

G-001

When will we have an inspection form to use as a checklist to assist industry to prepare for inspections?

The TugSafe job aid is available at the TVNCOE website: <https://www.dco.uscg.mil/tvncoe/>. TugSafe is designed to assist with preparation, completion and documentation of inspections or surveys of commercial towing vessels required to comply with 46 CFR Subchapter M. The job aid will generate a custom requirement list for a specific commercial towing vessel using any computer, laptop, tablet or smart phone. CG-CVC is developing job aids that will also be posted upon completion.

Received August 2018

Answered 27 August 2018

G-002 and G-022

The table in 46 CFR §2.10-101 of this rule lists annual inspection fees for vessel types. “Sea-going Towing Vessels” are addressed as well as “Any inspection vessel not listed in this table.” Does the Coast Guard plan set new annual inspection fees for Subchapter M inspected towing vessels?

Yes, but adding a new category to the annual inspection fee table will require a separate rule making. Until that separate rule making is completed, the Coast Guard is establishing the existing fee of \$1,030 stated in [46 CFR §2.10-101](#) as the annual inspection fee for towing vessels subject to Subchapter M, for any inspected vessel not listed in the [Table 2.10-101](#). As reflected in [46 CFR §2.10-1\(b\)](#), this annual inspection fee will not be charged for an initial COI inspection, but the fee will be charged annually starting a year later.

Received August 2016

Answered 31 August 2016, updated 06 October 2020

G-003

Clarify “grandfathering” as it applies to towing vessels covered by Subchapter M of Chapter I of 46 CFR.

The term “grandfathering” is used numerous times in the preamble to the final rule, to explain the Coast Guard’s decisions for final Subchapter M requirements based on comments received on the proposed rule. The term “grandfathering” is not specifically used in the final rule text. However, there are numerous parts of Subchapter M that reflect grandfathering, in that the requirements were directly carried over from previously-applicable Subchapter C. These grandfathered requirements are primarily in Parts 140-144. Some requirements of Subchapter M, such as those for TSMSs and TPOs, are new and therefore reflect no grandfathering. Owner-operators, TPOs and other stakeholders should review the final rule and preamble closely for grandfathered provisions, as existing vessels may already be compliant with certain requirements.

Received August 2016

Answered 28 November 2016

G-004**Will guidance be consistent from Coast Guard zone to Coast Guard zone?**

Yes, Coast Guard policies and guidance are intended to promote consistent and uniform execution of the marine safety program, without undue restriction of independent judgment on the part of marine safety personnel. However, the OCMI has discretion to issue local guidance, which typically addresses logistical issues such as scheduling of inspections and other notification procedures. Similarly, District offices may develop guidance that focuses on how regulations will be applied in a specific geographic area of the country, due to regional differences in industry activities.

Received August 2016

Answered 14 November 2016

G-005**Will manning be different between Coast Guard zones or will it change every three years upon a change in CG personnel?**

All OCMI's should be applying manning requirements consistently based on statutory and regulatory requirements and with consideration given to factors including, but not limited to, vessel size, service and route. The Coast Guard may review a vessel's manning requirements when a vessel changes its route or service, machinery or equipment, or the capability of onboard automation systems. Additional guidance can be found in Marine Safety Manual, Volume III, Part B.

Received August 2016

Answered 14 November 2016

G-006**Will the Coast Guard use Petty Officers for Subchapter M?****Does the Coast Guard have enough personnel to issue COI's for all 6,000 boats in 4 years?**

Yes, consistent with the agency's policy regarding Enlisted Assistant Marine Inspectors, properly trained Petty Officers will form part of the Coast Guard's inspection workforce conducting inspections of towing vessels to verify compliance with Subchapter M. The Coast Guard is prepared for the estimated demand for annual inspections from owners and managing operators selecting the Coast Guard annual inspection option. The Coast Guard will closely monitor the demand for inspections and make resource adjustments as necessary. However, we do expect challenges scheduling these inspections and there may be delays. Accordingly, we are encouraging companies to consider the TSMS option. A Company may opt to use one of the TSMS compliance options to verify that their vessel's are in continuous compliance, therefore minimizing the need and presence of Coast Guard personnel on board the vessel as compared to the Coast Guard Option. Using a TSMS option may give companies more flexibility in their operational schedules.

Received August 2016

Answered 31 August 2016

G-007

Does the Coast Guard anticipate an 840 book/Job Aid or some other guide to be published?

Yes. Inspection Books are used by Marine Inspectors during the course of their inspections as a job aid. Vessel operators are also encouraged to use them in preparation for applicable Coast Guard inspections. A [CG-840 book/Job Aid](#) is available on the Coast Guard Domestic & Offshore Compliance (CG-CVC-1) website. [The Inspected Towing Vessel Decision Aid \(TugSafe\)](#) can also be access at the TVNCOE website.

Received August 2016

Answered 4 January 2017, updated 06 October 2020

G-008

Will industry representatives be allowed to train along with USCG personnel when preparing for vessel inspections similar to classes we attended at Yorktown and Paducah?

The Coast Guard does not currently have training planned at this time that is similar to those provided at Yorktown and Paducah. However, based on demand and funding availability, the Coast Guard may attend industry days to provide training and updates for vessel inspections.

Received August 2018

Answered 27 August 2018

G-009

(1) What is required for a TSMS vessel that must proceed to another port for repairs?

(2) What is required for a TSMS vessel that has been issued a CG-835, Notice of Merchant Marine Inspection Requirements?

(1) Permit to Proceed:

As discussed in [§136.240](#), permission to proceed to another port for repairs may be necessary in certain situations, including damage to the vessel or failure of an essential system. The cognizant OCMI may require an examination by a surveyor or from a TPO prior to the vessel proceeding to another port for repairs.

For a vessel with a TSMS, 46 CFR §136.240(a) details the requirements that a vessel must meet before proceeding to another port for repair without a Permit to Proceed. If the conditions in (a) cannot be met, the TSMS vessel will need to request a Permit to Proceed (Form CG-948) per the instructions in [§136.240\(b\)](#).

(2) CG-835V:

When the Coast Guard issues a CG-835V to a TSMS vessel's owner or managing operator, it will include a list of deficiencies, required corrective actions, and a date by which each corrective action must be completed. A Coast Guard Marine Inspector will discuss this list of deficiencies with the vessel's owner or managing operator to ensure that any questions are addressed.

For additional information on how deficiencies will be documented on TSMS vessels, please see FAQ 138-024.

Received August 2016

Answered 4 January 2017, updated 06 October 2020

G-010

When does SECTOR UMR anticipate having qualified Inspectors, and how many will be on staff?

The Coast Guard hosted five courses for 125 marine inspectors in a "train-the-trainer" format so that those attending the course could return to their units and train additional personnel.

The number of qualified inspectors on staff to conduct Subchapter M inspections will be determined by the cognizant OCMI.

For additional discussion of inspection options and benefits see FAQ 136-012 and 137-005.

Received June 2016

Answered 21 June 2017

G-011

Has there been any discussion about developing a stream line inspection program similar to the TBSIP currently in effect?

Vessels inspected under Subchapter M can utilize the Streamline Inspection Program as an inspection alternative, as discussed in [46 CFR Part 8, Subpart E](#).

Received August 2016

Answered 28 December 2016, updated 06 October 2020

G-012

Can a vessel initiate a major conversion, return to service, and then return to the shipyard to complete the conversion?

Major conversion determinations are made by the Coast Guard Marine Safety Center. Details regarding transit plans and vessel operations during this time should be directed to them.

Received 13 June 2016

Answered 20 March 2017

G-013

How does the Coast Guard envision MISLE entry for vessels utilizing the TSMS option? Will this only occur after Coast Guard has come on board? Where will vessel history be captured?

All vessel activities documented by the Coast Guard will be captured in MISLE. This will include surveys attended by the Coast Guard, deficiencies identified during an inspection for certification, marine casualties, and could also include major non-conformities and unsafe conditions reported by a TPO or owner or managing operator. Survey and audit reports provided to the Coast Guard will also be entered into MISLE.

Vessel owner/managing operators will be required to maintain more extensive vessel histories in order to document compliance and provide objective evidence of compliance with Subchapter M (§§ [136.210](#), [137.135](#), [137.202](#), [137.205](#), [137.305](#), [138.220](#), and [139.165](#)).

For more information on Coast Guard documentation of deficiencies on TSMS vessels see FAQ 138-020 and 138-024.

Received 28 July 2016

Answered 2 January 2017, updated 06 October 2020

G-015

(1) What are the rules concerning exclusive vs. non-exclusive auditors/surveyors, contractors, subsidiary companies, partnerships, etc.?

(2) Can a class society use non-exclusive auditors/surveyors when acting as a TPO?

(1) The terms “exclusive” and “non-exclusive,” in this context, specify the employment status of an auditor or surveyor working for a TPO; whereby an “exclusive” auditor or surveyor is an internal employee of the TPO, and a “non-exclusive” auditor or surveyor may be an associate or contracted employee who works for the TPO on a periodic or job specific basis. Individual TSMS auditors and ITV surveyors must meet the standards set forth in 46 CFR §139.130 (Qualifications of auditors and surveyors) regardless of their employment status with a specific TPO. It is the TPO’s responsibility to ensure each auditor and surveyor, exclusive or non-exclusive, meet the qualification requirements in §139.130. TPO’s are also ultimately responsible for the quality of work conducted by a surveyor or auditor. Each TPO must maintain a list of the auditors and surveyors who they have approved to conduct audits or surveys for their organization, and must notify the TVNCOE when adding or removing an auditor or surveyor. Upon request by the CG, a TPO must provide objective evidence that each listed auditor and survey meet the qualification requirements listed in §139.130. An individual may conduct external audits or surveys for more than one TPO, but must be listed independently by each organization.

(2) Normally a class society may not use non-exclusives, but Subchapter M does not prohibit their use and they must be documented and audited under their quality system.

Received August 2016

Answered 14 November 2016, updated on 06 October 2020

G-016

What documentation is required to be provided to the Coast Guard post survey, exam, audit and in what format?

TSMS option: SURVEY's - The Coast Guard does not require the submission of survey reports following annual surveys, drydocks or internal structure exams. Prior to obtaining the vessel's initial COI, however, the owner or managing operator must provide a report to the Coast Guard of a survey which demonstrates compliance with the requirements of Part 137. For re-issuance of a COI, a survey report is not required. However, objective evidence of an external or internal survey program must be provided to the Coast Guard ([§137.202](#)). Furthermore, under the internal survey program, the TPO will require access to copies of these reports ([§139.165](#)). Although the submission of routine survey reports is not required, it should be noted that an owner or managing operator must notify the cognizant OCMI when the condition of the vessel, its equipment, systems, or operations, create an unsafe condition ([§137.215](#)).

AUDIT's – Final reports from external management and vessel audits must be provided to the Coast Guard within 30 days of an audit. Managing operator's compliance audits are to be sent to the Towing Vessel National Center of Expertise (504 Broadway Street, Suite 101, Paducah, Kentucky 42001). Vessel external audits are to be sent to the cognizant OCMI within 30 days of an audit. External audit results must be maintained for 5 years, and be available when requested by Coast Guard inspectors or an external auditor ([§138.315\(c\)](#)).

Submission Format: A specific format for audit reports, surveys, and examinations is not prescribed by the Coast Guard. Owners, managing operators, and TPOs are responsible for ensuring reports include objective evidence to demonstrate compliance. External audit reports may be submitted via hard copy or by electronic submission. The Coast Guard will accept electronically transmitted external audits records so long as the submitter meets the equivalent safeguards for transmitting records outlined in [§140.915\(b\)](#).

Coast Guard option: Under the Coast Guard compliance option all inspections and exams will be performed by a Coast Guard Marine Inspector. All documentation for related inspections and exams will be completed by the attending Marine Inspector.

Received 22 August 2016

Answered 17 January 2017, updated 06 October 2020

G-017

Are we [ABS: RCS] required, or is there an expectation that we need to submit our process inspections, checklists, job aids, etc. to the Coast Guard for approval?

No. As a recognized classification society, no additional approval or review is required for the organization to perform services as a Third-Party Auditor or Surveyor if approved under the appropriate sections of 46 CFR Part 8 per 46 CFR [§139.110](#). For organizations, which are not a recognized classification society, 46 CFR [§139.120\(f\)](#) does require submission of these items as part of a TPO application.

Received August 2016

Answered 28 November 2016, updated 06 October 2020

G-018

Are the classification societies required to provide lists of their surveyors and auditors as is required of the yet to be approved third-parties in Part 139?

No. However, all Class Societies working as TPOs are required to maintain lists of current and former auditors and surveyors in accordance with 46 CFR [§139.135](#). The Coast Guard may request that a TPO provide copies of these lists.

Recognized Classification Societies (RCSs), as defined in 46 CFR [§8.100](#), meet the requirements of a TPO for the purposes of performing Subchapter M audits and are not required to submit the application required by [46 CFR part 139](#). Also, Authorized Classification Societies (ACSs) may perform Subchapter M surveys, including verification of design standards as described in [§144.140](#). As a condition of approval under part 8, these classification societies must abide by the agreement conditions required by 46 CFR [§8.130](#) and meet the minimum standards required by 46 CFR [§8.230](#). Those standards, for the most part, either meet or exceed what is required in part 139 of applicants seeking to become third-party organizations. Because these organizations are governed by [46 CFR part 8](#), they are not subject to the approval process required by §§[139.120](#) and [139.125](#) nor the renewal requirements of [§139.140](#). However, RCSs and ACSs must ensure that their employees conducting Subchapter M audits or surveys hold proper qualifications for the particular type of service performed.

Received August 2016

Answered 14 November 2016, updated 06 October 2020

G-019

For those companies with extremely large fleets, will there be a process in place to request an earlier start to COI issuance? There are some companies that may have a challenge meeting COI issuance in four years due to the size of their fleets, and operations (grain harvest).

Vessel operators may begin scheduling their initial certification inspections in early 2018 and are required by 46 CFR [§136.210](#) to schedule those inspections at least three months prior to the desired date of the inspection. The Coast Guard does not intend on issuing Certificates of Inspection (COI) to existing towing vessels prior to July 20th, 2018 and believes that the phase in period identified in 46 CFR [§136.202](#) is sufficient for existing towing vessels to achieve certification. [CG-CVC Policy Letter 17-03](#), COI Phase-in Period for existing TVs Using the TSMS Option, states that an OCMI may issue a COI or COIs in excess of the percentage expressed in 46 CFR § 136.202.

Received August 2016

Answered 14 November 2016, updated 06 October 2020

G-020

Will the CG refrain from issuing more than 25% COI under the TSMS and CG option?

No. See [CG-CVC Policy Letter 17-03](#), COI Phase-in Period for Existing Towing Vessels Using the TSMS Option under 46 CFR, Subchapter M.

Received 18 August 2016

Answered 17 September 2019

G-021

Will the CG allow TPOs to authorize temp or minor repairs without marine inspector involvement?

Yes, if the TSMS documents the process to oversee repairs and also procedures for corrective actions. Unlike the Coast Guard option where Marine Inspectors will oversee repair work, vessels that choose the TSMS option may have a TPO, company personnel, or contracted resources witness repairs of damage.

As discussed on page 40030, third column, of the preamble to the regulation, this rule does not require that independent surveyors are involved in minor repairs. The repairs that may require the presence of the Coast Guard or TPO would involve damage that directly affected the vessel's seaworthiness, fitness or suitability for its route or service, or when the condition of the vessel may create an unsafe condition.

For further discussion of TPO roles and responsibilities regarding oversight of repairs, see FAQ 139-006.

Received 18 August 2016

Answered 21 June 2017

G-023**How do we manage internal concerns about moving regs/guidance away from the OCMI having discretionary authority and pushing that to TPOs (manning, PTPs, etc.)?**

The authority of an OCMI is not affected by the compliance option selected or use of Third Party Organizations (TPOs).

In addition to retaining the authority to conduct random and for cause examinations, the owner or managing operator must notify the cognizant OCMI when the condition of the vessel, its equipment, systems, or operations, create an unsafe condition (§[137.215](#)). Audit and survey programs also ensure that the OCMI is provided or may request reports documenting compliance. FAQ 138-05 discusses survey and audit programs and their differences.

The OCMI retains responsibility for establishing manning levels for inspected towing vessels within his or her zone, as per [46 CFR 15](#) and [Marine Safety Manual Vol. III](#), Marine Industry Personnel, Part B: Vessel Manning, Chapter 1.C.

Vessels under the TSMS option must meet specific requirements in order to be granted a Permit to Proceed (PTP) to another port for repairs, to include notification prior to departure to the OCMI in the zone in which the non-compliance occurred, as well as notification to each OCMI zone the vessel will transit, as per [§136.240\(a\)\(4\)](#).

Received 18 August 2016

Answered 11 May 2017, updated 06 October 2020

G-024**How long will a vessel inspection take?**

This depends on a number of factors including the inspection option chosen by the vessel owner or managing operator. Under the TSMS option, companies are afforded greater flexibility to complete required surveys and audits, which may reduce vessel downtime. Under the Coast Guard option, Coast Guard inspectors will visit a vessel at least annually and in some cases more frequently, possibly suspending operations until a Coast Guard inspector can visit the vessel.

Received 9 August 2016

Answered 3 July 2017, updated 06 October 2020

G-025**Is the Coast Guard coordinating internally on consistency with inspections?**

Yes. The Coast Guard has conducted training courses at Training Center Yorktown and plans to hold additional courses. Long-term informal training options are under development; these courses would include training for both officer and enlisted personnel involved in the inspection of towing vessels. As part of the qualification training the Coast Guard has developed a Personal Qualification Standard (PQS) for Subchapter M inspections. In addition, the Office of Commercial Vessel Compliance (CG-CVC) is working with other Coast Guard offices at Headquarters, Areas, Districts and the Towing Vessel National Center of Expertise (TVNCOE) to develop policy and guidance for Coast Guard personnel regarding Subchapter M regulations. In addition to developing new policy, we will also leverage existing policy that is applicable to towing vessels, such as the newly amended Marine Safety Manual Volume III, which now addresses licensing and manning for inspected towing vessels. All of these items will work as a system to maximize the consistency of Subchapter M-related activity between zones, districts and areas in the Coast Guard.

Received August 2016

Answered 14 November 2016

G-026**Would I have to get an excursion for an extra person on the COI?**

Approval to engage in an excursion is required anytime an operator wishes to carry persons in addition to the amount of persons authorized on the COI. This approval is temporary, typically one day or less, and may allow the vessel to be used for a purpose other than what is specified on the COI such as for recreation. The process for obtaining this approval is different depending on if the operator is utilizing the Coast Guard compliance option or the TSMS compliance option. Operators who are interested in carrying persons in addition to those identified on the COI should follow the procedures identified in 46 CFR [§136.245](#).

Received 9 August 2016

Answered 14 November 2016, updated 06 October 2020

G-027

How will "persons in addition to crew" be determined on the COI since many existing towing vessels will not have a documented stability test to determine total persons allowed?

46 CFR [§136.210\(a\)\(ii\)](#) states that a vessel owner or managing operator, prior to inspection for initial certification, must, in addition to submitting [Form CG-3752](#) "Application for Inspection of U.S. Vessel," include documentation on the number of persons in addition to the crew they would like the OCMI to include in the COI.

Vessel stability is among the factors that the OCMI will consider when making persons in addition to crew determinations. Other factors that will be considered include, but are not limited to, voyage purpose and specifics, lifesaving equipment, overnight accommodations, means of egress, and any special circumstances.

For more information on persons in addition to crew, see FAQ G-031.

Received 9 August 2016

Answered 2 January 2017, updated 06 October 2020

G-028 – Expired and removed 06 October 2020

Per 46 CFR §136.172, Sub C is still applicable until the vessel is certificated or 20 July 2018, whichever is earliest. Does this contradict published information that states the requirements of 46 CFR §144.320 are applicable now?

G-029

Will there be training that will be open for industry to attend?

The Coast Guard is considering recurring courses which industry could attend and participate in. Information on available training would be disseminated via the Towing Vessel National Center of Expertise's website at (<https://www.dco.uscg.mil/tvncoe/>).

Received August 2016

Answered 14 November 2016, updated 14 May 2018

G-030

Will CG inspectors be required to attend UWILD examinations if approved via TSMS? Per §137.335(b) an application must be submitted to the OCMI at least 90 days prior to. Why is the application required if already approved within the TSMS?

Attendance of a CG inspector is not a requirement for an underwater inspection in lieu of drydocking (UWILD) examination to take place; however, the local OCMI maintains the oversight authority and prerogative to attend on a case by case basis. An application is required 90 days prior to EACH proposed UWILD examination so the OCMI may properly evaluate the vessels eligibility and make a determination in accordance with [§137.335](#).

UWILD procedures within a TSMS are required to ensure internal process and procedures are established and followed. As conditions of a vessel may change between drydock examinations, a vessels owner or managing operator must submit a UWILD application to the CG prior to each required dry dock to determine eligibility within the program.

[NVIC 01-89, Underwater Survey Guidance](#), contains additional guidance concerning the requirements, application and process for participating in the UWILD program.

Received September 2016

Answered 13 January 2017, updated 06 October 2020

G-031

How many non-crew members are allowed to be onboard a towing vessel/onboard the barge that the towing vessel is engaged in moving?

Under Subchapter M when the owner or managing operator applies for a COI they are requested to submit, in addition to form CG-3752, the vessel particular information and the number of persons in addition to the crew. The number of persons in addition to the crew will be displayed on the COI along with the applicable safety equipment and appliances. If a non TSMS vessel wishes to carry more non-crew members than the number reflected on the COI they may apply for a [CG-949](#), "Permit to Carry Excursion Party," to the cognizant OCMI. A TSMS vessel may engage in carrying a greater number of persons than that listed on the COI if temporary excursion operations are addressed in the TSMS. Manning and crewing of barges is not addressed in Subchapter M.

In accordance with [46 U.S. Code 3304](#), a towing vessel which exceeds persons in addition to crew totals of 12 for international voyages and 16 for domestic voyages would be subject to inspection as a passenger vessel or small passenger vessel.

Received September 2016

Answered 2 December 2016, updated 06 October 2020

G-032

Will a person in charge be required when a vessel is taking on fuel from a terminal?

Yes. Applicability of the person in charge (PIC) requirements referenced by 46 CFR [§140.655\(a\)\(3\)](#) includes transfers of fuel oil to vessels with a capacity of 250 or more barrels of fuel oil as per [33 CFR §155.700](#).

For more information on PIC requirements see [CG-MMC Policy Letter 01-17](#), Guidelines for Issuing Endorsements for Tankerman PIC Restricted to Fuel Transfers on Towing Vessels.

Received: 15 September 2016

Answered: 17 September 2019, updated 06 October 2020

G-033

The FAQ section of the Sub M TVNCOE website states that the user fee of \$1030 applies to all vessels regardless of the inspection option they choose. I was under the impression that the \$1030 fee was to cover the cost of the USCG inspection team coming out every year to perform the inspection. The \$5150 cost/vessel over the five year period was also supposed to be a deterrent for choosing the USCG option and taxing USCG resources. The explanation in the preamble explained that the USCG was obligated to collect a user fee to cover the cost of services associated with vessel inspections. I'm a little confused at how issuing one piece of paper on the recommendations of a contractor we had to pay \$2000 to come out once every five years equates to a cost to the USCG of \$5150 to change the date on a form and resend it. Is that the cost to the USCG that they are obligated to recoup? Under this user fee scheme, it will be considerably less expensive to use the USCG option.

As discussed in the preamble to the regulation, third column of page [40007](#), under [46 U.S.C. 2110](#) and the Coast Guard's regulations in [46 CFR §2.10](#), the Coast Guard is required to charge a fee for services provided for vessels required to have a Certificate of Inspection (COI). This fee for services must be fair and based on the cost to the government, the value of the service being provided, the public policy served, and other relevant facts. User fees charged by the Coast Guard under 46 U.S.C. 2110 do not directly finance Coast Guard operations and thus user fees do not finance the implementation of the regulations.

We plan to promulgate a separate rulemaking for an annual inspection fee specifically for towing vessels that will consider the specific program costs associated with the TSMS and Coast Guard inspection options. However, until that time the Coast Guard is establishing the existing fee of \$1030 stated in 46 CFR §2.10–101 as the annual inspection fee for towing vessels subject to subchapter M, for any inspected vessel not listed in [Table 2.10–101](#). As reflected in 46 CFR §2.10–1(b), this annual inspection fee will not be charged for an initial COI inspection, but the fee will be charged annually starting a year later. Since all vessels subject to subchapter M will be considered inspected vessels and required to obtain COIs, regardless of whether the TSMS option is chosen, all subchapter M vessels receiving COIs will be charged an annual inspection fee as outlined above.

Received 7 October 2016

Answered 11 April 2017, updated 06 October 2020

G-034

According to the 46 CFR Sub M timeline, Parts 140 - 144 will be implemented July 20, 2018. For companies with a fleet of vessels, are all vessels within the fleet expected to be compliant with Parts 140 – 144 on July 20, 2018 or can the work and expense to become compliant be spread over the whole phase-in period? To be clear, 25% of a fleet will be fully compliant and obtain a COI by July 22, 2019, but the rest of the fleet will not have had any work performed and not be compliant with Parts 140-144 at that point.

An existing towing vessel subject to Subchapter M will remain subject to Coast Guard regulations applicable to the vessel on July 19, 2016 (subchapter C) until either July 20, 2018 or the date the vessel obtains a COI, whichever date is earlier. On and after that date, all existing towing vessels subject to subchapter M must be compliant, regardless of the status of the vessels initial COI date.

Received 14 October 2016

Answered 11 April 2017

G-035

Does 33 CFR §155.410; Pumping, piping and discharge requirements for non-ocean-going ships of 100 gross tons and above; apply to towing vessels?

Yes.

Received 6 December 2016

Answered 11 April 2017

G-036

When is an anchor required to be carried aboard a tug or towboat?

An anchor is not specifically required by regulation. The preamble to the regulation, second column of page 40075, states that towing vessels come in a variety of shapes, sizes, and services, some of which could utilize anchors and other ground tackle as appropriate. It is incumbent upon the towing vessel owner or managing operator to examine their operating conditions and decide if having an anchor and other ground tackle is appropriate.

Received 6 January 2017

Answered 3 July 2017

G-037

Who approves Towing Safety Management Systems?

Once the company's TSMS is developed, implemented at the management-level and audited by a TPO, the TPO will approve it and issue a TSMS certificate to the company.

Received August 2016

Answered 31 August 2016

G-038**What is the advantage of using the TSMS option?**

A fully implemented Towing Safety Management System (SMS) establishes a comprehensive quality control system throughout the company which increases the safety and efficiency of all towing vessel operations. Across the maritime industry, vessel operators have told the Coast Guard that a proper TSMS increases safety while cutting overall operating costs. A proper TSMS will reduce accidents, equipment failures and undo delays. Accordingly, the Coast Guard will exercise appropriate discretion while implementing these regulations to incentivize using the TSMS option. Specifically, companies that employ the TSMS option will be afforded greater flexibility to complete required surveys and audits, which may reduce vessel downtime. For TSMS vessels, the Coast Guard will exercise flexibility in the scheduling and reduce the scope of COI inspections. Under the TSMS option, any visits the Coast Guard will make to a vessel will be de-scoped and the time onboard will be significantly less than the Coast Guard option. TSMS vessels will also not be subject to mandatory Coast Guard attendance for drydock or internal structural exams. Under the Coast Guard option, Coast Guard inspectors will visit the vessel at least annually and in some cases more frequently possibly holding operations until a Coast Guard inspector can visit the vessel.

Received June 2016

Answered 31 August 2016

G-039

I am the Safety Manager at a small towing company on the Ohio River. Is there a regulation requiring vessels to paint their perimeters and deck fittings? If so, are they required to be painted specific colors? We've always painted these yellow to draw employees attention to the hazards but employees have started painting these white because they like the way that it looks better. I couldn't find a requirement anywhere and I just wanted to ensure that this is acceptable.

No, Subchapter M does not require deck perimeters or fittings to be marked or painted in a specific color.

Received 05 July 2017

Answered 13 September 2017, updated 06 October 2020

G-040

I am requesting to find out if an operator was to choose the Coast Guard Inspection option, could they also in lieu request TPO oversight to cover weekends, holidays, and after hour repairs as we do with class. This would be placed into their TSMS as option.

No, there is no blending of the Coast Guard and TSMS options for individual vessels. However, the Coast Guard may accept TPO reports as objective evidence to resolve deficiencies.

Received 07 May 2017

Answered 27 August 2018