

**Reauthorization Act of 2010
(Public Law 111-281)**

**UPDATE NEW REQUIREMENTS
FOR
COMMERCIAL FISHING INDUSTRY
VESSELS**



**Office of Vessel Activities
Fishing Vessel Safety Division
U.S. Coast Guard Headquarters**

IN REVIEW

Added:

Section 609 of the "Coast Guard Authorization Act of 2010," (P.L. 111-281) law on October 10, 2010, made numerous changes to Chapter 43, "Uninspected Towing Craft," [46 USC 4502-4508], "Uninspected Towing Industrial Vessels" and Chapter 51, "Load Lines."

Impact:

- All Vessels
- Towing Boundary Line with Three Nautical Miles from Baseline
- Towing Craft
- Towing Vessels
- Towing Examinations & Certificates of Compliance
- Training for Operators
- Construction Standards for Small Vessels
- Load Line Requirements
- Classing Vessels
- Alternative Safety Compliance Programs
- Other Provisions (Training/Research Grants & CFSAC)



GOING AHEAD

Strategy:

- Publishing an **Interim Rule**:
 - Fastest means for implementation
 - Language should follow Authorization Act verbiage
 - “Good Cause” exception to ALJ rule delays
 - Avoid frustrate the rule’s purpose and be contrary to the public interest
 - Offers the need for notice and comment procedures (comment after)
 - Allows all statutes to become enforceable
- Final rule to follow after public rule meetings and period to provide discretionary and interpretive language to regulations



GOING AHEAD

Requirements:



Standards for vessels under 50 feet	Applicable January 1, 2012
Required for vessels 29 feet or greater built after	July 1, 2012
Classification of vessels 30 feet or greater (Duties	July 1, 2012
Paratubes and life floats on larger all	January 1, 2012
in Alternate Safety Compliance Program for vessels least length, built before July 1, 2012, and over 25 years of age by	January 1, 2012
above must comply with an Alternate Safety Compliance Pro	January 1, 2012
ed above	January 1, 2012
length is "overall length" not registered length	January 1, 2012
Owners of more than 30 vessels subject to an Alternate Safety	January 1, 2012
compliance program must meet program requirements	January 1, 2012

++ Rulemaking is a deliberative process that requires an extensive amount of time and resources. Rulemaking must be finalized/cleared through the USCG, DHS and OMB before it can be enforced.

AHEAD

Timing of Building Fishing Vessel?



Timing affects the construction of new fishing vessels that are built **beyond 3 nm** from the shoreline in which the vessel's home port or principal sea port in the United States is measured or 3 nm from the coastline of the Great Lakes.

The vessels are grouped and identified as:

- Vessels **less** than 50' **overall** in length built **before** January 1, 1973
- Vessels **less** than 50' **overall** in length or greater built **after** July 1, 1972
- Vessels **50'** or greater in length, and built **after** July 1, 1972

* **Overall length** can differ from registered length

GOING AHEAD

100' or less in length built after January 1, 2000

are to be built in a manner that provides a level of safety equivalent to the minimum safety standards the Secretary establishes for recreational vessels under section 4302.

The regulations for recreational vessels that apply are:

- PART 181 – MANUFACTURER REQUIREMENTS
- PART 183 – PARTS AND ASSOCIATED EQUIPMENT

Parts pertain mostly to flotation and systems. The parts covered include, but are not limited to:

- Safe Loading
- Safe Powering
- Flotation Requirements
- Electrical Systems
- Fuel Systems
- Ventilation

GOING AHEAD

Vessels 79' or greater in length or greater built after July 1, 2012:

These vessels will be subject to a classification society's survey and must meet the requirements.

Construction standards that your vessel must meet will be determined by the classification society (ones that you choose to use).

Vessels 79' or greater in length and built after July 1, 2012:

These vessels will be subject to load line requirements. Load line is issued by the classification society on behalf of the USCG.

For the requirements above, the Coast Guard does not set the structural standards; USCG accepts the standards of the society that will survey, class and/or load line your vessel.



PLANNING, CLASSIFICATION, & LOAD LINES

Planning, Design, and Construction:

Owner needs to work with a recognized class

Before the builder/owner and class society agree to work together when the process starts



DESIGN, CLASSIFICATION, & LOAD LINES



Design & Survey:

provide assurance that a set of requirements laid down in the standards established by a classification society are met during construction and are maintained during operation.

The Classification process can include:

- Approval (Pre-construction)
- Review of technical drawings for compliance with class society rules
- Surveys during construction
- Surveys of machinery
- Operational approval
- Surveys of Control Equipment
- Workmanship (Shipyard)
- Issuance of evidence of class (Hull & Machinery Certificate)
- Periodic surveys (annual and dry docking) to verify compliance to the applicable Class Rules



DESIGN, CLASSIFICATION, & LOAD LINES

Having a load line is to ensure the safety of the intact (undamaged) vessel.

Design process can include:

- Review & Approval of the Load Line
- Load Calculations (Assignment of Loadable Marks)
- Calculations of Assignment
- Survey Report
- Assumptions and Equivalencies (Approval of "Safety")
- Issuance of Load Line certificate
- Annual Surveys (Class Survey)



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Federal eRulemaking:

www.regulations.gov



and Authorization Act of 2010
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