC 7-93	CFSAC 9	

10	Notice of Proposed Rule Making # USCG-2012-0025	46 CFR Part 28.200 (b)	N/A	Regulations should ensure the master or individual in charge of a vessel keep a record of the inspection and maintenance for each item of lifesaving equipment carried on board a vessel, drills conducted and instruction given, meeting the requirements of 46 CFR Part 28.	Required record of equip maintenance should include the date & time of the equip inspection or maintenance, the person's name performing the equip inspection or maintenance, the inspection & maintenance procedure(s) performed, the equipment's operational readiness status, any further maintenance or repair required to make the equipment operationally ready, & the date, time & person performing any further or follow-up maintenance or	N/A	Risks to health and safety would likely decrease with adequate logging requirements.	CFSAC 10	
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11	Regulation	46 CFR 28 Part 160	Modify	The fire extinguisher classification change to 46 CFR Part 28.160 has excluded many fire extinguishers that are appropriate from meeting USCG carriage requirements. The liquefied gas type and carbon dioxide type portable fire extinguishers appropriate for pilothouses and engine rooms where sensitive and critical electronic equipment is used have been excluded from meeting carriage requirements with the change to the classifications.	TBD. A complete analysis should be completed to compare all fire extinguishers of varying agent type and size that were approved and appropriate under the old marine classification system, 46 CFR 28.160, to the fire extinguishers available under the revised classification system.	Vessels are either inappropriately protected using the new classifications or having to purchase extinguishers to comply with carriage requirements and additional extinguishers to appropriately protect the vessel.	The new extinguishers classifications and requirements could result in vessels being inappropriately protected.	CFSAC 11	
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