

SUBCHAPTER B—MERCHANT MARINE OFFICERS AND SEAMEN

PART 10—LICENSING OF MARITIME PERSONNEL

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AUTHORITY: 14 U.S.C. 633; 31 U.S.C. 9701; 46 U.S.C. 2101, 2103, and 2110; 46 U.S.C. chapter 71; 46 U.S.C. 7502, 7505, 7701, and 8906; Executive Order 10173; Department of Homeland Security Delegation No. 0170.1. Section 10.107 is also issued under the authority of 44 U.S.C. 3507.

SOURCE: CGD 81–059, 52 FR 38623, Oct. 16, 1987, unless otherwise noted.

Subpart A—General

§ 10.101 Purpose of regulations.

(a) The purposes of the regulations in this part are to provide—

(1) A comprehensive means of determining the qualifications an applicant must possess to be eligible for a license as a deck officer, engineer, pilot, radio officer, or radio operator on merchant vessels, or for a license to operate uninspected towing vessels or uninspected passenger vessels, or for a certificate of registry as a staff officer; and

(2) A means of determining that an applicant is competent to serve as a master, chief mate, officer in charge of a navigational watch, chief engineer officer, second engineer officer (first assistant engineer), officer in charge of an engineering watch, designated duty engineer, or radio operator, in accordance with the provisions of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended in 1995 (STCW), and other laws, and to receive the appropriate certificate or endorsement as required by STCW.

(b) With few exceptions, these regulations do not specify or restrict licenses to particular types of service such as tankships, freight vessels or passenger vessels. However, all licensed personnel shall become familiar with the relevant characteristics of each vessel prior to assuming their duties. As appropriate, these characteristics include but are not limited to: general arrangement of the vessel; maneuvering characteristics; proper operation of the installed navigation equipment; fire-fighting and lifesaving equipment; stability and loading characteristics; emergency duties; and main propulsion and auxiliary machinery, including steering gear systems and controls.

(c) The regulations in subpart C of this part prescribe the requirements applicable to—

(1) Each approved training course, if the training course is to be acceptable as a partial substitute for service or for a required examination, or as training required for a particular license or license endorsement; and

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(2) All training and assessment associated with meeting the standards of competence established by STCW.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended by CGD 95-062, 62 FR 34528, June 26, 1997]

§ 10.102 National Maritime Center.

The Commanding Officer of the National Maritime Center has the same authority as an OCMI for the purpose of carrying out the marine safety functions listed in §1.01-15(c) of this title pursuant to the provisions of this subchapter.

[USCG-2006-25535, 72 FR 7931, Feb. 22, 2007]

§ 10.103 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish notice of change in the FEDERAL REGISTER and must ensure that the material is available to the public. All approved material is available for inspection at the U.S. Coast Guard, Office of Operating and Environmental Standards, 2100 Second Street SW., Washington, DC 20593-0001, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. All material is available from the sources indicated in paragraph (b) of this section.

(b) The material incorporated by reference in this part and the sections affected are as follows: *International Maritime Organization (IMO)*, 4 Albert Embankment, London, SE1 7SR, England. The STCW—International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (the STCW Convention, or the STCW)—and Seafarers' Training, Certification and Watchkeeping Code (the STCW Code), approved for incorporation by reference in sections 10.103;

10.205; 10.304; 10.603; 10.901; 10.903; 10.1005; and 10.1105 of this part.

[CGD 95-062, 62 FR 34529, June 26, 1997, as amended by USCG-1999-6216, 64 FR 53223, Oct. 1, 1999; USCG-1999-5610, 67 FR 66067, Oct. 30, 2002; USCG-2004-18884, 69 FR 58342, Sept. 30, 2004. Redesignated by USCG-2006-25535, 72 FR 7931, Feb. 22, 2007]

§ 10.104 Definitions of terms used in this part.

Apprentice mate (steersman) of towing vessels means a mariner qualified to perform watchkeeping on the bridge, aboard a towing vessel, while in training under the direct supervision of a licensed master or mate (pilot) of towing vessels.

Approved means approved by the Coast Guard in accordance with §10.302.

Approved training means training that is approved by the Coast Guard or meets the requirements of §10.309.

Assistant engineer means a qualified officer in the engine department.

Assistance towing means towing a disabled vessel for consideration.

Ballast control operator (BCO) is a licensed officer restricted to service on MODUs. The duties involve the operation of the complex ballast system found on many MODUs. A ballast control operator, when assigned to a MODU, is the equivalent of a conventionally licensed mate.

Barge supervisor (BS) is a licensed officer restricted to service on MODUs. The duties involve support to the OIM in marine related matters including, but not limited to, maintaining watertight integrity, inspecting and maintaining mooring and towing components, and the maintenance of emergency and other marine related equipment. A barge supervisor, when assigned to a MODU is the equivalent of a conventionally licensed mate.

Boatswain means the leading seaman and immediate supervisor of unlicensed deck personnel who supervises the maintenance of deck gear.

Chief engineer means any person responsible for the mechanical propulsion of a vessel and who is the holder of a valid license as chief engineer.

Chief mate means the deck officer next in seniority to the master and upon whom the command of the vessel

will fall in the event of the incapacity of the master.

Coast Guard-accepted means that the Coast Guard has officially acknowledged in writing that the material or process at issue meets the applicable requirements; that the Coast Guard has issued an official policy statement listing or describing the material or process as meeting the applicable requirements; or that an entity acting on behalf of the Coast Guard under a Memorandum of Agreement has determined that the material or process meets the applicable requirements.

Conviction means the applicant for a license or certificate of registry has been found guilty by judgment or plea by a court of the United States, the District of Columbia, any State, territory, or possession of the United States, a foreign country, or any military court, of a criminal felony or misdemeanor or of an offense described in section 205 of the National Driver Register Act of 1982, as amended (49 U.S.C. 30304). Conviction of more than one offense at a single trial will be considered to be multiple convictions. If an applicant pleads guilty or no contest, is granted deferred adjudication, or is required by the court to attend classes, make contributions of time or money, receive treatment, submit to any manner of probation or supervision, or forgo appeal of a trial court's conviction, then the applicant will be considered to have received a conviction. A later expunged conviction will not negate the conviction unless it is proved to the Coast Guard that the expungement is based upon a showing that the court's earlier conviction was in error.

Dangerous drug means a narcotic drug, a controlled substance, or a controlled-substance analogue (as defined in section 102 of the Comprehensive Drug Abuse and Control Act of 1970 (21 U.S.C. 802)).

Day means, for the purpose of complying with the service requirements of this part, eight hours of watchstanding or day-working not to include overtime. On vessels where a 12 hour working day is authorized and practiced, such as on a six-on, six-off watch schedule, each work day may be creditable as one and one half days of serv-

ice. On vessels of less than 100 gross tons, a day is considered as eight hours unless the Officer in Charge, Marine Inspection determines that the vessel's operating schedule makes this criteria inappropriate, in no case will this period be less than four hours.

Designated duty engineer means a qualified engineer, who may be the sole engineer on vessels with a periodically unattended engine room.

Designated examiner means a person who has been trained or instructed in techniques of training or assessment and is otherwise qualified to evaluate whether a candidate for a license, document, or endorsement has achieved the level of competence required to hold the license, document, or endorsement. This person may be designated by the Coast Guard or by a Coast Guard-approved or accepted program of training or assessment. A faculty member employed or instructing in a navigation or engineering course at the U.S. Merchant Marine Academy or at a State maritime academy operated in accordance with regulations in 46 CFR part 310 is qualified to serve as a designated examiner in his or her area(s) of specialization without individual evaluation by the Coast Guard.

Disabled vessel means a vessel that needs assistance, whether docked, moored, anchored, aground, adrift, or under way; but does not mean a barge or any other vessel not regularly operated under its own power.

Employment assigned to is the total period a person is assigned to work on MODUs, including time spent ashore as part of normal crew rotation.

Endorsement means a provision added to a license which alters its scope or application. An example of an endorsement is a tonnage limitation increase within a general tonnage category, a pilot license route addition, or a radar observer qualification.

Evaluation means processing an application, from the point of receipt to approval or rejection of the application, including review of all documents and records submitted with an application as well as those obtained from public records and databases.

Fails a chemical test for dangerous drugs means that the result of a chemical test conducted in accordance with

49 CFR part 40 is reported as “positive” for the presence of dangerous drugs or drug metabolites in an individual’s system by a Medical Review Officer in accordance with that part.

First assistant engineer means the engineer officer next in seniority to the chief engineer and upon whom the responsibility for the mechanical propulsion of the vessel will fall in the event of the incapacity of the chief engineer.

Great Lakes means the Great Lakes and their connecting and tributary waters including the Calumet River as far as the Thomas J. O’Brien Lock and Controlling Works (between mile 326 and 327), the Chicago River as far as the east side of the Ashland Avenue Bridge (between mile 321 and 322), and the Saint Lawrence River as far east as the lower exit of Saint Lambert Lock.

Harbor assist means the use of a towing vessel during maneuvers to dock, undock, moor, or unmoor a vessel, or to escort a vessel with limited maneuverability.

Horsepower means, for the purpose of this part, the total maximum continuous shaft horsepower of all the vessel’s main propulsion machinery.

Inland Waters means the navigable waters of the United States shoreward of the Boundary Lines as described in 46 CFR part 7, excluding the Great Lakes and, for towing vessels, excluding the Western Rivers. For establishing credit for sea service, the waters of the Inside Passage between Puget Sound and Cape Spencer, Alaska, are inland waters.

Lower level means a category of deck and engineer licenses established for assessment of fees. Lower level licenses are all licenses, other than those defined as upper level, for which the requirements are listed in subparts D, E, and G of this part.

Master means the officer having command of a vessel.

Mate means a qualified officer in the deck department other than the master.

Mobile offshore drilling unit (MODU) means a vessel capable of engaging in drilling operations for the exploration for or exploitation of subsea resources. MODU designs include:

(a) *Bottom bearing units* which include:

(1) *Self-elevating (or jack-up) units* with moveable, bottom bearing legs capable of raising the hull above the surface of the sea; and,

(2) *Submersible units* of ship shape, barge type or novel hull design, other than a self-elevating unit, intended for operating while bottom bearing.

(b) *Surface units* with a ship shape or barge type displacement hull of single or multiple hull construction intended for operating in a floating condition, including semi-submersibles and drillships.

Month means 30 days, for the purpose of complying with the service requirements of this part.

National Driver Register (NDR) means the nationwide repository of information on drivers maintained by the National Highway Traffic Safety Administration as provided under 49 U.S.C. Chapter 303.

NDR listed convictions means a conviction of any of the following motor vehicle-related offenses or comparable offenses:

(a) Operating a motor vehicle while under the influence of, or impaired by, alcohol or a controlled substance; or

(b) A traffic violation arising in connection with a fatal traffic accident, reckless driving, or racing on the highways.

Near coastal means ocean waters not more than 200 miles offshore.

Oceans means the waters seaward of the Boundary Lines as described in 46 CFR part 7. For the purposes of establishing sea service credit, the waters of the Inside Passage between Puget Sound and Cape Spencer, Alaska, are not considered oceans.

Officer in Charge, Marine Inspection (OCMI) for the purposes of part 10 means the officer or individual so designated at one of the Regional Examination Centers, or any person so designated by the Commandant.

Offshore installation manager (OIM) is a licensed officer restricted to service on MODUs. An assigned offshore installation manager is equivalent to a conventionally licensed master and is the person designated by the owner or operator to be in complete and ultimate command of the unit.

On location means that a mobile offshore drilling unit is bottom bearing or

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moored with anchors placed in the drilling configuration.

Operator means an individual licensed to operate certain uninspected vessels.

Orally assisted examination means a license examination as described in subpart I of this part verbally administered and documented by an examiner.

Original license means the first deck, engineer or radio officer license issued to any person by the Coast Guard.

Passes a chemical test for dangerous drugs means the result of a chemical test conducted in accordance with 49 CFR part 40 is reported as "negative" by a Medical Review Officer in accordance with that part.

Pilot of towing vessels means a qualified officer of towing vessels operating only on inland routes.

Practical demonstration means the performance of an activity under the direct observation of a designated examiner for the purpose of establishing that the performer is sufficiently proficient in a practical skill to meet a specified standard of competence or other objective criterion.

Qualified instructor means a person who has been trained or instructed in instructional techniques and is otherwise qualified to provide required training to candidates for licenses, documents, and endorsements. A faculty member employed at a State maritime academy or the U.S. Merchant Marine Academy operated in accordance with 46 CFR part 310 and instructing in a navigation or engineering course is qualified to serve as a qualified instructor in his or her area(s) of specialization without individual evaluation by the Coast Guard.

Raise of grade means an increase in the level of authority and responsibility associated with a license.

Rivers means any river, canal, or other similar body of water designated by the Officer in Charge, Marine Inspection.

Senior company official means the president, vice president, vice president for personnel, personnel director, or similarly titled or responsible individual, or a lower level employee designated in writing by one of the aforementioned for the purpose of certifying employment and whose signature is on

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file at the REC at which application is made.

Service as when computing the required service for MODU licenses, is the time period, in days, a person is assigned to work on MODUs, excluding time spent ashore as part of crew rotation. A day, for the purposes of this definition, is a minimum of four hours, and no additional credit is received for periods served over eight hours.

Standard of competence means the level of proficiency to be achieved for the proper performance of duties on board vessels in accordance with national and international criteria.

STCW means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended in 1995 and 1997 (incorporated by reference in § 10.102).

STCW Code means the Seafarer's Training, Certification and Watchkeeping Code.

STCW endorsement means a certificate or endorsement issued in accordance with STCW. An STCW endorsement issued by the Officer in Charge, Marine Inspection (OCMI), will be valid only when accompanied by the appropriate U.S. license or document; and, if the license or document is revoked, then the associated STCW endorsement is no longer valid for any purpose. References to STCW placed on a U.S. license or merchant mariner's document will suffice as STCW endorsements for the mariner serving on a vessel operating exclusively on a domestic voyage (i.e., to and from U.S. ports or places subject to U.S. jurisdiction).

Underway means that a mobile offshore drilling unit is not in an on location or laid up status. Underway includes that period of time when the MODU is deploying or recovering its mooring system.

Undocumented vessel means a vessel not required to have a document issued under the laws of the United States.

Upper level means a category of deck and engineer licenses established for assessment of fees. Upper level licenses are those licenses for which the requirements are listed in §§ 10.404 to 10.407 of subpart D of this part and §§ 10.510, 10.512, 10.514, and 10.516 of subpart E of this part.

Vessel Security Officer (VSO) means a person onboard the vessel accountable to the Master, designated by the Company as responsible for security of the vessel, including implementation and maintenance of the Vessel Security Plan, and for liaison with the Facility Security Officer and vessel's Company Security Officer.

Western Rivers means the Mississippi River, its tributaries, South Pass, and Southwest Pass, to the navigational demarcation lines dividing the high seas from harbors, rivers, and other inland waters of the United States, and the Port Allen-Morgan City Alternate Route, and that part of the Atchafalaya River above its junction with the Port Allen-Morgan City Alternate Route including the Old River and the Red River, and those waters specified in 33 CFR 89.25.

Year means 360 days, for the purpose of complying with the service requirements of this part.

[CGD 81-059 and CGD 81-059a, 52 FR 38623 and 38666, Oct. 16, 1987]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §10.104, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 10.105 Applications.

(a) Applicants for merchant mariner's documents, licenses, certificates or credentials may apply to the Coast Guard National Maritime Center or any of the Regional Examination Centers. Applicants may contact the National Maritime Center, 100 Forbes Drive, Martinsburg WV 25404 or by telephone at 1-888-I-ASK-NMC (1-888-427-5662). A list of Regional Examination Center locations is available through the Coast Guard Web site at <http://www.uscg.mil>.

(b) A complete application for a license or certificate of registry, whether original, renewal, duplicate, or raise of grade, consists of a written application, all applicable supplementary documents required by this part, fingerprints, and two forms of ID. The written portion of the application may be submitted by mail, fax, or other electronic means. However, no application is complete until the applicant appears in person and is fingerprinted by and

provides evidence of his or her identity to a member of the REC staff. If the applicant is simultaneously applying for more than one credential, a single personal appearance and fingerprinting will satisfy this requirement for all pending applications.

(c) Each applicant must present at least two forms of identification to an REC employee as evidence of his or her identity. Expired or otherwise invalid forms may not be used. At least one of the forms of identification must contain the applicant's photograph. Acceptable forms of identification include the following:

- (1) U.S. military identification card;
- (2)(i) Before May 11, 2008, a U.S. driver's license;
- (ii) On or after May 11, 2008, U.S. driver's license issued by a State that meets the standards promulgated pursuant to the REAL ID Act of 2005;
- (3) U.S. passport;
- (4) Official identification card issued by a State, or local government or by a territory or possession of the U.S. that meets the standards promulgated pursuant to the REAL ID Act of 2005.
- (5) Official identification card issued by the Federal Government. This includes a Federal employee's identification credential;
- (6) Port credential, with photograph of the applicant, issued by State or local government port authority;
- (7) Law enforcement credential, that includes a photograph of the applicant and is issued by a Federal, State, or local government or by a territory or possession of the U.S.;
- (8) Merchant mariner's document issued after February 3, 2003;
- (9) Foreign passport; or
- (10) Original or a certified copy of a birth certificate, issued by a State, county, municipality or outlying possession of the U.S. bearing an official seal.

[USCG-2004-17455, 71 FR 2165, Jan. 13, 2006; USCG-2006-25535, 71 FR 48482, Aug. 21, 2006; 71 FR 54769, Sept. 19, 2006; USCG-2008-0906, 73 FR 56507, Sept. 29, 2008]

§ 10.107 Paperwork approval.

(a) This section lists the control numbers assigned by the Office of Management and Budget under the Paperwork Reduction Act of 1980 (Pub. L. 96-

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511) for the reporting and record keeping requirements in this part.

(b) The following control numbers have been assigned to the sections indicated:

(1) OMB 1625-0040—46 CFR 10.201, 10.202, 10.205, 10.207, 10.209, 10.470, 10.472, 10.474, 10.542, and 10.544.

(2) OMB 1625-0028—46 CFR 10.302, 10.303, 10.304, 10.480.

(3) OMB 1625-0079—46 CFR 10.304 and 10.309.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 133, Jan. 4, 1989; CGD 81-059a, 55 FR 14799, Apr. 18, 1990; CGD 95-062, 62 FR 34529, June 26, 1997; USCG-2004-18884, 69 FR 58342, Sept. 30, 2004]

§ 10.109 Fees.

Use table 10.109 to determine the fees that you must pay for license and certificate of registry activities in this part.

TABLE 10.109—FEES

If you apply for—	And you need—		
	Evaluation— then the fee is—	Examination— then the fee is—	Issuance—then the fee is—
License:			
Original:			
Upper level	\$100	\$110	\$45
Lower level	100	95	45
Raise of grade	100	45	45
Modification or removal of limitation or scope	50	45	45
Endorsement	50	45	45
Renewal	50	45	45
Renewal for continuity purposes	n/a	n/a	45
Reissue, Replacement, and Duplicate	n/a	n/a	¹ 45
Radio Officer License:			
Original	50	n/a	45
Endorsement	50	45	45
Renewal	50	n/a	45
Renewal for continuity purposes	n/a	n/a	45
Reissue, Replacement, and Duplicate	n/a	n/a	¹ 45
Certificate of Registry:			
Original (MMD holder)	90	n/a	45
Original (MMD applicant)	105	n/a	45
Renewal	50	n/a	45
Renewal for continuity purposes	n/a	n/a	45
Endorsement	n/a	n/a	45
Reissue, Replacement, and Duplicate	n/a	n/a	¹ 45
STCW Certification:			
Original	No fee	No fee	No fee.
Renewal	No fee	No fee	No fee.

¹ Duplicate for document lost as result of marine casualty—No Fee.

[USCG-1997-2799, 64 FR 42814, Aug. 5, 1999; 64 FR 53230, Oct. 1, 1999]

§ 10.110 Fee payment procedures.

(a) You may pay—

(1) All fees required by this section when you submit your application; or

(2) A fee for each phase at the following times:

(i) An evaluation fee when you submit your application.

(ii) An examination fee before you take the first examination section.

(iii) An issuance fee before you receive your license or certificate of registry.

(b) If you take your examination someplace other than a Regional Examination Center (REC), you must pay the examination fee to the REC at least one week before your scheduled examination date.

(c) Unless the REC provides additional payment options, your fees may be paid as follows:

(1) Your fee payment must be for the exact amount.

(2) Make your check or money order payable to the U.S. Coast Guard, and write your social security number on the front of each check or money order.

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(3) If you pay by mail, you must use either a check or money order.

(4) If you pay in person, you may pay with cash, check, or money order at Coast Guard units where Regional Examination Centers are located.

(d) Unless otherwise specified in this part, when two or more documents are processed on the same application—

(1) *Evaluation fees.* If a certificate of registry transaction is processed on the same application as a license transaction, only the license evaluation fee will be charged; and

(2) *Issuance fees.* A separate issuance fee will be charged for each document issued.

[USCG-1997-2799, 64 FR 42815, Aug. 5, 1999]

§ 10.111 Penalties.

(a) Anyone who fails to pay a fee or charge established under this subpart is liable to the United States Government for a civil penalty of not more than \$5,000 for each violation.

(b) The Coast Guard may assess additional charges to anyone to recover collection and enforcement costs associated with delinquent payments of, or failure to pay, a fee. Coast Guard licensing services may also be withheld from anyone pending payment of outstanding fees owed to the Coast Guard for services already provided by Regional Examination Centers.

[CGD 91-002, 58 FR 15237, Mar. 19, 1993]

§ 10.112 No-fee license for certain applicants.

(a) For the purpose of this section, a no-fee license applicant is a person who is a volunteer, or part-time or full-time employee of an organization which is:

- (1) Charitable in nature;
- (2) Not for profit; and
- (3) Youth oriented.

(b) An organization may submit a written request to Commandant (CG-5434), U.S. Coast Guard, 2100 Second Street, SW., Washington, DC 20593 in order to be considered an eligible organization under the criteria set forth in paragraph (a) of this section. With the written request, the organization must provide evidence of its status as a youth oriented, not for profit, charitable organization.

NOTE: The following organizations are accepted by the Coast Guard as meeting the requirements of paragraph (a) of this section and need not submit evidence of their status: Boy Scouts of America, Sea Explorer Association, Girl Scouts of the United States of America, and Young Men's Christian Association of the United States of America.

(c) A letter from an organization determined eligible under paragraph (b) of this section must also accompany the person's license application to the Coast Guard. The letter must state that the purpose of the person's application is solely to further the conduct of the organization's maritime activities. The applicant then is eligible under this section to obtain a no-fee license if other requirements for the license are met.

(d) A marine license issued to a person under this section is endorsed restricting its use to vessels owned or operated by the sponsoring organization.

(e) The holder of a no-fee license issued under this section may have the restriction removed by paying the appropriate evaluation, examination, and issuance fees that would have otherwise applied.

[CGD 91-002, 58 FR 15238, Mar. 19, 1993, as amended by CGD 95-072, 60 FR 50460, Sept. 29, 1995; CGD 96-041, 61 FR 50726, Sept. 27, 1996; CGD 97-057, 62 FR 51042, Sept. 30, 1997; USCG-2001-10224, 66 FR 48619, Sept. 21, 2001; USCG-2008-0906, 73 FR 56508, Sept. 29, 2008]

§ 10.113 Transportation Worker Identification Credential.

By April 15, 2009 all mariners holding an active License, Certificate of Registry or STCW endorsement issued under this part must hold a valid Transportation Worker Identification Credential (TWIC) issued by the Transportation Security Administration under 49 CFR part 1572. Failure to obtain or hold a valid TWIC may serve as a basis for suspension or revocation of a mariner's license, COR or STCW endorsement under 46 U.S.C. 7702 and 7703.

[CG-2006-24196, 72 FR 3587, Jan. 25, 2007, as amended at 73 FR 25566, May 7, 2008]

Subpart B—General Requirements for All Licenses and Certificates of Registry

§ 10.201 Eligibility for licenses and certificates of registry, general.

(a) The applicant for a license or certificate of registry, whether original, renewal, duplicate, or raise of grade, must establish to the satisfaction of the Coast Guard that he or she possesses all the qualifications necessary (including but not limited to age, experience, character references and recommendations, physical health, citizenship, approved training, passage of a professional examination, a test for dangerous drugs, and when required by this part, a practical demonstration of skills) before the Coast Guard will issue a license or certificate of registry.

(b) No person who has been convicted of a violation of the dangerous drug laws of the United States, the District of Columbia, any State, territory, or possession of the United States, or a foreign country, by any military or civilian court, is eligible for a license or certificate of registry, except as provided by the provisions of paragraph (h) of this section. No person who has ever been the user of, or addicted to, a dangerous drug, or has ever been convicted of an offense described in section 205 of the National Driver Register Act of 1982, as amended (49 U.S.C. 30304) because of addiction to or abuse of alcohol is eligible for a license or certificate of registry, unless he or she furnishes satisfactory evidence of suitability for service in the merchant marine as provided in paragraph (j) of this section.

(c) Except as provided in § 10.467(h) of the part, an applicant for a license must demonstrate an ability to speak and understand English as found in the navigation rules, aids to navigation publications, emergency equipment instructions, machinery instructions, and radiotelephone communications instructions.

(d) An applicant for a license must meet the requirements for recent service specified in § 10.202(e).

(e) No license or certificate of registry may be issued to any person who is not a citizen of the United States

with the exception of operator of uninspected passenger vessels limited to vessels not documented under the laws of the United States.

(f) Except as specified in this paragraph, no license or certificate of registry may be issued to a person who has not attained the age of 21 years.

(1) A license as master of near coastal, Great Lakes and inland, or river vessels of 25–200 gross tons, third mate, third assistant engineer, mate of vessels of 200–1600 gross tons, ballast control operator, assistant engineer (MODU), assistant engineer of fishing industry vessels, mate (pilot) of towing vessels, radio officer, assistant engineer (limited-oceans), or designated duty engineer of vessels of not more than 4000 horsepower may be granted to an applicant who has reached the age of 19 years.

(2) A license as limited master of near coastal vessels of not more than 100 gross tons, limited master of Great Lakes and inland vessels of not more than 100 gross tons, mate of Great Lakes and inland vessels of 25–200 gross tons, mate of near coastal vessels of 25–200 gross tons, operator of uninspected passenger vessels, or designated duty engineer of vessels of not more than 1,000 horsepower, or apprentice mate (steersman) of towing vessels, may be granted to an applicant, otherwise qualified, who has reached the age of 18 years.

(g) Persons serving or intending to serve in the merchant marine service are recommended to take the earliest opportunity of ascertaining, through examination, whether their visual acuity, and color vision where required, are such as to qualify them for service in that profession. Any physical impairment or medical condition which would render an applicant incompetent to perform the ordinary duties of an officer at sea is cause for denial of a license.

(h) *Criminal record review.* The Coast Guard will review the criminal record of an applicant before the issuance of a license or certificate of registry. An applicant conducting simultaneous transactions for merchant mariner's credentials will undergo only one criminal record check. Applicants must provide written disclosure of all

prior convictions at the time of application.

(1) The Coast Guard will use the fingerprints submitted pursuant to §10.105(b) to obtain a criminal record report. An applicant's criminal record report may be used to determine that an applicant's character and habits of life are such that the applicant cannot be entrusted with the duties and responsibilities of the license or certificate of registry. Should such a determination be made, the application may be disapproved. If an application is disapproved, the Coast Guard will advise the applicant in writing that the reconsideration and appeal procedures in subpart 1.03 of this chapter apply and will, in appropriate circumstances, notify the applicant of the reason(s) for disapproval. The Coast Guard will not administer a written examination until final agency action has been made on the applicant's appeal.

(2) The OCMI may use table 10.201(h) to evaluate applicants for licenses and certificates of registry who have criminal convictions. The table lists major categories of criminal activity and is not to be construed as an all-inclusive list. If an applicant is convicted of an offense that does not appear on the list, the OCMI will establish an appropriate assessment period using the list as a guide. The assessment period commences when an applicant is no longer incarcerated. The applicant must establish proof of the time incarcerated and periods of probation and parole to the satisfaction of the OCMI. The assessment period may include supervised or unsupervised probation or parole. A conviction for a drug offense more than 10 years prior to the date of application will not alone be grounds for denial.

(3) When an applicant has convictions for more than one offense, the minimum assessment period will be the longest minimum in table 10.201(h) and table 10.201(i) based upon the applicant's convictions; the maximum assessment period will be the longest shown in table 10.201(h) and table 10.201(i) based upon the applicant's convictions.

(4) If a person with a criminal conviction applies for a license or certificate of registry before the minimum assess-

ment period shown in table 10.201(h), or established by the OCMI under paragraph (h)(2) of this section has elapsed, then the applicant must provide evidence of suitability for service in the merchant marine. Factors which are evidence of suitability for service in the merchant marine are listed in paragraph (j) of this section. The OCMI will consider the applicant's evidence and may issue the license or certificate of registry in less than the listed minimum assessment period if the OCMI is satisfied that the applicant is suitable to hold the license or certificate of registry for which he or she has applied. If an applicant does not provide evidence of suitability for service in the merchant marine, then the application will be considered incomplete and will not be processed by the OCMI.

(5) If a person with a criminal conviction applies for a license or certificate of registry during the time between the minimum and maximum assessment periods shown in table 10.201(h) or established by the OCMI under paragraph (h)(2) of this section, the OCMI will consider the conviction and, unless there are offsetting factors, may grant the applicant the license or certificate of registry for which he or she has applied. Offsetting factors include multiple convictions, failure to comply with court orders (e.g., child support orders), previous failures at rehabilitation or reform, inability to maintain steady employment, or any connection between the crime and the safe operation of a vessel. If the OCMI considers the applicant unsuitable for service in the merchant marine at the time of application, the OCMI will disapprove the application.

(6) If a person with a criminal conviction applies for a license or certificate of registry after the maximum assessment period shown in table 10.201(h) or established by the OCMI under paragraph (h)(2) of this section has elapsed, then the OCMI will grant the applicant the license or certificate of registry for which he or she has applied unless the OCMI has reason to believe the applicant is still unsuitable for service in the merchant marine. If the OCMI disapproves an application based upon a conviction older than the maximum assessment period, the OCMI will notify

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the applicant in writing of the reason(s) for the disapproval. The OCMI will also inform the applicant, in writing, that the reconsideration and appeal procedures contained in §1.03 of this chapter apply.

TABLE 10.201(h)—GUIDELINES FOR EVALUATING APPLICANTS FOR LICENSES AND CERTIFICATES OF REGISTRY WHO HAVE CRIMINAL CONVICTIONS

Crime ¹	Assessment periods	
	Minimum	Maximum
Crimes Against Persons		
Homicide (intentional)	7 years	20 years.
Homicide (unintentional)	5 years	10 years.
Assault (aggravated)	5 years	10 years.
Assault (simple)	1 year	5 years.
Sexual Assault (rape, child molestation)	5 years	10 years.
Robbery	5 years	10 years.
Other crimes against persons ² .		
Crimes Against Property		
Burglary	3 years	10 years.
Larceny (embezzlement)	3 years	5 years.
Other crimes against property ² .		
Vehicular Crimes		
Conviction involving fatality	1 year	5 years.
Reckless Driving	1 year	2 years.
Racing on the Highways	1 year	2 years.
Other vehicular crimes ² .		
Crimes Against Public Safety		
Destruction of Property	5 years	10 years.
Other crimes against public safety ² .		
Crimes Involving National Security		
Terrorism, Acts of Sabotage, Espionage and related offenses	7 years	20 years.
Criminal Violations of Environmental Laws		
Criminal violations of environmental laws involving improper handling of pollutants or hazardous materials.	1 year	10 years.
Dangerous Drug Offenses^{3,4,5}		
Trafficking (sale, distribution, transfer)	5 years	10 years.
Dangerous drugs (Use or possession)	1 year	10 years.
Other dangerous drug convictions ⁶ .		

¹ Conviction of attempt, solicitation, aiding and abetting, accessory after the fact, and conspiracy to commit the criminal conduct listed in this table carry the same minimum and maximum assessment periods provided in the table.

² Other crimes are to be reviewed by the OCMI to determine the minimum and maximum assessment periods depending on the nature of the crime.

³ Applicable only to original applications for licenses or CORs. Any applicant who has ever been the user of, or addicted to the use of, a dangerous drug shall meet the requirements of paragraph (b) of this section. Note: Applicants for reissue of a license or COR with a new expiration date including a renewal or a raise of grade, who have been convicted of a dangerous drug offense while holding a license or COR, may have their applications withheld until appropriate action has been completed by the OCMI under the regulations which appear in 46 CFR part 5 governing administrative actions against merchant mariner credentials.

⁴ The OCMI may consider dangerous drug convictions more than 10 years old only if there has been a dangerous drug conviction within the past 10 years.

⁵ Applicants must demonstrate rehabilitation under paragraph (j) of this section, including applicants with dangerous drug use convictions more than ten years old.

⁶ Other dangerous drug convictions are to be reviewed by the Officer in Charge, Marine Inspection on a case by case basis to determine the appropriate assessment periods depending on the nature of the offense.

(i) *National Driver Register*. A license or certificate of registry will not be issued as an original or reissued with a new expiration date unless the applicant consents to a check of the NDR for offenses described in section 205(a)(3) (A) or (B) of the NDR Act (i.e., operation of a motor vehicle while

under the influence of, or impaired by, alcohol or a controlled substance; and any traffic violations arising in connection with a fatal traffic accident, reckless driving, or racing on the highways). The OCMI will not consider NDR listed civil convictions that are more than 3 years old from the date of request unless that information relates to the current suspension or revocation of the applicant's license to operate a motor vehicle. The OCMI may determine minimum and maximum assessment periods for NDR listed criminal convictions using table 10.201(h). An applicant conducting simultaneous merchant mariner's credential transactions is subject to only one NDR check.

(1) Any application may be disapproved if information from the NDR check leads the OCMI to determine that the applicant cannot be entrusted with the duties and responsibilities of the license or certificate of registry for which the application is made. If an application is disapproved, the OCMI will notify the applicant in writing of the reason(s) for disapproval and advise the applicant that the appeal procedures in §1.03 of this chapter apply. No examination will be given pending decision on appeal.

(2) Prior to disapproving an application because of information received from the NDR, the OCMI will make the information available to the applicant for review and written comment. The applicant may submit records from the applicable State concerning driving record and convictions to the Coast Guard Regional Examination Center

(REC) processing the application. The REC will hold an application with NDR listed convictions pending the completion of the evaluation and delivery by the individual of the underlying State records.

(3) The guidelines in table 10.201(i) will be used by the OCMI in evaluating applicants for licenses and certificates of registry who have drug or alcohol related NDR listed convictions. Non-drug or alcohol related NDR listed convictions will be evaluated by the OCMI under table 10.201(h) as applicable.

(4) An applicant may request an NDR file check for *personal* use in accordance with the Federal Privacy Act of 1974 (Pub. L. 93-579) by contacting the NDR at the following address: National Driver Register, Nassif Building, 400 7th Street, SW., Washington, DC 20590.

(i) Applicants should request Form NDR-PRV or provide the following information on a notarized letter:

- (A) Full legal name;
- (B) Other names used;
- (C) Complete mailing address;
- (D) Driver license number;
- (E) Eye color;
- (F) Social security number;
- (G) Height;
- (H) Weight; and
- (I) Sex.

(ii) The NDR will respond to every valid inquiry including requests which produce no record(s) on the NDR file. Records can be made available, within a reasonable amount of time after the request, for personal inspection and copying during regular working hours at 7:45 a.m. to 4:15 p.m., each day except Federal holidays.

TABLE 10.201(i)—GUIDELINES FOR EVALUATING APPLICANTS FOR LICENSES AND CERTIFICATES OF REGISTRY WHO HAVE NDR MOTOR VEHICLE CONVICTIONS INVOLVING DANGEROUS DRUGS OR ALCOHOL ¹

No. of convictions	Date of conviction	Assessment period
1	Less than 1 year	1 year from date of conviction.
1	More than 1, less than 3 years ...	Application will be processed, unless suspension or revocation ² is still in effect. Applicant will be advised that additional conviction(s) may jeopardize merchant mariner credentials.
1	More than 3 years old	Not necessary unless suspension or revocation is still in effect.
2 or more	Any less than 3 years old	1 year since last conviction and at least 3 years from 2nd most recent conviction, unless suspension or revocation is still in effect.
2 or more	All more than 3 years old	Application will be processed unless suspension or revocation is still in effect.

¹ Any applicant who has ever been the user of, or addicted to the use of, a dangerous drug shall meet the requirements of paragraph (b) of this section.

² Suspension or revocation, when referred to in table 10.201(i), means a State suspension or revocation of a motor vehicle operator's license.

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(j) If an applicant has one or more alcohol or dangerous drug related criminal or NDR listed convictions; if the applicant has ever been the user of, or addicted to the use of, a dangerous drug; or if the applicant applies before the minimum assessment period for his or her conviction has elapsed; the OCMI may consider the following factors, as applicable, in assessing the applicant's suitability to hold a license or certificate of registry. This list is intended as a guide for the OCMI. The OCMI may consider other factors which he or she judges appropriate to a particular applicant, such as:

(1) Proof of completion of an accredited alcohol- or drug-abuse rehabilitation program.

(2) Active membership in a rehabilitation or counseling group, such as Alcoholics Anonymous or Narcotics Anonymous.

(3) Character references from persons who can attest to the applicant's sobriety, reliability, and suitability for employment in the merchant marine including parole or probation officers.

(4) Steady employment.

(5) Successful completion of all conditions of parole or probation.

[CGD 81-059 and CGD 81-059a, 52 FR 38623 and 38666, Oct. 16, 1987, as amended at 54 FR 133, Jan. 4, 1989; CGD 81-059a, 55 FR 14799, Apr. 18, 1990; CGD 91-223, 60 FR 4524, Jan. 23, 1995; CGD 91-212, 60 FR 65484, Dec. 19, 1995; CGD 95-062, 62 FR 34529, June 26, 1997; USCG-1999-6224, 64 FR 63225, Nov. 19, 1999; USCG-2005-22329, 70 FR 57183, Sept. 30, 2005; USCG-2004-17455, 71 FR 2166, Jan. 13, 2006]

§ 10.202 Issuance of licenses, certificates of registry, and STCW certificates or endorsements.

(a) Applications for original licenses, original certificates of registry, raises of grade, extensions of route, or endorsements must be current and up-to-date with respect to service and the physical examination, as appropriate. Physical examinations and approved applications are valid for 12 months.

(b) Any person who is found qualified under the requirements set forth in this part is issued an appropriate license or certificate of registry valid for a term of 5 years from date of issuance. Any license or certificate of registry which is renewed or upgraded prior to its expiration date automatically be-

comes void upon issuance of the replacement license or certificate of registry.

(c) A license or certificate of registry is not valid until signed by the applicant and the OCMI (or the OCMI's designated representative).

(d) Every person who receives an original license or certificate of registry shall take an oath before a designated Coast Guard official that he or she will faithfully and honestly, according to his or her best skill and judgment, without concealment or reservation, perform all the duties required by law and obey all lawful orders of superior officers. Such an oath remains binding for all subsequent licenses or certificates of registry issued to that person unless specifically renounced in writing.

(e) The applicant for any original license, endorsement, or raise of grade of license must have at least three months' qualifying service on vessels of appropriate tonnage or horsepower within the three years immediately preceding the date of application.

(f) Any applicant whose uncorrected vision exceeds 20/40 in either eye for deck licenses or 20/50 in either eye for engineer, radio officer, offshore installation manager, barge supervisor, or ballast control operator licenses may not serve under the authority of the license unless corrective lenses are worn and spare lenses are carried on board a vessel while serving. (Not applicable to staff officers).

(g) If an Officer in Charge, Marine Inspection, refuses to grant an applicant the license or certificate of registry for which applied, the OCMI will furnish the applicant, if requested, a written statement setting forth the cause of denial.

(h) The Officer in Charge, Marine Inspection, may modify the service and examination requirements in this part to satisfy the unique qualification requirements of an applicant. The Officer in Charge, Marine Inspection, may also lower the age requirement for operator of uninspected passenger vessels license applicants. The authority granted by a license will be restricted on its face to reflect any modifications made under the authority of this paragraph. Such restrictions shall not be removed

without the approval of the OCMI issuing the license.

(i) To obtain an original issuance or a renewal of a license or a certificate of registry, a raise in grade of a license, or a higher grade of certificate of registry each applicant shall produce evidence of having passed a chemical test for dangerous drugs or of qualifying for an exception from testing in §16.220 of this subchapter. An applicant who fails a chemical test for dangerous drugs will not be issued a license or certificate of registry.

(j) When an original license is issued, renewed, upgraded, or otherwise modified, the OCMI will determine whether the holder of the license needs to hold an STCW certificate or endorsement for service on a seagoing vessel and then, if the holder is qualified, will issue the appropriate certificate or endorsement. The OCMI will also issue an STCW certificate or endorsement at other times, if circumstances so require and if the holder of the license is qualified to hold the certificate or endorsement.

(k) Notwithstanding §10.205 (l), (m), (n), (o), and (p), §10.304, and §10.901, each mariner found qualified to hold any of the following licenses will also be entitled to hold an STCW certificate or endorsement corresponding to the service or other limitations on the license, because the vessels concerned are not subject to further obligation under STCW, on account of their special operating conditions as small vessels engaged in domestic voyages:

(1) Master's, mate's, or engineer's license for service on small passenger

vessels that are subject to subchapter T or K of title 46, Code of Federal Regulations (CFR), and that operate beyond the boundary line.

(2) Master's, mate's, or engineer's license for service on seagoing vessels of less than 200 gross register tons (GRT), other than passenger vessels subject to subchapter H of title 46, CFR.

(1) Neither any person serving on any of the following vessels, nor any owner or operator of any of these vessels, need hold STCW certificates or endorsements, because they are exempt from application of STCW:

(1) Uninspected passenger vessels as defined in 46 U.S.C. 2101(42).

(2) Fishing vessels as defined in 46 U.S.C. 2101(11)(a).

(3) Fishing vessels used as fish-tender vessels as defined in 46 U.S.C. 2101(11)(c).

(4) Barges as defined in 46 U.S.C. 2101(2), including non-self-propelled mobile offshore-drilling units.

(5) Vessels operating exclusively on the Great Lakes or the inland waters of the U.S. in the straits of Juan de Fuca inside passage.

(m) No license or certificate of registry will be issued until the applicant has passed a criminal record review as set forth in §10.201 of this chapter.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 53 FR 133, Jan. 4, 1989; CGD 91-211, 59 FR 49297, Sept. 27, 1994; CGD 91-223, 60 FR 4524, Jan. 23, 1995; CGD 95-062, 62 FR 34529, June 26, 1997; CGD 95-062, 62 FR 40140, July 25, 1997; CGD 95-062, 62 FR 40281, July 28, 1997; CGD 95-028, 62 FR 51195, Sept. 30, 1997; USCG-2004-17455, 71 FR 2166, Jan. 13, 2006]

§ 10.203 Quick reference table for license and certificate of registry requirements.
 Table 10.203 provides a guide to the requirements for various licenses and certificates of registry. Provisions in the reference section are controlling.

TABLE 10.203

License category	Minimum age	Citizenship requirement	Physical required	Experience requirements	Recommendations and character check	Firefighting certificate	Professional exam requirements	Recency of Service	First aid and CPR requirements
Masters/mates and operators of uninspected passenger vessels (original license)	21; 10.201(f); Note: exceptions.	Yes, 10.201(e); Note: exception.	Yes, 10.205(d); Note: (d)(2).	Yes, 10.205(e); subpart D.	Yes, 10.205(f)	Yes, 10.205(g); Note: exceptions.	Yes, 10.205(i), 10.910; Note: 10.903(b).	Yes, 3 months past 36 months, 10.202(e).	Yes, in 10.205(h).
Engineers (original license)	21; 10.201(f); Note: exceptions.	Yes	Yes, 10.205(d); Note: (d)(3).	10.205(e); subpart E.	Yes, 10.205(f);	Yes, 10.205(g)	Yes, 10.205(i) 10.950.	Yes, 3 months in past 36 months, 10.202(e).	Yes, 10.205(h).
All raises of grade	21; 10.201(f); Note: exceptions.	Yes	10.207(e); Note: (e)(1).	10.207(c); subparts D & E.	N/A	Yes, Note: 10.207(f).	10.207(d), 10.910, 10.920, 10.950.	Yes, 3 months in past 36 months, 10.202(e).	N/A.
License renewals	N/A	Yes	10.209(d)	10.209(c)	N/A	N/A	10.209(c)	10.209(c)	N/A.
COR renewals	N/A	Yes	No	10.209(c)(5)	N/A	N/A	N/A	N/A	N/A.
Pilot	21	Yes	Yes, 10.709	10.703, 10.706(a), 10.715.	Yes, 10.205(f)	N/A	10.707, 10.910	Yes, 10.703, 10.705(e), 10.713.	Yes, 10.205(h).
Uninspected fishing industry vessels.	21; 10.201(f); Note: exceptions.	Yes	Yes, 10.205(d); Note: (d)(2) or (d)(3).	Deck: 10.462, Eng: 10.530, 10.205(f).	Yes, 10.205(f)	Yes, 10.205(g)	Yes, 10.205(i), 10.910, 10.950(oral).	Yes, 3 months in past 36 months, 10.202(e).	Yes, 10.205(h).
Towing vessels	Master of towing vessels: 21; mate (pilot) of towing vessels: 19; apprentice mate (steersman): 18.	Yes	Yes, 10.205(d); Note: (d)(2).	10.464	Yes, 10.205(f)	Yes, 10.205(g) oceans.	Yes, 10.205(i), 10.910.	Yes, 3 months in past 36 months, 10.202(e).	Yes, 10.205(h).
Radio officer	19	Yes	Yes, 10.205(d); Note: (d)(3).	10.603	Yes, 10.205(f)	N/A	N/A	N/A	Yes, 10.205(h).
Staff officer	21	Yes	No	10.807	Yes, 10.205(f)	N/A	N/A	N/A	N/A.

Offshore installation manager, barge supervisor, ballast control operator.	21; 10201(f); Note: exceptions.	Yes	Yes, 10.205(d); Note: (d)(3).	Deck: 10.468, Eng: 10.540.	Yes, 10.205(f)	Yes, 10.205(g)	Yes, 10.205(i), 10.920.	Yes, 3 months in past 36 months, 10.202(e).	Yes, 10.205(h).
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[CGD 91-211, 59 FR 49297, Sept. 27, 1994; CGD 91-211, 59 FR 50964, Oct. 6, 1994, as amended by USCG-1999-6224, 64 FR 63225, Nov. 19, 1999]

§ 10.204 Right of appeal.

Any person directly affected by a decision or action taken under this part, by or on behalf of the Coast Guard, may appeal therefrom in accordance with subpart 1.03 of this chapter.

[CGD 88–033, 54 FR 50379, Dec. 6, 1989]

§ 10.205 Requirements for original licenses, certificates of registry, and STCW certificates and endorsements.

(a) *General.* The applicant for an original license or certificate of registry must present satisfactory documentary evidence of eligibility with respect to the applicable requirements of § 10.201 through § 10.203. Each applicant must submit an application as set forth in § 10.105 and, unless exempted under § 10.112, submit the evaluation fee set out in table 10.109 in § 10.109.

(b) *Minimum age.* The applicant shall present satisfactory proof of age as prescribed in § 10.201(f). This evidence may be any of the items submitted to establish citizenship.

(c) *Citizenship.* Each applicant must provide acceptable evidence of his or her citizenship to the Coast Guard. The Coast Guard will reject any evidence of citizenship that we do not believe to be authentic. “Acceptable evidence of citizenship” means an original of any one of the following documents:

(1) Original or a certified copy of a birth certificate, issued by a State, county, municipality or outlying possession of the U.S. bearing an official seal.

(2) Merchant mariner’s document issued by the Coast Guard after February 3, 2003 that shows that the holder is a citizen of the U.S.;

(3) Certificate of Citizenship issued by the U.S. Citizenship and Immigration Services or the Immigration and Naturalization Service;

(4) Certificate of Naturalization issued by the U.S. Citizenship and Immigration Services or the Immigration and Naturalization Service; or

(5) Unexpired U.S. State Department passport.

(d) *Physical examination.* (1) All applicants for an original license must pass an examination given by a licensed physician or a licensed physician assistant and present to the OCMI a com-

pleted Coast Guard physical examination form, or the equivalent, executed by the physician. This form must provide information on the applicant’s acuity of vision, color sense, and general physical condition. This examination must have been completed prior to submission of the application and not more than 12 months prior to issuance of the license. (Physical examinations are not required for staff officers.)

(2) For an original license as master, mate, pilot, or operator, the applicant must have vision correctable to at least 20/40 in each eye and uncorrected vision of at least 20/200 in each eye. The color sense must be determined to be satisfactory when tested by any of the following methods, without the use of color sensing lenses:

(i) Pseudoisochromatic Plates (Dvorine, 2nd Edition; AOC; revised edition or AOC-HRR; Ishihara 16-, 24-, or 38-plate editions).

(ii) Eldridge—Green Color Perception Lantern.

(iii) Farnsworth Lantern.

(iv) Keystone Orthoscope.

(v) Keystone Telebinocular.

(vi) SAMCTT (School of Aviation Medicine Color Threshold Tester).

(vii) Titmus Optical Vision Tester.

(viii) Williams Lantern.

(3) For an original license as engineer, radio officer, offshore installation manager, barge supervisor or ballast control operator, the applicant must have correctable vision of at least 20/50 in each eye and uncorrected vision of at least 20/200 in each eye. Applicants need only to have the ability to distinguish the colors red, green, blue and yellow.

(4) Where an applicant does not possess the vision, hearing, or general physical condition necessary, the OCMI, after consultation with the examining physician or physician’s assistant, may recommend a waiver to the Commandant if extenuating circumstances warrant special consideration. Applicants may submit to the OCMI, additional correspondence, records and reports in support of this request. In this regard, recommendations from agencies of the Federal Government operating government vessels, as well as owners and operators of private vessels, made on behalf of their

employees, will be given full consideration. Waivers are not normally granted to an applicant whose corrected vision in the better eye is not at least 20/40 for deck licenses or 20/50 for engineer licenses.

(e) *Experience or training.* (1) All applicants for original licenses and certificates of registry shall present to the OCMI, letters, discharges, or other documents certifying the amount and character of their experience and the names, tonnage and horsepower of the vessels on which acquired. The OCMI must be satisfied as to the authenticity and acceptability of all evidence of experience or training presented. Certificates of discharge are returned to the applicant. The OCMI shall note on the application that service represented by these documents has been verified. All other documentary evidence of service, or authentic copies thereof, are filed with the application. A license is not considered as satisfactory evidence of any qualifying experience.

(2) No original license or certificate of registry may be issued to any naturalized citizen on less experience in any grade or capacity than would have been required of a citizen of the United States by birth.

(3) Experience and service acquired on foreign vessels is creditable for establishing eligibility for an original license, subject to evaluation by the OCMI to determine that it is a fair and reasonable equivalent to service acquired on merchant vessels of the United States, with respect to grade, tonnage, horsepower, waters, and operating conditions. An applicant who has obtained qualifying experience on foreign vessels shall submit satisfactory documentary evidence of such service (including any necessary translation into English) in the forms prescribed by paragraph (e)(1) of this section.

(4) No applicant for an original license who is a naturalized citizen, and who has obtained experience on foreign vessels, will be given an original license in a grade higher than that upon which he or she has actually served while acting under the authority of a foreign license.

(f) *Character check and references.* (1) Each applicant for an original license shall submit written recommendations

concerning the applicant's suitability for duty from a master and two other licensed officers of vessels on which the applicant has served. For a license as engineer or as pilot, at least one of the recommendations must be from the chief engineer or licensed pilot, respectively, of a vessel on which the applicant has served. For a license as engineer where service was obtained on vessels not carrying a licensed engineer and for a license as master or mate (pilot) of towing vessels, the recommendations may be by recent marine employers with at least one recommendation from a master, operator, or person in charge of a vessel upon which the applicant has served. For a license as offshore installation manager, barge supervisor, or ballast control operator, at least one recommendation must be from an offshore installation manager of a unit on which the applicant has served. Where an applicant qualifies for a license through an approved training school, one of the character references must be an official of that school. For a license for which no commercial experience may be required, such as: Master or mate 25-200 gross tons, operator of uninspected passenger vessels, radio officer or certificate of registry, the applicant may have the written recommendations of three persons who have knowledge of the applicant's suitability for duty.

(2) The OCMI may review the criminal record check of each applicant for an original license or certificate of registry according to the procedures set forth in §10.201(h).

(3) A person may apply for an original license, or license of a different type, while on probation as a result of administrative action under part 5 of this chapter. The offense for which the applicant was placed on probation will be considered in determining his or her fitness to hold the license applied for. A license issued to an applicant on probation will be subject to the same probationary conditions as were imposed against the applicant's other license or merchant mariner's document. An applicant may not take an examination for a license during any period when a

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suspension without probation or a revocation is effective against the applicant's currently held license or merchant mariner's document, or while an appeal from these actions is pending.

(4) In the event a license or certificate of registry has already been issued when information about the applicant's habits of life and character is brought to the attention of the OCMI, if such information warrants the belief that the applicant cannot be entrusted with the duties and responsibilities of the license or certificate of registry issued, or if such information indicates that the application for the license or certificate of registry was false or incomplete, the OCMI may notify the holder in writing that the license or certificate of registry is considered null and void, direct the holder to return it to the OCMI, and advise the holder that, upon return of the license or certificate of registry, the appeal procedures of § 10.204 of this part apply.

(g) *Firefighting certificate.* Applicants for the licenses in the following categories must present a certificate of completion from a firefighting course of instruction which has been approved by the Commandant. The course must meet both the basic and advanced sections of the International Maritime Organization's (IMO) Resolution A.437 (XI) *Training of Crews in Firefighting*. The course must have been completed within five years before the date of application for the license requested.

(1) Master's license for service on vessels of 200 gross tons or less in ocean service.

(2) All master or mate's licenses for over 200 gross tons.

(3) All licenses for master or mate of towing vessels for ocean service.

(4) All licenses on mobile offshore drilling units.

(5) All engineer's licenses.

(h) *First aid and cardiopulmonary resuscitation (CPR) course certificates.* All applicants for an original license or certificate of registry, except as provided in §§ 10.429, 10.456, and 10.467 of this part, must present to the OCMI:

(1) A certificate indicating completion of a first aid course within the past 12 months from:

(i) The American National Red Cross *Standard First Aid and Emergency Care*

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or *Multi-media Standard First Aid* course;

(ii) A Coast Guard approved first aid training course; or,

(iii) A course the OCMI determines meets or exceeds the standards of the American Red Cross courses; and,

(2) A currently valid certificate of completion of a CPR course from:

(i) The American National Red Cross;

(ii) The American Heart Association;

(iii) A Coast Guard approved CPR training course; or,

(iv) A course the OCMI determines meets or exceeds the standards of the American Red Cross or American Heart Association courses.

(i) *Professional Examination.* (1) When the OCMI finds the applicant's experience and training to be satisfactory and the applicant is eligible in all other respects, the OCMI will authorize the examination in accordance with the following requirements:

(i) Any applicant for a deck or engineer license limited to vessels not exceeding 500 gross tons, or a license limited to uninspected fishing-industry vessels, may request an oral-assisted examination in lieu of any written or other textual examination. If there are textual questions that the applicant has difficulty reading and understanding, the OCMI will offer the oral-assisted examination. Each license based on an oral-assisted examination is limited to the specific route and type of vessel upon which the applicant obtained the majority of service.

(ii) The general instructions for administration of examinations and the lists of subjects for all licenses appear in Subpart I of this part. The OCMI will place in the applicant's file a record indicating the subjects covered.

(2) When the license application of any person has been approved, the applicant should take the required examination as soon as practicable. If the applicant cannot be examined without delay at the office where the application is made, the applicant may request that the examination be given at another office.

(3) The qualification requirements for *radar observer* are contained in § 10.480.

(4) An examination is not required for a license as radio officer or a certificate of registry.

(j) *Chemical testing for dangerous drugs.* To obtain a license or certificate of registry each applicant shall produce evidence of having passed a chemical test for dangerous drugs or of qualifying for an exception from testing in §16.220 of this subchapter. An applicant who fails a chemical test for dangerous drugs will not be issued a license or certificate of registry.

(k) *National Driver Register.* Each applicant for an original license or certificate of registry shall consent to an NDR check under §10.201(i).

(l) *Basic safety training or instruction.* Except as provided in §10.202, an STCW certificate or endorsement will be issued only when the candidate provides evidence of having achieved or, if training has been completed, having maintained the minimum standards of competence for the following 4 areas of basic safety within the previous 5 years upon assessment of a practical demonstration of skills and abilities:

(1) Personal survival techniques as set out in table A-VI/1-1 of the STCW Code (incorporated by reference in §10.102).

(2) Fire prevention and fire-fighting as set out in table A-VI/1-2 of the STCW Code (also incorporated by reference in §10.102).

(3) Elementary first aid as set out in table A-VI/1-3 of the STCW Code (also incorporated by reference in §10.102).

(4) Personal safety and social responsibilities as set out in table A-VI/1-4 of the STCW Code (also incorporated by reference in §10.102).

(m) *Competence in the use of Automatic Radar-Plotting Aids (ARPA).* (1) Subject to paragraph (m)(2) of this section, and except as otherwise provided in §10.202, each candidate for an STCW certificate as master or mate for service on vessels in ocean or near-coastal service, shall present a certificate of completion from an approved course or from accepted training on an ARPA simulator. The course or training must be sufficient to establish that the applicant is competent to maintain safe navigation through the proper use of ARPA, by correctly interpreting and analyzing the information obtained

from that device and taking into account both the limitations of the equipment and the prevailing circumstances and conditions. The simulator used in the course or training must meet or exceed the performance standards established under STCW Regulation I/12 of the 1995 Amendments.

(2) Training and assessment in the use of ARPA are not required for mariners serving exclusively on vessels not fitted with ARPA. However, when any mariner so serving has not completed it, his or her STCW certificate or endorsement will be endorsed to indicate this limitation.

(n) *Certificate for operator of radio in the Global Maritime Distress and Safety System (GMDSS).* (1) Subject to paragraph (n)(2) of this section, and except as otherwise provided by §10.202, each candidate for an STCW certificate as master or mate for service in vessels in ocean or near-coastal service, shall present—

(i) A certificate for operator of radio in the GMDSS issued by the Federal Communication Commission (FCC); and

(ii) A certificate of completion from a Coast Guard-approved or accepted course for operator of radio in the GMDSS or from another approved or accepted program of training and assessment covering the same areas of competence. The course or program must be sufficient to establish that the applicant is competent to perform radio duties on a vessel participating in the GMDSS and meets the standard of competence under STCW Regulation IV/2.

(2) Paragraph (n)(1) of this section does not apply to a candidate intending to serve only as a pilot, or intending to serve only on vessels not required to comply with the provisions of the GMDSS in Chapter IV of the Convention for the Safety of Life at Sea, 1974, as amended (SOLAS).

(3) Each candidate presenting a certificate described in paragraph (n)(1) of this section may have his or her STCW certificate suitably endorsed with his or her GMDSS qualification.

(o) *Procedures for bridge team work.* Except as otherwise provided by §10.202, each candidate for an STCW

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certificate as master or mate for service on vessels in ocean or near-coastal service, shall present sufficient documentary proof that he or she understands and can effectively apply procedures for bridge team work as an essential aspect of maintaining a safe navigational watch, taking into account the principles of bridge-resource management enumerated in Section B-VIII/2 of the STCW Code.

(p) *Practical demonstration of skills.* Each candidate for an original license shall successfully complete any practical demonstrations required under this part and appropriate to the particular license concerned, to prove that he or she is sufficiently proficient in skills required under subpart I of this part. The OCMI must be satisfied as to the authenticity and acceptability of all evidence that each candidate has successfully completed the demonstrations required under this part in the presence of a designated examiner. The OCMI will place in the file of each candidate a written or electronic record of the skills required, the results of the practical demonstrations, and the identification of the designated examiner in whose presence the requirements were fulfilled.

[CGD 81–059 and CGD 81–059a, 52 FR 38623 and 38666, Oct. 16, 1987]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §10.205, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 10.207 Requirements for raises of grades of licenses.

(a) *General.* Before any person is issued a raise of grade of license, the applicant must present satisfactory documentary evidence of eligibility with respect to the applicable requirements of §§10.201, 10.202, and this section. Each applicant must submit an application as set forth in §10.105, and, unless exempted under §10.112, submit the evaluation fee set out in table 10.109 in §10.109.

(b) *Surrendering old license.* Upon the issuance of a new license for raise of grade, the applicant shall surrender the old license to the OCMI. If requested, the old license is returned to the applicant after cancellation.

(c) *Age, experience, training, and assessment.* (1) Each applicant for a raise of grade of license shall establish that he or she possesses the age, experience, and training necessary, and has been examined and otherwise assessed as may be required by this part to establish competence to hold the particular license requested, before he or she is entitled to a raise in grade of license.

(2) Applicants for raise of grade of license shall present to the OCMI at a Regional Examination Center, letters, discharges, or other official documents certifying to the amount and character of their experience and the names of the vessels on which acquired. Certificates of discharge are returned to the applicant after review by the OCMI. All other documentary evidence of service, or copies thereof, are filed with the application.

(3) Sea service acquired prior to the issuance of the license held is generally not accepted as any part of the service required for raise of grade of that license. However, service acquired prior to issuance of a license will be accepted for certain crossovers, endorsements or increases in scope of a license, as appropriate. In the limited tonnage categories for deck licenses, total accumulated service is a necessary criterion for most raises in grade; service acquired prior to the issuance of such licenses will, therefore, be accepted.

(4) No raise of grade of license may be issued to any naturalized citizen on less experience in any grade than would have been required of a citizen of the United States by birth.

(5) Experience and service acquired on foreign vessels while holding a valid U. S. license is creditable for establishing eligibility for a raise of grade, subject to evaluation by the OCMI to determine that it is a fair and reasonable equivalent to service acquired on merchant vessels of the United States, with respect to grade, tonnage, horsepower, waters and operating conditions. An applicant who has obtained the qualifying experience on foreign vessels shall submit satisfactory documentary evidence of such service (including any necessary translations into English) in the forms prescribed by paragraph (c)(2) of this section.

(6) An applicant remains eligible for a raise of grade of license while on probation as a result of action under part 5 of this chapter. A raise of grade of license issued to a person on probation will be subject to the same probationary conditions imposed against the applicant's other certificates or licenses. The offense for which he or she was placed on probation will be considered on the merits of the case in determining fitness to hold the license applied for. No applicant will be examined for a raise of grade of license during any period when a suspension without probation or a revocation imposed under part 5 of this chapter is effective against the applicant's license or certificate or while an appeal from these actions is pending.

(d) *Professional Examination.* (1)(i) When the OCMI finds an applicant's experience and training for raise of grade to be satisfactory and the applicant is eligible in all other respects, the OCMI will authorize the examination. Oral-assisted examinations may be administered in accordance with §10.205(i)(1). The OCMI will place in the applicant's file a record indicating the subjects covered.

(ii) The general instructions for administration of examinations and the lists of subjects for all licenses appear in Subpart I of this part.

(2) The qualification requirements for *radar observer* are contained in §10.480.

(e) *Physical requirements.* (1) An applicant for raise of grade of a license who has not had a physical examination for an original license or renewal of license within three years must submit a certification by a licensed physician or physician assistant that he or she is in good health and has no physical impairment or medical condition which would render him or her incompetent to perform the ordinary duties of the license applied for.

(2) If the OCMI has reason to believe that an applicant for raise of grade of license suffers from some physical impairment or medical condition which would render the applicant incompetent to perform the ordinary duties of that license, the applicant may be required to submit the results of an examination by a licensed physician or

physician assistant that meets the requirements for an original license.

(3) An applicant who has lost the sight of one eye may obtain a raise of grade of license, provided that the applicant is qualified in all other respects and that the visual acuity in the one remaining eye passes the test required under §10.205(d).

(f) *Firefighting certificate.* Applicants for raise of grade of license who have not previously met the requirements in §10.205(g), must do so.

(g) *Chemical testing for dangerous drugs.* To obtain a raise of grade of a license each applicant shall produce evidence of having passed a chemical test for dangerous drugs or of qualifying for an exception from testing in §16.220 of this subchapter.

(h) *Criminal Record Review.* Each applicant for a raise of grade may be required to submit to a criminal record check under §10.201(h).

(i) *National Driver Register.* Each applicant for a raise of grade of a license shall consent to an NDR check under §10.201(i) if the license is reissued with a new expiration date.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 134, Jan. 4, 1989; CGD 91-002, 58 FR 15238, Mar. 19, 1993; CGD 91-223, 60 FR 4524, Jan. 23, 1995; CGD 91-212, 60 FR 65486, Dec. 19, 1995; CGD 94-029, 61 FR 47063, Sept. 6, 1996; CDG 95-062, 62 FR 34530, June 26, 1997; USCG-1997-2799, 64 FR 42815, Aug. 5, 1999; USCG-2004-17455, 71 FR 2166, Jan. 13, 2006]

§ 10.209 Requirements for renewal of licenses, certificates of registry, and STCW certificates and endorsements.

(a) *General.* Except as provided in paragraph (g) of this section, an applicant for renewal of a license or certificate of registry shall establish possession of all of the necessary qualifications before the license or certificate of registry is issued.

(1) Each application must be on a Coast Guard furnished form and be accompanied by the evaluation fee set out in table 10.109 in §10.109. An approved application is valid for 12 months.

(2) Although the written portion of the application may be initiated by mail, fax, or other electronic means, no application for renewal is complete

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until the applicant appears in person at a Regional Examination Center (REC), is fingerprinted, and provides evidence of his or her identity in accordance with the requirements of §10.105.

(3) The applicant shall submit the original or a photocopy of the license or certificate of registry to be renewed. A photocopy will include the back and all attachments. If requested, the old license or certificate of registry will be returned to the applicant.

(b) *Fitness.* No license or certificate of registry will be renewed if it has been suspended without probation or revoked as a result of action under part 5 of this chapter, or facts that would render a renewal improper have come to the attention of the Coast Guard.

(c) *Professional requirements.* (1) In order to renew a license as master, mate, engineer, pilot, or operator, the applicant shall:

(i) Present evidence of at least 1 year of sea service during the past 5 years;

(ii) Pass a comprehensive, open-book exercise covering the general subject matter contained in appropriate sections of subpart I of this part;

(iii) Complete an approved refresher training course; or

(iv) Present evidence of employment in a position closely related to the operation, construction or repair of vessels (either deck or engineer as appropriate) for at least 3 years during the past 5 years. An applicant for a deck license with this type of employment must also demonstrate knowledge on an applicable Rules of the Road exercise.

(2) The qualification requirements for renewal of *radar observer* endorsement are in §10.480.

(3) Additional qualification requirements for renewal of a license as pilot are contained in §10.713.

(4) An applicant for renewal of a radio officer's license shall, in addition to meeting the requirements of paragraphs (a) and (b) of this section, present a currently valid license as first- or second-class radiotelegraph operator issued by the Federal Communications Commission. This license will be returned to the applicant.

(5) An applicant for renewal of a medical doctor or professional nurse certificate of registry shall, in addition to

meeting the requirements of paragraphs (a) and (b) of this section, present evidence that he or she holds a currently valid appropriate license as physician, surgeon, or registered nurse issued under the authority of a state or territory of the United States, the Commonwealth of Puerto Rico, or the District of Columbia.

(6) An applicant for renewal of a license as master or mate (pilot) of towing vessels shall submit satisfactory evidence of either by—

(i) Completing a practical demonstration of maneuvering and handling a towing vessel before a designated examiner; or

(ii) Submitting documentary proof of ongoing participation in training and drills during the validity of the license being renewed.

(d) *Physical requirements.* (1) An applicant for renewal of a license shall submit a certification by a licensed physician or physician assistant that he or she is in good health and has no physical impairment or medical condition which would render him or her incompetent to perform the ordinary duties of that license. This certification must address visual acuity and hearing in addition to general physical condition and must have been completed within 12 months of the date of application.

(2) If the OCMI has reason to believe that an applicant for renewal of a license suffers from some physical impairment or medical condition which would render the applicant incompetent to perform the ordinary duties of that license, the applicant may be required to submit the results of an examination by a licensed physician or physician assistant that meets the requirements for original license.

(3) An applicant who has lost the sight of one eye may obtain a renewal of license, provided that the applicant is qualified in all other respects and that the visual acuity in the one remaining eye passes the test required under §10.205(d).

(4) Physical examinations are not required for renewal of certificates of registry.

(e) *Special circumstances*—(1) *Period of grace.* Except as provided herein, a license may not be renewed more than 12 months after it has expired. To obtain

a reissuance of the license, an applicant must comply with the requirements of paragraph (f) of this section. When an applicant's license expires during a time of service with the Armed Forces and there is no reasonable opportunity for renewal, including by mail, this period may be extended. The period of military service following the date of license expiration which precluded renewal may be added to the 12 month period of grace. The 12 month period of grace, and any extension, do not affect the expiration date of the license. A license is not valid for use after the expiration date.

(2) *Renewal in advance.* A license or certificate of registry may not be renewed more than 12 months before expiration unless it is being renewed in conjunction with a merchant mariner's document which is either due for renewal or being endorsed, or unless the OCMI is satisfied that special circumstances exist to justify renewal.

(3) *Renewal by mail, fax, or other electronic means.* (i) This paragraph sets forth those required portions of the application that may be submitted by mail, fax, or other electronic means. Although an applicant may initiate, supplement, or complete a renewal by mail, fax, or other electronic means, no application for renewal is complete until the applicant appears in person at an REC, is fingerprinted, and provides evidence of his or her identity in accordance with §10.105. The following documents must be submitted by the applicant, but may be submitted by mail, fax, or other electronic means:

(A) A properly completed application on a Coast Guard furnished form and the evaluation fee required by table 10.109 in §10.109.

(B) The expired license or certificate of registry to be renewed; or, if it has not expired, a photocopy of the license or certificate, including the back and all attachments.

(C) A certification from a licensed physician or physician assistant in accordance with paragraph (d) of this section for the renewal of a license.

(D) If the applicant desires to renew a license with a radar observer endorsement, either the radar observer certificate or a certified copy.

(E) Evidence of, or acceptable substitute for, sea service for the renewal of a license.

(F) For a certificate of registry as a medical doctor or professional nurse, evidence that he or she holds a currently valid, appropriate license as physician, surgeon, or registered nurse, issued under the authority of a state or territory of the United States, the Commonwealth of Puerto Rico, or the District of Columbia.

(ii) The open-book exercise, if required, may be administered through the mail.

(iii) Upon receipt of the renewed license or certificate of registry, the applicant shall sign it in order to validate the license or certificate.

(4) *Concurrent renewal of licenses, certificates of registry, and merchant mariner's documents.* An applicant for concurrent renewal of more than one merchant mariner credential shall satisfy the individual renewal requirements and pay the applicable fees required by the tables in §§10.109 and 12.02-18 of this chapter for each license, certificate of registry, or merchant mariner's document being renewed.

(f) *Reissuance of expired license or certificate of registry.* (1) Whenever an applicant applies for reissuance of a license more than 12 months after expiration, in lieu of the requirements of paragraph (c) of this section, the applicant shall demonstrate continued professional knowledge by completing a course approved for this purpose, or by passing the complete examination for that license. The examination may be oral-assisted if the expired license was awarded on an oral exam. The fees listed in table 10.109 in §10.109 apply to these examinations. In the case of an expired radio officer's license, the license may be issued upon presentation of a valid first- or second-class radiotelegraph operator license issued by the Federal Communications Commission.

(2) A certificate of registry that has been expired for more than 12 months shall be renewed in the same way as a current certificate of registry. There are no additional requirements for reissuing certificates of registry that have been expired for more than 12 months.

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(g) *Inactive license renewal.* (1) Applicants for renewal of licenses who are unwilling or otherwise unable to meet the requirements of paragraphs (c) or (d) of this section may renew their licenses, with the following restrictive endorsement placed on the back of the license: “License renewed for continuity purposes only; service under the authority of this license is prohibited.” Holders of licenses with this *continuity endorsement* may have the prohibition rescinded at any time by satisfying the renewal requirements in paragraphs (c), (d), and (h) of this section.

(2) Applications for renewal of a license with the continuity endorsement must include:

(i) The license to be renewed, or, if it is unexpired, a photocopy of the license including the back and all attachments; and,

(ii) A signed statement from the applicant attesting to an awareness of the restriction to be placed on the renewed license, and of the requirements for rescinding the continuity endorsement.

(h) *Chemical testing for dangerous drugs.* Except for applicants requesting an inactive license renewal under paragraph (g) of this section, each applicant for the renewal of a license or of a certificate of registry shall produce evidence of having passed a chemical test for dangerous drugs or of qualifying for an exception from testing in §16.220 of

this subchapter. An applicant who fails a chemical test for dangerous drugs will not be issued a license or certificate of registry.

(i) Each applicant for a renewal may be required to consent to a criminal record check under §10.201(h).

(j) Each applicant for renewal of a license or certificate of registry shall consent to an NDR check under §10.201(i).

(k) Except as otherwise provided by §10.202, each candidate for a renewal of an STCW certificate or endorsement as master, mate, operator, or engineer, to be valid on or after February 1, 2002, for service on any vessel in ocean or near-coastal service, shall meet the applicable requirements of paragraphs (l), (m), (n), and (o) in §10.205 and shall meet the requirements of Section A-VI/2, paragraph 1 to 4 of the STCW Code.

[CGD 91–211, 59 FR 49299, Sept. 27, 1994]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §10.209, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 10.210 Eligibility for towing license.

The figure that follows illustrates the conversion of a towing license issued before May 21, 2001. The conversion will take place at the first renewal or upgrade of the license after May 20, 2001.

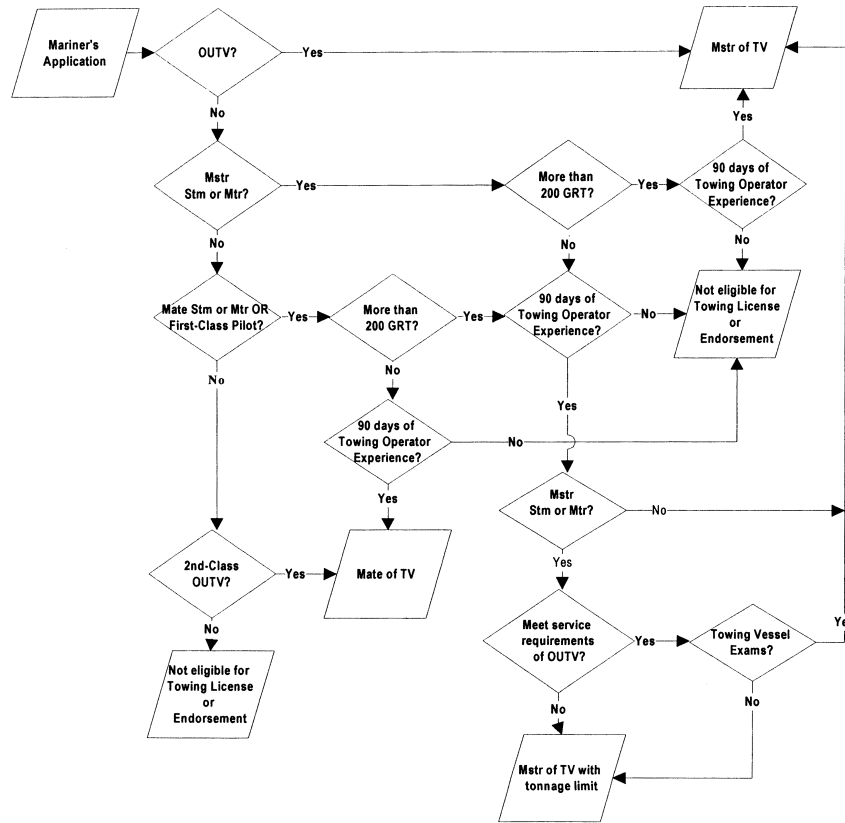


Figure 10.210 ELIGIBILITY FOR TOWING LICENSE

[USCG-1999-6224, 66 FR 20935, Apr. 26, 2001]

§ 10.211 Creditable service and equivalents for licensing purposes.

(a) Sea service may be documented for licensing purposes in various forms such as certificates of discharge, pilotage service and billing forms, and letters or other official documents from marine companies signed by appropriate officials or licensed masters. For service on vessels of under 200 gross tons, owners of vessels may attest to their own service; however, those who do not own a vessel must obtain letters or other evidence from licensed personnel or the owners of the vessels listed. The documentary evidence produced by the applicant must contain

the amount and nature (e.g. chief mate, assistant engineer, etc.) of the applicant's experience, the vessel name, gross tonnage, shaft horsepower and official numbers, the routes upon which the experience was acquired, and approximate dates of service.

(b) Port engineer, shipyard superintendent experience, instructor service, or similar related service may be creditable for a maximum of six months of service for raise of grade of an engineer or deck license, as appropriate, using the following:

- (1) Port engineer or shipyard superintendent experience is creditable on a three-for-one basis for a raise of grade.

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(Twelve months of experience equals four months of creditable service.)

(2) Service as a bona fide instructor at a school of navigation or marine engineering is creditable on a two-for-one basis for a raise of grade. (Twelve months of experience equals six months of creditable service).

(c) Service on mobile offshore drilling units is creditable for raise of grade of license. Evidence of one year's service as mate or equivalent while holding a license as third mate, or as engineering officer of the watch or equivalent while holding a license as third assistant engineer, is acceptable for a raise of grade to second mate or second assistant engineer, respectively; however, any subsequent raises of grade of unlimited, nonrestricted licenses must include a minimum of six months of service on conventional vessels.

(d) Service on a Dual Mode Integrated Tug Barge (ITB) unit is creditable for original or raise of grade of any deck licenses. Service on a Dual Mode ITB with an aggregate tonnage of over 1600 gross tons is creditable on a two-for-one basis (two days experience equals one day of creditable service) for up to 50 percent of the total service on vessels over 1600 gross tons required for an unlimited license. The remaining required service on vessels of over 1600 gross tons must be obtained on conventional vessels or Push Mode ITBs.

(e) Other experience in a marine related area, other than at sea, or sea service performed on unique vessels, will be evaluated by the OCMI and forwarded to the Commandant for a determination of equivalence to traditional service.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 135, Jan. 4, 1989]

§ 10.213 Sea service as a member of the Armed Forces of the United States and on vessels owned by the United States as qualifying experience.

(a) Sea service as a member of the Armed Forces of the United States will be accepted as qualifying experience for an original, raise of grade, or increase in scope of all licenses. In most cases, military sea service will have been performed upon ocean waters; however, inland service, as may be the

case on smaller vessels, will be credited in the same manner as conventional evaluations. The applicant must submit an official transcript of sea service as verification of the service claimed when the application is submitted. The applicant must also provide the Officer in Charge, Marine Inspection other necessary information as to tonnage, routes, horsepower, percentage of time underway, and assigned duties upon the vessels which he or she served. Such service will be evaluated by the OCMI and forwarded to the Commandant for a determination of its equivalence to sea service acquired on merchant vessels and the appropriate grade, class, and limit of license for which the applicant is eligible. Normally, 60 percent of the total time on board is considered equivalent underway service; however, the periods of operation of each vessel may be evaluated separately. In order to be eligible for a master's or chief engineer's unlimited license, the applicant must have acquired military service in the capacity of commanding officer or engineer officer, respectively.

(b) Service in deck ratings on military vessels such as seaman apprentice, seaman, boatswain's mate, quartermaster, or radarman are considered deck service for licensing purposes. Service in other ratings may be considered if the applicant establishes that his or her duties required a watchstanding presence on or about the bridge of a vessel. Service in engineer ratings on military vessels such as fireman apprentice, fireman, engineman, machinists, mate, machinery technician or boiler tender are considered engineer service for licensing purposes. There are also other ratings such as electrician, hull technician, or damage controlman which may be credited when the applicant establishes that his or her duties required watchstanding duties in an operating engine room.

(c) In addition to underway service, members of the Armed Forces may obtain creditable service for periods of assignment to vessels at times other than underway, such as in port, at anchor, or in training. Normally, a 25% factor is applied to these time periods. This experience can be equated with

general shipboard familiarity, training, ship's business, and other related duties.

(d) Sea service obtained on submarines is creditable, as if it were surface vessel service, for deck and engineer licenses under the provision of paragraph (a) of this section. For application to deck licenses, submarine service may be creditable if at least 25 percent of all service submitted for the license was obtained on surface vessels (e.g. If four years' total service were submitted for an original license, at least one year must have been obtained on surface craft in order for the submarine service to be eligible for evaluation).

(e) Service gained in a civilian capacity as commanding officer, master, mate, engineer, or pilot, etc., of any vessel owned and operated by the United States, in any service, in which a license as master, mate, engineer, or pilot was not required at the time of such service, is evaluated by the OCMI and forwarded to the National Maritime Center for a determination of equivalence.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended by USCG-2008-0906, 73 FR 56508, Sept. 29, 2008]

§ 10.215 Modification or removal of limitations.

(a) If an Officer in Charge, Marine Inspection, is satisfied by the documentary evidence submitted that an applicant is entitled by experience, training, and knowledge to an endorsement or increase in the scope of any license held, any limitations which were previously placed upon the license by that OCMI may be changed. Such an increase in scope may include horsepower or tonnage limitations, or geographic route restrictions.

(b) An OCMI may not change a limitation on any license which that office did not place thereon before full information regarding the reason for the limitation is obtained from the OCMI responsible for the limitation.

(c) No limitation on any license may be changed before the applicant has made up any deficiency in the experience prescribed for the license or endorsement desired and passed any necessary examination.

§ 10.217 Examination procedures and denial of licenses.

(a)(1) The examinations for all deck and engineer unlimited licenses are administered at periodic intervals. The examination fee set out in table 10.109 in § 10.109 must be paid before the applicant may take the first examination section. If an applicant fails three or more sections of the examination, a complete reexamination must be taken, but may be taken during any of the scheduled exam periods. On the subsequent exam, if the applicant again fails three or more sections, at least 3 months must lapse before another complete examination is attempted, and a new examination fee is required. If an applicant fails one or two sections of an examination, the applicant may be retested twice on these sections during the next 3 months. If the applicant does not successfully complete these sections within the 3 month period, complete reexamination must be taken after a lapse of at least 3 months from the date of the last retest, and a new examination fee is required. The 3 month retest period may be extended by the OCMI if the applicant presents discharges documenting sea time which prevented the taking of a retest during the 3 month period. The retest period may not be extended beyond 7 months from the initial examination.

(2) The scheduling of all other deck and engineer license examinations will be at the discretion of the OCMI. The examination fee set out in table 10.109 in § 10.109 must be paid before the applicant may take the first examination section. In the event of a failure, the applicant may be retested twice whenever the examination can be rescheduled with the OCMI. The applicant must be examined in all of the unsatisfactory sections of the preceding examination. If the applicant does not successfully complete all parts of the examination during a 3-month period from the initial test date, a complete reexamination must be taken after a lapse of at least 2 months from the date of the last retest, and a new examination fee is required.

(b) If the OCMI refuses to grant an applicant the license for which applied

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due to failing to pass a required examination, the applicant is furnished a written statement setting forth the portions of the examination which must be retaken and the date by which the examination must be completed.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 135, Jan. 4, 1989; CGD 91-002, 58 FR 15238, Mar. 19, 1993; CGD 94-029, 61 FR 47064, Sept. 6, 1996; USCG-1997-2799, 64 FR 42815, Aug. 5, 1999]

§ 10.219 Issuance of duplicate license or certificate of registry.

(a) Whenever a person to whom a license or certificate of registry has been issued loses the license or certificate, that person shall report the loss to the Coast Guard. A duplicate license or certificate may be issued by any Regional Examination Center after receiving an application with an affidavit describing the circumstances of the loss from the applicant and verification of the license or certificate record from the Regional Examination Center where it was issued or from the National Maritime Center. The duplicate will be prepared in the same format and wording as the license or certificate being replaced. A duplicate license is issued for the unexpired term of the lost license. Duplicate licenses and certificates of registry bear the following statement: "This license (or certificate) replaces License (or Certificate) Number ___ issued at ___ on the above date."

(b) If a person loses a license or certificate of registry by shipwreck or other casualty, a reissue of that license or certificate of registry will be supplied free of charge. Other casualties include any damage to a ship caused by collision, explosion, tornado, wreck, flooding, beaching, grounding, or fire.

(c) If a person loses a license or certificate of registry otherwise than by shipwreck or other casualty and applies for a reissue, the appropriate fee set out in table 10.109 in § 10.109 is required.

[CGD 81-059, 54 FR 135, Jan. 4, 1989; as amended by CGD 91-002, 58 FR 15238, Mar. 19, 1993; USCG-1997-2799, 64 FR 42815, Aug. 5, 1999; USCG-2007-29018, 72 FR 53964, Sept. 21, 2007; USCG-2008-0906, 73 FR 56508, Sept. 29, 2008]

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§ 10.221 Parting with license.

The holder of a license shall not voluntarily part with it or place it beyond his or her personal control by pledging or depositing it with any other person for any purpose. If the holder violates this section, he or she may be proceeded against in accordance with the provisions of part 5 of this chapter, looking to a suspension or revocation of the license.

§ 10.223 Suspension and revocation of licenses.

(a) When the license of any individual is revoked, it is no longer valid for any purpose and any license of the same type subsequently requested must be applied for as an original license, except as to number of issue.

(b) No person whose license is suspended without probation or has been revoked may be issued another license without approval of the Commandant.

(c) When a license which is about to expire is suspended, the renewal of such license will be withheld until expiration of the period of suspension.

(d) An applicant for renewal or return of a license as master or mate (pilot) of towing vessels whose most recent license was suspended or revoked by an administrative law judge for incompetence shall complete the practical demonstration under paragraph (c)(6)(i) of § 10.209.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 132, Jan. 4, 1989; USCG-1999-6224, 66 FR 20936, Apr. 26, 2001]

Subpart C—Training Schools with Approved Courses

§ 10.301 Applicability.

This subpart prescribes the general requirements applicable to all approved courses which may be accepted in lieu of service experience or examination required by the Coast Guard, or which satisfy course completion requirements.

§ 10.302 Course approval.

(a) The Coast Guard approves courses satisfying regulatory requirements and those that substitute for a Coast Guard examination or a portion of a sea service requirement. The owner or operator

of a training school desiring to have a course approved by the Coast Guard shall submit a written request to the Commanding Officer, National Maritime Center, NMC-42, 100 Forbes Drive, Martinsburg WV 25404, that contains:

(1) A list of the curriculum including a description of and the number of classroom hours required in each subject;

(2) A description of the facility and equipment;

(3) A list of instructors including the experience, background, and the qualifications of each; and

(4) Specify the Coast Guard training requirements the course is intended to satisfy.

(b) The Coast Guard notifies each applicant in writing whether or not an approval is granted. If a request for approval is denied, the Coast Guard informs the applicant the reasons for the denial and describes what corrections are required for an approval.

(c) Unless sooner surrendered, suspended or withdrawn, an approval for a course at a training school that meets Coast Guard standards expires 24 months after the month in which it is issued, when the school closes, when the school gives notice that it will no longer offer the course, or on the date of any change in the ownership of the school for which it was issued, whichever occurs first.

(d) If the owner or operator of a training school desires to have a course approval renewed, they shall submit a written request to the address listed in paragraph (a) of this section. For the request to be approved, the Coast Guard must be satisfied that the content and quality of instruction remain satisfactory. Unless sooner surrendered, suspended or withdrawn, a renewal of the approval expires 60 months after the month it is issued, when the school closes, when the school gives notice that it will no longer offer the course, or on the date of any change in ownership of the school for which it is issued, whichever occurs first.

(e) *Suspension of approval.* If the Coast Guard determines that a specific course does not comply with the provisions of 46 CFR parts 10, 12, 13 or 15, or the requirements specified in the

course approval; or substantially deviates from the course curriculum package as submitted for approval; or if the course is being presented in a manner that is insufficient to achieve learning objectives; the cognizant OCMI may suspend the approval, may require the holder to surrender the certificate of approval, if any, and may direct the holder to cease claiming the course is Coast Guard approved. The Cognizant OCMI will notify the approval holder in writing of its intention to suspend the approval and the reasons for suspension. If the approval holder fails to correct the reasons for suspension, the course will be suspended and the matter referred to the Commanding Officer, National Maritime Center. The Commanding Officer, National Maritime Center, will notify the approval holder that the specific course fails to meet applicable requirements, and explain how those deficiencies can be corrected. The Commanding Officer, National Maritime Center, may grant the approval holder up to 60 days in which to correct the deficiencies.

(f) *Withdrawal of approval.* (1) The Commanding Officer, National Maritime Center, may withdraw approval for any course when the approval holder fails to correct the deficiency(ies) of a suspended course within a time period allowed under paragraph (e) of this section.

(2) The Commanding Officer, National Maritime Center, may withdraw approval of any or all courses by an approval holder upon a determination that the approval holder has demonstrated a pattern or history of:

(i) Failing to comply with the applicable regulations or the requirements of course approvals;

(ii) Substantial deviations from their approved course curricula; or

(iii) Presenting courses in a manner that is insufficient to achieve learning objectives.

(g) *Appeals of suspension or withdrawal of approval.* Anyone directly affected by a decision to suspend or withdraw an approval may appeal the decision to the Commandant via the Commanding

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Officer, National Maritime Center, as provided in §1.03-45 of this chapter.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended by CGD 95-072, 60 FR 50460, Sept. 29, 1995; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998; USCG-1998-3824, 64 FR 4984, Feb. 2, 1999; USCG-2004-18884, 69 FR 58342, Sept. 30, 2004; USCG-2008-0906, 73 FR 56508, Sept. 29, 2008]

§ 10.303 General standards.

Each school with an approved course must:

(a) Have a well maintained facility that accommodates the students in a safe and comfortable environment conducive to learning.

(b) Have visual aids for realism, including simulators where appropriate, which are modern and well maintained and sufficient for the number of students to be accommodated.

(c) Give appropriate written or practical examinations in the course material to each student of such a degree of difficulty that a student who successfully completes them could reasonably assume that he or she would pass, on the first attempt, an examination prepared by the Coast Guard based upon knowledge requirements of the position or endorsement for which the student is being trained.

(d) Keep for at least one year after the end of each student's enrollment:

(1) Each written examination, or in the case of a practical test, a report of such test; and

(2) A record of each student's classroom attendance.

(e) Not change its approved curriculum unless approved, in writing, after the request for change has been submitted in writing to the Commanding Officer, National Maritime Center (NMC-42).

(f) At any time the Officer in Charge, Marine Inspection directs, allow the Coast Guard to:

(1) Inspect its facilities, equipment, and records, including scholastic records;

(2) Conduct interviews and surveys of students to aid in course evaluation and improvement;

(3) Assign personnel to observe or participate in the course of instruction; and

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(4) Supervise or administer the required examinations or practical demonstrations.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 132, Jan. 4, 1989; CGD 95-072, 60 FR 50460, Sept. 29, 1995; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998; USCG-1998-3824, 64 FR 4984, Feb. 2, 1999; USCG-2004-18884, 69 FR 58342, Sept. 30, 2004; USCG-2008-0906, 73 FR 56508, Sept. 29, 2008]

§ 10.304 Substitution of training for required service, use of training-record books, and use of towing-officer assessment records.

(a) Satisfactory completion of certain training courses approved by the Commandant may be substituted for a portion of the required service for many deck and engineer licenses and for qualified ratings of unlicensed personnel. The list of all currently approved courses of instruction including the equivalent service and applicable licenses and ratings is maintained by Commanding Officer, National Maritime Center. Satisfactory completion of an approved training course may be substituted for not more than two-thirds of the required service on deck or in the engine department for deck or engineer licenses, respectively, and for qualified ratings.

(b) Service time gained at an approved training course does not satisfy recent service requirements nor does training on a simulator; however, any underway service at an approved course may be used for this purpose. An applicant who had met the recent service requirement before entering school will not be penalized by attending the approved training course.

(c) Training obtained prior to receiving a license may not be used for subsequent raises of grade.

(d) Simulator training in combination with a Coast Guard approved training course may be submitted to the Commanding Officer, National Maritime Center, for evaluation and determination of equivalency to required sea service. Simulator training cannot be substituted for recency requirements, but may substitute for a maximum of 25 percent of the required service for any license transaction.

(e) Except as provided in §10.202, when a candidate both applies for an STCW certificate or endorsement as an

officer in charge of a navigational watch, on the basis of training or sea service commencing on or after August 1, 1998, and uses completion of approved training to substitute for required service, then not less than 1 year of the remaining service must be part of approved training that meets the appropriate requirements of Chapter II of STCW and the requirements of subpart C of this part. The training of a candidate must be documented in a Coast Guard-accepted training-record book.

(f) Except as provided in §10.202, each candidate who applies for an STCW certificate or endorsement as an officer in charge of an engineering watch or as a designated duty engineer on the basis of training or sea service commencing on or after August 1, 1998, for service on seagoing vessels, shall complete on-board training as part of approved training that meets the appropriate requirements of Chapter III of STCW (incorporated by reference in §10.102) and the requirements of subpart C of this part. The training must be documented in a Coast Guard-accepted training-record book.

(g) The training-record book referred to in paragraphs (e) and (f) of this section must contain at least the following:

- (1) The identity of the candidate.
- (2) The tasks to be performed or the skills to be demonstrated, with reference to the standards of competence set forth in the tables of the appropriate sections in part A of the STCW Code.
- (3) The criteria to be used in determining that the tasks or skills have been performed properly, again with reference to the standards of competence set forth in the tables of the appropriate sections in part A of the STCW Code.
- (4) A place for a qualified instructor to indicate by his or her initials that the candidate has received training in the proper performance of the task or skill.
- (5) A place for a designated examiner to indicate by his or her initials that the candidate has successfully completed a practical demonstration and has proved competent in the task or skill under the criteria, when assess-

ment of competence is to be documented in the record books.

(6) The identity of each qualified instructor, including any Coast Guard license or document held, and the instructor's signature.

(7) The identity of each designated examiner, when any assessment of competence is recorded, including any Coast Guard license or document held, and the examiner's signature confirming that his or her initials certify that he or she has witnessed the practical demonstration of a particular task or skill by the candidate.

(h) Each applicant for a license as master or mate (pilot) of towing vessels, and each master or mate of self-propelled vessels of greater than 200 gross tons seeking an endorsement for towing vessels, shall complete a towing officers' assessment record that contains at least the following:

- (1) Identification of the candidate, including full name, home address, photograph or photo-image, and personal signature.
- (2) Objectives of the training and assessment.
- (3) Tasks to perform or skills to demonstrate.
- (4) Criteria to use in determining that the tasks or skills have been performed properly.
- (5) A place for a qualified instructor or licensed officer (with authority to operate a towing vessel) to indicate by his or her initials that the candidate has received training in the proper performance of the tasks or skills.
- (6) A place for a designated examiner to indicate by his or her initials that the candidate has successfully completed a practical demonstration and has proved proficient in the task or skill under the criteria.
- (7) Identification of each qualified instructor or licensed officer (with authority to operate a towing vessel) by full name, home address, employer, job title, ship name or business address, number of any Coast Guard licenses or documents held, and personal signature.
- (8) Identification of each designated examiner by full name, home address, employer, job title, ship name or business address, number of any Coast Guard licenses or documents held, and

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personal signature confirming that his or her initials certify that he or she has witnessed the practical demonstration of a particular task or skill by the candidate.

(i) The training-record book referred to in paragraphs (e) and (f) of this section may be maintained electronically, if the electronic record meets Coast Guard-accepted standards for accuracy, integrity, and availability.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 135, Jan. 4, 1989; CGD 95-072, 60 FR 50460, Sept. 29, 1995; CGD 95-062, 62 FR 34531, June 26, 1997; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998; USCG-1999-6224, 64 FR 63225, Nov. 19, 1999; 66 FR 20936, Apr. 26, 2001; USCG-1999-5610, 67 FR 66068, Oct. 30, 2002; USCG-2004-18884, 69 FR 58342, Sept. 30, 2004; USCG-2007-29018, 72 FR 53964, Sept. 21, 2007; USCG-2008-0906, 73 FR 56508, Sept. 29, 2008]

EFFECTIVE DATE NOTE: By USCG-2006-26202, 73 FR 52794, Sept. 11, 2008, §10.304 was amended by adding a new paragraph (j), effective Oct. 14, 2008. For the convenience of the user, the added text is set forth as follows:

§ 10.304 Substitution of training for required service, use of training-record books, and use of towing officer assessment records.

* * * * *

(j) Substitution of a training program in lieu of required service for a license as mate (pilot) of towing vessels is governed by §10.465(a) and table 10.465-1 of this part.

§ 10.305 Radar-Observer certificates and qualifying courses.

(a) A student who takes an approved course of training, which includes passing both a radar-theory examination and a practical demonstration on a simulator, and who meets the requirements of this section is entitled to an appropriate Radar-Observer certificate—

- (1) In a form prescribed by the school and acceptable to the Coast Guard; and
(2) Signed by the head of the school.
(b) The following Radar-Observer certificates are issued under this section:
(1) Radar Observer (Unlimited).
(2) Radar Observer (Inland Waters and Gulf-Intracoastal Waterway [GIWW]).
(3) Radar Observer (Rivers).

(4) Radar Observer (Unlimited: Renewal).

(5) Radar Observer (Inland Waters and GIWW: Renewal).

(6) Radar Observer (Rivers: Renewal).

(c) A school with an approved Radar-Observer course may issue a certificate listed in paragraph (b) of this section after the student has successfully completed the appropriate curriculum as follows:

(1) Radar Observer (Unlimited). Classroom instruction—including demonstration and practical exercises using simulators—and examination, in the following subjects:

(i) Fundamentals of radar:
(A) How radar works.

(B) Factors affecting the performance and accuracy of marine radar.

(C) Purposes and functions of the main components that constitute a typical marine-radar system.

(ii) Operation and use of radar:
(A) Purpose and adjustment of controls.

(B) Detection of malfunctions, false and indirect echoes, and other radar phenomena.

(C) Effects of sea return, weather, and other environmental conditions.

(D) Limitations of radar resulting from design factors.

(E) Safety precautions associated with use and maintenance of marine radar.

(F) Measurement of ranges and bearings.

(G) Effect of size, shape, composition, and distance of vessels and terrestrial targets on echo.

(iii) Interpretation and analysis of radar information:

(A) Radar navigation (including visual techniques)—determining positions, and detecting changes in the relative motion, of other vessels.

(B) Collision-avoidance, including visual techniques, appropriate to the circumstances and the equipment in use.

(C) Determining the course and speed of another vessel.

(D) Determining the time and distance of closest point of approach of a crossing, meeting, overtaking, or overtaken vessel.

(E) Detecting changes of course or speed of another vessel after its initial course and speed have been established.

(F) Applying the Navigational Rules, Chapters 30 and 34 of Title 33 U.S. Code [Commandant Instruction M16672.2C, as amended, or equivalent], and other factors to consider when determining changes of course or speed of a vessel to prevent collisions on the basis of radar observation.

(G) Use of radar in maintaining situational awareness.

(iv) Plotting (by any graphically-correct method):

(A) Principles and methods of plotting relative and true motion.

(B) Practical-plotting problems.

(2) Radar Observer (Inland Waters and GIWW). Classroom instruction—with emphasis on situations and problems encountered on inland waters and the GIWW, including demonstration and practical exercises using simulators—and examination, in the following subjects:

(i) Fundamentals of radar:

(A) How radar works.

(B) Factors affecting the performance and accuracy of marine radar.

(C) Purpose and functions of the main components that constitute a typical marine-radar system.

(ii) Operation and use of radar:

(A) Purpose and adjustment of controls.

(B) Detection of malfunctions, false and indirect echoes, and other radar phenomena.

(C) Effects of sea return, weather, and other environmental conditions.

(D) Limitations of radar resulting from design factors.

(E) Safety precautions associated with use and maintenance of marine radar.

(F) Measurement of ranges and bearings.

(G) Effect of size, shape, composition, and distance of vessels and terrestrial targets on echo.

(iii) Interpretation and analysis of radar information:

(A) Radar navigation (including visual techniques)—determining positions, and detecting changes in the relative motion, of other vessels.

(B) Collision-avoidance, including visual techniques, appropriate to the

circumstances and the equipment in use.

(C) Determining the course and speed of another vessel.

(D) Determining the time and distance of closest point of approach of a crossing, meeting, overtaking, or overtaken vessel.

(E) Detecting changes of course or speed of another vessel after its initial course and speed have been established.

(F) Applying the Navigational Rules, and other factors to consider when determining changes of course or speed of a vessel to prevent collisions on the basis of radar observation.

(G) Use of radar in maintaining situational awareness.

(3) Radar Observer (Rivers). Classroom instruction—with emphasis on situations and problems encountered on rivers, including demonstration and practical exercises using simulators—and examination, in the following subjects:

(i) Fundamentals of radar:

(A) How radar works.

(B) Factors affecting the performance and accuracy of marine radar.

(C) Purpose and functions of the main components that constitute a typical marine-radar system.

(ii) Operation and use of radar:

(A) Purpose and adjustment of controls.

(B) Detection of malfunctions, false and indirect echoes, and other radar phenomena.

(C) Effects of sea return, weather, and other environmental conditions.

(D) Limitations of radar resulting from design factors.

(E) Safety precautions associated with use and maintenance of marine radar.

(F) Measurement of ranges and bearings, recognizing limited use of radar bearings in curving, narrow channels.

(G) Effect of size, shape, composition, and distance of vessels and terrestrial targets on echo.

(iii) Interpretation and analysis of radar information:

(A) Radar navigation (including visual techniques)—determining positions, and detecting changes in the relative motion, of other vessels.

(B) Collision-avoidance, including visual techniques, appropriate to the

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circumstances and the equipment in use.

(C) Applying the Navigational Rules, and other factors to consider when determining changes of course or speed of a vessel to prevent collisions on the basis of radar observation.

(D) Use of radar in maintaining situational awareness.

(4) Radar Observer (Unlimited: Renewal). Classroom instruction—including demonstration and practical exercises using simulators—and examination, in the following subjects:

(i) Interpretation and analysis of radar information:

(A) Radar navigation (including visual techniques)—determining positions, and detecting changes in the relative motion, of other vessels.

(B) Collision-avoidance, including visual techniques, appropriate to the circumstances and the equipment in use.

(C) Determining the course and speed of another vessel.

(D) Determining the time and distance of closest point of approach of a crossing, meeting, overtaking, or overtaken vessel.

(E) Detecting changes of course or speed of another vessel after its initial course and speed have been established.

(F) Applying the Navigational Rules, and other factors to consider when determining changes of course or speed of a vessel to prevent collisions on the basis of radar observation.

(G) Use of radar in maintaining situational awareness.

(ii) Plotting (by any graphically-correct method):

(A) Principles and methods of plotting relative and true motion.

(B) Practical-plotting problems.

(5) Radar Observer (Inland Waters and GIWW: Renewal). Classroom instruction—including demonstration and practical exercises using simulators—and examination, in the interpretation and analysis of radar information, including:

(i) Radar navigation (including visual techniques)—determining positions, and detecting changes in the relative motion, of other vessels.

(ii) Collision-avoidance, including visual techniques, appropriate to the

circumstances and the equipment in use.

(iii) Determining the course and speed of another vessel.

(iv) Determining the time and distance of closest point of approach of a crossing, meeting, overtaking, or overtaken vessel.

(v) Detecting changes of course or speed of another vessel after its initial course and speed have been established.

(vi) Applying the Navigational Rules, and other factors to consider when determining changes of course or speed of a vessel to prevent collisions on the basis of radar observation.

(vii) Use of radar in maintaining situational awareness.

(6) Radar Observer (Rivers: Renewal). Classroom instruction—including demonstration and practical exercises using simulators—and examination, in the interpretation and analysis of radar information, including:

(i) Radar navigation (including visual techniques)—determining positions, and detecting changes in the relative motion, of other vessels.

(ii) Collision-avoidance, including visual techniques, appropriate to the circumstances and the equipment in use.

(iii) Applying the Navigational Rules, and other factors to consider when determining changes of course or speed of a vessel to prevent collisions on the basis of radar observation.

(iv) Use of radar in maintaining situational awareness.

[CGD 94-041, 62 FR 11303, Mar. 11, 1997]

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§ 10.307 Training schools with approved radar observer courses.

The Commanding Officer, National Maritime Center, NMC-42, 100 Forbes Drive, Martinsburg WV 25404 maintains the list of approved schools and specific courses. This information is available upon request by writing the aforementioned address or calling (202) 493-

1025 (also available on the internet at: <http://www.uscg.mil/STCW/>).

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 132, Jan. 4, 1989; CGD 95-072, 60 FR 50460, Sept. 29, 1995; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998; USCG-2004-18884, 69 FR 58342, Sept. 30, 2004; USCG-2007-29018, 72 FR 53964, Sept. 21, 2007; USCG-2008-0906, 73 FR 56508, Sept. 29, 2008]

§ 10.309 Coast Guard-accepted training other than approved courses.

(a) When the training and assessment of competence required by this part are not subject to Coast Guard approval under §10.302, but are used to qualify to hold an STCW certificate or endorsement for service on or after February 1, 2002, such training and assessment must meet the following requirements:

(1) The training and assessment must have written, clearly defined objectives that emphasize specific knowledge, skills, and abilities, and that include criteria to be used in establishing a student's successful achievement of the training objectives.

(2) The training must be set out in a written syllabus that conforms to a Coast Guard-accepted outline for such training and includes—

(i) The sequence of subjects to be covered;

(ii) The number of hours to be devoted to instruction in relevant areas of knowledge;

(iii) The identity and professional qualifications of the instructor(s) to be conducting the training or providing instruction;

(iv) The identification of other media or facilities to be used in conducting training; and

(v) Measurements at appropriate intervals of each candidate's progress toward acquisition of the specific knowledge, skills, and abilities stated in the training objectives.

(3) Except as provided in paragraph (a)(4) of this section, documentary evidence must be readily available to establish that all instructors—

(i) Have experience, training, or instruction in effective instructional techniques;

(ii) Are qualified in the task for which the training is being conducted; and

(iii) Hold the level of license, endorsement, or other professional cre-

dential required of those who would apply on board a vessel the relevant level of knowledge, skills, and abilities described in the training objectives.

(4) Neither a specialist in a particular field of nonmaritime education, such as mathematics or first aid, nor a person with at least 3 years of service as a member of the Armed Forces of the United States, specializing in the field in which he or she is to conduct training, need hold a maritime license or document to conduct training in that field.

(5) A simulator may be used in training if—

(i) The simulator meets applicable performance standards;

(ii) The instructor has gained practical operational experience on the particular type of simulator being used; and

(iii) The instructor has received appropriate guidance in instructional techniques involving the use of simulators.

(6) Essential equipment and instructional materials must afford all students adequate opportunity to participate in exercises and acquire practice in performing required skills.

(7) A process for routinely assessing the effectiveness of the instructors, including the use of confidential evaluations by students, is in place.

(8) Documentary evidence is readily available to establish that any evaluation of whether a student is competent in accordance with standards, methods, and criteria set out in part A of the STCW Code is conducted by a designated examiner who has experience, training, or instruction in assessment techniques.

(9) Records of the student's performance are maintained for at least 1 year by the offeror of the training and assessment.

(10) To ensure that the training is meeting its objectives, and the requirements of paragraphs (a)(1) through (9) of this section, the offeror must either—

(i) Be regulated as a maritime academy or marine academy pursuant to 46 CFR part 310; or

(ii) Monitor the training in accordance with a Coast Guard-accepted QSS,

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which must include the following features:

(A) The training must be provisionally certified, on the basis of an initial independent evaluation conducted under a Coast Guard-accepted QSS, as being capable of meeting its objective.

(B) The training must be periodically monitored in accordance with the schedule stipulated under the Coast Guard-accepted QSS.

(C) Each person conducting the initial evaluation or the subsequent periodic monitoring of the training shall be knowledgeable about the subjects being evaluated or monitored and about the national and international requirements that apply to the training, and shall not himself or herself be involved in the training and assessment of students.

(D) Each person evaluating or monitoring the training shall have access to all appropriate documents and facilities, and shall have opportunities both to observe all appropriate activities and to conduct confidential interviews when necessary.

(E) Arrangements must be such as to ensure that no person evaluating or monitoring the training is penalized or rewarded, directly or indirectly, by the sponsor of the training for making any particular observations or for reaching any particular conclusions.

(11) Each person conducting the initial evaluation under paragraph (a)(10)(ii)(A) of this section or the periodic monitoring of the training under paragraph (a)(10)(ii)(B) of this section shall communicate his or her conclusions to the Commanding Officer, National Maritime Center, NMC-42, 100 Forbes Drive, Martinsburg WV 25404, within 1 month of the completion of the evaluation or the monitoring.

(12) Each offeror of the training shall let the Coast Guard or someone authorized by the Coast Guard observe the records of a student's performance and records otherwise relating to paragraphs (a)(1) through (10) of this section.

(b) The Coast Guard will maintain a list of training each of whose offerors submits a certificate, initially not less than 45 calendar days before offering training under this section, and annually thereafter, signed by the offeror or

its authorized representatives, stating that the training fully complies with requirements of this section, and identifying the Coast Guard-accepted QSS being used for independent monitoring. Training programs on this list will offer the training necessary for licenses and STCW endorsements under this part. The Coast Guard will update this list periodically and make it available to members of the public on request.

(c) If the Coast Guard determines, on the basis of observations or conclusions either of its own or of someone authorized by it to monitor the training, that particular training does not satisfy one or more of the conditions described in paragraph (a) of this section—

(1) The Coast Guard will so notify the offeror of the training by letter, enclosing a report of the observations and conclusions;

(2) The offeror may, within a period specified in the notice, either appeal the observations or conclusions to the Commandant (G-MOC) or bring the training into compliance; and

(3) If the appeal is denied—or the deficiency is not corrected in the allotted time, or within any additional period judged by the Coast Guard to be appropriate, considering progress toward compliance—the Coast Guard will remove the training from the list maintained under paragraph (b) of this section until it can verify full compliance; and it may deny applications for licenses for STCW endorsement based in whole or in part on training not on the list, until additional training or assessment is documented.

[CGD 95-062, 62 FR 34531, June 26, 1997, as amended by USCG-1998-4442, 63 FR 52189, Sept. 30, 1998; USCG-2004-18884, 69 FR 58342, Sept. 30, 2004; USCG-2007-29018, 72 FR 53964, Sept. 21, 2007; USCG-2008-0906, 73 FR 56508, Sept. 29, 2008]

Subpart D—Professional Requirements for Deck Officers' Licenses

§ 10.401 Ocean and near coastal licenses.

(a) Any license issued for service as master or mate on ocean waters qualifies the licensee to serve in the same grade on any waters, subject to the

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limitations of the license, without additional endorsement.

(b) A license issued for service as master or mate on near coastal waters qualifies the licensee to serve in the same grade on near coastal, Great Lakes, and inland waters, subject to the limitations of the license, without additional endorsement.

(c) Near coastal licenses of any gross tons require the same number of years of service as the ocean unlimited licenses. The primary differences in these licenses are the nature of the service and the professional examination as explained in subpart I of this part.

(d) A licensee having a master or mate near coastal license obtained with ocean service may have the license endorsed for ocean service by completing the appropriate examination deficiencies, provided that the additional service requirements of paragraph (e) of this section do not apply.

(e) Master or third mate near coastal unlimited licenses may be obtained by completing the prescribed examination in subpart I of this part and satisfying the requirements of paragraph (g) while holding a license as unlimited master or mate, respectively, upon Great Lakes and inland waters. To have a near coastal unlimited license obtained in this manner endorsed for ocean service, the licensee must obtain 12 months of service as a deck watch officer or higher on ocean waters on vessels of 1600 gross tons or over, in addition to completing the examination topics.

(f) Masters and mates licenses for service on vessels of over 200 gross tons may be endorsed for sail or auxiliary sail as appropriate. The applicant must present the equivalent total qualifying service required for conventional licenses including at least one year of deck experience on that specific type of vessel. For example, for a license as master of vessels of not more than 1600 gross tons endorsed for auxiliary sail, the applicant must meet the total experience requirements for the conventional license, including time as mate, and the proper tonnage experience, including at least one year of deck service on appropriately sized auxiliary sail vessels. For license endorsement

for service on vessels of 200 gross tons or less see individual license requirements.

(g) In order to obtain a master or mate license with a tonnage limit above 200 gross tons, or a license for 200 gross tons or less with an ocean route, whether an original, raise in grade, or increase in the scope of license authority to a higher tonnage category, the applicant must successfully complete the following training and examination requirements:

- (1) Approved firefighting course;
 - (2) Approved radar observer course;
- and,

(3) Qualification as an able seaman unlimited or able seaman limited (able seaman special or able seaman offshore supply vessels satisfy the able seaman requirement for licenses permitting service on vessels of 1600 gross tons and less).

(h) Each applicant for a deck license which authorizes service on vessels above 1600 gross tons on ocean or near coastal waters, whether original or raise of grade, must pass a practical signaling examination (flashing light). A license applicant who fails in practical signaling, but passes every other part of the examination, may be issued a license with a 1600 gross ton limitation. The tonnage limitation can be removed upon successful completion of the signaling examination.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 135, Jan. 4, 1989]

§ 10.402 Tonnage requirements for ocean or near coastal licenses for vessels of over 1600 gross tons.

(a) To qualify for an ocean or near coastal license for vessels of any gross tons, all the required experience must be obtained on vessels of over 200 gross tons. At least one-half of the required experience must be obtained on vessels of over 1600 gross tons.

(b) If the applicant for an original or raise of grade of a license as master or mate does not have the service on vessels over 1600 gross tons required by paragraph (a) of this section, or is qualifying for third mate under the provisions of paragraph §10.407(c) of this subpart, a tonnage limitation is

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placed on the license based on the applicant's qualifying experience. The license is limited to the maximum tonnage on which at least 25 percent of the required experience was obtained, or 150 percent of the maximum tonnage on which at least 50 percent of the service was obtained, whichever is higher. Limitations are in multiples of 1000 gross tons, using the next higher figure when an intermediate tonnage is calculated. When the calculated limitation equals or exceeds 10,000 gross tons, the applicant is issued an unlimited tonnage license.

(c) Tonnage limitations imposed under paragraph (b) of this section may be raised or removed in the following manner:

(1) When the applicant has six months of service on vessels of over 1600 gross tons in the highest grade licensed, all tonnage limitations are removed.

(2) When the applicant has a total of six months of service on vessels of over 1600 gross tons in any licensed capacity other than the highest grade for which licensed, all tonnage limitations for the grade in which the service is performed are removed and the next high-

er grade license is raised to the tonnage of the vessel on which the majority of the service was performed. The total cumulative service before and after issuance of the limited license may be considered in removing all tonnage limitations.

(3) When the applicant has 12 months of service as able seaman on vessels over 1600 gross tons while holding a license as third mate, all tonnage limitations on the third mate's license are removed.

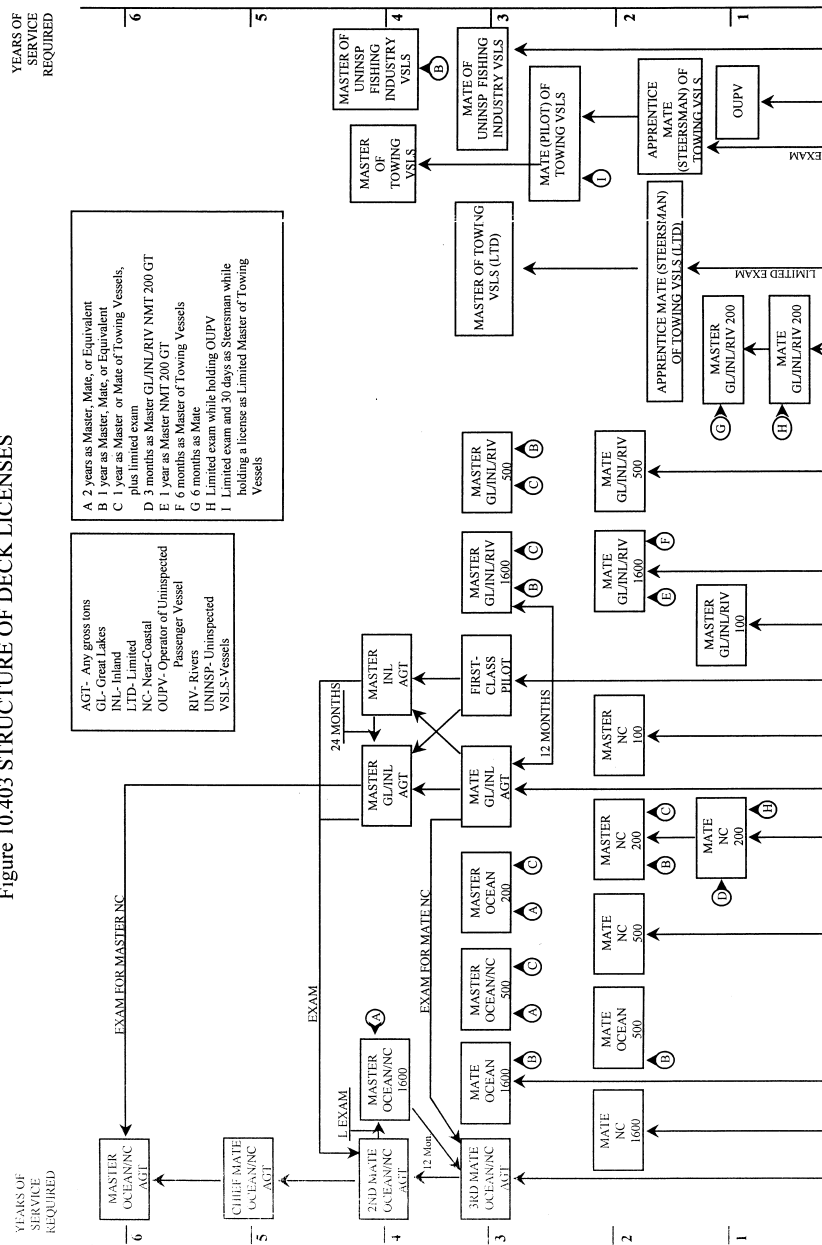
(d) Individuals holding licenses as master or mate of vessels of not more than 1600 gross tons, not more than 500 gross tons, or not more than 25-200 gross tons are prohibited from using the provisions of paragraph (c) of this section to increase the tonnages of their licenses.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 135, Jan. 4, 1989]

§ 10.403 Structure of deck licenses.

The following diagram illustrates the deck license structure, including cross over points. The section numbers on the diagram refer to the specific requirements applicable.

Figure 10.403 STRUCTURE OF DECK LICENSES



[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 136, Jan. 4, 1989; USCG-1999-6224, 64 FR 63226, Nov. 19, 1999; 68 FR 35810, June 17, 2003]

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§ 10.404 Service requirements for master of ocean or near coastal steam or motor vessels of any gross tons.

The minimum service required to qualify an applicant for license as master of ocean or near coastal steam or motor vessels of any gross tons is:

(a) One year of service as chief mate on ocean steam or motor vessels; or,

(b) One year of service on ocean steam or motor vessels while holding a license as chief mate of ocean steam or motor vessels as follows:

(1) A minimum of six months of service as chief mate; and,

(2) Service as officer in charge of a navigational watch accepted on a two-for-one basis (12 months as second or third mate equals six months of creditable service).

§ 10.405 Service requirements for chief mate of ocean or near coastal steam or motor vessels of any gross tons.

The minimum service required to qualify an applicant for license as chief mate of ocean or near coastal steam or motor vessels of any gross tons is one year of service as officer in charge of a navigational watch on ocean steam or motor vessels while holding a license as second mate.

§ 10.406 Service requirements for second mate of ocean or near coastal steam or motor vessels of any gross tons.

The minimum service required to qualify an applicant for license as second mate of ocean or near coastal steam or motor vessels of any gross tons is:

(a) One year of service as officer in charge of a navigational watch on ocean steam or motor vessels while holding a license as third mate; or,

(b) While holding a license as third mate of ocean steam or motor vessels of any gross tons, 12 months of service on deck as follows:

(1) A minimum of six months service as officer in charge of a deck watch on ocean steam or motor vessels; in combination with,

(2) Service on ocean steam or motor vessels as boatswain, able seaman, or quartermaster while holding a certificate as able seaman, which may be accepted on a two-for-one basis to a maximum allowable substitution of six months (12 months of experience equals 6 months of creditable service); or,

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imum allowable substitution of six months (12 months of experience equals 6 months of creditable service); or,

(c) A licensed master of Great Lakes and inland steam or motor vessels of any gross tons or master of inland steam or motor vessels of any gross tons, may obtain a license as second mate of ocean or near coastal steam or motor vessels of any gross tons by completing the prescribed examination in subpart I of this part.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 138, Jan. 4, 1989]

§ 10.407 Service requirements for third mate of ocean or near coastal steam or motor vessels of any gross tons.

(a) The minimum service or training required to qualify an applicant for license as third mate of ocean or near coastal steam or motor vessels of any gross tons is:

(1) Three years of service in the deck department on ocean steam or motor vessels, six months of which shall have been as able seaman, boatswain, or quartermaster, while holding a certificate as able seaman. Experience gained in the engine department on vessels of appropriate tonnage may be creditable for up to three months of the service requirements for this license; or,

(2) Graduation from:

(i) The U.S. Merchant Marine Academy (deck curriculum);

(ii) The U.S. Coast Guard Academy and qualification as an underway officer in charge of a navigational watch;

(iii) The U.S. Naval Academy and qualification as an underway officer in charge of a navigational watch; or,

(iv) The deck class of a maritime academy approved by and conducted under rules prescribed by the Maritime Administrator and listed in part 310 of this title, including the ocean option program in the deck class of the Great Lakes Maritime Academy; or,

(3) Satisfactory completion of a three year apprentice mate training program approved by the Commandant.

(b) Graduation from the deck class of the Great Lakes Maritime Academy with no ocean sea service will qualify the graduate to be examined for a license as third mate near coastal steam or motor vessels of any gross tons.

(c) While holding a license as master of ocean or near coastal steam or motor vessels of not more than 1,600 gross tons, one year of service as master on vessels of over 200 gross tons operating on ocean or near coastal waters will qualify the applicant for a license as third mate of ocean or near coastal steam or motor vessels of any gross tons.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended by USCG 2002-13213, 67 FR 64315, Oct. 18, 2002]

§ 10.410 Requirements for deck licenses for vessels of not more than 1600 gross tons.

(a) Licenses as master and mate of vessels of not more than 1600 gross tons are issued in the following tonnage categories:

- (1) Not more than 1,600 gross tons;
- (2) Not more than 500 gross tons; or,
- (3) Between 25-200 gross tons in 50 ton increments and with appropriate mode of propulsion such as steam or motor, sail, or auxiliary sail.

(b) Experience gained in the engine department on vessels of appropriate tonnage may be creditable for up to 25 percent of the service requirements for any mate license in this category.

(c) A license in this category obtained with an orally-assisted examination will be limited to 500 gross tons. In order to raise that tonnage limit to 1,600 gross tons, the written examination and service requirements must be satisfied.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 138, Jan. 4, 1989]

§ 10.412 Service requirements for master of ocean or near coastal steam or motor vessels of not more than 1600 gross tons.

The minimum service required to qualify an applicant for a license as master of ocean or near coastal steam or motor vessels of not more than 1600 gross tons is:

- (a) Four years total service on ocean or near coastal waters. Service on Great Lakes and inland waters may substitute for up to two years of the required service. Two years of the required service must have been on vessels of over 100 gross tons. Two years of the required service must have been as

a master, mate master or mate (pilot) of towing vessels, or equivalent supervisory position while holding a license as master, mate master or mate (pilot) of towing vessels. One year of the service as master, mate master or mate (pilot) of towing vessels, or equivalent supervisory position must have been on vessels of over 100 gross tons; or,

(b) An applicant holding a license as chief mate or second mate of ocean or near coastal steam or motor vessels of over 1600 gross tons is eligible for this license upon completion of a limited examination.

[CGD 81-059, 54 FR 138, Jan. 4, 1989, as amended by USCG-1999-6224, 64 FR 63228, Nov. 19, 1999; 66 FR 20936, Apr. 26, 2001]

§ 10.414 Service requirements for mate of ocean steam or motor vessels of not more than 1600 gross tons.

The minimum service required to qualify an applicant for a license as mate of ocean steam or motor vessels of not more than 1600 gross tons is:

- (a) Three years total service in the deck department of ocean or near coastal steam or motor, sail, or auxiliary sail vessels. Service on Great Lakes and inland waters may substitute for up to 18 months of the required service. One year of the required service must have been on vessels of over 100 gross tons. One year of the required service must have been as a master, mate master or mate (pilot) of towing vessels, or equivalent supervisory position while holding a license as master, mate master or mate (pilot) of towing vessels. Six months of the required service as master, mate master or mate (pilot) of towing vessels, or equivalent supervisory position must have been on vessels of over 100 gross tons; or,

(b) Three years total service in the deck department on ocean or near coastal steam or motor, sail, or auxiliary sail vessels of over 200 gross tons. Six months of the required service must have been as able seaman.

[CGD 81-059, 54 FR 138, Jan. 4, 1989, as amended by USCG-1999-6224, 64 FR 63228, Nov. 19, 1999; 66 FR 20936, Apr. 26, 2001]

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§ 10.416 Service requirements for mate of near coastal steam or motor vessels of not more than 1600 gross tons.

The minimum service required to qualify an applicant for a license as mate of near coastal steam or motor vessels of not more than 1600 gross tons is two years total service in the deck department of ocean or near coastal steam or motor, sail, or auxiliary sail vessels. Service on Great Lakes and inland waters may substitute for up to one year of the required service. One year of the required service must have been on vessels of over 100 gross tons. Six months of the required service must have been as able seaman, boatswain, quartermaster, or equivalent position on vessels of over 100 gross tons while holding a certificate as able seaman.

[CGD 81-059, 54 FR 138, Jan. 4, 1989]

§ 10.418 Service requirements for master of ocean or near coastal steam or motor vessels of not more than 500 gross tons.

The minimum service required to qualify an applicant for a license as master of ocean or near coastal steam or motor vessels of not more than 500 gross tons is:

(a) Three years total service on ocean or near coastal waters. Service on Great Lakes and inland waters may substitute for up to 18 months of the required service. Two years of the required service must have been as a master, mate, or equivalent supervisory position while holding a license as master, mate, or operator of uninspected passenger vessels. One year of the required service as master, mate, or equivalent supervisory position must have been on vessels of over 50 gross tons.

(b) The holder of a license as master or mate (pilot) of towing vessels authorizing service on oceans or near-coastal routes is eligible for a license as master of ocean or near-coastal steam or motor vessels of not more than 500 gross tons after both 1 year of service as master or mate of towing vessels on oceans or near-coastal

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routes and completion of a limited examination.

[CGD 81-059, 54 FR 138, Jan. 4, 1989, as amended by USCG-1999-6224, 64 FR 63228, Nov. 19, 1999]

§ 10.420 Service requirements for mate of ocean steam or motor vessels of not more than 500 gross tons.

The minimum service required to qualify an applicant for a license as mate of ocean steam and motor vessels of not more than 500 gross tons is two years total service in the deck department of ocean or near coastal steam or motor, sail, or auxiliary sail vessels. Service on Great Lakes and inland waters may substitute for up to one year of the required service. One year of the required service must have been as a master, mate, or equivalent supervisory position while holding a license as master, mate, or operator of uninspected passenger vessels. Six months of the required service as master, mate, or equivalent supervisory position must have been on vessels of over 50 gross tons.

[CGD 81-059, 54 FR 138, Jan. 4, 1989, as amended by USCG-1999-6224, 64 FR 63228, Nov. 19, 1999]

§ 10.421 Service requirements for mate of near coastal steam or motor vessels of not more than 500 gross tons.

The minimum service required to qualify an applicant for a license as mate of near coastal steam or motor vessels of not more than 500 gross tons is two years total service in the deck department of ocean or near coastal steam or motor, sail, or auxiliary sail vessels. Service on Great Lakes and inland waters may substitute for up to one year of the required service. One year of the required service must have been on vessels of over 50 gross tons. Three months of the required service must have been as able seaman, boatswain, quartermaster, or equivalent position on vessels of over 50 gross tons while holding a certificate as able seaman.

[CGD 81-059, 54 FR 138, Jan. 4, 1989]

§ 10.422 Tonnage limitations and qualifying requirements for licenses as master or mate of vessels of not more than 200 gross tons.

(a) Except as noted in paragraph (e), all licenses issued for master or mate of vessels of not more than 200 gross tons are issued in 50 gross ton increments based on the applicant's qualifying experience. The license is limited to the maximum tonnage on which at least 25 percent of the required experience was obtained, or 150 percent of the maximum tonnage on which at least 50 percent of the service was obtained, whichever is higher. Limitations are in multiples of 50 gross tons using the next higher figure when an intermediate tonnage is calculated.

(b) The tonnage limitation on these licenses may be raised upon completion of:

(1) At least 45 days of additional service on deck on a vessel of a higher tonnage for a tonnage increase on a mate's license; or,

(2) At least 90 days of additional service on deck on a vessel of a higher tonnage for a tonnage increase on a master's license; or,

(3) Additional service, which, when combined with all previously accumulated service, will qualify the applicant for a higher tonnage license under the basic formula; or,

(4) Six months additional service in the deck department on vessels within the highest tonnage increment on the license. In this case, the tonnage limitation may be raised one increment.

(c) When the service is obtained on vessels upon which licensed personnel are not required, the OCMI must be satisfied that the nature of this qualifying service (i.e., size of vessel, route, equipment, etc.) is a reasonable equivalent to the duties performed on vessels which are required to engage licensed individuals.

(d) Service gained in the engine room on vessels of not more than 200 gross tons may be creditable for up to 25 percent of the deck service requirements for mate.

(e) When the qualifying service is obtained upon vessels of five gross tons or

less, the license will be limited to vessels of not more than 25 gross tons.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended by CGD 81-059, 54 FR 139, Jan. 4, 1989]

§ 10.424 Service requirements for master of ocean steam or motor vessels of not more than 200 gross tons.

(a) The minimum service required to qualify an applicant for a license as master of ocean steam or motor vessels of not more than 200 gross tons is:

(1) Three years total service on ocean or near coastal waters. Service on Great Lakes and inland waters may substitute for up to 18 months of the required service. Two years of the required service must have been as master, mate, or equivalent supervisory position while holding a license as master, as mate, or as operator of uninspected passenger vessels; or,

(2) Two years total service as a licensed master or mate of ocean or near-coastal towing vessels. Completion of a limited examination is also required.

(b) In order to obtain an endorsement on this license for sail or auxiliary sail vessels, the applicant must submit evidence of 12 months of service on sail or auxiliary sail vessels. The required 12 months of service may have been obtained prior to issuance of the master's license.

(c) In addition to any required examination, the applicant must comply with the requirements listed in § 10.401(g) of this subpart.

[CGD 81-059, 54 FR 139, Jan. 4, 1989, as amended by USCG-1999-6224, 64 FR 63228, Nov. 19, 1999]

§ 10.426 Service requirements for master of near coastal steam or motor vessels of not more than 200 gross tons.

(a) The minimum service required to qualify an applicant for a license as master of near coastal steam or motor vessels of not more than 200 gross tons is:

(1) Two years total service on ocean or near coastal waters. Service on Great Lakes and inland waters may substitute for up to one year of the required service. One year of the required service must have been as a master,

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mate, or equivalent supervisory position while holding a license as master, as mate, or as operator of uninspected passenger vessels; or,

(2) One year of total service as licensed master or mate of towing vessels on oceans or near-coastal routes. Completion of a limited examination is also required.

(b) In order to obtain an endorsement on this license for sail or auxiliary sail vessels, the applicant must submit evidence of 12 months of service on sail or auxiliary sail vessels. The required 12 months of service may have been obtained prior to issuance of the master's license.

[CGD 81-059, 54 FR 139, Jan. 4, 1989, as amended by USCG-1999-6224, 64 FR 63228, Nov. 19, 1999]

§ 10.427 Service requirements for mate of near coastal steam or motor vessels of not more than 200 gross tons.

(a) The minimum service required to qualify an applicant for license as mate of near coastal steam or motor vessels of not more than 200 gross tons is:

(1) Twelve months total service in the deck department of ocean or near coastal steam or motor, sail, or auxiliary sail vessels. Service on Great Lakes and inland waters may substitute for up to six months of the required service; or,

(2) Three months of service in the deck department of steam or motor vessels operating on ocean, near coastal, Great Lakes or inland waters while holding a license as master of inland steam or motor, sail or auxiliary sail vessels of not more than 200 gross tons.

(b) The holder of a license as operator of uninspected passenger vessels with a near coastal route endorsement may obtain this license by successfully completing an examination on rules and regulations for small passenger vessels.

(c) In order to obtain an endorsement on this license for sail or auxiliary sail vessels, the applicant must submit evidence of six months of deck service on sail or auxiliary sail vessels.

(d) A license as master of near coastal steam or motor vessels may be endorsed as mate of sail or auxiliary sail vessels upon presentation of three

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months of service on sail or auxiliary sail vessels.

(e) In order to obtain a tonnage endorsement of over 100 gross tons, the applicant must complete the additional examination topics indicated in subpart I of this part.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987. Redesignated and amended by CGD 81-059, 54 FR 139, Jan. 4, 1989]

§ 10.428 Service requirements for master of near coastal steam or motor vessels of not more than 100 gross tons.

(a) The minimum service required to qualify an applicant for a license as master of near coastal steam or motor vessels of not more than 100 gross tons is two years total service in the deck department of steam or motor, sail, or auxiliary sail vessels on ocean or near coastal waters. Service on Great Lakes and inland waters may substitute for up to one year of the required service.

(b) In order to obtain an endorsement on this license for sail or auxiliary sail vessels, the applicant must submit evidence of 12 months of service on sail or auxiliary sail vessels. The required 12 months of service may have been obtained prior to issuance of the license.

[CGD 81-059, 54 FR 139, Jan. 4, 1989]

§ 10.429 Service requirements for limited master of near coastal steam or motor vessels of not more than 100 gross tons.

(a) Limited masters' licenses for near coastal vessels of not more than 100 gross tons may be issued to applicants to be employed by organizations such as yacht clubs, marinas, formal camps and educational institutions. A license issued under this section is limited to the specific activity and the locality of the yacht club, marina or camp. In order to obtain this restricted license, an applicant must:

(1) Have four months of service on any waters in the operation of the type of vessel for which the license is requested;

(2) Satisfactorily complete a safe boating course approved by the National Association of State Boating Law Administrators, or a safe boating course conducted by the U.S. Power Squadron or the American Red Cross,

or a Coast Guard approved course. This course must have been completed within five years before the date of application; and,

(3) Pass a limited examination appropriate for the activity to be conducted and the route authorized.

(b) The first aid and cardiopulmonary resuscitation (CPR) course certificates required by §10.205(h) of this part will only be required when, in the opinion of the OCMI, the geographic area over which service is authorized precludes obtaining medical services within a reasonable time.

(c) In order to obtain an endorsement on this license for sail or auxiliary sail vessels, the applicant must submit evidence of four months of service on sail or auxiliary sail vessels. The required four months of service may have been obtained prior to issuance of the license.

[CGD 81-059, 54 FR 139, Jan. 4, 1989, as amended by USCG-2000-7790, 65 FR 58458, Sept. 29, 2000]

§ 10.430 Licenses for the Great Lakes and inland waters.

Any license issued for service on the Great Lakes and inland waters is valid on all of the inland waters of the United States as defined in this part. Any license issued for service on inland waters is valid for the inland waters of the United States, excluding the Great Lakes. Licenses with either a Great Lakes and inland or an inland route are valid for service on the sheltered waters of the Inside Passage between Puget Sound and Cape Spencer, Alaska. As these licenses authorize service on waters seaward of the International Regulations for Preventing Collisions at Sea (COLREGS) demarcation line as defined in 33 CFR part 80, the applicant must complete an examination on the COLREGS or the license must be endorsed with an exclusion from such waters.

[CGD 81-059, 54 FR 139, Jan. 4, 1989]

§ 10.431 Tonnage requirements for Great Lakes and inland licenses for vessels of over 1600 gross tons.

(a) All required experience for Great Lakes and inland unlimited licenses must be obtained on vessels of over 200 gross tons. At least one-half of the re-

quired experience must be obtained on vessels of 1600 gross tons or over.

(b) Tonnage limitations may be imposed on these licenses in accordance with §10.402 (b) and (c).

§ 10.433 Service requirements for master of Great Lakes and inland steam or motor vessels of any gross tons.

The minimum service required to qualify an applicant for license as master of Great Lakes and inland steam or motor vessels of any gross tons is:

(a) One year of service as mate or first class pilot while acting in the capacity of first mate of Great Lakes steam or motor vessels of more than 1600 gross tons; or,

(b) Two years of service as master of inland (excluding the Great Lakes) steam or motor vessels of more than 1600 gross tons; or,

(c) One year of service upon Great Lakes waters while holding a license as mate or first class pilot of Great Lakes and inland steam or motor vessels of more than 1600 gross tons. A minimum of six months of this service must have been in the capacity of first mate. Service as second mate is accepted for the remainder on a two-for-one basis to a maximum of six months (12 months of service equals six months of creditable service).

§ 10.435 Service requirements for master of inland steam or motor vessels of any gross tons.

The minimum service required to qualify an applicant for license as master of inland (excluding the Great Lakes) steam or motor vessels of any gross tons is:

(a) One year of service as first class pilot (of other than canal and small lakes routes) or mate of Great Lakes or inland steam or motor vessels of more than 1,600 gross tons; or,

(b) Two years of service as wheelsman or quartermaster while holding a mate/first class pilot license.

§ 10.437 Service requirements for mate of Great Lakes and inland steam or motor vessels of any gross tons.

(a) The minimum service required to qualify an applicant for license as mate of Great Lakes and inland steam or motor vessels of any gross tons is:

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(1) Three years of service in the deck department of steam or motor vessels, at least three months of which must have been on vessels on inland waters and at least six months of which must have been as able seaman, inland mate, boatswain, wheelsman, quartermaster, or equivalent position;

(2) Graduation from the deck class of the Great Lakes Maritime Academy; or,

(3) While holding a license as master of Great Lakes and inland steam or motor vessels of not more than 1600 gross tons, one year service as master on vessels of over 200 gross tons.

(b) Service gained in the engine department on vessels of appropriate tonnage may be creditable for up to six months of the service requirements under paragraph (a)(1) of this section.

§ 10.442 Service requirements for master of Great Lakes and inland steam or motor vessels of not more than 1600 gross tons.

The minimum service required to qualify an applicant for a license as master of Great Lakes and inland steam or motor vessels of not more than 1600 gross tons is:

(a) Three years total service on vessels. Eighteen months of the required service must have been on vessels of over 100 gross tons. One year of the required service must have been as a master, mate, or equivalent supervisory position on vessels of over 100 gross tons while holding a license as master, as mate, or as master of towing vessels; or,

(b) Six months of service as operator on vessels of over 100 gross tons while holding a license as master of towing vessels.

[CGD 81-059, 54 FR 140, Jan. 4, 1989, as amended by USCG-1999-6224, 64 FR 63228, Nov. 19, 1999]

§ 10.444 Service requirements for mate of Great Lakes and inland steam or motor vessels of not more than 1600 gross tons.

The minimum service required to qualify an applicant for license as mate of Great Lakes and inland steam or motor vessels of not more than 1600 gross tons is:

(a) Two years total service in the deck department of steam or motor, sail, or auxiliary sail vessels. One year of the required service must have been on vessels of over 100 gross tons. Six months of the required service must have been as able seaman, boatswain, quartermaster, or equivalent position on vessels of over 100 gross tons while holding a certificate as able seaman; or,

(b) One year total service as master of steam or motor, sail, or auxiliary sail vessels, or operator of uninspected passenger vessels, of over 50 gross tons while holding a license as master steam or motor, sail, or auxiliary sail vessels of not more than 200 gross tons or operator of uninspected passenger vessels; or,

(c) Six months total service as mate (pilot) of towing vessels on vessels of over 100 gross tons.

[CGD 81-059, 54 FR 140, Jan. 4, 1989, as amended by USCG-1999-6224, 64 FR 63228, Nov. 19, 1999]

§ 10.446 Service requirements for master of Great Lakes and inland steam or motor vessels of not more than 500 gross tons.

The minimum service required to qualify an applicant for a license as master of Great Lakes and inland steam or motor vessels of not more than 500 gross tons is:

(a) Three years total service on vessels. One year of the required service must have been as a master, mate, or equivalent supervisory position on vessels of over 50 gross tons while holding a license as master, as mate, or as operator of uninspected passenger vessels.

(b) An applicant holding a license as master of ocean, near coastal, or Great Lakes and inland towing vessels is eligible for this license after six months of service as master of towing vessels and completion of a limited examination. This requires three and one-half years of service. Two years of this service must have been served while holding a license as master or mate (pilot) of towing vessels, or mate.

[CGD 81-059, 54 FR 140, Jan. 4, 1989, as amended by USCG 1999-6224, 64 FR 63228, Nov. 19, 1999]

§ 10.448 Service requirements for mate of Great Lakes and inland steam or motor vessels of not more than 500 gross tons.

The minimum service required to qualify an applicant for a license as mate of Great Lakes and inland steam or motor vessels of not more than 500 gross tons is two years total service in the deck department of steam or motor, sail, or auxiliary sail vessels. One year of the required service must have been on vessels of over 50 gross tons. Three months of the required service must have been as able seaman, boatswain, quartermaster, or equivalent position on vessels of over 50 gross tons while holding a certificate as able seaman.

[CGD 81-059, 54 FR 140, Jan. 4, 1989]

§ 10.450 Tonnage limitations and qualifying requirements for licenses as master or mate of Great Lakes and inland vessels of not more than 200 gross tons.

(a) Except as noted in subparagraph (d), all licenses issued for master or mate of vessels of not more than 200 gross tons are issued in 50 ton increments based on the applicants qualifying experience in accordance with the provisions of § 10.422. See the tonnage and qualifying service discussion in § 10.422 for further clarification.

(b) Service gained in the engine room on vessels of not more than 200 gross tons may be creditable for up to 25 percent of the deck service requirements for mate.

(c) When the service is obtained on vessels upon which licensed personnel are not required, the OCMI must be satisfied that the nature of this qualifying service (i.e., size of vessel, route, equipment, etc.) is a reasonable equivalent to the duties performed on vessels which are required to engage licensed individuals.

(d) When the qualifying service is obtained upon vessels of five gross tons or less, the license will be limited to vessels of not more than 25 gross tons.

§ 10.452 Service requirements for master of Great Lakes and inland steam or motor vessels of not more than 200 gross tons.

(a) The minimum service required to qualify an applicant for a license as master of Great Lakes and inland steam or motor vessels of not more than 200 gross tons is one year of service on vessels. Six months of the required service must have been as master, mate, or equivalent supervisory position while holding a license as master, mate, master or mate (pilot) of towing vessels, or operator of uninspected passenger vessels. To obtain authority to serve on the Great Lakes, three months of the required service must have been on Great Lakes waters, otherwise the license will be limited to the inland waters of the United States (excluding the Great Lakes).

(b) In order to obtain an endorsement on this license for sail or auxiliary sail vessels, the applicant must have six months of service on sail or auxiliary sail vessels. The required six months of service may have been obtained prior to issuance of the master's license.

[CGD 81-059, 54 FR 140, Jan. 4, 1989, as amended by USCG-1999-6224, 64 FR 63228, Nov. 19, 1999]

§ 10.454 Service requirements for mate of Great Lakes and inland steam or motor vessels of not more than 200 gross tons.

(a) The minimum service required to qualify an applicant for a license as mate of Great Lakes and inland steam or motor vessels of not more than 200 gross tons is six months of service in the deck department of steam or motor, sail, or auxiliary sail vessels. To obtain authority to serve on the Great Lakes, three months of the required service must have been on Great Lakes waters, otherwise the license will be limited to the inland waters of the United States (excluding the Great Lakes).

(b) In order to obtain an endorsement on this license for sail or auxiliary sail vessels, the applicant must submit evidence of three months of service on sail or auxiliary sail vessels.

(c) A license as master of steam or motor vessels may be endorsed as mate

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of sail or auxiliary sail vessels upon presentation of three months service on sail or auxiliary sail vessels.

(d) The holder of a license as operator of inland uninspected passenger vessels may obtain this license by successfully completing an examination on rules and regulations for small passenger vessels. To obtain authority to serve on the Great Lakes, three months of the required service must have been on Great Lakes waters, otherwise the license will be limited to the inland waters of the United States (excluding the Great Lakes).

(e) In order to obtain a tonnage endorsement of over 100 gross tons, the applicant must complete the additional examination topics indicated in subpart I of this part.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 140, Jan. 4, 1989]

§ 10.455 Service requirements for master of Great Lakes and inland steam or motor vessels of not more than 100 gross tons.

(a) The minimum service required to qualify an applicant for a license as master of Great Lakes and inland steam or motor vessels of not more than 100 gross tons is one year of total service in the deck department of steam or motor, sail, or auxiliary sail vessels. To obtain authority to serve on the Great Lakes, three months of the required service must have been on Great Lakes waters, otherwise the license will be limited to the inland waters of the United States (excluding the Great Lakes).

(b) In order to obtain an endorsement on this license for sail or auxiliary sail vessels, the applicant must submit evidence of six months of service on sail or auxiliary sail vessels. The required six months of service may have been obtained prior to issuance of the license.

[CGD 81-059, 54 FR 140, Jan. 4, 1989]

§ 10.456 Service requirements for limited master of Great Lakes and inland steam or motor vessels of not more than 100 gross tons.

Limited masters' licenses for vessels of not more than 100 gross tons upon Great Lakes and inland waters may be issued to applicants to be employed by

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organizations such as formal camps, educational institutions, yacht clubs, and marinas with reduced service requirements. A license issued under this paragraph is limited to the specific activity and the locality of the camp, yacht club or marina. In order to obtain this restricted license, an applicant must:

(a) Have four months of service in the operation of the type of vessel for which the license is requested; and,

(b) Satisfactorily complete a safe boating course approved by the National Association of State Boating Law Administrators, a public education course conducted by the U.S. Power Squadron or the American Red Cross, or a Coast Guard approved course. This course must have been completed within five years before the date of application; and,

(c) Pass a limited examination appropriate for the activity to be conducted and the route authorized.

(d) The first aid and cardiopulmonary resuscitation (CPR) course certificates required by § 10.205(h) of this part will only be required when, in the opinion of the OCMI, the geographic area over which service is authorized precludes obtaining medical services within a reasonable time.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987. Redesignated and amended by CGD 81-059, 54 FR 140, Jan. 4, 1989; USCG-2000-7790, 65 FR 58458, Sept. 29, 2000]

§ 10.457 Service requirements for master of inland steam or motor vessels of not more than 100 gross tons.

(a) An applicant for a license as master of inland steam or motor vessels of not more than 100 gross tons must present one year of service on any waters. In order to raise the tonnage limitation over 100 gross tons, the examination topics indicated in subpart I of this part must be completed in addition to satisfying the experience requirements of § 10.452(a).

(b) In order to obtain an endorsement on this license for sail or auxiliary sail vessels, the applicant must submit evidence of six months of service on sail or auxiliary sail vessels. The required six months of service may have been

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obtained prior to issuance of the license.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987. Redesignated and amended by CGD 81-059, 54 FR 141, Jan. 4, 1989]

§ 10.459 Service requirements for master or mate of rivers.

(a) An applicant for a license as master of river steam or motor vessels of any gross tons must meet the same service requirements as master of inland steam or motor vessels of any gross tons.

(b) An applicant for a license as master or mate of river steam or motor vessels, with a limitation of 25-1600 gross tons, must meet the same service requirements as those required by this subpart for the corresponding tonnage Great Lakes and inland steam or motor license. Service on the Great Lakes is not, however, required.

[CGD 81-059, 54 FR 141, Jan. 4, 1989]

§ 10.462 Licenses for master or mate of uninspected fishing industry vessels.

(a) This section applies to licenses for masters and mates of all vessels, however propelled, navigating the high seas, which are documented to engage in the fishing industry, with the exception of:

- (1) Wooden ships of primitive build;
- (2) Unrigged vessels; and,
- (3) Vessels of less than 200 gross tons.

(b) Licenses as master or mate of uninspected fishing industry vessels are issued for either ocean or near coastal routes, depending on the examination completed. To qualify for an uninspected fishing industry vessel license, the applicant must satisfy the training and examination requirements of § 10.401(g) of this subpart.

(c) An applicant for a license as master of uninspected fishing industry vessels must have four years of total service on ocean or near coastal routes. Service on Great Lakes or inland waters may substitute for up to two years of the required service. One year of the required service must have been as licensed master, as unlicensed master, or as licensed mate or equivalent supervisory position while holding a license as master, mate, master or mate (pilot)

of towing vessels, or operator of uninspected passenger vessels.

(1) To qualify for a license of not more than 500 gross tons, at least two years of the required service, including the one year as master, mate or equivalent, must have been on vessels of over 50 gross tons.

(2) To qualify for a license of not more than 1600 gross tons, at least two years of the required service, including the one year as master, mate or equivalent, must have been on vessels of over 100 gross tons.

(3) To qualify for a license of over 1600 gross tons, but not more than 5000 gross tons, the vessel tonnage upon which the four years of required service was obtained will be used to compute the tonnage. The license is limited to the maximum tonnage on which at least 25 percent of the required service was obtained, or 150 percent of the maximum tonnage on which at least 50 percent of the service was obtained, whichever is higher. Limitations are in multiples of 1000 gross tons, using the next higher figure when an intermediate tonnage is calculated. A license as master of uninspected fishing industry vessels authorizing service on vessels over 1600 gross tons also requires one year as master, mate or equivalent on vessels over 100 gross tons.

(4) The tonnage limitation on this license may be raised using one of the following methods, but cannot exceed 5000 gross tons. Limitations are in multiples of 1000 gross tons, using the next higher figure when an intermediate tonnage is calculated.

(i) Three months service as master on a vessel results in a limitation in that capacity equal to the tonnage of that vessel rounded up to the next multiple of 1000 gross tons;

(ii) Six months service as master on a vessel results in a limitation in that capacity equal to 150% of the tonnage of that vessel;

(iii) Six months service as master on vessels over 1600 gross tons results in raising the limitation to 5000 gross tons;

(iv) Six months service as mate on vessels over 1600 gross tons results in raising the limitation for master to the

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tonnage on which at least 50 percent of the service was obtained;

(v) Two years service as a deckhand on a vessel while holding a license as master results in a limitation on the master's license equal to 150% of the tonnage of that vessel up to 5000 gross tons; or,

(vi) One year of service as deckhand on a vessel while holding a license as master results in a limitation on the master's license equal to the tonnage of that vessel.

(d) An applicant for a license as mate of uninspected fishing industry vessels must have three years of total service on ocean or near coastal routes. Service on Great Lakes or inland waters may substitute for up to 18 months of the required service.

(1) To qualify for a license of not more than 500 gross tons, at least one year of the required service must have been on vessels of over 50 gross tons.

(2) To qualify for a license of not more than 1600 gross tons, at least one year of the required service must have been on vessels of over 100 gross tons.

(3) To qualify for a license of over 1600 gross tons, but not more than 5000 gross tons, the vessel tonnage upon which the three years of required service was obtained will be used to compute the tonnage. The license is limited to the maximum tonnage on which at least 25 percent of the required service was obtained, or 150 percent of the maximum tonnage on which at least 50 percent of the service was obtained, whichever is higher. Limitations are in multiples of 1000 gross tons, using the next higher figure when an intermediate tonnage is calculated.

(4) The tonnage limitation on this license may be raised using one of the following methods, but cannot exceed 5000 gross tons. Limitations are in multiples of 1000 gross tons, using the next higher figure when an intermediate tonnage is calculated.

(i) Three months service as mate on a vessel results in a limitation in that capacity equal to the tonnage of that vessel rounded up to the next multiple of 1000 gross tons;

(ii) Six months service as mate on a vessel results in a limitation in that capacity equal to 150% of the tonnage of that vessel;

(iii) Six months service as mate on vessels over 1600 gross tons results in raising the limitation to 5000 gross tons;

(iv) One year of service as deckhand on vessels over 1600 gross tons while holding a license as mate, results in raising the limitation on the mate's license to 5000 gross tons;

(v) Two years service as a deckhand on a vessel while holding a license as mate results in a limitation on the mate's license equal to 150% of the tonnage of that vessel up to 5000 gross tons; or,

(vi) One year of service as deckhand on a vessel while holding a license as mate results in a limitation on the mate's license equal to the tonnage of that vessel.

(e) Applicants may request an oral examination on the subjects listed in subpart I of this part.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 141, Jan. 4, 1989; USCG-1999-6224, 64 FR 63228, Nov. 19, 1999]

§ 10.463 General requirements for licenses for master, mate (pilot), and apprentice mate (steersman) of towing vessels.

(a) The Coast Guard issues the following licenses:

(1) Master of towing vessels.

(2) Master of towing vessels, limited.

(3) Mate (pilot) of towing vessels.

(4) Mate (pilot) of towing vessels, limited.

(5) Apprentice mate (steersman).

(6) Apprentice mate (steersman), limited.

(b) A license as master of towing vessels means a license to operate towing vessels not restricted to local areas designated by OCMI. This also applies to a mate (pilot) of towing vessels.

(c) For this section, *limited* means a license to operate a towing vessel of less than 200 gross tons limited to a local area within the Great Lakes, inland waters, or Western Rivers designated by the OCMI.

[USCG-1999-6224, 64 FR 63228, Nov. 19, 1999, as amended at 66 FR 20936, Apr. 26, 2001; 68 FR 35812, June 17, 2003]

§ 10.464 Requirements for licenses as master of towing vessels.

(a) If you would like to obtain a license as master of towing vessels endorsed with a route listed in column 1

of Table 10.464-1, then you must complete the service requirements indicated in columns 2 through 5. You may serve on the subordinate routes listed in column 6, without further endorsement.

TABLE 10.464-1--REQUIREMENTS FOR LICENSE AS MASTER OF TOWING VESSELS¹

1 ROUTE ENDORSED	2 TOTAL SERVICE ²	3 TOS ³ ON T/V AS MATE (PILOT)	4 TOS ³ ON T/V AS MATE (PILOT) NOT AS HARBOR ASSIST	5 TOS ³ ON PARTICULAR ROUTE	6 SUB- ORDINATE ROUTE AUTHORIZED
(1) OCEANS (O)	48	18 of 48	12 of 18	3 of 18	NC, GL-I,
(2) NEAR- COASTAL (NC)	48	18 of 48	12 of 18	3 of 18	GL-I,
(3) GREAT LAKES- INLAND (GL-I)	48	18 of 48	12 of 18	3 of 18	
(4) WESTERN RIVERS (WR)	48	18 of 48	12 of 18	3 of 18	

1 If you hold a license as master of towing vessels you may have an endorsement--as mate (pilot) of towing vessels for a route superior to your current route on which you have no operating experience--placed on your license after passing an examination for that additional route. After you complete 90 days of experience and complete a TOAR on that route, we will add it to your license as master of towing vessels and remove the one for mate (pilot) of towing vessels.

2 Service is in months.

3 TOS is time of service.

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(b) If you would like to obtain a license as master of towing vessels (limited), then you must complete the re-

quirements listed in columns 2 through 5 of Table 10.464–2.

TABLE 10.464-2--REQUIREMENTS FOR LICENSE AS MASTER OF TOWING VESSELS (LIMITED)

1 ROUTE ENDORSEMENT	2 TOTAL SERVICE ¹	3 TOS ² ON TV AS LIMITED APPRENTICE MATE (STEERSMAN)	4 TOAR ³ OR AN APPROVED COURSE	5 TOS ² ON PARTICULAR ROUTE
LIMITED LOCAL AREA (LLA)	36	18 of 36	YES	3 of 18

1 Service is in months.
 2 TOS is time of service.
 3 Towing Officers' Assessment Record

(c) If you hold a license as mate (pilot) of towing vessels, you may have master of towing vessels (limited) added to your license for a limited local area within the scope of your current route.

(d) Before you serve as master of towing vessels on the Western rivers, you must possess 90 days of observation and training and have your license endorsed for Western Rivers.

(e) Each company must maintain evidence that every vessel it operates is under the direction and control of a licensed mariner with appropriate experience, including 30 days of observation and training on the intended route other than Western Rivers.

(f) If you hold a license as a master of inspected, self-propelled vessels of greater than 200 gross register tons, you may operate towing vessels within any restrictions on your license if you—

(1) Have 30 days of training and observation on towing vessels for the route being assessed, except as noted in paragraph (e) of this section; and

(2) Either—

(i) Hold a completed Towing Officer's Assessment Record (TOAR) described in §10.304(h) that shows evidence of assessment of practical demonstration of skills; or

(ii) Complete an approved training course.

(3) Your license does not need a towing endorsement if you hold a TOAR or complete an approved training course.

(g) If you began your service or training in the towing industry before May 21, 2001, you may receive a license as

master of towing vessels if before May 21, 2004, you complete the examination required by 46 CFR 10.903(a)(18)(i) and meet either of the following two requirements:

(1) Three years of service, including—

(i) Two years on deck aboard a vessel 8 meters (26 feet) or more in length;

(ii) One year on deck aboard a towing vessel, with at least 6 months of training or duty in the wheelhouse of the towing vessel; and

(iii) Three months in each particular geographic area for which you are seeking authority; or

(2) Three years of service aboard towing vessels, including—

(i) One year on deck, with at least 6 months of training or duty in the wheelhouse of the towing vessel; and

(ii) Three months in each particular geographic area for which you are seeking authority.

Your license does not need a towing endorsement if you hold a TOAR or a course completion certificate.

[USCG–1999–6224, 64 FR 63228, Nov. 19, 1999, as amended at 66 FR 20937, Apr. 26, 2001; 68 FR 35812, June 17, 2003; USCG–2008–0906, 73 FR 56508, Sept. 29, 2008]

EFFECTIVE DATE NOTE: By USCG–2006–26202, 73 FR 52794, Sept. 11, 2008, §10.464 was amended in paragraph (f) introductory text, by removing the words “inspected, self-propelled” and adding, in their place, the words “steam or motor”; and by revising paragraph (f)(1), effective Oct. 14, 2008. For the convenience of the user, the revised text is set forth as follows:

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§ 10.464 Requirements for licenses as master of towing vessels.

* * * * *

(f) * * *

(1) Have a minimum of 30 days of training and observation on towing vessels for the route being assessed, except as noted in paragraph (e) of this section; and

* * * * *

§ 10.465 Requirements for licenses as mate (pilot) of towing vessels.

(a) If you would like to obtain a license as mate (pilot) of towing vessels endorsed with a route listed in column

1 of Table 10.465-1, then you must complete the service in columns 2 through 5. If you hold a license as master of towing vessels (limited) and would like to upgrade it to mate (pilot) of towing vessels, then you must complete the service in columns 5 and 6. If you hold a license as mate (pilot) of towing vessels (limited) and would like to upgrade it to mate (pilot) of towing vessels, then you must complete the service in columns 2 through 5 and pass a limited examination. A license with a route endorsed in column 1 authorizes service on the subordinate routes listed in column 7, without further endorsement.

TABLE 10.465-1--REQUIREMENTS FOR LICENSE AS MATE (PILOT¹) OF TOWING VESSELS

1 ROUTE ENDORSED	2 TOTAL SERVICE ²	3 TOS ³ ON TV AS APPRENTICE MATE (STEERSMAN)	4 TOS ⁴ ON PARTICULAR ROUTE	5 TOAR ⁴ OR AN APPROVED COURSE	6 30 DAYS OF OBSERVATION AND TRAINING WHILE HOLDING MASTER (LIMITED) AND PASS A LIMITED EXAMINATION	7 SUBORDINATE ROUTE AUTHORIZED
(1) OCEANS (O)	30	12 of 30	3 of 12	YES	YES	NC, GL-I
(2) NEAR- COASTAL (NC)	30	12 of 30	3 of 12	YES	YES	GL-I,
(3) GREAT LAKES-INLAND (GL-I)	30	12 of 30	3 of 12	YES	YES	
(5) WESTERN RIVERS (WR)	30	12 of 30	3 of 12	YES	NO (90 days service required)	

1 For all inland routes, as well as Western Rivers, the license as pilot of towing vessels is equivalent to that as mate of towing vessels. All qualifications and equivalencies are the same.

2 Service is in months unless otherwise indicated

3 TOS is time of service.

4 TOAR is Towing Officers' Assessment Record.

(b) Before you serve as mate (pilot) of towing vessels on the Western Rivers, you must possess 90 days of observation

and training and have your license endorsed for Western Rivers.

(c) Each company must maintain evidence that every vessel it operates is

under the direction and control of a licensed mariner with appropriate experience, including 30 days of observation and training on the intended route other than Western Rivers.

(d) If you hold a license as a mate of inspected, self-propelled vessels of greater than 200 gross register tons or one as first-class pilot, then you may operate towing vessels within any restrictions on your license if you—

(1) Have 30 days of training and observation on towing vessels for the route being assessed, except as noted in paragraph (b) of this section; and

(2) Hold a completed Towing Officer's Assessment Record (TOAR) described in §10.304(h) that shows evidence of assessment of practical demonstration of skills.

Your license does not need a towing endorsement if you hold a TOAR or a course completion certificate.

(e) An approved training course for mate (pilot) of towing vessels must include formal instruction and practical demonstration of proficiency either on board a towing vessel or at a shoreside training facility before a designated examiner, and must cover the material (dependent upon route) required by §10.910-2 for apprentice mate (steersman), towing vessels on ocean and near coastal routes; apprentice mate (steersman), towing vessels on Great Lakes and inland routes; or, steersman, towing vessels on Western Rivers routes.

(f) If you began your service or training before May 21, 2001, you may receive a license as mate of towing vessels if before November 21, 2003, you complete the examination required by §10.903(a)(18)(i) and meet the requirements in either paragraph (f)(1)(i) or (f)(1)(ii) of this section:

(1) You must have served at least 18 months on deck, including 12 months on towing vessels. This service must have included—

(i) At least 3 months of training or duty in the wheelhouse of towing vessels, and 3 months of service in each particular geographic area for which you seek endorsement on the license; and

(ii) At least 6 months on towing vessels while holding a merchant mariner's document endorsed as able seaman unlimited, able seaman limited, or able seaman special, including 3 months in each particular geographic area for which you seek an endorsement; and either—

(A) Two months of training or duty in the wheelhouse; or

(B) One month of training or duty in the wheelhouse combined with completion of a course of training as towboat operator approved by the Commanding Officer, National Maritime Center, under subpart C of this part.

[USCG-1999-6224, 64 FR 63232, Nov. 19, 1999, as amended at 66 FR 20940, Apr. 26, 2001; 68 FR 35814, June 17, 2003]

EFFECTIVE DATE NOTE: By USCG-2006-26202, 73 FR 52794, Sept. 11, 2008, §10.465 was amended, effective Oct. 14, 2008, by:

a. Amending paragraph (a) by adding the following sentence to the end of the paragraph:

b. Revising table 10.465-1 to read as follows;

c. In paragraph (d) introductory text, removing the words "inspected, self-propelled" and adding, in their place, the words "steam or motor";

d. Revising paragraph (d)(1) to read as follows; and

e. Redesignating existing paragraphs (e) and (f) as paragraphs (f) and (g) and adding new paragraph (e). For the convenience of the user, the added and revised text is set forth as follows:

§10.465 Requirements for licenses as mate (pilot) of towing vessels.

(a) * * * Time of service requirements as an apprentice mate (steersman) of towing vessels may be reduced by an amount equal to the time specified in the approval letter for the completed Coast Guard-approved training programs.

TABLE 10.465-1—REQUIREMENTS FOR LICENSE AS MATE (PILOT¹) OF TOWING VESSELS

1	2	3	4	5	6	7
Route endorsed	Total service ²	TOS ³ on TV as apprentice mate (steersman) ⁵	TOS ³ on particular route	TOAR ⁴ or an approved course	30 days of observation and training while holding master (limited) and pass a limited examination	Subordinate route authorized
(1) OCEANS (O)	30	12 of 30	3 of 12 ...	YES	YES	NC, GL-I
(2) NEAR-COASTAL (NC) ...	30	12 of 30	3 of 12 ...	YES	YES	GL-I

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TABLE 10.465-1—REQUIREMENTS FOR LICENSE AS MATE (PILOT ¹) OF TOWING VESSELS—Continued

1	2	3	4	5	6	7
Route endorsed	Total service ²	TOS ³ on T/V as apprentice mate (steersman) ⁵	TOS ³ on particular route	TOAR ⁴ or an approved course	30 days of observation and training while holding master (limited) and pass a limited examination	Subordinate route authorized
(3) GREAT LAKES-INLAND (GL-I).	30	12 of 30	3 of 12 ...	YES	YES.	
(5) WESTERN RIVERS (WR)	30	12 of 30	3 of 12 ...	YES	NO (90-days service required).	

¹ For all inland routes, as well as Western Rivers, the license as pilot of towing vessels is equivalent to that as mate of towing vessels. All qualifications and equivalencies are the same.
² Service is in months unless otherwise indicated.
³ TOS is time of service.
⁴ TOAR is Towing Officers' Assessment Record.
⁵ Time of service requirements as an apprentice mate (steersman) of towing vessels may be reduced by an amount equal to the time specified in the approval letter for a completed Coast Guard-approved training program.

* * * * *

(d) * * *

(1) Have a minimum of 30 days of training and observation on towing vessels for the route being assessed, except as noted in paragraph (b) of this section; and

(3) Successfully completing the appropriate apprentice mate exam; and
 (4) Having a minimum of 30 days of training and observation on towing vessels for the route being assessed, except as noted in paragraph (b) of this section.

* * * * *

(e) If you hold any license as a master of steam or motor vessels of any tonnage that is 200 GRT or less, except for the limited masters' licenses specified in 46 CFR 10.429 and 10.456, then you may obtain an endorsement as mate (pilot) of towing vessels by meeting the following requirements:

(1) Providing proof of 36 months of service as a master under the authority of a license described in paragraph (e) of this section;
 (2) Successfully completing the appropriate TOAR;

* * * * *

§ 10.466 Requirements for licenses as apprentice mate (steersman) of towing vessels.

(a) As Table 10.466-1 shows, if you would like to obtain a license as apprentice mate (steersman) of towing vessels listed in column 1, endorsed with a route listed in column 2, then you must complete the service requirements indicated in columns 3 through 6.

TABLE 10.466-1--REQUIREMENTS FOR LICENSE AS APPRENTICE MATE (STEERSMAN) OF TOWING VESSELS

1 LICENSE TYPE	2 ROUTE ENDORSED	3 TOTAL SERVICE ¹	4 TOS ² ON TV	5 TOS ² ON PARTICULAR ROUTE	6 PASS EXAMINATION ³
(1) APPRENTICE MATE (STEERSMAN)	OCEANS (O) NEAR-COASTAL (NC) GREAT LAKES-INLAND (GL-I) WESTERN RIVERS (WR)	18 18 18 18	12 of 18 12 of 18 12 of 18 12 of 18	3 of 18 3 of 18 3 of 18 3 of 18	YES YES YES YES
(2) APPRENTICE MATE (STEERSMAN) (LIMITED) ⁴	NOT APPLICABLE	18	12 of 18	3 of 18	YES

1 Service is in months.
 2 TOS is time of service.
 3 The examination for apprentice mate is specified in subpart I of this part. The examination for apprentice mate (limited) is a limited examination.
 4 For all inland routes, as well as Western Rivers, the license as steersman is equivalent to that as apprentice mate. All qualifications and equivalencies are the same.

(b) If you hold a license as apprentice mate (steersman) of towing vessels you may obtain a restricted endorsement as limited apprentice mate

(steersman). This endorsement will go on your license after you pass an examination for a route that is not included in the current endorsements and on

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which you have no operating experience. Upon completion of 3 months of experience on that route, you may have the restricted endorsement removed.

[USCG-1999-6224, 64 FR 63234, Nov. 19, 1999, as amended at 66 FR 20942, Apr. 26, 2001; 68 FR 35816, June 17, 2003]

§ 10.467 Licenses for operators of uninspected passenger vessels of less than 100 gross tons.

(a) This section applies to all applicants for the license to operate an uninspected vessel of less than 100 gross tons, equipped with propulsion machinery of any type, carrying six or less passengers.

(b) Operator of uninspected passenger vessels licenses issued for ocean waters will be limited to near coastal waters not more than 100 miles offshore. Licenses issued for inland waters will include all inland waters, except Great Lakes. Licenses may be issued for a particular local area under paragraph (g) of this section.

(c) For a license as operator of an uninspected passenger vessel with a near coastal endorsement, an applicant must have a minimum of 12 months experience in the operation of vessels, including at least three months service on vessels operating on ocean or near coastal waters.

(d) For a license as operator of an uninspected passenger vessel with a Great Lakes and inland waters endorsement, an applicant must have 12 months service on Great Lakes or inland waters, including at least three months service operating vessels on Great Lakes waters.

(e) For a license as operator of an uninspected passenger vessel with an inland endorsement, an applicant must have a minimum of 12 months experience in the operation of vessels.

(f) An operator of uninspected passenger vessels license, limited on its face to undocumented vessels, may be issued to a person who is not a citizen of the United States.

(g) Limited operator of uninspected passenger vessel licenses may be issued to applicants to be employed by organizations such as formal camps, yacht clubs, educational institutions, and marinas. A license issued under this

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paragraph will be limited to the specific activity and the locality of the camp, yacht club, or marina. In order to obtain this restricted license, an applicant must:

(1) Have three months service in the operation of the type of vessel for which the license is requested; and,

(2) Satisfactorily complete a safe boating course approved by the National Association of State Boating Law Administrators, or those public education courses conducted by the U.S. Power Squadron or the American National Red Cross or a Coast Guard approved course; and,

(3) Pass a limited examination appropriate for the activity to be conducted and the route authorized.

(4) The first aid and cardiopulmonary resuscitation (CPR) course certificates required by §10.205(h) of this part will only be required when, in the opinion of the OCMI, the geographic area over which service is authorized precludes obtaining medical services within a reasonable time.

(h) An applicant for a license as operator of uninspected passenger vessels who intends to serve only in the vicinity of Puerto Rico, and who speaks Spanish only, may be issued a license restricted to the navigable waters of the United States in the vicinity of Puerto Rico.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 142, Jan. 4, 1989. Redesignated by USCG-1999-6224, 64 FR 63234, Nov. 19, 1999, as amended by USCG-2000-7790, 65 FR 58458, Sept. 29, 2000. Redesignated by USCG-1999-6224, 64 FR 63234, Nov. 19, 1999, as amended by USCG-1999-6224, Oct. 27, 2000; USCG-1999-6224, 66 FR 20940, Apr. 26, 2001; USCG-2005-22329, 70 FR 57183, Sept. 30, 2005]

§ 10.468 Licenses for mobile offshore drilling units.

Licenses for service on mobile offshore drilling units (MODUs) authorize service on units of any gross tons upon ocean waters while on location or while underway, as restricted on the license, except when moving independently under their own power.

[CGD 81-059a, 55 FR 14799, Apr. 18, 1990]

§ 10.470 Licenses for offshore installation manager.

(a) Licenses as offshore installation manager (OIM) are endorsed as:

- (1) OIM Unrestricted;
- (2) OIM Surface Units on Location;
- (3) OIM Surface Units Underway;
- (4) OIM Bottom Bearing Units on Location; or
- (5) OIM Bottom Bearing Units Underway.

(b) To qualify for a license or endorsement as OIM Unrestricted, an applicant must:

(1) Present evidence of the following experience:

(i) Four years of employment assigned to MODUs including at least one year of service as driller, assistant driller, toolpusher, assistant toolpusher, barge supervisor, mechanical supervisor, electrician, crane operator, ballast control operator or equivalent supervisory position on MODUs, with a minimum of 14 days of that supervisory service on surface units; or

(ii) A degree from a program in engineering or engineering technology which is accredited by the Accreditation Board for Engineering and Technology (ABET). Commanding Officer, National Maritime Center will give consideration to accepting education credentials from programs having other than ABET accreditation. An applicant qualifying through a degree program must also have at least 168 days of service as driller, assistant driller, toolpusher, assistant toolpusher, barge supervisor, mechanical supervisor, electrician, crane operator, ballast control operator, or equivalent supervisory position on MODUs, with a minimum of 14 days of that supervisory service on surface units;

(2) Present evidence of training course completion as follows:

(i) A certificate from a Coast Guard approved stability course approved for an OIM Unrestricted license or endorsement;

(ii) A certificate from a Coast Guard approved survival suit and survival craft training course;

(iii) A certificate from a U.S. Minerals Management Service approved blowout prevention and well control training program for the driller,

toolpusher, or operator representative position;

(iv) A certificate from a firefighting training course as required by § 10.205(g) of this part; and

(3) Provide a recommendation signed by a senior company official which:

(i) Provides a description of the applicant's experience and qualifications;

(ii) Certifies that the individual has successfully directed, while under the supervision of an experienced rig mover, two rig moves each of surface units and of bottom bearing units; and

(iii) Certifies that one of the rig moves required under paragraph (b)(3)(ii) of this section was completed within one year preceding date of application.

(c) An applicant for an endorsement as OIM Unrestricted who holds an unlimited license as master or chief mate must satisfy the requirements in paragraphs (b)(2) and (b)(3) of this section and have at least 84 days of service on surface units and at least 28 days of service on bottom bearing units.

(d) To qualify for a license or endorsement as OIM Surface Units on Location, and applicant must:

(1) Present evidence of the following experience:

(i) Four years of employment assigned to MODUs including at least one year of service as driller, assistant driller, toolpusher, assistant toolpusher, barge supervisor, mechanical supervisor, electrician, crane operator, ballast control operator or equivalent supervisory position on MODUs, with a minimum of 14 days of that supervisory service on surface units; or

(ii) A degree from a program in engineering or engineering technology which is accredited by the Accreditation Board for Engineering and Technology (ABET). Commanding Officer, National Maritime Center will give consideration to accepting education credentials from programs having other than ABET accreditation. An applicant qualifying through a degree program must also have at least 168 days of service as driller, assistant driller, toolpusher, assistant toolpusher, barge supervisor, mechanical supervisor, electrician, crane operator, ballast control operator or equivalent supervisory position of MODUs,

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with a minimum of 14 days of that supervisory service on surface units; and

(2) Present evidence of training course completion as follows:

(i) A certificate from a Coast Guard approved stability course approved for an OIM Surface Units license or endorsement;

(ii) A certificate from a Coast Guard approved survival suit and survival craft training course;

(iii) A certificate from a U.S. Minerals Management Service approved blowout prevention and well control training program for the driller, toolpusher, or operator representative position; and

(iv) A certificate from a firefighting training course as required by §10.205(g) of this part.

(e) An applicant for an endorsement as OIM Surface Units on Location who holds an unlimited license as master or chief mate must satisfy the requirements of paragraph (d)(2) of this section and have at least 84 days of service on surface units.

(f) To qualify for a license as OIM Surface Units Underway, an applicant must:

(1) Provide the following:

(i) Evidence of the experience described in paragraph (d)(1) of this section and a recommendation signed by a senior company official which:

(A) Provides a description of the applicant's experience and qualifications;

(B) Certifies that the individual has successfully directed, while under the supervision of an experienced rig mover, three rig moves of surface units; and

(C) Certifies that one of the rig moves required under paragraph (f)(1)(i)(B) of this section was completed within one year preceding date of application; or

(ii) A recommendation signed by a senior company official which:

(A) Provides a description of the applicant's experience and company qualifications program completed;

(B) Certifies that the applicant has witnessed ten rig moves either as an observer in training or as a rig mover under supervision;

(C) Certifies that the individual has successfully directed, while under the supervision of an experienced rig

mover, five rig moves of surface units; and

(D) Certifies that one of the rig moves required under paragraph (f)(1)(ii)(C) of this section was completed within one year preceding date of application; and

(2) Present evidence of training course completion as follows:

(i) A certificate from a Coast Guard approved stability course approved for an OIM Surface Units license or endorsement;

(ii) A certificate from a Coast Guard approved survival suit and survival craft training course; and

(iii) A certificate from a firefighting training course as required by §10.205(g) of this part.

(g) An applicant for endorsement as OIM Surface Units Underway who holds an unlimited license as master or chief mate must satisfy the requirements in paragraph (f)(2) of this section and provide a company recommendation signed by a senior company official which:

(1) Provides a description of the applicant's experience and qualifications;

(2) Certifies that the individual has successfully directed, while under the supervision of an experienced rig mover, three rig moves on surface units; and

(3) Certifies that one of the rig moves required under paragraph (g)(2) of this section was completed within one year preceding date of application.

(h) To qualify for a license or endorsement as OIM Bottom Bearing Units on Location, an applicant must:

(1) Present evidence of the following experience:

(i) Four years of employment assigned to MODUs including at least one year of service as driller, assistant driller, toolpusher, assistant toolpusher, barge supervisor, mechanical supervisor, electrician, crane operator, ballast control operator or equivalent supervisory position on MODUs; or

(ii) A degree from a program in engineering or engineering technology which is accredited by the Accreditation Board for Engineering and Technology (ABET). Commanding Officer, National Maritime Center will give consideration to accepting education

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credentials from programs having other than ABET accreditation. An applicant qualifying through a degree program must also have at least 168 days of service as driller, assistant driller, toolpusher, assistant toolpusher, barge supervisor, mechanical supervisor, electrician, crane operator, ballast control operator or equivalent supervisory position on MODUs; and

(2) Present evidence of training course completion as follows:

(i) A certificate from a Coast Guard approved survival suit and survival craft training course;

(ii) A certificate from a U.S. Minerals Management Service approved blowout prevention and well control training program for the driller, toolpusher, or operator representative position; and

(iii) A certificate from a firefighting training course as required by §10.205(g) of this part.

(i) An applicant for an endorsement as OIM Bottom Bearing Units on Location who holds an unlimited license as master or chief mate must satisfy paragraph (h)(2) of this section and have at least 28 days of service on bottom bearing units.

(j) To qualify for a license or endorsement as OIM Bottom Bearing Units Underway, an applicant must:

(1) Provide the following:

(i) Evidence of the experience described in paragraph (h)(1) of this section with a recommendation signed by a senior company official which:

(A) Provides a description of the applicant's experience and qualifications;

(B) Certifies that the individual has successfully directed, while under the supervision of an experienced rig mover, three rig moves of bottom bearing units; and

(C) Certifies that one of the rig moves required under paragraph (j)(1)(i)(B) of this section was completed within one year preceding date of application; or

(ii) A recommendation signed by a senior company official which:

(A) Provides a description of the applicant's experience and company qualifications program completed;

(B) Certifies that the applicant has witnessed ten rig moves either as an

observer in training or as a rig mover under supervision;

(C) Certifies that the individual has successfully directed, while under the supervision of an experienced rig mover, five rig moves of bottom bearing units; and

(D) Certifies that one of the rig moves required under paragraph (j)(1)(ii)(C) of this section was completed within one year preceding date of application; and

(2) Present evidence of training course completion as follows:

(i) A certificate from a Coast Guard approved stability course approved for OIM Bottom Bearing Units license or endorsement;

(ii) A certificate from a Coast Guard approved survival suit and survival craft training course; and

(iii) A certificate from a firefighting training course as required by §10.205(g) of this part;

(k) An applicant for endorsement as OIM Bottom Bearing Units Underway who holds an unlimited license as master or chief mate must satisfy the requirements in paragraph (j)(2) of this section and provide a company recommendation signed by a senior company official which:

(1) Provides a description of the applicant's experience and qualifications;

(2) Certifies that the individual has successfully directed, while under the supervision of an experienced rig mover, three rig moves of bottom bearing units; and

(3) Certifies that one of the rig moves required under paragraph (k)(2) of this section was completed within one year preceding date of application.

[CGD 81-059a, 55 FR 14799, Apr. 18, 1990, as amended by CGD 95-072, 60 FR 50460, Sept. 29, 1995; CGD 95-028, 62 FR 51195, Sept. 30, 1997; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998]

§ 10.472 License for barge supervisor.

(a) To qualify for a license or endorsement as barge supervisor (BS), an applicant must:

(1) Present evidence of the following experience:

(i) Three years of employment assigned to MODUs including at least 168 days of service as driller, assistant

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driller, toolpusher, assistant tool pusher, mechanic, electrician, crane operator, subsea specialist, ballast control operator or equivalent supervisory position on MODUs. At least 84 days of that service shall have been as a ballast control operator or barge supervisor trainee; or

(ii) A degree from a program in engineering or engineering technology which is accredited by the Accreditation Board for Engineering and Technology (ABET). Commanding Officer, National Maritime Center will give consideration to accepting education credentials from programs having other than ABET accreditation. An applicant qualifying through a degree program must also have at least 168 days of service as driller, assistant driller, toolpusher, assistant toolpusher, mechanic, electrician, crane operator, subsea specialist, ballast control operator or equivalent supervisory position on MODUs. At least 84 days of that service shall have been as a ballast control operator or barge supervisor trainee; and

(2) Present evidence of training course completion as follows:

(i) A certificate from a Coast Guard approved stability course approved for a barge supervisor license or endorsement;

(ii) A certificate from a Coast Guard approved survival suit and survival craft training course; and

(iii) A certificate from a firefighting training course as required by § 10.205(g) of this part.

(b) An applicant for an endorsement as BS who holds an unlimited license as master or mate must satisfy the requirements in paragraph (a)(2) of this section and have at least 84 days of service as ballast control operator or barge supervisor trainee.

[CGD 81-059a, 55 FR 14801, Apr. 18, 1990, as amended by CGD 95-072, 60 FR 50460, Sept. 29, 1995; CGD 95-028, 62 FR 51195, Sept. 30, 1997; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998]

§ 10.474 License for ballast control operator.

(a) To qualify for a license or endorsement as ballast control operator (BCO), an applicant must:

(1) Present evidence of the following experience:

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(i) One year of employment assigned to MODUs including at least 28 days of service as a trainee under the supervision of a licensed ballast control operator; or

(ii) A degree from a program in engineering or engineering technology which is accredited by the Accreditation Board for Engineering and Technology (ABET). Commanding Officer, National Maritime Center will give consideration to accepting education credentials from programs having other than ABET accreditation. An applicant qualifying through a degree program must also have at least 28 days of service as a trainee under the supervision of a licensed ballast control operator; and

(2) Present evidence of training course completion as follows:

(i) A certificate from a Coast Guard approved stability course approved for a barge supervisor or ballast control operator license or endorsement;

(ii) A certificate from a Coast Guard approved survival suit and survival craft training course; and

(iii) A certificate from a firefighting training course as required by § 10.205(g) of this part.

(b) An applicant for an endorsement as BCO who holds an unlimited license as master, mate, chief engineer, or assistant engineer must satisfy the requirements in paragraph (a)(2) of this section and have at least 28 days of service as a trainee under the supervision of a licensed ballast control operator.

[CGD 81-059a, 55 FR 14801, Apr. 18, 1990, as amended by CGD 95-072, 60 FR 50460, Sept. 29, 1995; CGD 95-028, 62 FR 51196, Sept. 30, 1997; USDA-1998-4442, 63 FR 52189, Sept. 30, 1998]

§ 10.476 Acknowledgments of service and temporary licenses for mobile offshore drilling units.

(a) Prior to January 1, 1991, unlicensed individuals who served in positions on MODUs equivalent to OIM, BS, or BCO may make application for a Coast Guard acknowledgment of service or a temporary license, both of which authorize a continuation of service in that position. To be eligible, these individuals must have served in that position between July 1, 1987 and

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June 30, 1990, and meet the following requirements:

(1) Coast Guard acknowledgment of service.

(i) To obtain a Coast Guard acknowledgment of service, the applicant must provide a letter from a senior company official of the company worked for. This letter must provide:

(A) Name of vessel(s) served on;
(B) MODU license which the individual's position is equivalent to; and
(C) Period of service.

(ii) The Coast Guard acknowledgment of service is valid for one year and is not renewable.

(2) Temporary license.

(i) To obtain a temporary license, the applicant must:

(A) Provide a letter from a senior company official of the company worked for. This letter must provide:

(1) Name of vessel(s) served on;
(2) MODU license which the individual's position is equivalent to; and
(3) Period of service; and

(B) Provide evidence of 120 days of service in a position equivalent to the license endorsement sought.

(ii) a temporary license is valid for five years and is not renewable.

(b) Acknowledgments or temporary licenses obtained using the provisions of this section will restrict service authority to vessels operated by the company which has certified service.

[CGD 81-059a, 55 FR 14802, Apr. 18, 1990]

§ 10.480 Radar observer.

(a) This section contains the requirements that an applicant must meet to qualify as a radar observer. (Part 15 of this chapter specifies who must qualify as a radar observer.)

(b) If an applicant meets the requirements of this section, one of the following Radar-Observer endorsements will be added to his or her deck officer's license:

(1) Radar Observer (Unlimited).

(2) Radar Observer (Inland Waters and GIWW).

(3) Radar Observer (Rivers).

(c) Endorsement as Radar Observer (Unlimited) is valid on all waters. Endorsement as Radar Observer (Inland Waters and GIWW) is valid only for those waters other than the Great Lakes covered by the Inland Naviga-

tional Rules. Endorsement as Radar Observer (Rivers) is valid only on any river, canal, or similar body of water designated by the OCMI, but not beyond the boundary line.

(d) Except as provided by paragraphs (e) and (f) of this section, each applicant for a Radar-Observer endorsement or for renewal of an endorsement must complete the appropriate course approved by the Coast Guard, receive the appropriate certificate of training, and present the certificate to the OCMI.

(e) An applicant who possesses a Radar-Observer endorsement, resides in a remote geographic area, and can substantiate to the satisfaction of the OCMI that the applicant's absence will disrupt normal movement of commerce, or that the applicant cannot attend an approved Radar-Observer renewal course, may have his or her endorsement renewed upon successful completion of an examination administered by the Coast Guard, or by a third party acceptable to the Coast Guard.

(f) Except as provided by paragraph (k) of this section, a Radar-Observer endorsement issued under this section is valid for 5 years after the month of issuance of the certificate of training from a course approved by the Coast Guard. It is not terminated by the issuance of a new license during these 5 years.

(g) The month and year of the expiration of the Radar-Observer endorsement are printed on the license.

(h) A Radar-Observer endorsement may be renewed at any time.

(i) An applicant for renewal of a license that does not need a Radar-Observer endorsement may renew the license without meeting the requirements for the endorsement.

(j) An applicant seeking to raise the grade of a license or increase its scope, where the increased grade or scope requires a Radar-Observer certificate, may use an expired certificate to fulfill that requirement.

(k) The renewal date of a Radar-Observer endorsement may be extended beyond the normal 5-year duration to coincide with the renewal date of the license to which it pertains. This extension may not exceed 2 years and

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will be necessary only once, to synchronize the two renewal dates.

[CGD 94-041, 62 FR 11305, Mar. 11, 1997]

EFFECTIVE DATE NOTE: By USCG-2006-26202, 73 FR 52795, Sept. 11, 2008, §10.480 was amended in paragraph (f), by removing “Except as provided by paragraph (k) of this section.”; and by removing paragraphs (g) and (k), and redesignating paragraphs (h), (i), and (j) as (g), (h), and (i), respectively, effective Oct. 14, 2008.

§ 10.482 Assistance towing.

(a) This section contains the requirements to qualify for an endorsement authorizing an applicant to engage in assistance towing. The endorsement applies to all licenses except those for master and mate (pilot) of towing vessels and those for master or mate authorizing service on inspected vessels over 200 gross tons. Holders of any of these licenses may engage in assistance towing within the scope of the licenses and without the endorsement.

(b) An applicant for an assistance towing endorsement shall pass a written examination demonstrating his or her knowledge of assistance towing safety, equipment, and procedures.

(c) An assistance towing endorsement on a license as master, mate, or operator authorizes the holder to engage in assistance towing on any vessel within the scope of the license.

(d) The period of validity of the endorsement is the same as the license on which it is endorsed, and it may be renewed with the license.

[CGD 87-017, 53 FR 18562, May 24, 1988, as amended by USCG-1999-6224, 64 FR 63235, Nov. 19, 1999]

§ 10.491 Licenses for service on offshore supply vessels.

Each license for service on offshore supply vessels (OSVs) authorizes service on OSVs as defined in 46 U.S.C. 2101(19) and as interpreted under 46 U.S.C. 14104(b), subject to any restrictions placed on the license.

[CGD 95-062, 62 FR 34532, June 26, 1997]

§ 10.493 Master (OSV).

(a) Except as provided by paragraph (b) of this section, to qualify for a license as Master (OSV), an applicant shall present evidence that he or she

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meets the appropriate requirements of STCW Regulation II/2.

(b) The OCMI may exempt an applicant from meeting any requirement under STCW Regulation II/2 that the OCMI determines to be inappropriate or unnecessary for service on an OSV, or that the applicant meets under the equivalency provisions of Article IX of STCW.

[CGD 95-062, 62 FR 34532, June 26, 1997]

§ 10.495 Chief Mate (OSV).

(a) Except as provided by paragraph (b) of this section, to qualify for a license as Chief Mate (OSV), an applicant shall present evidence that he or she meets the appropriate requirements of STCW Regulation II/2.

(b) The OCMI may exempt an applicant from meeting any requirement under STCW Regulation II/2 that the OCMI determines to be inappropriate or unnecessary for service on an OSV, or that the applicant meets under the equivalency provisions of Article IX of STCW.

[CGD 95-062, 62 FR 34532, June 26, 1997]

§ 10.497 Mate (OSV).

(a) Except as provided by paragraph (b) of this section, to qualify for a license as Mate (OSV), an applicant shall present evidence that he or she meets the appropriate requirements of STCW Regulation II/1.

(b) The OCMI may exempt an applicant from meeting any requirement under STCW Regulation II/1 that the OCMI determines to be inappropriate or unnecessary for service on an OSV, or that the applicant meets under the equivalency provisions of Article IX of STCW.

[CGD 95-062, 62 FR 34532, June 26, 1997]

Subpart E—Professional Requirements for Engineer Officers' Licenses

§ 10.501 Grade and type of engineer licenses issued.

(a) Licenses are issued in the grades of:

- (1) Chief engineer;
- (2) First assistant engineer;
- (3) Second assistant engineer;

(4) Third assistant engineer;
 (5) Chief engineer (limited);
 (6) Assistant engineer (limited);
 (7) Designated duty engineer;
 (8) Chief engineer uninspected fishing industry vessels; and,
 (9) Assistant engineer uninspected fishing industry vessels.

(b) Engineer licenses issued in the grades of chief engineer (limited) and assistant engineer (limited) of steam and/or motor vessels allow the holder to serve within any horsepower limitations on vessels of any gross tons on inland waters and of not more than 1600 gross tons in ocean, near coastal or Great Lakes service in the following manner:

(1) Assistant engineer (limited—oceans) may serve on ocean waters;

(2) Chief engineer (limited—near coastal) may serve on near coastal waters; and,

(3) Chief engineer (limited-oceans) may serve on ocean waters.

(c) Engineer licenses issued in the grades of designated duty engineer of steam and/or motor vessels allow the holder to serve within stated horsepower limitations on vessels of not more than 500 gross tons in the following manner:

(1) Designated duty engineers limited to vessels of not more than 1000 horsepower or 4000 horsepower may serve only on near coastal or inland waters;

(2) Designated duty engineers with no horsepower limitations may serve on any waters.

(d) Engineer licenses are endorsed to authorize service on either steam or motor vessels or may be endorsed for both modes of propulsion.

(e) A person holding an engineer license which is restricted to near coastal waters may serve within the limitations of the license upon near coastal, Great Lakes, and inland waters.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 142, Jan. 4, 1989]

§ 10.502 Additional requirements for engineer licenses.

(a) For all original and raise of grade of engineer licenses, at least one-third of the minimum service requirements must have been obtained on the particular mode of propulsion for which applied.

(b) If a licensed applicant desires to obtain an endorsement on an engineer license in the other propulsion mode (steam or motor), the following alternative methods, while holding a license in that grade, are acceptable:

(1) Four months of service as an observer in the same licensed capacity on vessels of the other propulsion mode;

(2) Four months of service as a licensed officer at a lower license level on vessels of the other propulsion mode;

(3) Six months of service as oiler, watertender, or junior engineer on vessels of the other propulsion mode; or,

(4) Completion of a Coast Guard approved training course for this endorsement.

(c) Applicants for an original, raise in grade, or increase in the scope, of an engineer license, other than an increase in horsepower limitation, who have not previously done so must meet the requirements of § 10.205(g) of this part.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 142, Jan. 4, 1989]

§ 10.503 Horsepower limitations.

(a) Engineer licenses of all grades and types may be subject to horsepower limitations. Other than as provided in § 10.524 for the designated duty engineer license, the horsepower limitation placed on a license is based on the applicant's qualifying experience considering the total shaft horsepower of each vessel on which the applicant has served.

(b) When an applicant for an original or raise of grade of an engineer license, other than a designated duty engineer license, has not obtained at least 50 percent of the required qualifying experience on vessels of 4,000 or more horsepower, a horsepower limitation is placed on the license based on the applicant's qualifying experience. The license is limited to the maximum horsepower on which at least 25 percent of the required experience was obtained, or 150 percent of the maximum horsepower on which at least 50 percent of the service was obtained, whichever is higher. Limitations are in multiples of 1000 horsepower, using the next higher figure when an intermediate horsepower is calculated.

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When the limitation as calculated equals or exceeds 10,000 horsepower, an unlimited horsepower license is issued.

(c) The following service on vessels of 4,000 horsepower or over will be considered qualifying for the raising or removing of horsepower limitations placed on engineer licenses:

(1) Six months of service in the highest grade licensed: removal of all horsepower limitations.

(2) Six months of service in any licensed capacity other than the highest grade for which licensed: Removal of all horsepower limitations for the grade in which service is performed and raise the next higher grade license to the horsepower of the vessel on which service was performed. The total cumulative service before and after issuance of the limited license may be considered in removing all horsepower limitations.

(3) Twelve months of service as oiler or junior engineer while holding a license as third assistant engineer or assistant engineer (limited-oceans): removal of all horsepower limitations on third assistant engineer or assistant engineer's (limited-oceans) license.

(4) Six months of service as oiler or junior engineer while holding a license

as second assistant engineer: removal of all horsepower limitations on third assistant engineer's license.

(d) Raising or removing horsepower limitations based on service required by paragraph (c) of this section may be granted without further written examination providing the Officer in Charge, Marine Inspection who issued the applicant's license, considers further examination unnecessary.

§ 10.504 Application of deck service for limited engineer licenses.

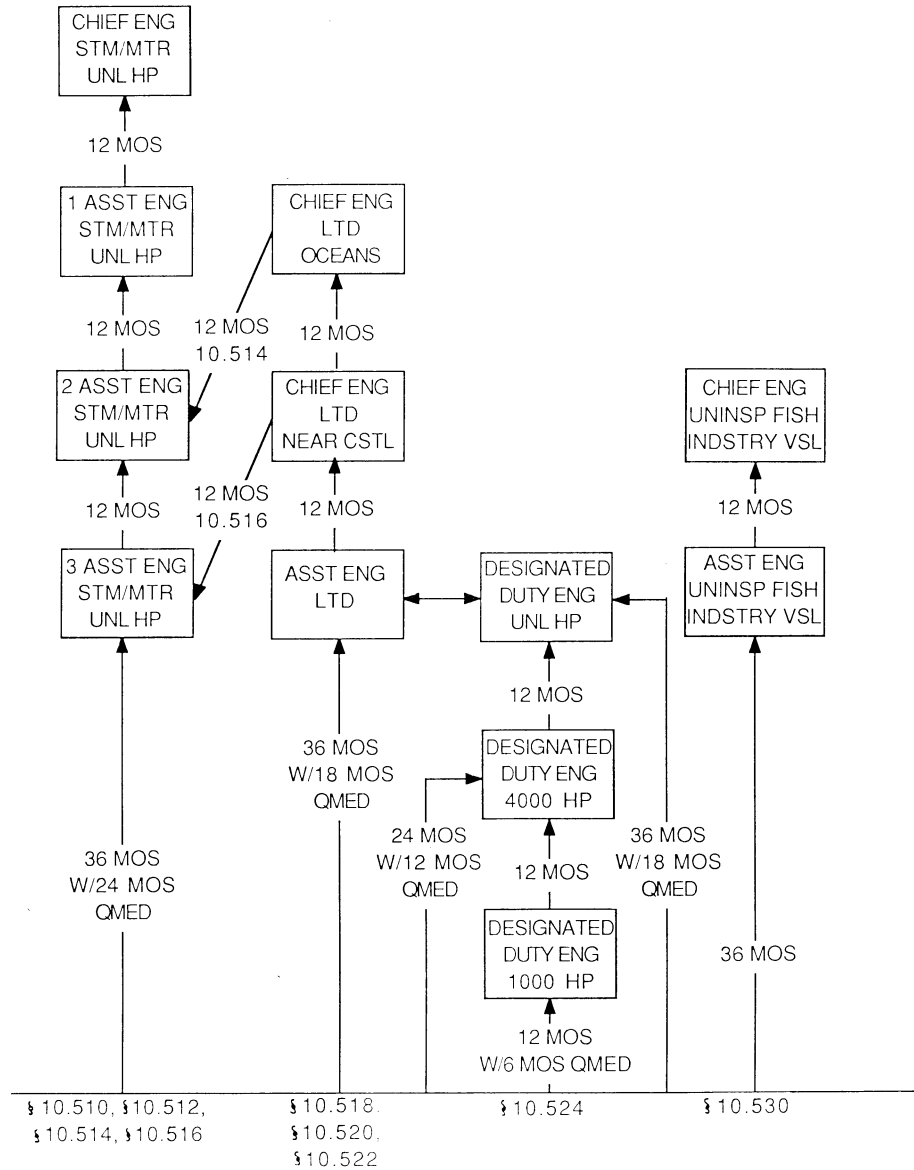
Service gained in the deck department on vessels of appropriate tonnage may substitute for up to 25 percent or 6 months, whichever is less, of the service requirement for a license as chief engineer (limited), assistant engineer (limited), or designated duty engineer.

[CGD 81-059, 54 FR 142, Jan. 4, 1989]

§ 10.505 Engineer license structure.

The following diagram illustrates the engineering license structure including cross over points. The section numbers on the diagram refer to the specific requirements applicable.

FIGURE 10.505 ENGINEER LICENSE STRUCTURE



[CGD 81-059, 52 FR 38623, Oct. 16, 1987. Redesignated and amended by CGD 81-059, 54 FR 142, Jan. 4, 1989]

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§ 10.510 Service requirements for chief engineer of steam and/or motor vessels.

The minimum service required to qualify an applicant for license as chief engineer of steam and/or motor vessels is:

- (a) One year of service as first assistant engineer; or,
- (b) One year of service while holding a license as first assistant engineer. A minimum of six months of this service must have been as first assistant engineer. Service as an assistant engineer is accepted on a two-for-one basis to a maximum of six months (12 months of service as a second or third assistant engineer equals six months of creditable service).

§ 10.512 Service requirements for first assistant engineer of steam and/or motor vessels.

The minimum service required to qualify an applicant for license as first assistant engineer of steam and/or motor vessels is one year of service as an assistant engineer, while holding a license as second assistant engineer.

§ 10.514 Service requirements for second assistant engineer of steam and/or motor vessels.

The minimum service required to qualify an applicant for license as second assistant engineer of steam and/or motor vessels is:

- (a) One year of service as an assistant engineer, while holding a license as third assistant engineer; or,
- (b) One year of service while holding a license as third assistant engineer which includes:
 - (1) A minimum of six months of service as third assistant engineer; and,
 - (2) Additional service as a qualified member of the engine department, calculated on a two-for-one basis; or,
- (c) One year of service as chief engineer (limited-oceans) of steam or motor vessels, and completing the appropriate examination described in subpart I of this part.

§ 10.516 Service requirements for third assistant engineer of steam and/or motor vessels.

- (a) The minimum service required to qualify an applicant for license as third

assistant engineer of steam and/or motor vessels is:

- (1) Three years of service in the engineroom of vessels, two years of which must have been as a qualified member of the engine department;
- (2) Three years of service as an apprentice to the machinist trade engaged in the construction or repair of marine, locomotive, or stationary engines, together with one year service in the engineroom as oiler, watertender, or junior engineer;
- (3) Graduation from:
 - (i) The U.S. Merchant Marine Academy (engineering curriculum);
 - (ii) The U.S. Coast Guard Academy and completion of an on-board engineer officer qualification program required by the service;
 - (iii) The U.S. Naval Academy and completion of an on-board engineer officer qualification program required by the service;
 - (iv) The engineering class of a Maritime Academy approved by and conducted under the rules prescribed by the Maritime Administrator and listed in part 310 of this title;
- (4) Graduation from the marine engineering course of a school of technology accredited by the Accreditation Board for Engineering and Technology, together with three months of service in the engine department of steam or motor vessels;
- (5) Graduation from the mechanical or electrical engineering course of a school of technology accredited by the Accreditation Board for Engineering and Technology, together with six months of service in the engine department of steam or motor vessels;
- (6) Satisfactory completion of a three-year apprentice engineers training program approved by the Commanding Officer, National Maritime Center; or,
- (7) One year of service as chief engineer (limited-near coastal) of steam or motor vessels and completing the appropriate examination described in subpart I of this part.
 - (b) Experience gained in the deck department on vessels of 100 gross tons or over can be credited for up to three

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months of the service requirements under paragraph (a)(1) of this section.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987 and CGD 81-059, 54 FR 132, Jan. 4, 1989, as amended by CGD 95-072, 60 FR 50460, Sept. 29, 1995; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998]

§ 10.518 Service requirements for chief engineer (limited-oceans) of steam and/or motor vessels.

The minimum service required to qualify an applicant for license as chief engineer (limited-oceans) of steam and/or motor vessels is five years total service in the engine room of vessels. Two years of this service must have been as a licensed engineer. Thirty months of the service must have been as a qualified member of the engine department or equivalent supervisory position.

§ 10.520 Service requirements for chief engineer (limited-near coastal) of steam and/or motor vessels.

The minimum service required to qualify an applicant for license as chief engineer (limited-near coastal) of steam and/or motor vessels is four years total service in the engine room of vessels. One year of this service must have been as a licensed engineer. Two years of the service must have been as a qualified member of the engine department or equivalent supervisory position.

§ 10.522 Service requirements for assistant engineer (limited-oceans) of steam and/or motor vessels.

The minimum service required to qualify an applicant for license as assistant engineer (limited-oceans) of steam and/or motor vessels is three years of service in the engine room of vessels. Eighteen months of this service must have been as a qualified member of the engine department or equivalent supervisory position.

§ 10.524 Service requirements for designated duty engineer of steam and/or motor vessels.

(a) Designated duty engineer licenses are issued in three levels of horsepower limitations dependent upon the total service of the applicant and completion of appropriate examination. These licenses are limited to vessels of not

more than 500 gross tons on certain waters as specified in § 10.501.

(b) The service requirements for licenses as designated duty engineer are:

(1) For designated duty engineer of steam and/or motor vessels of any horsepower, the applicant must have three years of service in the engine room. Eighteen months of this service must have been as a qualified member of the engine department or equivalent supervisory position.

(2) For designated duty engineer of steam and/or motor vessels of not more than 4,000 horsepower, the applicant must have two years of service in the engine room. One year of this service must have been as a qualified member of the engine department or equivalent supervisory position.

(3) For designated duty engineer of steam and/or motor vessels of not more than 1,000 horsepower, the applicant must have one year of service in the engine room. Six months of this service must have been as a qualified member of the engine department or equivalent supervisory position.

§ 10.530 Licenses for engineers of uninspected fishing industry vessels.

(a) This section applies to licenses for chief and assistant engineers of all vessels, however propelled, navigating the high seas, which are documented to engage in the fishing industry, with the exception of:

- (1) Wooden ships of primitive build;
- (2) Unrigged vessels; and,
- (3) Vessels of less than 200 gross tons.

(b) Licenses as chief engineer and assistant engineer of uninspected fishing industry vessels are issued for ocean waters and with horsepower limitations in accordance with the provisions of § 10.503.

(c) For a license as chief engineer, the applicant must have served four years in the engine room of vessels. One year of this service must have been as a licensed assistant engineer or equivalent supervisory position.

(d) For a license as assistant engineer, an applicant must have served three years in the engine room of vessels.

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(e) Two-thirds of the service required under this section must have been on motor vessels.

(f) Applicants may request an orally assisted examination on the subjects listed in subpart I of this part.

§ 10.540 Licenses for engineers of mobile offshore drilling units.

Licenses as chief engineer (MODU) or assistant engineer (MODU) authorize service on certain self-propelled or non-self-propelled units of any horsepower where authorized by the vessel's certificate of inspection.

[CGD 81-059a, 55 FR 14802, Apr. 18, 1990]

§ 10.542 License for chief engineer (MODU).

To qualify for a license as chief engineer (MODU) an applicant must:

(a) Present evidence of the following experience:

(1) Six years of employment assigned to MODUs including three years of employment as mechanic, motorman, subsea engineer, electrician, barge engineer, toolpusher, unit superintendent, crane operator or equivalent. Eighteen months of that employment must have been assigned to self-propelled or propulsion assisted units; or

(2) Two years of employment assigned to MODUs as an assistant engineer (MODU). Twelve months of that employment must have been assigned to self-propelled or propulsion assisted units; and

(b) Present evidence of completion of a firefighting training course as required by § 10.205(g) of this part.

(c) If an applicant successfully completes a modified examination and possesses the total required sea service for a license as chief engineer (MODU), but does not possess the required sea service on board self-propelled or propulsion assisted units, the OCMI may issue the applicant a license limited to non-self-propelled units. The OCMI may remove the limitation upon presentation of satisfactory evidence of the required self-propelled sea service and completion of any additional required examination.

[CGD 81-059a, 55 FR 14802, Apr. 18, 1990, as amended by CGD 81-059a, 59 FR 10756, Mar. 8, 1994]

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§ 10.544 License for assistant engineer (MODU).

To qualify for a license as assistant engineer (MODU) an applicant must:

(a) Present evidence of the following experience:

(1) Three years of employment assigned to MODUs including 18 months of employment as mechanic, motorman, subsea engineer, electrician, barge engineer, toolpusher, unit superintendent, crane operator or equivalent. Nine months of that employment must have been assigned to self-propelled or propulsion assisted units;

(2) Three years of employment in the machinist trade engaged in the construction or repair of diesel engines and one year of employment assigned to MODUs in the capacity of mechanic, motorman, oiler, or equivalent. Nine months of that employment must have been assigned to self-propelled or propulsion assisted units; or

(3) A degree from a program in marine, mechanical, or electrical engineering technology which is accredited by the Accreditation Board for Engineering and Technology (ABET). Commanding Officer, National Maritime Center will give consideration to accepting education credentials from programs having other than ABET accreditation. An applicant qualifying through a degree program must also have at least six months of employment in any of the capacities listed in paragraph (a)(1) of this section aboard self-propelled or propulsion assisted units; and

(b) Present evidence of completion of a firefighting training course as required by § 10.205(g) of this part.

(c) If an applicant successfully completes a modified examination and possesses the total required sea service for a license as an assistant engineer (MODU), but does not possess the required sea service on board self-propelled or propulsion assisted units, the OCMI may issue the applicant a license limited to non-self-propelled units. The OCMI may remove the limitation upon presentation of the satisfactory evidence of the required self-propelled sea

service and completion of any additional required examination.

[CGD 81-059a, 55 FR 14802, Apr. 18, 1990, as amended by CGD 81-059a, 59 FR 10756, Mar. 8, 1994; CGD 95-072, 60 FR 50460, Sept. 29, 1995; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998]

§ 10.551 Licenses for service on offshore supply vessels.

Each license for service on OSVs as Chief Engineer (OSV) or Engineer (OSV) authorizes service on OSVs as defined in 46 U.S.C. 2101(19) and as interpreted under 46 U.S.C. 14104(b), subject to any restrictions placed on the license.

[CGD 95-062, 62 FR 34532, June 26, 1997; CGD 95-062, 62 FR 40140, July 25, 1997]

§ 10.553 Chief Engineer (OSV).

(a) Except as provided by paragraph (b) of this section, to qualify for a license as Chief engineer (OSV), an applicant shall present evidence that he or she meets the appropriate requirements of STCW Regulation III/2.

(b) The OCMI may exempt an applicant from meeting any requirement under STCW Regulation III/2 that the OCMI determines to be inappropriate or unnecessary for service on an OSV, or that the applicant meets under the equivalency provisions of Article IX of STCW.

[CGD 95-062, 62 FR 34532, June 26, 1997]

§ 10.555 Engineer (OSV).

(a) Except as provided by paragraph (b) of this section, to qualify for a license as Engineer (OSV), an applicant shall present evidence that he or she meets the appropriate requirements of STCW Regulation III/1.

(b) The OCMI may exempt an applicant from meeting any requirement under STCW Regulation III/1 that the OCMI determines to be inappropriate or unnecessary for service on an OSV, or that the applicant meets under the equivalency provisions of Article IX of STCW.

[CGD 95-062, 62 FR 34533, June 26, 1997]

Subpart F—Licensing of Radio Officers

§ 10.601 Applicability.

This subpart provides for the licensing of radio officers for employment on vessels, and for the issue of STCW certificates or endorsements for those qualified to serve as radio operators on vessels subject to the provisions on the Global Maritime Distress and Safety System (GMDSS) of Chapter IV of SOLAS.

[CGD 95-062, 62 FR 34533, June 26, 1997]

§ 10.603 Requirements for radio officers' licenses, and STCW certificates or endorsements for GMDSS radio operators.

(a) Each applicant for an original license or renewal of license shall present a current first or second class radiotelegraph operator license issued by the Federal Communications Commission. The applicant shall enter on the license application form the number, class, and date of issuance of his or her Federal Communications Commission license.

(b) An applicant for license as radio officer shall apply for a merchant mariner's document under part 12. This document will be endorsed *See License as Radio Officer*.

(c) Each applicant who furnishes evidence that he or she meets the standard of competence set out in STCW Regulation IV/2 (incorporated by reference in § 10.102), including the competence to transmit and receive information using subsystems of GMDSS, to fulfill the functional requirements of GMDSS, and to provide radio services in emergencies is entitled to hold an STCW certificate suitably endorsed for performing duties associated with GMDSS.

(d) Evidence required by paragraph (c) of this section must include a certificate—

(1) For operator of radio in the GMDSS issued by the Federal Communications Commission (FCC); and

(2) Of completion from a Coast Guard-approved course for operator of radio in the GMDSS, or other approved

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programs of training and assessment covering the same areas of competence.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended by CGD 95-062, 62 FR 34533, June 26, 1997; USCG-1999-6216, 64 FR 53223, Oct. 1, 1999; USCG-1999-5610, 67 FR 66068, Oct. 30, 2002]

Subpart G—Professional Requirements for Pilot Licenses

SOURCE: CGD 81-059b, 52 FR 38659, Oct. 16, 1987 unless otherwise noted.

§ 10.701 Scope of pilot licenses and endorsements.

(a) An applicant for a license as first class pilot need not hold any other license issued under this part. An individual holding a license as master, mate, or master or mate (pilot) of towing vessels may apply for an endorsement as first class pilot for a specific route or routes in lieu of applying for a first class pilot's license.

(b) The issuance of a license or endorsement as first class pilot to an individual qualifies that individual to serve as pilot over the route(s) specified on the license, subject to any limitations imposed under paragraph (c) of this section.

(c) The Officer in Charge, Marine Inspection, issuing a license or endorsement as first class pilot, imposes appropriate limitations commensurate with the experience of the applicant, with respect to class or type of vessel, tonnage, route, and waters.

(d) A license issued for service as a master, mate, or operator of uninspected towing vessels authorizes service as a pilot under the provisions of § 15.812 of this subchapter. Therefore, first class pilot endorsements will not be issued with tonnage limitations of 1600 gross tons or less.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 144, Jan. 4, 1989; USCG-1999-6224, 64 FR 63235, Nov. 19, 1999]

§ 10.703 Service requirements.

(a) The minimum service required to qualify an applicant for a license as first class pilot, or for an endorsement as first class pilot on a license as master, mate, or master or mate (pilot) of towing vessels, is predicated upon the

nature of the waters for which pilotage is desired.

(1) *General routes (routes not restricted to rivers, canals and small lakes)*. The applicant must have at least 36 months service in the deck department of steam or motor vessels navigating on oceans, coastwise, Great Lakes, or bays, sounds, and lakes other than the Great Lakes, as follows:

(i) 18 months of the 36 months service must be as quartermaster, wheelsman, able seaman, apprentice pilot, or in an equivalent capacity, standing regular watches at the wheel or in the pilot-house as part of routine duties.

(ii) At least 12 months of the 18 months service required in paragraph (a)(1)(i) of this section must be on vessels operating on the class of waters for which pilotage is desired.

(2) *River routes*. The applicant must have at least 36 months service in the deck department of any vessel including at least 12 months service on vessels operating on the waters of rivers while the applicant is serving in the capacity of quartermaster, wheelsman, apprentice pilot, or deckhand who stands watches at the wheel as part of routine duties.

(3) *Canal and small lakes routes*. The applicant must have at least 24 months service in the deck department of any vessel including at least 8 months service on vessels operating on canals or small lakes.

(b) A graduate of the Great Lakes Maritime Academy in the deck class meets the service requirements of this section for a license as first class pilot on the Great Lakes.

(c) Completion of a course of pilot training approved by the Commanding Officer, National Maritime Center, under subpart C of this part may be substituted for a portion of the service requirements of this section in accordance with § 10.304. Additionally, round trips made during this training may apply toward the route familiarization requirements of § 10.705. An individual using substituted service must have at least nine months of shipboard service.

(d) An individual holding a license as master or mate of inspected steam or motor vessels of over 1,600 gross tons meets the service requirements of this

section for an endorsement as first class pilot.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 144, Jan. 4, 1989; CGD 95-072, 60 FR 50460, Sept. 29, 1995; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998; USCG-1999-6224, 64 FR 63235, Nov. 19, 1999]

§ 10.705 Route familiarization requirements.

(a) The Officer in Charge, Marine Inspection having jurisdiction determines, within the range limitations specified in this section, the number of round trips required to qualify an applicant for a particular route, considering the following:

- (1) The geographic configuration of the waterway;
- (2) The type and size of vessels using the waterway;
- (3) The abundance or absence of aids to navigation;
- (4) The background lighting effects;
- (5) The known hazards involved, including waterway obstructions or constrictions such as bridges, narrow channels, or sharp turns; and,
- (6) Any other factors unique to the route that the OCMI deems appropriate.

(b) An applicant for an original license as first class pilot shall furnish evidence of having completed a minimum number of round trips, while serving as quartermaster, wheelsman, able seaman, apprentice pilot, or in an equivalent capacity, standing regular watches at the wheel or in the pilot house as part of routine duties, over the route sought. Evidence of having completed a minimum number of round trips while serving as an observer, properly certified by the master and/or pilot of the vessel, is also acceptable. The range of round trips for an initial license is a minimum of 12 round trips and a maximum of 20 round trips. An applicant may have additional routes added to the first class pilot license by meeting the requirements for obtaining an endorsement.

(c) An applicant for an endorsement as first class pilot for a particular route shall furnish evidence of having completed the number of round trips over the route, specified by the Officer In Charge, Marine Inspection, within the range limitations of this para-

graph, for the particular grade of existing license held. The range of round trips for an endorsement is a minimum of 8 round trips and a maximum of 15 round trips.

(d) Unless determined impracticable by the OCMI, 25% of the round trips required by the OCMI under this section must be made during the hours of darkness.

(e) One of the round trips required by the OCMI under this section must be made over the route within the six months immediately preceding the date of application.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 144, Jan. 4, 1989]

§ 10.707 Examination requirements.

(a) An applicant for a license as first class pilot is required to pass the examination described in subpart I of this part.

(b) An applicant for an extension of route, or a licensed master or mate authorized to serve on vessels of over 1,600 gross tons seeking an endorsement as first class pilot, is required to pass those portions of the examination described in subpart I of this part that concern the specific route for which endorsement is sought.

§ 10.709 Annual physical examination requirements.

(a) This section applies only to an individual who pilots a vessel of 1,600 gross tons and over.

(b) Every person holding a license or endorsement as first class pilot shall have a thorough physical examination each year while holding the license or endorsement.

(c) Each annual physical examination must meet the requirements specified in §10.205(d) except that the record of examination need not be submitted to the Coast Guard except as provided for in paragraph (e) of this section.

(d) An individual's first class pilot license or endorsement becomes invalid on the first day of the month following the first anniversary of the individual's most recent physical examination satisfactorily completed; the individual may not operate under the authority of that license or endorsement until a physical examination has been satisfactorily completed.

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(e) Upon request, a first class pilot shall provide the Coast Guard with a copy of his or her most recent physical examination.

§ 10.711 Tonnage requirements.

(a) In order to obtain a first class pilot license or endorsement authorizing service on vessels of *any gross tons* over a particular route, the applicant must have sufficient experience on vessels of over 1,600 gross tons.

(b) If an applicant does not have sufficient experience on vessels of over 1,600 gross tons, the license or endorsement will be for a limited tonnage until the applicant completes a number of additional round trips, as determined by the OCMI, within the range contained in §10.705 (b) or (c), as appropriate, on vessels of over 1,600 gross tons.

(c) For purposes of this section, an applicant is considered to have sufficient experience if the applicant has 18 months experience as master, mate, quartermaster, wheelsman, able seaman, apprentice pilot, or in an equivalent capacity, standing regular watches at the wheel or in the pilothouse as part of routine duties, on vessels of 1,600 gross tons or over, and two-thirds of the minimum number of round trips required for the route have been on vessels of 1,600 gross tons or over.

(d) For purposes of this section, for experience with respect to tonnage on towing vessels, the combined gross tonnage of the towing vessel and the vessel(s) towed will be considered. However, the OCMI may require that all or a portion of the required number of round trips be obtained on self-propelled vessels of 1,600 gross tons or over, when the OCMI determines that due to the nature of the waters and the overall experience of the applicant, self-propelled vessel experience is necessary to obtain a first class pilot license or endorsement that is not restricted to tug and barge combinations.

§ 10.713 Requirements for maintaining current knowledge of waters to be navigated.

(a) If a first class pilot has not served over a particular route within the past 60 months, that person's license or endorsement is invalid for that route, and

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remains invalid until the individual has made one re-familiarization round trip over that route, except as provided in paragraph (b) of this section. Whether this requirement is satisfied or not has no effect on the renewal of a license or endorsement. Round trips made within the 90 day period preceding renewal will be valid for the duration of the renewed license or endorsement.

(b) For certain long or extended routes, the OCMI may, at his discretion, allow the re-familiarization requirement to be satisfied by reviewing appropriate navigation charts, coast pilots tide and current tables, local Notice to Mariners, and any other materials which would provide the pilot with current knowledge of the route. Persons using this method of re-familiarization shall certify, when applying for renewal of their license or endorsement, the material they have reviewed and the dates on which this was accomplished. Review within the 90 day period preceding renewal is valid for the duration of the renewed license or endorsement.

Subpart H—Registration of Staff Officers

§ 10.801 Applicability.

This subpart provides for the registration of staff officers for employment on vessels documented or numbered under the laws of the United States. Staff officers must be registered if serving on most vessels in ocean service or on the Great Lakes.

§ 10.803 Grades of certificates issued.

Staff officers are registered in the following grades:

- (a) Chief purser.
- (b) Purser.
- (c) Senior assistant purser.
- (d) Junior assistant purser.
- (e) Medical doctor.
- (f) Professional nurse.

§ 10.805 General requirements.

(a) The applicant for a certificate of registry as staff officer is not required to take any examination; however, the applicant shall present to the Officer in

Charge, Marine Inspection a letter justifying the need for the certificate of registry.

(b) The applicant must hold or apply for a merchant mariner's document.

(c) Endorsements for a higher grade are not made on certificates of registry. An applicant for a higher grade in the staff department shall apply in the same manner as for an original certificate of registry and shall surrender the certificate upon issuance of the new certificate of registry. A person holding a certificate of registry as staff officer may serve in a lower grade of a service for which he or she is registered.

(d) Title 46 U.S.C. 8302 addresses uniforms for staff officers who are members of the Naval Reserve.

(e) A duplicate certificate of registry may be issued in accordance with §10.219 of this part.

(f) A certificate of registry is valid for a term of 5 years from the date of issuance. Procedures for renewing certificates of registry are found in §10.209.

(g) Each applicant for an original certificate of registry or a higher grade of certificate of registry, as described by paragraph (c) of this section, shall produce evidence of having passed a chemical test for dangerous drugs or of qualifying for an exception from testing in §16.220 of this subchapter. An applicant who fails a chemical test for dangerous drugs will not be issued a certificate of registry.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 144, Jan. 4, 1989; CGD 91-211, 59 FR 49300, Sept. 27, 1994; CGD 91-223, 60 FR 4525, Jan. 23, 1995; USCG-2004-18884, 69 FR 58342, Sept. 30, 2004; USCG-2004-18884, 69 FR 68089, Nov. 23, 2004; USCG-2007-29018, 72 FR 53964, Sept. 21, 2007]

§10.807 Experience requirements for registry.

(a) The applicant for a certificate of registry as staff officer shall submit evidence of experience as follows:

(1) *Chief purser*. Two years of service aboard vessels performing duties relating to work in the purser's office.

(2) *Purser*. One year of service aboard vessels performing duties relating to work in the purser's office.

(3) *Senior assistant purser*. Six months of service aboard vessels performing

duties relating to work in purser's office.

(4) *Junior assistant purser*. Previous experience not required.

(5) *Medical doctor*. A valid license as physician or surgeon issued under the authority of a state or territory of the United States, the Commonwealth of Puerto Rico, or the District of Columbia.

(6) *Professional nurse*. A valid license as a registered nurse issued under authority of a state or territory of the United States, the Commonwealth of Puerto Rico, or the District of Columbia.

(b) Employment on shore in connection with ship's business may be accepted in lieu of service aboard vessels. Related shore employment is accepted in the ratio of two months of shore service to count as one month of service aboard vessels.

(c) In computing the length of service required of an applicant for a certificate of registry, service of one season on vessels on the Great Lakes is counted as service of one year.

(d) In the event an applicant for a certificate of registry, other than medical doctor or professional nurse, presents evidence of other qualifications which, in the opinion of the Officer in Charge, Marine Inspection, is equivalent to the experience requirements of this section and is consistent with the duties of a staff officer, the Officer in Charge, Marine Inspection may issue the certificate of registry.

§10.809 Experience requirements for ratings endorsed on certificate of registry.

An applicant for rating to be endorsed on a certificate of registry shall submit evidence of experience as follows:

(a) *Marine physician assistant*. Successful completion of an accredited course of instruction for a physician's assistant or nurse practitioner program.

(b) *Hospital corpsman*. A rating of at least hospital corpsman or health services technician, first class in the U.S. Navy, U.S. Coast Guard, U.S. Marine Corps, or an equivalent rating in the U.S. Army (not less than staff sergeant, Medical Department, U.S.A.), or

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in the U.S. Air Force (not less than technical sergeant, Medical Department, U.S.A.F.), and a period of satisfactory service of at least one month in a military hospital or U.S. Public Health Service Hospital.

§ 10.811 Requirements to qualify for an STCW endorsement as vessel security officer.

(a) The applicant for an endorsement as vessel security officer must present satisfactory documentary evidence in accordance with the requirements in 33 CFR 104.215.

(b) All applicants for an endorsement must meet the physical examination requirements in § 10.205(d)(1)–(2) of this chapter.

[USCG–2008–0028, 73 FR 29071, May 20, 2008]

Subpart I—Subjects of License Examinations and Practical Demonstrations of Competence

§ 10.901 General provisions.

(a) Each applicant for any license listed in this part shall pass examinations on the appropriate subjects listed in this subpart, except as noted in § 10.903(b).

(b) If the license is to be limited in a manner which would render any of the subject matter unnecessary or inappropriate, the examination may be amended accordingly by the Officer in Charge, Marine Inspection. Limitations which may affect the examination content are:

(1) Restricted routes for reduced service licenses (master or mate of vessels of not more than 200 gross tons, operator of uninspected passenger vessels or master or mate (pilot) of towing vessels); or,

(2) Engineer licenses with horsepower restrictions.

(c) Except as provided in §§ 10.202 and 10.209, each applicant for an STCW certificate or endorsement in the following capacities on vessels that operate beyond the Boundary Line shall also furnish sufficient documentary evidence that he or she has made a practical demonstration(s) of competence as set out under the appro-

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priate STCW Regulations (incorporated by reference in § 10.102):

(1) *Deck Department.* (i) Officer in charge of the navigational watch on a seagoing vessel of 500 gross tons (GT) or more.

(ii) Officer in charge of the navigational watch on a seagoing vessel of less than 500 GT not engaged on a near-coastal voyage.

(iii) Officer in charge of the navigational watch on a seagoing vessel of less than 500 GT engaged on a near-coastal voyage.

(iv) Master and chief mate on a seagoing vessel of 3,000 GT or more.

(v) Master and chief mate on a seagoing vessel of between 500 and 3,000 GT.

(vi) Master on a seagoing vessel of less than 500 GT not engaged on a near-coastal voyage.

(vii) Master on a seagoing vessel of less than 500 gross tons engaged on a near-coastal voyage.

(2) *Engine Department.* (i) Officer in charge of the engineering watch in a manned engine-room on a seagoing vessel.

(ii) Designated duty engineer in a periodically unmanned engine-room on a seagoing vessel.

(iii) Chief engineer officer of a seagoing vessel driven by main propulsion machinery of 3,000 kW [4,000 hp] of propulsion power or more.

(iv) Second engineer officer of a seagoing vessel driven by main propulsion machinery of 3,000 kW [4,000 hp] of propulsion power or more.

(v) Chief engineer officer of a seagoing vessel driven by main propulsion machinery of between 750 kW [1,000 hp] and 3,000 kW [4,000 hp] of propulsion power.

(vi) Second engineer officer of a seagoing vessel driven by main propulsion machinery of between 750 kW [1,000 hp] and 3,000 kW [4,000 hp] of propulsion power.

(d) Simulators used in assessment of competence under paragraph (c) of this section must meet the appropriate performance standards set out in Section A-I/12 of the STCW Code. However, simulators installed or brought into use before February 1, 2002, need not meet

them so far as they fulfill the objectives of the assessment of competence or demonstration of proficiency.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 144, Jan. 4, 1989; CGD 94-029, 61 FR 47064, Sept. 6, 1996; CGD 95-062, 62 FR 34533, June 26, 1997; USCG-1998-4442, 63 FR 52188, Sept. 30, 1998; USCG-1999-6224, 64 FR 63235, Nov. 19, 1999; USCG-1999-5610, 67 FR 66068, Oct. 30, 2002; USCG-2004-18884, 69 FR 58342, Sept. 30, 2004]

§ 10.903 Licenses requiring examinations.

(a) The following licenses require examinations for issuance:

- (1) Master ocean/near coastal any gross tons;¹
- (2) Chief mate ocean/near coastal any gross tons;¹
- (3) Second mate ocean/near coastal any gross tons;¹
- (4) Third mate ocean/near coastal any gross tons;¹
- (5) Master ocean/near coastal not more than 500 or 1600 gross tons;¹
- (6) Mate ocean/near coastal not more than 500 or 1600 gross tons;¹
- (7) Mate near coastal not more than 200 gross tons;
- (8) Master near coastal not more than 100 gross tons;
- (9) Master Great Lakes and inland any gross tons;
- (10) Mate Great Lakes and inland any gross tons;
- (11) Master inland any gross tons;
- (12) Master river any gross tons;
- (13) Master Great Lakes and inland/river not more than 500 or 1600 gross tons;¹
- (14) Mate Great Lakes and inland/river not more than 500 or 1600 gross tons;¹
- (15) Mate Great Lakes and inland/inland/river not more than 200 gross tons;¹
- (16) Master Great Lakes and inland/inland/river not more than 100 gross tons;¹
- (17) First class pilot;
- (18)(i) Apprentice mate (steersman) of towing vessels;
- (ii) Apprentice mate (steersman) of towing vessels, limited;
- (19) Operator uninspected passenger vessels;

(20) Master uninspected fishing industry vessels;

(21) Mate uninspected fishing industry vessels;

(22) Chief engineer steam/motor vessels;

(23) First assistant engineer steam/motor vessels;

(24) Second assistant engineer steam/motor vessels;

(25) Third assistant engineer steam/motor vessels;

(26) Chief engineer (limited) steam/motor vessels;

(27) Assistant engineer (limited) steam/motor vessels;

(28) Designated duty engineer steam/motor vessels;

(29) Chief engineer uninspected fishing industry vessels;

(30) Assistant engineer uninspected fishing industry vessels.

(b) The following licenses do not require examinations:

(1) Master ocean any gross tons when adding an endorsement as Offshore Installation Manager.

(2) Master ocean or near coastal not more than 200 gross tons, when raising license grade from mate near coastal not more than 200 gross tons. Master ocean not more than 200 gross tons would, however, require an examination in celestial navigation.

(3) Master Great Lakes and inland, inland, and rivers not more than 200 gross tons when raising license grade from mate of the same route not more than 200 gross tons.

(4) Master or mate (pilot) of towing vessels (endorsed for the same route).

(c) Each candidate for any of the following licenses shall meet the requirements of the appropriate STCW regulations and standards of competence and those in part A of the STCW Code (incorporated by reference in §10.102), as indicated in table 903-1:

(1) Master, oceans and near coastal, any gross tons.

(2) Chief mate, oceans and near coastal, any gross tons.

(3) Master, oceans and near coastal, 500 to 1600 gross tons.

(4) Second mate, oceans and near coastal, any gross tons.

(5) Third mate, oceans and near coastal, any gross tons.

¹Examination will vary depending upon route desired.

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- (6) Mate, oceans and near coastal, 500 to 1600 gross tons.
- (7) Master or mate of towing vessels of over 200 gross tons, oceans and near-coastal.
- (8) Master (OSV).
- (9) Chief mate (OSV).
- (10) Mate (OSV).
- (11) Chief engineer, unlimited.
- (12) 1st Assistant engineer, unlimited.

- (13) 2nd Assistant engineer, unlimited.
- (14) 3rd Assistant engineer, unlimited.
- (15) Chief engineer, limited—oceans.
- (16) Assistant engineer, limited—oceans.
- (17) Chief engineer, limited-near coastal.
- (18) Chief engineer (OSV).
- (19) Engineer (OSV).

TABLE 10.903-1

STCW CODE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
II/1	X	X	X	...	...	...	X	...	...	...	...	...	...	...	...	...
II/2, p. 1 & 2	X	X	...	...	...	...	...	X	X	...	...	...	...	...	...	...	...	...	...
II/2, p. 3 & 4	X	...	...	...	X	...	...	...	...	...	...	...	...	...	...	...	...
II/3
III/1	X	X	...	X	...	...	...	X
III/2	X	X	...	...	...	...	...	X	...
III/3	X	...	X	...	...	...

(d) After July 31, 1998, any candidate for a license listed in paragraph (c) of this section, who meets the requirements of the appropriate regulations and standards of competence in STCW and part A of the STCW code (incorporated by reference in §10.102) as indicated in table 10.903-1, need not comply with §10.910, or, 10.950, of this part.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 144, Jan. 4, 1989; CGD 81-059a, 59 FR 10756, Mar. 8, 1994; CGD 95-062, 62 FR 34533, June 26, 1997; USCG-1998-4442, 63 FR 52188, Sept. 30, 1998; USCG-1999-6224, 64 FR 63235, Nov. 19, 1999; 66 FR 20944, Apr. 26, 2001; USCG-1999-5610, 67 FR 66068, Oct. 30, 2002; USCG-1999-6224, 68 FR 35817, June 17, 2003; USCG-2004-18884, 69 FR 58342, Sept. 30, 2004]

§ 10.910 Subjects for deck licenses.

Table 10.910-1 gives the codes used in table 10.910-2 for all deck licenses. Table 10.910-2 indicates the examination subjects for each license, by code number. Figures in the body of the table, in place of the letter “x”, refer to notes.

TABLE 10.910-1 CODES FOR DECK LICENSES

Deck Licenses:

- 1. Master, Oceans/near coastal, any gross tons.
- 2. Chief mate, oceans/near coastal, any gross tons.
- 3. Master, oceans/near coastal, 500/1,600 gross tons.

- 4. Second mate, oceans/near coastal, any gross tons.
- 5. Third mate, oceans/near coastal, any gross tons.
- 6. Mate, oceans/near coastal, 500/1,600 gross tons.
- 7. Master, oceans/near coastal, and mate, near coastal, 200 gross tons (includes master, near coastal, 100 gross tons).
- 8. Operator, uninspected passenger vessels, near coastal.
- 9. Operator, uninspected passenger vessels, Great Lakes/inland.
- 10. Apprentice mate, towing vessels, ocean (domestic trade) and near-coastal routes.
- 11. Apprentice mate (steersman), towing vessels, Great Lakes and inland routes.
- 12. Steersman, towing vessels, Western Rivers.
- 13. Master, Great Lakes/inland, or master, inland, any gross tons.
- 14. Mate, Great Lakes/inland, any gross tons.
- 15. Master, Great Lakes/inland, 500/1,600 gross tons.
- 16. Mate, Great Lakes/inland, 500/1,600 gross tons.
- 17. Master or mate, Great Lakes/inland, 200 gross tons (includes master, Great Lakes/inland, 100 gross tons).
- 18. Master, rivers, any gross tons.
- 19. Master, rivers, 500/1,600 gross tons.
- 20. Mate, rivers, 500/1,600 gross tons.
- 21. Master or mate, rivers, 200 gross tons (includes master, rivers, 100 gross tons).
- 22. Master, uninspected fishing industry vessels, oceans/near coastal.
- 23. Mate, uninspected fishing industry vessels, oceans/near coastal.
- 24. First class pilot.

TABLE 10.910-2—LICENSE CODES

Examination topics	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24			
Navigation and position determination:																											
Ocean Track Plotting:																											
Middle Latitude Sailing	1	1		1	1																						
Mercator Sailing	X	X		1	1																						
Great Circle Sailing	1	1		1																							
Parallel Sailing	1	1		1	1																						
ETA	X	X	1	X	X																						
Piloting:																											
Distance Off		X	X	X	X	X	X	X	X	X	X		X	X	X	X	X						X	X	X		
Bearing Problems		X	X	X	X	X	X	X	X	X	X		X	X	X	X	X						X	X	X		
Fix or Running Fix		X	X	X	X	X	X	X	X	X	X		X	X	X	X	X						X	X	X		
Chart Navigation		X	X	X	X	X	X	X	X	X	X	2	X	X	X	X	X		2	2	2	2		X	X	X	
Dead Reckoning		X	X	X	X	X	X	X	X	X	X		X	X	X	X	X						X	X	X		
Celestial Observations:																											
Special Cases (hi/lo Alt., Backsight)	1																										
Latitude by Polaris	1	1	1	1																							
Latitude by Meridian Transit	1																										
Lat. by Meridian Transit (Sun Only)	X	X	1	X	X	1	1			1													1	1			
Fix or Running Fix (Any Body)	X	X	1	X																				1			
Fix or Running Fix (Sun Only)					X	1	1			1															1		
Star Identification	1	1	1	1																							
Star Selection	1	X	1	X																					1		
Times of Celestial Phenomena:																											
Time of Meridian Transit	1																										
Time of Meridian Transit (Sun Only)	X	X	1	X	X	1	1			1														1	1		
Second Estimate Meridian Transit Zone Time Sun Rise/Set/Twilight	X	X	1	1	1	1	1			1															1	1	
Zone Time Moon Rise/Set	X	X		1																							
Speed by RPM	X	X		X									3														
Fuel Conservation	X	X											3														
Electronic Navigation	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X							X	X	X	
Instruments and Accessories	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X							X	X	X	
Aids to Navigation	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X							X	X	X	
Charts, Navigation Publications, and Notices to Mariners	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X							X	X	X	
Naut. Astronomy & Nav. Definitions	X	X		X	X																						
Chart Sketch																										4	
Seamanship:																											
Marlinespike Seamanship		X	X	X	X	X	X	X	X	X	X		X		X	X	X							X	X	X	
Purchases, Blocks and Tackle		X	X	X	X					X	X	X		X		X	X							X	X	X	
Small Boat Handling Under Oars or Sail				X	X								X	X													
Watchkeeping:																											
COLREGS	X	X	X	X	X	X	X	X	5	X	5		5	5	5	5								X	X	5	
Inland Navigational Rules	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X				X	X	X		X	X	X	
Basic Principles, Watchkeeping	X	X	X	X	X	X				X	X	X	X	X	X	X				X	X	X		X	X	X	
Navigation Safety Regs. (33 CFR 164)	X	X		X	X								X	X										6	6	6	
Radar Equipment:																											
Radar Observer Certificate	X	X	X	X	X	X	1			1			X	X					X						X	X	X
Compass-Magnetic and Gyro:																											
Principles of Gyro Compass	X	X	X	X	X	X								X	X	X	X							X	X	X	
Principles of Magnetic Compass	X	X	X	X	X									X	X	X	X			X	X	X		X	X	X	
Magnetic Compass Adjustment	X	X												X	X												
Gyro Compass Error/Correction	X	X	X	X	X	X	7			X	X		X	X	X	X								X	X	X	
Magnetic Compass Error/Correction	X	X	X	X	X	X	X	X	X	X			X	X	X	X								X	X	X	
Determination of Compass Error:																											
Azimuth (Any Body)	X	X		1																							
Azimuth (Sun Only)			1		X	1	1			1				3										1	1		
Amplitude (Any Body)	X																										
Amplitude (Sun Only)		X	1	X	X	1	1			1				3										1	1		
Deviation Table Construction	X	X	1	X	X									3													
Terrestrial Observation	X	X	X	X	X	X	X	X	X	X			X	X	X	X								X	X	X	
Gyro Controlled Systems	X	X	X	X																							
Operation & Care of Main Gyro Systems	X	X	X	X																							
Meteorology and Oceanography:																											
Characteristics of Weather Systems	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X								X	X	X	
Ocean Current Systems	X	X	X	X																					X	X	

TABLE 10.910–2—LICENSE CODES—Continued

Examination topics	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24		
Weather Charts and Reports		X	X	X	X		X			X													X			
Tides and Tidal Currents:																										
Extensive Tidal Effects	X	X	X																							
Terms and Definitions		X	X	X	X	X	X	X	X	X	X		X	X	X	X	X						X	X	X	
Publications		X	X	X	X	X	X	X	X	X	X		X	X	X	X	X						X	X	X	
Calculations		X	X	X	X	X	X	X	X	X	X		X	X	X	X	X						X	X	X	
Ship Maneuvering and Handling:																										
Approaching Pilot Vessel or Station	X	X	X			X																			X	
Shiphandling in Rivers, Estuaries	X	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Maneuvering in Shallow Water	X	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Interaction with Bank/Passing Ship	X	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Berthing and Unberthing	X	X	X			X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X	X
Anchoring and Mooring		X	X	X	X	X	X	X	X	X			X	X	X	X	X						X	X	X	
Dragging, Clearing Fouled Anchors		X	X	X	X	X	X						X	X	X	X	X						X			
Drydocking, with & without Prior Damage		X	X															X								
Heavy Weather Operations		X	X				X	X	X									X						X	X	
Maneuvering for Launching of Lifeboats and Liferrafts in Heavy Weather		X	X				X			X			X		X									X	X	
Receiving Survivors From Lfibs/Lfrfts		X	X				X			X	X															
General: Turn Circle, Pivot Point, Advance and Transfer				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Determine Maneuvering Characteristics of Major Vessel Types		X	X	X																						
Wake Reduction		X	X				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Ice Operations/Ice Navigation	X	X	X			X						X	X	X	3	X	3									
Towing Operations		X	X	X	X	X				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Ship Stability, Construction, and Damage Control:																										
Principles of Ship Construction		X	X	X	X	X				X	3	X	3	X	X	X	X									
Trim and Stability	X	X	X	X	X	X	X			X	X	X	X	3	X	3	X	X	X	X	X	X	X	X	X	
Damage Trim and Stability	X	X	X			7																				
Stability, Trim, and Stress Calculation ..	X	X	X			7																				
Vessel Structural Members		X	X	X	X	7								X	X	3	7									
IMO Ship Stability Recommendations ..	X	X																								
Damage Control	X	X	X			X		7									7									
Change in Draft Due to Density	X	X																								
Ship Power Plants:																										
Marine Power Plant Operating Principles		X	X			7							X		X		7	X	X							
Ships' Auxiliary Machinery		X	X										X		X				X	X						
Marine Engineering Terms		X	X			7							X		X		7	X	X							
Small Engine Operations and Maintenance							X	X	X												X					
Cargo Handling and Stowage:																										
Cargo Stowage and Security, Including:																										
Cargo Gear		X	X	X	X	X	7						X	X	X	X	7	X	X	X						
Loading and Discharging Operations ...		X	X	X	X	X							X	X	X	X				X	X	X				
International Regulations for Cargoes, Especially IMDG	X	X	X																							
Dangerous/Hazardous Cargo Regulations	X	X	X	X	X	X							X	X	X	X				X	X	X				
Tank Vessel Safety		X	X	X	X	X							X	X	X	X				X	X	X				
Cargo Piping and Pumping Systems		X	X	X	X	X							X	X	X	X				X	X	X				
Cargo Oil Terms and Definitions		X	X	X	X	X							X	X	X	X				X	X	X				
Ballasting, Tank Clean., & Gas Free Ops		X	X	X	X	X							X	X	X	X				X	X	X				
Load on Top Procedures		X	X	X	X	X							X	X	X	X				X	X	X				
Barge Regulations (Operations)										X	X	X														
Fire Prevention and Firefighting Appliances:																										
Organization of Fire Drills		X	X	X	X	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Classes and Chemistry of Fire		X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Firefighting Systems		X	X	X	X	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Firefighting Equip. and Regulations		X	X	X	X	7				X	X	X	X	X	X	X	7	X	X	X	X	7	X	X	X	
Firefighting Equip. & Regs. for T-Boats							X																			
Basic Firefighting and Prevention		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Emergency Procedures:																										
Ship Beaching Precautions		X	X											X	X											
Actions Prior To/After Grounding		X	X											X	X					X	X					
Refloating a Grounded Ship		X	X											X	X					X	X					
Collision		X	X				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Temporary Repairs		X	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

TABLE 10.910-2—LICENSE CODES—Continued

Examination topics	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Passenger/Crew Safety in Emergency	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X				
Fire or Explosion	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Abandon Ship Procedures	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Emergency Steering	X	X	X										X	X	X	X	X	X	X	X	X	X	X	X	X
Rescuing Surv. From Ship/Airc. in Dist	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Man Overboard Procedures	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Emergency Towing	X	X	X				X			X															
Medical Care:																									
Knowledge and use of:																									
Int'l. Medical Guide for Ships		X	X																						
Ship Med. Chest and Med. Aid at Sea		X	X																						
Medical Sec., Inter. Code of Signals		X	X	X	X																				
1st Aid Guide: Accidents with Dangerous Goods		X	X																						
First Aid		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Maritime Law:																									
International Maritime Law:																									
Int'l. Convention on Load Lines	X	X	X																						
SOLAS	X	X	X				7																		
MARPOL 73/78	X	X	X	X																					
International Health Regulations	X	X	X																						
Other International Instruments for Ship/Pass./Crew/Cargo Safety	X	X	X																						
National Maritime Law:																									
Load Lines	X	X	X			X	X			X	X		3	3	3	7									
Cert. and Documentation of Vessels	X	X	X				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rules & Regs. for Inspected Vessels	X	X	X	X	X	7							X	X	X	7	X	X	X	7					
Rules & Regs. for Inspected T-Boats							X										X				X				
Rules and Regs for Uninsp. Vessels							X	X	X	X	X	X					X				X	X	X	X	
Pollution Prevention Regulations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Pilotage	X	X	X																						X
Licensing & Certification of Seamen	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Shipment and Discharge, Manning Title 46 U.S. Code	X	X	X				X			X			X	X	X	X	X	X	X	X	X	X	X	X	X
Captain of the Port Regulations, Vessel Traffic Service Procedures for the Route Desired																									X
Shipboard Management and Training:																									
Personnel Management	X	X	X										X	X				X	X						
Shipboard Organization	X	X	X										X	X				X	X						
Required Crew Training	X	X	X										X	X				X	X						
Ship Sanitation	X	X	X				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Vessel Alteration/Repair—Hot Work	X	X	X				X						X	X				X	X						
Safety	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Ship's Business:																									
Charters	X	X	X																						
Liens, Salvage	X	X	X																						
Insurance	X	X	X																						
Entry, Clearance	X	X	X																						
Certificates and Documents Required	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Communications:																									
Flashing Light	X	X	X	X																					
Radiotelephone Communications	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Radiotelegraphy Emerg. Dist. Signals	X	X	X																						
Signals: Storm/Wreck/Dist./Special	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
International Code of Signals	X	X	X	X																					
Lifesaving:																									
Survival at Sea	X	X	X	X	X	X				X														X	X
Lifesaving Appliance Regulations	X	X	X	X	X	7							X	X	X			7	X	X	X	7	X	X	X
Lifesaving Appliance Regs. for T-Boats							X											X				X			
Lifesaving Appliance Operation	X	X	X	X	X	7	X	X	X	X	X	X	X	X	X	X	X	7	X	X	X	7	X	X	X
Lifesaving Appliance Ops. for T-Boats							X										X					X			
Search and Rescue:																									
Search and Rescue Procedures	X	X	X																						
Amver	X	X	X																						

TABLE 10.910-2—LICENSE CODES—Continued

Examination topics	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
SAIL/AUXILIARY SAIL VESSELS ADDENDUM (8):																									
Any other subject considered necessary to establish the applicant's proficiency	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

- 1—For ocean routes only.
- 2—River chart navigation only.
- 3—Topic covered only on Great Lakes specific module(s) taken for “Great Lakes and inland” routes.
- 4—Including recommended courses, distances, prominent aids to navigation, depths of waters in channels and over hazardous shoals, other important features of the route, such as character of the bottom. The OCMI may accept chart sketching of only a portion or portions of the route for long or extended routes.
- 5—Take COLREGS if license not limited to non-COLREG waters.
- 6—For licenses over 1600 gross tons.
- 7—For licenses over 100 gross tons.
- 8—Sail vessel safety precautions, rules of the road, operations, heavy weather procedures, navigation, maneuvering, and sailing terminology. Applicants for sail/auxiliary sail endorsements to master, mate or operator of uninspected passenger vessels licenses are also tested in the subjects contained in this addendum.

[CGD 81-059a, 55 FR 14802, Apr. 18, 1990, as amended by USCG-1999-6224, 64 FR 63235, Nov. 19, 1999; USCG-2001-10224, 66 FR 48619, Sept. 21, 2001]

§ 10.920 Subjects for MODU licenses.

Table 10.920-1 gives the codes used in Table 10.920-2 for MODU licenses. Table 10.920-2 indicates the examination subjects for each license by the code number.

Table 10.920-1 Codes for MODU Licenses

- 1. OIM/Unrestricted
- 2. OIM/Surface Units Underway
- 3. OIM/Surface Units on Location
- 4. OIM/Bottom Bearing Units Underway
- 5. OIM/Bottom Bearing Units on Location
- 6. Barge Supervisor
- 7. Ballast Control Operator

TABLE 10.920-2—SUBJECTS FOR MODU LICENSES

Examination topics	1	2	3	4	5	6	7
Watchkeeping							
COLREGS	X	X	.....	X	.....	X	.....
“Basic Principles for Navigational Watch”	X	X	X	X	X	X	.....
MODU obstruction lights	X	.....	X	.....	X	X	.....
Meteorology and oceanography: Synoptic chart weather forecasting	X	X	X	X	X	X	.....
Characteristics of weather systems ..	X	X	X	X	X	X	X
Ocean current systems	X	X	X	X	X	X	.....
Tide and tidal current publications ...	X	X	X	X	X	X	.....
Stability, ballasting, construction and damage control: Principles of ship construction, structural members	X	X	X	X	X	X	X
Trim and stability	X	X	X	X	X	X	X

TABLE 10.920-2—SUBJECTS FOR MODU LICENSES—Continued

Examination topics	1	2	3	4	5	6	7
Damaged trim and stability countermeasures	X	X	X	X	.....	X	X
Stability and trim calculations	X	X	X	X	.....	X	X
Load line requirements	X	X	X	X	X	X	X
Operating manual:							
Rig characteristics and limitations	X	X	X	X	X	X	X
Hydrostatics data	X	X	X	X	.....	X	X
Tank tables	X	X	X	X	X	X	X
KG limitations	X	X	X	X	.....	X	X
Severe storm instructions	X	X	X	X	X	X	X
Transit instructions ..	X	X	.....	X	.....	X	X
On-station instructions	X	.....	X	.....	X	X	X
Unexpected list or trim	X	X	X	X	.....	X	X
Ballasting procedures	X	X	X	.....	.....	X	X
Operation of bilge system	X	X	X	X	.....	X	X
Leg loading calculations	X	.....	.....	X	X	.....	.....
Completion of variable load form	X	X	X	X	X	X	X
Evaluation of variable load form	X	X	X	X	X	X	X
Emergency procedures	X	X	X	X	X	X	X
Maneuvering and handling:							
Anchoring and anchor handling	X	X	X	.....	.....	X	.....
Heavy weather operations	X	X	X	X	X	X	X
Mooring, positioning ..	X	X	X	X	.....	X	X
Moving, positioning ..	X	X	.....	X	.....	X	.....

Coast Guard, DHS

§ 10.920

TABLE 10.920-2—SUBJECTS FOR MODU LICENSES—Continued

Examination topics	1	2	3	4	5	6	7
Fire prevention and firefighting appliances:							
Organization of fire drills	X	X	X	X	X	X	X
Classes and chemistry of fire	X	X	X	X	X	X	X
Firefighting systems	X	X	X	X	X	X	X
Firefighting equipment and regulations	X	X	X	X	X	X	X
Basic firefighting and prevention of fires	X	X	X	X	X	X	X
Emergency procedures and contingency plans:							
Temporary repairs ...	X	X	X	X	.....	X	.....
Fire or explosion	X	X	X	X	X	X	X
Abandon unit	X	X	X	X	X	X	X
Man overboard	X	X	X	X	X	X	X
Heavy weather	X	X	X	X	X	X	X
Collision	X	X	X	X	X	X	X
Failure of ballast control system	X	X	X	.....	.....	X	X
Mooring emergencies	X	.....	X	.....	.....	X	X
Blowouts	X	.....	X	.....	X	X	X
H ₂ S safety	X	.....	X	.....	X	X	X
General Engineering—							
Power plants and auxiliary systems:							
Marine engineering terminology	X	X	X	X	X	X	X
Engineering equipment, operations and failures	X	X	X	X	X	X	.....
Offshore drilling operations .....	.....	.....	.....	.....	.....	.....	X
Deck seamanship—							
general:							
Transfer of personnel	X	X	X	X	X	X	.....
Support boats/helicopters	X	X	X	X	X	X	.....
Cargo stowage and securing	X	X	X	X	X	X	.....
Hazardous materials/dangerous goods precautions	X	X	X	X	X	X	.....
Mooring equipment ..	X	X	X	X	X	X	.....
Crane use procedures and inspections	X	X	X	X	X	X	.....
Medical care:							
Knowledge and use of:							
First aid	X	X	X	X	X	X	X

TABLE 10.920-2—SUBJECTS FOR MODU LICENSES—Continued

Examination topics	1	2	3	4	5	6	7
First response medical action ..	X	X	X	X	X	X	X
Maritime law and regulation:							
National maritime law:							
Certification and documentation of vessels	X	X	X	X	X	.....	.....
Ship sanitation	X	X	X	X	X	.....	.....
Regulations for vessel inspection	X	X	X	X	X	.....	.....
Pollution prevention regulations	X	X	X	X	X	X	X
Licensing and certification regulations	X	X	X	X	X	.....	.....
Rules and regulations for MODUs	X	X	X	X	X	X	.....
International Maritime law: .....	.....	.....	.....	.....	.....	.....	.....
International Maritime Organization	X	X	X	X	X	.....	.....
International Convention on Load Lines	X	X	X	X	.....	.....	X
MARPOL 73/78	X	X	X	X	X	.....	.....
Personnel Management and Training:							
Ship's business including:							
Required logs and record keeping	X	X	X	X	X	X	.....
Casualty reports and records	X	X	X	X	X	.....	.....
Communications:							
Radio communications and FCC permit	X	X	X	X	X	X	.....
Radiotelephone procedures	X	X	X	X	X	X	.....
Lifesaving/Survival:							
Lifesaving appliance operation (launching, boat handling)	X	X	X	X	X	X	X
Procedures/rules for lifeboats, survival suits, PFDs, life rafts and emergency signals	X	X	X	X	X	X	X
Emergency radio transmissions	X	X	X	X	X	X	X
Survival at sea	X	X	X	X	X	X	X

[CGD 81-059a, 55 FR 14802, Apr. 18, 1990]

§ 10.950 Subjects for engineer licenses.

TABLE 10.950—SUBJECTS FOR ENGINEER LICENSES

	Unlimited chief engineer		Unlimited 1st asst. engineer		Unlimited 2nd asst. engineer		Unlimited 3rd asst. engineer		Chief engineer/limited		A/E Ltd & DDE unlim.		Unin. Incl. C/E	Fish. vsl. A/E	DDE Ltd HP			MODU ch. eng.	MODU asst. eng.
	STM	MTR	STM	MTR	STM	MTR	STM	MTR	STM	MTR	STM	MTR			STM	MTR	MTR		
													STM	MTR				STM	MTR
General Subjects:	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Prints and Tables	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Pipes, Fittings, Valves	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Hydraulics	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Biige Systems	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Sanitary/Sewerage Systems	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Freshwater Systems	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Lubricants	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Lubrication Systems	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Automation Systems	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Control Systems	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Propellers/Shafting Systems	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Machine Shop	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Distilling Systems	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Pumps	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Compressors	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Administration	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Governors	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Cooling Systems	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Bearings	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Instruments	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Ship Construction and Repair	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Theory	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	
Steering Systems	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Deck Machinery	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Ventilation Systems	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Thermodynamics	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	
Watch Duties	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Refrigeration and Air Conditioning:																			
Theory	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	
Air Conditioning Systems	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Refrigeration Systems	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Control Systems	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Safety	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Casualty Control	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Electricity:																			
Theory	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	
General Maintenance	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Generators	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	
Motors	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	

TABLE 10.950—SUBJECTS FOR ENGINEER LICENSES—Continued

	Unlimited chief engineer		Unlimited 1st asst. engineer		Unlimited 2nd asst. engineer		Unlimited 3rd asst. engineer		Chief engineer/limited		A/E Ltd & DDE unlim.		Unin. ind. C/E		Fish. vsl. AVE		DDE Ltd HP		MODU ch. eng.		MODU asst. eng.	
	STM	MTR	STM	MTR	STM	MTR	STM	MTR	STM	MTR	STM	MTR	STM	MTR	STM	MTR	STM	MTR	STM	MTR	STM	MTR
Safety	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T
Casualty Control	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T
Safety:																						
Fire	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T
Fire Prevention	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T
Fire Fighting	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T
Flooding	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T
Dewatering	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T
Stability and Trim	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T
Damage Control	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T
Emergency Equipment and Life-saving Appliances.	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T
General Safety	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T
First Aid	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T
Dangerous Materials	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T
Pollution	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T
Inspections and Surveys	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T
U.S. Rules and Regulations	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T
International Rules and Regulations.	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T	P-T

Notes:
P=Practical Knowledge.
T=Theoretical Knowledge.

[CGD 81-059, 52 FR 38623 and 38669, Oct. 16, 1987, as amended by CGD 81-059, 54 FR 147, Jan. 4, 1989; CGD 81-059a, 55 FR 14804, Apr. 18, 1990]

Subpart J—Ro-Ro Passenger Ships

SOURCE: CGD 95-062, 62 FR 34534, June 26, 1997, unless otherwise noted.

§ 10.1001 Purpose of regulations.

The purpose of the regulations in this subpart is to establish requirements for officers serving on roll-on/roll-off (Ro-Ro) passenger ships.

§ 10.1003 Definition.

Roll-on/roll-off (Ro-Ro) passenger ship means a passenger ship with Ro-Ro cargo spaces or special-category spaces as defined in the Convention for the Safety of Life at Sea, 1974, as amended (SOLAS), to which a SOLAS certificate is issued.

§ 10.1005 General requirement for license-holders.

To serve on a Ro-Ro passenger ship after January 31, 1997, a person licensed as master, chief mate, licensed mate, chief engineer, or licensed engineer shall meet the appropriate requirements of STCW Regulation V/2 and Section A-V/2 of the STCW Code (incorporated by reference in §10.102) and shall hold documentary evidence to show his or her meeting these requirements.

[CGD 95-062, 62 FR 34534, June 26, 1997, as amended by USCG-1999-5610, 67 FR 66068, Oct. 30, 2002]

Subpart K—Officers on a Passenger Ship, Other Than a Ro-Ro Passenger Ship, When on an International Voyage

SOURCE: USCG-1999-5610, 67 FR 66068, Oct. 30, 2002, unless otherwise noted.

§ 10.1101 Purpose of rules.

The rules in this subpart establish requirements for officers serving on passenger ships as defined in §10.1103.

§ 10.1103 Definitions.

Passenger ship in this subpart means a ship, other than a Ro-Ro passenger ship, carrying more than 12 passengers when on an international voyage.

§ 10.1105 General requirements for license holders.

If you are licensed as a master, mate, chief mate, engineer, or chief engineer, then, before you may serve on a passenger ship, you must—

- (a) Meet the appropriate requirements of the STCW Regulation V/3 and of section A-V/3 of the STCW Code (incorporated by reference in §10.102); and
- (b) Hold documentary evidence to show that you meet these requirements through approved or accepted training.

PART 12—CERTIFICATION OF SEAMEN**Subpart 12.01—General**

Sec.

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§ 12.01-1

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Subpart 12.10—Lifeboatman

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- 12.30-1 Purpose of regulations.
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- 12.35-1 Purpose of rules.
- 12.35-3 Definition.
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Subpart 12.40—Non-resident Alien Unlicensed Members of the Steward's Department on U.S.-Flag Large Passenger Vessels

- 12.40-1 Purpose of rules.
- 12.40-3 Definitions.
- 12.40-5 General application requirements.
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- 12.40-9 Basis for denial.
- 12.40-11 Citizenship and identity.
- 12.40-13 Restrictions.
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AUTHORITY: 31 U.S.C. 9701; 46 U.S.C. 2101, 2103, 2110, 7301, 7302, 7503, 7505, 7701, and 70105; Department of Homeland Security Delegation No. 0170.1.

SOURCE: CGFR 65-50, 30 FR 16640, Dec. 30, 1965, unless otherwise noted.

Subpart 12.01—General

§ 12.01-1 Purpose of rules in this part.

(a) The purposes of the regulations in this part are to provide—

(1) A comprehensive and adequate means of determining and verifying the identity, citizenship, nationality, and professional qualifications an applicant must possess to be eligible for certification to serve on merchant vessels of the United States;

(2) A means of determining that an applicant is competent to serve as a “rating forming part of a navigational watch” or a “rating forming part of an engine-room watch”, or is otherwise “designated to perform duties in a periodically unmanned engine-room”, on a seagoing ship, in accordance with the provisions of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (STCW), and to receive the certificate or endorsement required by STCW (incorporated by reference in § 12.01-3); and

(3) A means, through a criminal record review and a safety and security check, to determine whether the holder of a merchant mariner's document would be a threat to the safety of life or property at sea, or his or her presence would be adverse to the security of the United States.

(b) The regulations in subpart 12.03 of this part prescribe the requirements applicable to all training and assessment associated with meeting the standards of competence established by STCW.

(c) Continuous discharge books and merchant mariner documents are issued by the Coast Guard and are property of the Coast Guard.

[CGD 95-062, 62 FR 34534, June 26, 1997, as amended by USCG-1999-5610, 67 FR 66068, Oct. 30, 2002; USCG-2003-14500, 69 FR 531, Jan. 6, 2004]

§ 12.01-3 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish notice of change in the FEDERAL REGISTER and must ensure that the material is available to the public. All approved material is available for inspection at the U.S. Coast Guard, Office of Operating and Environmental Standards, room 1210, 2100 Second Street SW., Washington, DC, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to:

http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. All material is available from the sources indicated in paragraph (b) of this section.

(b) The material approved for incorporation by reference in this part, and the sections affected, are as follows:

International Maritime Organization (IMO), 4 Albert Embankment, London, SE1 7SR, England. The STCW—International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended in 1995 and 1997 (the STCW

Convention, or the STCW)—and Seafarers' Training, Certification and Watchkeeping Code (the STCW Code), approved for incorporation by reference in sections 12.01-1; 12.01-6; 12.02-7; 12.02-11; 12.03-1; 12.05-3; 12.05-7; 12.05-11; 12.10-3; 12.10-5; 12.10-7; 12.10-9; 12.15-3; 12.15-7; 12.25-45; 12.30-5; and 12.35-5 of this part.

[USCG-1999-5610, 67 FR 66068, Oct. 30, 2002]

§ 12.01-6 Definitions of terms used in this part.

Approved means approved by the Coast Guard in accordance with 46 CFR 10.302.

Coast Guard-accepted means that the Coast Guard has officially acknowledged in writing that the material or process at issue meets the applicable requirements; that the Coast Guard has issued an official policy statement listing or describing the material or process as meeting the applicable requirements; or that an entity acting on behalf of the Coast Guard under a Memorandum of Agreement has determined that the material or process meets the applicable requirements.

Conviction means the applicant for a merchant mariner's document has been found guilty by judgment or plea by a court of record of the United States, the District of Columbia, any State, territory, or possession of the United States, a foreign country, or any military court, of a criminal felony or misdemeanor or of an offense described in section 205 of the National Driver Register Act of 1982, as amended (49 U.S.C. 30304). If an applicant pleads guilty or no contest, is granted deferred adjudication, or is required by the court to attend classes, make contributions of time or money, receive treatment, submit to any manner of probation or supervision, or forgo appeal of a trial court's conviction, then the Coast Guard will consider the applicant to have received a conviction. A later expungement of the conviction will not negate a conviction unless the Coast Guard is satisfied that the expungement is based upon a showing that the court's earlier conviction was in error.

Designated examiner means a person who has been trained or instructed in techniques of training or assessment

and is otherwise qualified to evaluate whether a candidate for a license, document, or endorsement has achieved the level of competence required to hold the license, document, or endorsement. This person may be designated by the Coast Guard, or by a Coast Guard-approved or accepted program of training or assessment. A faculty member employed at a State maritime academy or the U.S. Merchant Marine Academy operated in accordance with regulations in 46 CFR part 310 and instructing in a navigation or engineering course is qualified to serve as a designated examiner in his or her area(s) of specialization without individual evaluation by the Coast Guard.

Evaluation means processing an application, from the point of receipt to approval or rejection of the application, including review of all documents and records submitted with an application as well as those obtained from public records and databases.

Fails a chemical test for dangerous drugs means that the result of a chemical test conducted in accordance with 49 CFR part 40 is reported as “positive” for the presence of dangerous drugs or drug metabolites in an individual’s system by a Medical Review Officer in accordance with that part.

National Driver Register (NDR) means the nationwide repository of information on drivers maintained by the National Highway Traffic Safety Administration as provided under 49 U.S.C. Chapter 303.

NDR listed convictions means a conviction of any of the following motor vehicle-related offenses or comparable offenses:

(a) Operating a motor vehicle while under the influence of, or impaired by, alcohol or a controlled substance; or

(b) A traffic violation arising in connection with a fatal traffic accident, reckless driving, or racing on the highways.

Officer in Charge, Marine Inspection (OCMI) for the purposes of part 12 means the officer or individual so designated at one of the Regional Examination Centers, or any person so designated by the Commandant.

Original document means the first merchant mariner’s document issued to any person by the Coast Guard.

Passes a chemical test for dangerous drugs means the result of a chemical test conducted in accordance with 49 CFR part 40 is reported as “negative” by a Medical Review Officer in accordance with that part.

Practical demonstration means the performance of an activity under the direct observation of a designated examiner for the purpose of establishing that the performer is sufficiently proficient in a practical skill to meet a specified standard of competence or other objective criterion.

Qualified instructor means a person who has been trained or instructed in instructional techniques and is otherwise qualified to provide required training to candidates for licenses, documents, and endorsements. A faculty member employed or at a State maritime academy or the U.S. Merchant Marine Academy operated in accordance with 46 CFR part 310 and instructing in a navigation or engineering course is qualified to serve as a qualified instructor in his or her area(s) of specialization without individual evaluation by the Coast Guard.

Qualified rating means various categories of Able Seaman, Qualified Member of the Engine Department, Lifeboatman, or Tankerman endorsements on merchant mariner’s documents.

Safe and suitable person is one whose character and habits of life are such as to support the belief that his or her presence on board vessels of the United States is not, or may not be, adverse to the security of the United States.

Safety and Security Check is the process or action taken by the Coast Guard to determine whether an applicant for, or holder of, a merchant mariner’s document is a safe and suitable person to be issued such a document or to be employed on a vessel under the authority of such a document.

Standard of competence means the level of proficiency to be achieved for the proper performance of duties on board vessels in accordance with national and international criteria.

STCW means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (incorporated by reference in §12.01-3).

STCW Code means the Seafarer's Training, Certification and Watchkeeping Code.

STCW endorsement means a certificate or endorsement issued in accordance with STCW. An STCW endorsement issued by the Officer in Charge, Marine Inspection (OCMI), will be valid only when accompanied by the appropriate U.S. license or document; and, if the license or document is revoked, then the associated STCW endorsement will no longer be valid for any purpose. References to STCW placed on a U.S. license or merchant mariner's document will suffice as STCW endorsements for the mariner serving on a vessel operating exclusively on a domestic voyage (i.e., to and from U.S. ports or places subject to U.S. jurisdiction).

[CGD 91-002, 58 FR 15238, Mar. 19, 1993, as amended by CGD 91-223, 60 FR 4525, Jan. 23, 1995; CGD 91-212, 60 FR 65487, Dec. 19, 1995; CGD 95-062, 62 FR 34534, June 26, 1997; CGD 97-057, 62 FR 51042, Sept. 30, 1997; USCG-1999-5610, 67 FR 66068, Oct. 30, 2002; USCG-2003-14500, 69 FR 531, Jan. 6, 2004; USCG-2006-25535, 71 FR 48482, Aug. 21, 2006]

§ 12.01-7 Where to apply.

Applicants for licenses or certification may apply to the Coast Guard National Maritime Center or any of the Regional Examination Centers. Applicants may contact the National Maritime Center at 100 Forbes Drive, Martinsburg, West Virginia 25404, or by telephone at 1-888-I-ASK-NMC (1-888-427-5662). A list of Regional Examination Locations is available through the Coast Guard Web site at <http://www.uscg.mil>.

[USCG-2006-25535, 71 FR 48482, Aug. 21, 2006, as amended by USCG-2008-0906, 73 FR 56508, Sept. 29, 2008]

§ 12.01-9 Paperwork approval.

(a) This section lists the control numbers assigned by the Office of Management and Budget under the Paperwork Reduction Act of 1980 (Pub. L. 96-511) for the reporting and record keeping requirements in this part.

(b) The following control numbers have been assigned to the sections indicated:

(1) OMB 1625-0079—46 CFR 12.02-17 and 12.03-1.

(2) [Reserved]

[CGD 95-062, 62 FR 34535, June 26, 1997, as amended by USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

§ 12.01-11 Transportation Worker Identification Credential.

By April 15, 2009 all mariners holding a Merchant Mariner's Document or STCW endorsement issued under this part must hold a valid Transportation Worker Identification Credential (TWIC) issued by the Transportation Security Administration under 49 CFR part 1572. Failure to obtain or hold a valid TWIC may serve as a basis for suspension or revocation of a mariner's license, COR or STCW endorsement under 46 U.S.C. 7702 and 7703.

[CG-2006-24196, 72 FR 3588, Jan. 25, 2007, as amended at 73 FR 25566, May 7, 2008]

Subpart 12.02—General Requirements for Certification

§ 12.02-3 Where documents are issued.

(a) Merchant mariner's documents may be issued to qualified applicants at the National Maritime Center or at any Regional Examination Center during usual business hours.

(b)(1) Coast Guard Merchant Marine Details abroad are authorized to conduct examinations for upgrading of seamen, but are not prepared to conduct the physical examination where required. Merchant Marine Details will therefore not issue regular certificates, but temporary permits in lieu thereof. Merchant Marine Details will instruct the recipient of each temporary permit to present it to the Officer in Charge, Marine Inspection, upon arrival in the first port in the United States in which a Marine Inspection Office is located in order to exchange it for a permanent certificate.

(2) The temporary permit shall be accepted in a Marine Inspection Office as proof that the bearer has complied with the rules and regulations governing the issuance of certificates, except as noted in the body of the temporary permit. The requirements noted in the exceptions will be complied with as in the case of other applicants.

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(3) The written examinations are forwarded to the Commanding Officer, National Maritime Center by Merchant Marine Details. Any Marine Inspection Office at which an applicant with a temporary permit appears may request and obtain the examination in the case from the Commanding Officer, National Maritime Center. Any Marine Inspection Office which doubts the propriety of issuing a permanent certificate in lieu of a temporary permit which has been issued by a foreign Merchant Marine Detail shall inform the Commanding Officer, National Maritime Center fully as to the circumstances.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 95-072, 60 FR 50460, Sept. 29, 1995; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004; USCG-2004-18884, 69 FR 68089, Nov. 23, 2004; USCG-2006-25535, 71 FR 48483, Aug. 21, 2006]

§ 12.02-4 Basis for denial of a merchant mariner's document.

(a) No person who has been convicted by a court of record of a violation of the dangerous-drug laws of the United States, the District of Columbia, any State, territory, or possession of the United States, a foreign country, or any military court, is eligible for a merchant mariner's document, except as provided by paragraph (c) of this section. No person who has ever been the user of a dangerous drug, addicted or not, or has ever been convicted of an NDR offense described in section 205 of the National Driver Register Act of 1982, as amended (49 U.S.C. 30304) because of addiction to or abuse of alcohol is eligible for a merchant mariner's document, unless he or she furnishes satisfactory evidence of suitability for service in the merchant marine as provided in paragraph (e) of this section.

(b) An applicant who fails a chemical test for dangerous drugs required by § 12.02-9 will not be issued a merchant mariner's document.

(c) *Criminal Record Review and Safety and Security Check.* The Coast Guard may conduct a criminal record review and conduct a safety and security check of an applicant for a merchant mariner's document. An applicant pursuing simultaneous transactions for

merchant mariner's credentials shall undergo a single criminal record review and safety and security check. Each applicant must provide written disclosure of all prior convictions (as defined in § 12.01-6) at the time of application.

(1) When a criminal record review and a safety and security check are conducted, the applicant shall provide fingerprints in a form and manner specified by the Coast Guard.

(i) When a criminal record review or a safety and security check leads the Coast Guard to determine that an applicant is not a safe and suitable person (as defined in § 12.01-6) or cannot be entrusted with the duties and responsibilities of the merchant mariner's document for which application is made, the application may be disapproved.

(ii) If an application is disapproved, the applicant will be notified in writing of the fact, and, except as provided by this paragraph, the reason or reasons for disapproval and advised that the appeal procedures in § 1.03 of this chapter apply. No examination will be given pending decision on appeal. The applicant will be notified in writing of the reason or reasons for disapproval, unless the Coast Guard determines that such disclosure of information is prohibited by law, regulation, or agency policy, in which case the reason(s) will not be disclosed.

(2) The Officer in Charge, Marine Inspection will use table 12.02-4(c) to evaluate applicants for merchant mariner's documents who have criminal convictions. The table lists major categories of criminal activity and is not to be construed as an all-inclusive list. If an applicant is convicted of an offense that does not appear on the list, the Officer in Charge, Marine Inspection will establish an appropriate assessment period using the list as a guide. The assessment period commences when an applicant is no longer incarcerated. The applicant must establish proof of the time incarcerated and periods of probation and parole to the satisfaction of the Officer in Charge, Marine Inspection. The assessment period may include supervised or unsupervised probation or parole. A conviction for a drug offense more than

10 years prior to the date of application will not alone be grounds for denial.

(3) When an applicant has convictions for more than one offense, the minimum assessment period will be the longest minimum in table 12.02-4(c) and table 12.02-4(d) based upon the applicant's convictions; the maximum assessment period will be the longest shown in table 12.02-4(c) and table 12.02-4(d) based upon the applicant's convictions.

(4) If a person with a criminal conviction applies for a merchant mariner's document before the minimum assessment period shown in table 12.02-4(c), or established by the Officer in Charge, Marine Inspection under paragraph (c)(2) of this section has elapsed, then the applicant must provide, as part of the application package, evidence of suitability for service in the merchant marine. Factors which are evidence of suitability for service in the merchant marine are listed in paragraph (e) of this section. The Officer in Charge, Marine Inspection will consider the applicant's evidence submitted with the application and may issue the merchant mariner's document in less than the listed minimum assessment period if the Officer in Charge, Marine Inspection is satisfied that the applicant is suitable to hold the merchant mariner's document for which he or she has applied. If an application filed before the minimum assessment period has elapsed does not include evidence of suitability for service in the merchant marine, then the application will be considered incomplete and will not be processed by the Officer in Charge, Marine Inspection until the applicant provides the necessary evidence as set forth in paragraph (e) of this section.

(5) If a person with a criminal conviction applies for a merchant mariner's document during the time between the minimum and maximum assessment periods shown in table 12.02-4(c) or established by the Officer in Charge, Ma-

rine Inspection under paragraph (c)(2) of this section, then the Officer in Charge, Marine Inspection shall consider the conviction and, unless there are offsetting factors, shall grant the applicant the merchant mariner's document for which he or she has applied. Offsetting factors include such factors as multiple convictions, failure to comply with court orders (e.g., child support orders), previous failures at rehabilitation or reform, inability to maintain steady employment, or any connection between the crime and the safe operation of a vessel. If the Officer in Charge, Marine Inspection considers the applicant unsuitable for service in the merchant marine at the time of application, the Officer in Charge, Marine Inspection may disapprove the application.

(6) If a person with a criminal conviction applies for a merchant mariner's document after the maximum assessment period shown in table 12.02-4(c) or established by the Officer in Charge, Marine Inspection under paragraph (c)(2) of this section, has elapsed, then the Officer in Charge, Marine Inspection will grant the applicant the merchant mariner's document for which he or she has applied unless the Officer in Charge, Marine Inspection considers the applicant still unsuitable for service in the merchant marine. If the Officer in Charge, Marine Inspection disapproves an applicant with a conviction older than the maximum assessment period listed in table 12.02-4(c), the Officer in Charge, Marine Inspection will notify the applicant in writing of the reason(s) for the disapproval including the Officer in Charge, Marine Inspection's reason(s) for considering a conviction older than the maximum assessment period listed in table 12.02-4(c). The Officer in Charge, Marine Inspection will also inform the applicant, in writing, that the reconsideration and appeal procedures contained in §1.03 of this chapter apply.

TABLE 12.02-4(c)—GUIDELINES FOR EVALUATING APPLICANTS FOR MERCHANT MARINER'S DOCUMENTS WHO HAVE CRIMINAL CONVICTIONS

Crime ¹	Assessment periods	
	Minimum	Maximum
Crimes Against Persons		
Homicide (intentional)	7 years	20 years.
Homicide (unintentional)	5 years	10 years.
Assault (aggravated)	5 years	10 years.
Assault (simple)	1 year	5 years.
Sexual Assault (rape, child molestation)	5 years	10 years.
Other crimes against persons ² .		
Vehicular Crimes		
Conviction involving fatality	1 year	5 years.
Reckless Driving	1 year	2 years.
Racing on the Highway	1 year	2 years.
Other vehicular crimes ² .		
Crimes Against Public Safety		
Destruction of Property	5 years	10 years.
Other crimes against public safety ² .		
Crimes Involving National Security		
Terrorism, Acts of Sabotage, Espionage and related offenses	7 years	20 years.
Dangerous Drug Offenses ^{3,4,5}		
Trafficking (sale, distribution, transfer)	5 years	10 years.
Dangerous drugs (Use or possession)	1 year	10 years.
Other dangerous drug convictions ⁶ .		

¹ Conviction of attempts, solicitations, aiding and abetting, accessory after the fact, and conspiracies to commit the criminal conduct listed in this table carry the same minimum and maximum assessment periods provided in the table.

² Other crimes are to be reviewed by the Officer in Charge, Marine Inspection to determine the minimum and maximum assessment periods depending on the nature of the crime.

³ Applicable to original applications only. Any applicant who has ever been the user of, or addicted to the use of, a dangerous drug shall meet the requirements of paragraph (a) of this section. Note: Applicants for reissue of a merchant mariner's document with a new expiration date including a renewal or additional endorsement(s), who have been convicted of a dangerous drug offense while holding a merchant mariner's document, may have their application withheld until appropriate action has been completed by the Officer in Charge, Marine Inspection under the regulations which appear in 46 CFR part 5 governing the administrative actions against merchant mariner credentials.

⁴ The OCMI may consider dangerous drug convictions more than 10 years old only if there has been a dangerous drug conviction within the past 10 years.

⁵ Applicants must demonstrate rehabilitation under paragraph (e) of this section, including applicants with dangerous drug use convictions more than ten years old.

⁶ Other dangerous drug convictions are to be reviewed by the Officer in Charge, Marine Inspection on a case by case basis to determine the appropriate assessment period depending on the nature of the offense.

(d) *National Driver Register*. A merchant mariner's document will not be issued or reissued with a new expiration date unless the applicant consents to a check of the NDR for offenses described in section 205(a)(3)(A) or (B) of the NDR Act (i.e., operation of a motor vehicle while under the influence of, or impaired by, alcohol or a controlled substance; and any traffic violations arising in connection with a fatal traffic accident, reckless driving, or racing on the highways). The Officer in Charge, Marine Inspection will not consider NDR listed civil convictions that are more than 3 years old from the date of request unless that information re-

lates to the current suspension or revocation of the applicant's license to operate a motor vehicle. The Officer in Charge Marine Inspection may determine minimum and maximum assessment periods for NDR listed criminal convictions using table 12.02-4(c). An applicant conducting simultaneous merchant mariner's credential transactions is subject to only one NDR check.

(1) Any application may be disapproved if information from the NDR check leads the Officer in Charge, Marine Inspection to determine that the applicant cannot be entrusted with the

duties and responsibilities of the merchant mariner's document for which the application is made. If an application is disapproved, the Officer in Charge, Marine Inspection will notify the applicant in writing of the reason(s) for disapproval and advise the applicant that the appeal procedures in §1.03 of this chapter apply. No examination will be given or merchant mariner's document issued pending decision on appeal.

(2) Prior to disapproving an application because of information received from the NDR, the Officer in Charge, Marine Inspection will make the information available to the applicant for review and written comment. The applicant may submit reports from the applicable State concerning driving record and convictions to the Coast Guard Regional Examination Center (REC) processing the application. The REC will hold an application with NDR listed convictions pending the completion of the evaluation and delivery by the individual of the underlying State records.

(3) The guidelines in table 12.02-4(d) will be used by the Officer in Charge, Marine Inspection when evaluating applicants for merchant mariner's documents who have drug or alcohol related

NDR listed convictions. Non-drug or alcohol related NDR listed convictions will be evaluated by the Officer in Charge, Marine Inspection under table 12.02-4(c) as applicable.

(4) An applicant may request an NDR file check for *personal* use in accordance with the Federal Privacy Act of 1974 (Pub. L. 93-579) by contacting the NDR at the following address: National Driver Register, Nassif Building, 400 7th Street SW., Washington, DC 20590.

(i) Applicants should request Form NDR-PRV or provide the following information on a notarized letter:

- (A) Full legal name;
- (B) Other names used;
- (C) Complete mailing address;
- (D) Driver license number;
- (E) Eye color;
- (F) Social security number;
- (G) Height;
- (H) Weight; and
- (I) Sex.

(ii) The NDR will respond to every valid inquiry including requests which produce no record(s) on the NDR file. Records can be made available, within a reasonable amount of time after the request, for personal inspection and copying during regular working hours at 7:45 a.m. to 4:15 p.m., each day except Federal holidays.

TABLE 12.02-4(D)—GUIDELINES FOR EVALUATING APPLICANTS FOR MERCHANT MARINER'S DOCUMENTS WHO HAVE NDR MOTOR VEHICLE CONVICTIONS INVOLVING DANGEROUS DRUGS OR ALCOHOL¹

No. of convictions	Date of conviction	Assessment period
1	Less than 1 year	1 year from date of conviction.
1	More than 1, less than 3 years ...	Application will be processed, unless suspension, or revocation ² is still in effect. Applicant will be advised that additional conviction(s) may jeopardize merchant mariner credentials.
1	More than 3 years old	Not necessary unless suspension or revocation is still in effect.
2 or more	Any less than 3 years old	1 year since last conviction and at least 3 years from 2nd most recent conviction, unless suspension or revocation is still in effect.
2 or more	All more than 3 years old	Application will be processed unless suspension or revocation is still in effect.

¹ Any applicant who has ever been the user of, or addicted to the use of, a dangerous drug shall meet the requirements of paragraph (a) of this section.

² Suspension or revocation, when referred to in table 12.02-4(d), means a State suspension or revocation of a motor vehicle operator's license.

(e) If an applicant for an original merchant mariner's document has one or more alcohol or dangerous drug related criminal or NDR listed convictions; if the applicant has ever been the user of, or addicted to the use of, a dangerous drug; or if the applicant applies before the minimum assessment period

for his or her conviction has elapsed; the Officer in Charge, Marine Inspection may consider the following factors, as applicable, in assessing the applicant's suitability to hold a merchant mariner's document. This list is intended as a guideline. The Officer in

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Charge, Marine Inspection may consider other factors which he or she judges appropriate, such as:

(1) Proof of completion of an accredited alcohol- or drug-abuse rehabilitation program.

(2) Active membership in a rehabilitation or counseling group, such as Alcoholics or Narcotics Anonymous.

(3) Character references from persons who can attest to the applicant's sobriety, reliability, and suitability for employment in the merchant marine including parole or probation officers.

(4) Steady employment.

(5) Successful completion of all conditions of parole or probation.

[CGFR 69-116, 35 FR 6860, Apr. 30, 1970, as amended by CGD 91-223, Jan. 23, 1995; CGD 95-072, 60 FR 50460, Sept. 29, 1995; CGD 91-212, 60 FR 65487, Dec. 19, 1995; USCG-2003-14500, 69 FR 531, Jan. 6, 2004; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

§ 12.02-5 Form in which documents are issued.

(a) Every certificate of service, certificate of efficiency, or certificate of identification issued or reissued after November 1, 1945, shall be in the form of a merchant mariner's document, Coast Guard Form CG-2838, and wherever such certificates are mentioned in this part they shall be deemed to include merchant mariner's documents representing such certificates.

(b) Continuous discharge books are issued on Coast Guard Form CG-719B.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by USCG-2003-14500, 69 FR 532, Jan. 6, 2004]

§ 12.02-7 When documents are required.

(a) Every seaman employed on any merchant vessel of the United States of 100 gross tons or upward, except vessels employed exclusively in trade on the navigable rivers of the United States, shall be issued, at the option of the seaman, a continuous discharge book, a certificate of identification, or merchant mariner's document representing such certificate of identification, which shall be retained by him. This book or certificate of identification or merchant mariner's document will bear a number, and this same number shall be shown on all certificates of service

or efficiency issued to the holder of the book or certificate or document. Provisions of this section are not applicable to unrigged vessels except seagoing barges and certain tank barges.

(b) Every seaman, as referred to in paragraph (a) of this section, shall produce a continuous discharge book or certificate of identification or merchant mariner's document representing such a certificate to the United States shipping commissioner before signing Articles of Agreement, and where the seaman is not signed on before a shipping commissioner, one of these documents shall be exhibited to the master of the vessel at the time of his employment. Seamen who do not possess one of these documents may be employed at a foreign port or place.

(c)(1) Every person employed on any merchant vessel of the United States of 100 gross tons and upward, except those navigating rivers exclusively and the smaller inland lakes, below the rank of licensed officer and registered staff officer, shall possess a valid certificate of service, or merchant mariner's document representing such certificate, issued by an Officer in Charge, Marine Inspection.

(2) No certificate of service or efficiency is required of any person below the rank of licensed officer employed on any unrigged vessel except seagoing barges and certain tank barges.

(3) No certificate of service or efficiency is required of any person below the rank of licensed officer employed on any sail vessel of less than 500 net tons while not carrying passengers for hire and while not operating outside the line dividing inland waters from the high seas, as defined in section 2 of the act of February 19, 1895, as amended (33 U.S.C. 151) and in 33 CFR part 82.

(d) After January 31, 1997, each person serving as a rating forming part of a navigational watch on a seagoing ship of 500 gross tons or more shall hold an STCW endorsement certifying him or her as qualified to perform the navigational function at the support level, in accordance with STCW (incorporated by reference in § 12.01-3).

(e) After January 31, 2002, each person serving as a rating forming part of a watch in a manned engine-room or

designated to perform duties in a periodically unmanned engine-room, on a seagoing ship driven by main propulsion machinery of 750 kW [1,000 hp] of propulsion power or more, shall hold an STCW endorsement certifying him or her as qualified to perform the marine-engineering function at the support level, in accordance with STCW.

(f) Notwithstanding any other rule in this part, no unlicensed person serving on any of the following vessels needs hold an STCW endorsement, either because he or she is exempt from application of the STCW, or because the vessels are not subject to further obligation under STCW, on account of their special operating conditions as small vessels engaged in domestic voyages:

(1) Small passenger vessels subject to subchapter T or K of title 46, CFR.

(2) Vessels of less than 200 GRT (other than passenger vessels subject to subchapter H of title 46, CFR).

(3) Uninspected passenger vessels as defined in 46 U.S.C. 2101(42).

(4) Fishing vessels as defined in 46 U.S.C. 2101(11)(a).

(5) Fishing vessels used as fish-tender vessels as defined in 46 U.S.C. 2101(11)(c).

(6) Barges as defined in 46 U.S.C. 2101(2), including non-self-propelled mobile offshore-drilling units.

(7) Vessels operating exclusively on the Great Lakes.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 95-062, 62 FR 34535, June 26, 1997; USCG-1999-5610, 67 FR 66068, Oct. 30, 2002]

§ 12.02-9 Application for documents.

(a) *General.* The Coast Guard will not process an incomplete merchant mariner's document application. It will process an application that is current and up-to-date with respect to service, physical examination, and other pertinent matters. In the case of a seaman applying for his first certificate, other than certificate of identification, the application shall include a request for either a continuous discharge book or a merchant mariner's document representing a certificate of identification, at the option of the applicant.

(b)(1) When the application is submitted for a certificate of identification, certificate of service, certificate

of efficiency, merchant mariner's document, or any combination thereof, or a continuous discharge book, the seaman shall furnish three unmounted dull finish photographs of passport type (2 inches by 1½ inches) taken within one year and showing the full face at least one inch in height with head uncovered.

(2) When the application requests a continuous discharge book in addition to a certificate of service or certificate of efficiency or merchant mariner's document one additional photograph shall be furnished.

(c) An applicant for a document where sea service is required shall produce with his application discharges or other documentary evidence of his service, indicating the name of the vessels and dates on which he has had service, in what capacity and on what waters.

(d) If the applicant possesses a continuous discharge book, certificate of identification, or merchant mariner's document representing such certificate, it shall be exhibited at the time of making application for any other document.

(e) Approved applications are valid for 12 months.

(f) Except for applicants requesting an inactive merchant mariner's document renewal under § 12.02-27(g) of this part, to obtain an original issuance of a merchant mariner's document, the first endorsement as an able seaman, lifeboatman, qualified member of the engine department, or tankerman, or a reissuance of a merchant mariner's document with a new expiration date, each applicant shall present evidence of having passed a chemical test for dangerous drugs or of qualifying for an exception from testing in § 16.220 of this subchapter.

(g) Each applicant for a merchant mariner's document may be subject to a criminal record review and a safety and security check as described by § 12.02-4(c).

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(h) Each applicant for a merchant mariner's document shall comply with the NDR requirements in §12.02-4(d).

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 74-178, 40 FR 57673, Dec. 11, 1975; CGD 91-211, 59 FR 49300, Sept. 27, 1994; CGD 91-223, 60 FR 4525, Jan. 23, 1995; CGD 91-212, 60 FR 65489, Dec. 19, 1995; USCG-2003-14500, 69 FR 532, Jan. 6, 2004]

§ 12.02-10 Applications for documents from aliens.

(a) No application from an alien for a certificate of service, certificate of efficiency, certificate of identification, continuous discharge book, or merchant mariner's document shall be accepted unless the alien presents acceptable documentary evidence from the United States US Citizenship and Immigration Services that he is lawfully admitted to the United States for permanent residence.

(b) This evidence may be in the form of an alien registration receipt card issued by the US Citizenship and Immigration Services bearing the certification that the alien was admitted to the United States as an immigrant, or a declaration of intention to become a citizen of the United States issued by a naturalization court.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

§ 12.02-11 General provisions respecting merchant mariners' documents.

(a) As provided in §12.02-5, every certificate of service, certificate of efficiency, or certificate of identification issued or reissued shall be in the form of a merchant mariner's document, Coast Guard Form CG-2838.

(b) Any licensed officer or unlicensed seaman currently holding, in a valid status, any of the documents listed in paragraph (a) of this section may, upon request and without examination, be issued a merchant mariner's document.

(c) A merchant mariner's document shall be a certificate of service authorizing the holder to serve in any rating endorsed thereon, or in any lower rating in the same department, or in any rating covered by a general endorsement thereon.

(d)(1) A merchant mariner's document issued to a licensed deck officer

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will be endorsed for, *any unlicensed rating in the deck department, except able seaman*, and will be a certificate of service authorizing the holder to serve in any unlicensed capacity in the deck department, except able seaman, without being required to present his license. If a licensed deck officer qualifies as able seaman, the merchant mariner's document will be endorsed, *any unlicensed rating in the deck department, including able seaman*, and such endorsement will be deemed to include a certificate of efficiency as lifeboatman.

(2) A merchant mariner's document issued to an engineer officer licensed for inspected vessels of over 2,000 horsepower, will be endorsed for *any unlicensed rating in the engine department*, and will be a certificate of service authorizing the holder to serve in any unlicensed capacity in the engine department without being required to present his license. If a licensed engineer qualifies as a lifeboatman, the further endorsement, *lifeboatman*, will be placed on the merchant mariner's document.

(3) A merchant mariner's document issued to a licensed radio officer will be endorsed as follows: *See License as Radio Officer*. If a licensed radio officer qualifies as a lifeboatman, the further endorsement, *Lifeboatman*, will be placed on the merchant mariner's document. Qualifications for other ratings for which a radio officer is eligible may also be endorsed on the document.

(e)(1) A merchant mariner's document issued to a staff officer will be endorsed as follows: *See Certificate of Registry*. The holder of a certificate of registry as chief purser, purser, senior assistant purser, or junior assistant purser, may also serve in any capacity in the staff department not requiring a certificate of registry without obtaining an additional endorsement on his merchant mariner's document.

(2) The authorized holder of any valid merchant mariner's document, however endorsed, may serve in any capacity in the staff department of a vessel, except in those capacities requiring registered staff officers: *Provided*, That whenever such service includes the handling of food no person may be so employed unless his document bears

the food handler's endorsement "(F.H.)."

(f) A merchant mariner's document endorsed as able seaman or as lifeboatman shall be a certificate of efficiency as lifeboatman.

(g) Every merchant mariner's document shall be a certificate of identification unless the holder also holds a continuous discharge book. The holder of a certificate of identification in the form issued before November 1, 1945, shall surrender that certificate before he is issued a merchant mariner's document.

(h) When a merchant mariner's document is issued, renewed, or endorsed, the Officer in Charge, Marine Inspection, will determine whether the holder of the document is required to hold an STCW endorsement for service on a seagoing vessel, and then, if the holder is qualified, the Officer in Charge, Marine Inspection will issue the appropriate endorsement. The Officer in Charge, Marine Inspection will also issue an STCW endorsement at other times, if circumstances so require and if the holder of the document is qualified to hold the endorsement. The Officer in Charge, Marine Inspection will issue an STCW endorsement for the following ratings:

(1) A rating forming part of a navigational watch on a seagoing ship of 500 GT or more if the holder of the document is qualified in accordance with STCW Regulation II/4 and Section A-II/4 of the STCW Code (incorporated by reference in §12.01-3), to perform the navigational function at the support level.

(2) A rating forming part of a watch in a manned engine-room, or designated to perform duties in a periodically unmanned engine-room, on a seagoing ship driven by main propulsion machinery of 750 kW [1,000 hp] of propulsion power or more, if the holder is qualified in accordance with STCW Regulation III/4 and Section A-III/4 of the STCW Code, to perform the marine-engineering function at the support level.

(i) At the request of the holder of the document, the Officer in Charge, Marine Inspection may add an endorsement to indicate that a qualified holder has received basic safety-training or

instruction required under Chapter VI of STCW.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 95-062, 62 FR 34535, June 26, 1997; USCG-1999-5610, 67 FR 66068, Oct. 30, 2002; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

§ 12.02-12 Identity.

(a) Each person applying for a merchant mariner's document shall present acceptable proof of identity. Proof of identity shall consist of two current forms of identification, one of which shall contain a photo of the applicant. The Coast Guard may require other identification information reasonably necessary to prove the applicant's identity.

(b) The following credentials are acceptable proof of identity:

(1) Unexpired U.S. military identification card;

(2) Unexpired U.S. driver's license;

(3) Unexpired U.S. passport;

(4) Unexpired official identification card issued by a federal, State, or local government or by a territory or possession of the U.S. (including a federal employee's identification credential);

(5) Unexpired port credential, with photo of the applicant, issued by State or local port authority;

(6) Unexpired law enforcement credential, with photo of the applicant;

(7) Unexpired merchant mariner's document issued after February 3, 2003;

(8) Unexpired foreign passport; or

(9) Birth Certificate or Birth Registration, issued by a State, county, municipality or outlying possession of the U.S.

[USCG-2003-14500, 69 FR 532, Jan. 6, 2004]

§ 12.02-13 Citizenship requirements.

(a) Any person making application for a continuous discharge book or a certificate of identification or a merchant mariner's document representing a certificate of identification and claiming to be a citizen of the United States shall present acceptable evidence of such citizenship at the time of making application. No original document shall be issued to any person claiming to be a citizen of the United States until such citizenship is established by acceptable evidence.

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(b) The OCMI may reject any evidence of citizenship that is not believed to be authentic. Acceptable evidence of citizenship may be an original or a copy certified as true by the agency responsible for issuing the document of the following:

- (1) Birth certificate or birth registration;
- (2) Certificate of naturalization (original must be presented; photocopies are unlawful);
- (3) Baptismal certificate or parish record recorded within one year after birth;
- (4) Statement of a practicing physician certifying the physician's attendance at the birth and who possesses a record showing the date and location at which it occurred;
- (5) State Department passport;
- (6) A merchant mariner's document issued by the Coast Guard after February 3, 2003, that shows that the holder is a citizen of the U.S.;
- (7) Delayed certificate of birth issued under a state seal in the absence of any collateral facts indicating fraud in its procurement; or
- (8) Certificate of Citizenship issued by the US Citizenship and Immigration Services or by the Bureau of Citizenship and Immigration Services;

(c) If the applicant can not meet the requirements set forth in paragraphs (b)(1) through (8) of this section, the applicant must make a statement to that effect, and may submit data of the following character for consideration:

- (1) Report of the Census Bureau showing the earliest available record of age or birth.
- (2) Affidavits of parents, other relative, or two or more responsible citizens of the U.S. stating citizenship.
- (3) School records, immigration records, or insurance policies.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended at 60 FR 50460, Sept. 29, 1995; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998; USCG-2001-10224, 66 FR 48619, Sept. 21, 2001; USCG-2003-14500, 69 FR 532, Jan. 6, 2004; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

§ 12.02-14 Nationality of aliens.

(a) Any alien making application for a continuous discharge book or certificate of identification or merchant mariner's document representing a cer-

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tificate of identification shall present acceptable evidence of nationality at the time of making application. No original document shall be issued to any alien until nationality is established by acceptable evidence.

(b) Any document of an official character showing the country of which the alien is a citizen or subject may be accepted as acceptable evidence of an alien's nationality. The following are examples of such a document:

(1) Declaration of intention to become a citizen of the United States made by the alien after 1929.

(2) A travel document in the nature of a passport issued by the government of the country of which the alien is a citizen or subject.

(3) A certificate issued by the consular representative of the country of which the alien is a citizen or subject.

(c) Should any doubt arise as to whether or not the document presented may be considered as acceptable evidence of the alien's nationality, the matter shall be referred to the Commanding Officer, National Maritime Center, for decision.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 95-072, 60 FR 50460, Sept. 29, 1995; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998]

§ 12.02-15 Oath requirement.

Applicants for a merchant mariner's document for any rating shall take an oath before an Officer in Charge, Marine Inspection, or other official authorized to give such oath, or a commissioned officer of the Coast Guard authorized to administer oaths under 10 U.S.C. 936 or 14 U.S.C. 636, that they will faithfully and honestly perform all the duties required of them by law and carry out all lawful orders of superior officers on shipboard. Such an oath remains binding for all subsequent merchant mariner's documents issued to a person until the document is surrendered to the Officer in Charge, Marine Inspection.

[CGD 91-211, 59 FR 49300, Sept. 27, 1994]

§ 12.02-17 Preparation and issuance of documents.

(a) Upon application of a person for a merchant mariner's document, any required examination will be given as soon as practicable.

(b) Upon determining that the applicant satisfactorily meets all requirements for the document and any endorsements requested, the Officer in Charge, Marine Inspection, shall issue the appropriate document to the applicant. A merchant mariner's document is valid for a term of 5 years from the date of issuance. Any document which is renewed or reissued prior to its expiration date automatically becomes void upon issuance of the replacement document.

(c) When a person applies for a merchant mariner's document, he or she must—

(1) Sign the document; and

(2) Provide acceptable proof of identity as described in § 12.02-12.

(d) For recordkeeping purposes, the official identification number is a seaman's social security number.

(e) After July 31, 1998, an applicant for a merchant mariner's document who will be serving on a seagoing vessel of 200 GRT or more shall provide a document issued by a qualified medical practitioner attesting the applicant's medical fitness to perform the functions for which the document is issued.

(f) An applicant for a certificate of service or efficiency who has been duly examined and refused a certificate by an Officer in Charge, Marine Inspection may come before the same Officer in Charge, Marine Inspection for reexamination at any time after the date of the initial examination. The Officer in Charge, Marine Inspection sets the time of reexamination based on the applicant's performance on the initial examination. However, the maximum waiting period after the initial failure will be 30 days, and the maximum waiting period after a second or subsequent failure will be 90 days.

(g) An applicant who has been examined and refused a certificate by an Officer in Charge, Marine Inspection may not make application for examination to any other Officer in Charge, Marine Inspection until 30 days after the applicant's last failure of an examination or

reexamination. However, an applicant may apply for examination by another Officer in Charge, Marine Inspection before the expiration of the 30 day period if sanctioned by the Officer in Charge, Marine Inspection who refused the applicant.

(h) The mariner shall return the previous MMD when a new MMD is issued.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 72-81R, 37 FR 10834, May 31, 1972; 44 FR 21021, Apr. 9, 1979; CGD 91-211, 59 FR 49300, Sept. 27, 1994; CGD 95-062, 62 FR 34535, June 26, 1997; USCG-2003-14500, 69 FR 532, Jan. 6, 2004]

§ 12.02-18 Fees.

(a) Use table 12.02-18 to determine the fees that you must pay for merchant mariner document activities in this part.

(b) Unless otherwise specified in this part, when two documents are processed on the same application—

(1) *Evaluation fees.* If a merchant mariner document transaction is processed on the same application as a license or certificate of registry transaction, only the license or certificate of registry evaluation fee will be charged;

(2) *Examination fees.* If a license examination under part 10 also fulfills the examination requirements in this part for a merchant mariner document, only the fee for the license examination is charged; and

(3) *Issuance fees.* A separate issuance fee will be charged for each document issued.

(c) You may pay—

(1) All fees required by this section when you submit your application; or

(2) A fee for each phase at the following times:

(i) An evaluation fee when you submit your application.

(ii) An examination fee before you take the first examination section.

(iii) An issuance fee before you receive your merchant mariner document.

(d) If you take your examination someplace other than a Regional Examination Center (REC), you must pay the examination fee to the REC at least one week before your scheduled examination date.

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(e) Unless the REC provides additional payment options, your fees may be paid as follows:

(1) Your fee payment must be for the exact amount.

(2) Make your check or money order payable to the U.S. Coast Guard, and write your social security number on the front of each check or money order.

(3) If you pay by mail, you must use either a check or money order.

(4) If you pay in person, you may pay with cash, check, or money order at Coast Guard units where Regional Examination Centers are located.

(f) The Coast Guard may assess charges for collecting delinquent payments or returned checks. The Coast Guard will not provide documentation services to a mariner who owes money for documentation services previously provided.

TABLE 12.02-18—FEES

If you apply for—	And you need—		
	Evaluation—Then the fee is—	Examination—Then the fee is—	Issuance—Then the fee is—
Merchant Mariner Document:			
Original:			
Without endorsement	\$95	n/a	\$45.
With endorsement	\$95	\$140	\$45.
Endorsement for qualified rating	\$95	\$140	\$45.
Upgrade or Raise in Grade	\$95	\$140	\$45.
Renewal without endorsement for qualified rating	\$50	n/a	\$45.
Renewal with endorsement for qualified rating	\$50	\$45	\$45.
Renewal for continuity purposes	n/a	n/a	\$45.
Reissue, Replacement, and Duplicate	n/a	n/a	\$45. ¹
STCW Certification:			
Original	No fee	No fee	No fee.
Renewal	No fee	No fee	No fee.
Other Transactions:			
Duplicate Continuous Discharge Book	n/a	n/a	\$10.
Duplicate record of sea service	n/a	n/a	\$10.
Copy of certificate of discharge	n/a	n/a	\$10.

¹ Duplicate for document lost as result of marine casualty—No Fee.

[USCG-1997-2799, 64 FR 42815, Aug. 5, 1999; 64 FR 53231, Oct. 1, 1999]

§ 12.02-19 **Suspension or revocation of documents.**

Any certificate of service or of efficiency or merchant mariner's document representing such certificate(s) is subject to suspension or revocation on the same grounds and in the same manner and with like procedure as is provided in the case of suspension or revocation of licenses of officers under the provisions of 46 U.S.C. Chapter 77.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 95-028, 62 FR 51196, Sept. 30, 1997]

§ 12.02-21 **Issuance of documents after revocation.**

(a) An applicant who has had a certificate or other document revoked and who is applying for certification in the same or any other rating shall state in his application the date of revocation

and number or type of the document revoked.

(b) No applicant who has had a certificate or other document revoked will be certificated in the same or any other rating except upon approval of the Commanding Officer, National Maritime Center.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 95-072, 60 FR 50460, Sept. 29, 1995; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998]

§ 12.02-23 **Issuance of duplicate documents.**

(a) If a seaman loses his continuous discharge book, merchant mariner's document or certificate of discharge by shipwreck or other casualty, he shall be supplied with a reissue of such documents free of charge. The phrase *or other casualty* as used in this section is interpreted to mean any damage to a

ship caused by collision, explosion, tornado, wreck or flooding of the ship, such as a tidal wave or a grounding of the ship on a sand bar, or a beaching of the ship on a shore or by fire or other causes in a category with these mentioned.

(b) If a seaman loses a continuous discharge book, merchant mariner's document, or certificate of discharge otherwise than by shipwreck or other casualty and applies for a reissue, the appropriate fee set out in table 12.02-18 in § 12.02-18 is required.

(c) A person entitled to a duplicate merchant mariner's document, duplicate continuous discharge book, copies of certificates of discharge, or record of sea service may obtain the documents by applying at any Regional Examination Center referenced in § 12.01-7 by:

(1) Completing the application form provided by the Coast Guard; and

(2) Paying the fee set out in table 12.02-18 in § 12.02-18.

(d) Each person issued a document described in § 12.02-5, shall report its loss to an Officer in Charge, Marine Inspection.

(e) If a merchant mariner's document or service record is lost, the seaman may obtain a duplicate by following the procedures in paragraph (c) of this section and by signing an affidavit, before the OCMI or a designated representative, explaining the loss of the document or service record. The Coast Guard will not process any application for a duplicate merchant mariner's document unless the applicant complies with the requirements of § 12.02-9.

(f) No application from an alien for a duplicate merchant mariner's document shall be accepted unless the alien complies with the requirements of § 12.02-10.

(g) The Coast Guard may deny applications for duplicate merchant mariner's documents for any reason listed in § 12.02-4.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGFR 71-168, 36 FR 23297, Dec. 8, 1971; CGD 72-81R, 37 FR 10834, May 31, 1972; CGD 91-002, 58 FR 15239, Mar. 19, 1993; USCG-1997-2799, 64 FR 42816, Aug. 5, 1999; USCG-2003-14500, 69 FR 532, Jan. 6, 2004; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004; USCG-2008-0906, 73 FR 56508, Sept. 29, 2008]

§ 12.02-24 Reporting loss of continuous discharge book, merchant mariner's document, or certificate of discharge.

Whenever a mariner loses a continuous discharge book, merchant mariner's document, or certificate of discharge, the mariner shall immediately report the loss to the nearest OCMI. The report shall be made in writing giving the facts incident to its loss.

[USCG-2003-14500, 69 FR 532, Jan. 6, 2004]

§ 12.02-25 Right of appeal.

Any person directly affected by a decision or action taken under this part, by or on behalf of the Coast Guard, may appeal therefrom in accordance with subpart 1.03 of this chapter.

[CGD 88-033, 54 FR 50379, Dec. 6, 1989]

§ 12.02-27 Requirements for renewal of a merchant mariner's document.

(a) *General.* Except as provided in paragraph (g) of this section, an applicant for renewal of a merchant mariner's document shall establish possession of all of the necessary qualifications before the document is renewed. The Coast Guard will not process an application until the applicant has submitted a complete application package that complies with the requirements of § 12.02-9. A request for a renewed merchant mariner's document may be denied for any reason listed in § 12.02-4.

(1) Each application for a merchant mariner's document must be made on form CG-719B furnished by the Coast Guard and be accompanied by the evaluation fee (including examination and issuance fees when required) established in Table 12.02-18 of § 12.02-18. Each application must contain all necessary proofs of qualifications, identity, and citizenship or nationality. It must be current and up-to-date with respect to service, the physical examination, and all other pertinent matters.

(2) The applicant may apply either in person at any Regional Examination Center referenced in § 12.01-7(a) or by mail under paragraph (e)(3) of this section.

(3) Each applicant who elects to renew by mail shall submit the merchant mariner's document with his or

her application. If a document is submitted, it will not be returned to the applicant. A photocopy of a merchant mariner's document showing both the front and the back of the document may be submitted in place of the existing document.

(4) The expiration date of a merchant mariner's document that was issued without an expiration date is determined in accordance with §12.02-29.

(5) Each applicant shall comply with §12.02-09(b)(1) of this part.

(b) *Fitness.* No merchant mariner's document will be renewed if it has been suspended without probation or revoked as a result of action under part 5 of this chapter, or facts which would render a renewal improper have come to the attention of the Coast Guard.

(c) *Professional requirements.* (1) In order to renew a merchant mariner's document endorsed with a qualified rating, the applicant shall comply with one of the following:

(i) Present evidence of at least 1 year of sea service during the past 5 years;

(ii) Pass a comprehensive, open-book exercise covering the general subject matter required by this part for the applicable endorsement or pass an open-book license exercise that covers the same subject matter required for the MMD endorsement;

(iii) Complete an approved refresher training course; or,

(iv) Present evidence of employment in a position closely related to the operation, construction, or repair of vessels (either deck or engineer as appropriate for the endorsement) for at least 3 years during the past 5 years.

(2) There are no professional requirements for renewal of a merchant mariner's document that is not endorsed with any qualified ratings.

(d) *Physical requirements.* (1) An applicant for renewal of a merchant mariner's document endorsed with a qualified rating other than lifeboatman, shall submit a certification by a licensed physician or physician assistant that he or she is in good health and has no physical impairment or medical condition which would render him or her incompetent to perform the ordinary duties of that qualified rating(s). This certification must address visual acuity and hearing in addition to gen-

eral physical condition, and must have been completed within the previous 12 months.

(2) If the Officer in Charge, Marine Inspection has reason to believe that an applicant suffers from some physical impairment or medical condition which would render the applicant incompetent to perform the duties of the qualified rating(s) (other than lifeboatman), the applicant may be required to submit the results of an examination by a licensed physician or physician assistant that meets the requirements for originally obtaining the rating(s).

(3) An applicant who has lost sight in one eye may renew a merchant mariner's document with qualified ratings, provided the applicant is qualified in all other respects and that the visual acuity in the remaining eye passes the test required in §10.205(d) of this chapter.

(e) *Special circumstances—(1) Reissuance after expiration, Period of grace.* Except as provided in this paragraph, a merchant mariner's document may not be renewed more than 12 months after it has expired. To obtain a reissuance of a merchant mariner's document expired more than 12 months, an applicant shall comply with the requirements of paragraph (f) of this section. When an applicant's merchant mariner's document expires during a time of service with the Armed Forces and there is no reasonable opportunity for renewal, including by mail, this 12-month period of grace may be extended. The period of military service following the date of merchant mariner's document expiration which precluded renewal may be added to the 12 month period of grace. The 12 month period of grace, and any extension, do not affect the expiration date of the document. A merchant mariner's document, and any endorsements that it contains, are not valid for use after the expiration date.

(2) *Renewal in advance.* A merchant mariner's document may not be renewed more than 12 months before expiration unless it is being renewed in conjunction with a license or certificate of registry which is either due for renewal or being upgraded, or unless

the Officer in Charge, Marine Inspection is satisfied that special circumstances exist to justify renewal.

(3) *Renewal by mail.* (i) Applications for renewal of merchant mariner's documents by mail may be sent to any Coast Guard Regional Examination Center. The following documents must be submitted:

(A) A completed application and the evaluation fee (including examination and issuance fees when required) established in Table 12.02-18 in §12.02-18.

(B) The document to be renewed, or, if it has not expired, a photocopy of it, showing both the front and the back.

(C) A copy (both front and back if the credentials are printed on two sides) of two credentials deemed acceptable proofs of identity in §12.02-12, one of which must be a photo identification.

(D) A certification from a licensed physician or physician assistant in accordance with paragraph (d) of this section.

(E) Evidence of, or acceptable substitute for, sea service in accordance with paragraph (c) of this section.

(ii) The open-book exercise, if required, may be administered through the mail.

(4) *Concurrent renewal of merchant mariner's documents, and licenses, or certificates of registry.* An applicant for concurrent renewal of more than one merchant mariner credential shall satisfy the individual renewal requirements and pay the applicable fees required by tables in §§12.02-18 and 10.109 of this chapter for each merchant mariner's document, license, or certificate of registry being renewed.

(5) Each applicant applying for renewal by mail must appear in person at an REC at least one time during the application process to obtain a renewed merchant mariner's document. At that time, the applicant must show the same proofs of identity submitted with the application package as required by paragraph (e)(3)(i)(C) of this section. No other proofs of identity will be accepted. At the time the applicant appears in person at the REC, the applicant shall provide fingerprints in a form and manner specified by the Coast Guard. The applicant shall return the expired or expiring document to the Coast Guard. If the applicant has ap-

plied in person, shown the proofs of identity, submitted the expired or expiring document with the application, and provided fingerprints, then the renewed document may be mailed to an address provided by the applicant.

(f) *Reissuance of expired merchant mariner's documents.* (1) Whenever an applicant applies for reissuance of a merchant mariner's document endorsed with qualified rating(s) more than 12 months after expiration, in lieu of the requirements of paragraph (c) of this section the applicant shall demonstrate continued professional knowledge for each qualified rating for which reissuance is sought by completing a course approved for this purpose or, by passing the complete examination for each rating, or by passing the examination for a related license required by §10.209(f)(1) of this chapter. The fees listed in tables in §§12.02-18 and 10.109 apply to these examinations.

(2) A merchant mariner's document without any qualified rating endorsements that has been expired more than 12 months shall be reissued in the same manner as a current merchant mariner's document. There are no additional requirements for reissuing merchant mariner's documents without qualified ratings that have been expired more than 12 months.

(g) *Inactive document renewal.* (1) Applicants for renewal of merchant mariner's documents that are endorsed with qualified ratings, who are unwilling or otherwise unable to meet the requirements of paragraphs (c) or (d) of this section may renew the merchant mariner's document, with the following restrictive endorsement placed on the document: "Continuity only; service under document prohibited." Holders of merchant mariner's documents with this *continuity endorsement* may have the prohibition rescinded at any time by satisfying the renewal requirements in paragraphs (c) and (d) of this section and §12.02-9(f) of this part.

(2) Applications for renewal of a document with the continuity endorsement must include:

(i) The document to be renewed, or, if it is unexpired, a photocopy of the document including the back and,

(ii) A signed statement from the applicant attesting to an awareness of

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the restriction to be placed on the renewed document and of the requirements for rescinding the continuity endorsement.

[CGD 91–211, 59 FR 49301, Sept. 27, 1994, as amended by CGD 91–223, 60 FR 4525, Jan. 23, 1995; USCG–1997–2799, 64 FR 42816, Aug. 5, 1999; USCG–2003–14500, 69 FR 532, Jan. 6, 2004; USCG–2008–0906, 73 FR 56508, Sept. 29, 2008]

§ 12.02–29 [Reserved]

Subpart 12.03—Approved and Accepted Training

§ 12.03–1 Coast Guard-accepted training other than approved courses.

(a) When the training and assessment of competence required by part 10 of this chapter or by this part 12 are not subject to approval under §10.302 of this chapter, but are used to qualify to hold an STCW certificate or endorsement for service on or after February 1, 2002, the training and assessment must meet the following requirements:

(1) The training and assessment must have written, clearly defined objectives that emphasize specific knowledge, skills, and abilities, and that include criteria to be used in establishing a student's successful achievement of the training objectives.

(2) The training must be set out in a written syllabus that conforms to a Coast Guard-accepted outline for such training and includes—

(i) The sequence of subjects to be covered;

(ii) The number of hours to be devoted to instruction in relevant areas of knowledge;

(iii) The identity and professional qualifications of the instructor(s) to be conducting the training or providing instruction;

(iv) The identity of other media or facilities to be used in conducting the training; and

(v) Measurements at appropriate intervals of each candidate's progress toward acquisition of the specific knowledge, skills, and abilities stated in the training objectives.

(3) Except as provided in paragraph (a)(4) of this section, documentary evidence must be readily available to establish that all instructors—

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(i) Have experience, training, or instruction in effective instructional techniques;

(ii) Are qualified in the task for which the training is being conducted; and

(iii) Hold the level of license, endorsement, or other professional credential required of those who would apply, on board a vessel, the relevant level of knowledge, skills, and abilities described in the training objectives.

(4) Neither a specialist in a particular field of non-maritime education, such as mathematics or first aid, nor a person with at least 3 years of service as a member of the Armed Forces of the United States, specializing in a particular field, need hold a maritime license or document to conduct training in that field.

(5) A simulator may be used in training if—

(i) The simulator meets applicable performance standards;

(ii) The instructor has gained practical operational experience on the particular type of simulator being used; and

(iii) The instructor has received appropriate guidance in instructional techniques involving the use of simulators.

(6) Essential equipment and instructional materials must afford each student adequate opportunity to participate in exercises and acquire practice in performing required skills.

(7) A process for routinely assessing the effectiveness of the instructors, including the use of confidential evaluations by students, is in place.

(8) Documentary evidence is readily available to establish that any evaluation of whether a student is competent in accordance with standards, methods, and criteria set out in part A of the STCW Code (incorporated by reference in §12.01–3) is conducted by a designated examiner who has experience, training, or instruction in assessment techniques.

(9) Records of the student's performance are maintained for at least 1 year by the offeror of the training and assessment.

(10) To ensure that the training is meeting its objectives, and the requirements of paragraphs (a) (1) through (9)

of this section, its offeror must either—

(i) Be regulated as a maritime academy or marine academy pursuant to 46 CFR part 310; or

(ii) Monitor it in accordance with a Coast Guard-accepted QSS, which must include the following features:

(A) The training must be provisionally certified, on the basis of an initial independent evaluation conducted under a Coast Guard-accepted QSS, as being capable of meeting its stated objective.

(B) The training must be periodically monitored in accordance with the schedule stipulated under the Coast Guard-accepted quality-standards system.

(C) Each person conducting the initial evaluation or the subsequent periodic monitoring of the training shall be knowledgeable about the subjects being evaluated or monitored and about the national and international requirements that apply to the training, and shall not himself or herself be involved in the training and assessment of students.

(D) Each person evaluating or monitoring the training shall enjoy convenient access to all appropriate documents and facilities, and opportunities both to observe all appropriate activities and to conduct confidential interviews when necessary.

(E) Arrangements must be such as to ensure that no person evaluating or monitoring the training is penalized or rewarded, directly or indirectly, by the sponsor of the training for making any particular observations or for reaching any particular conclusions.

(11) Each person conducting the initial evaluation under paragraph (a)(10)(ii)(A) of this section or the periodic monitoring of the training under paragraph (a)(10)(ii)(B) of this section shall communicate his or her conclusions to the Commanding Officer, National Maritime Center, NMC-2, 100 Forbes Drive, Martinsburg, West Virginia 25404, within 1 month of the completion or the evaluation of the monitoring.

(12) Each offeror of the training shall let the Coast Guard or someone authorized by the Coast Guard observe the records of a student's performance and

records otherwise relating to paragraphs (a) (1) through (10) of this section.

(b) The Coast Guard will maintain a list of training each of whose offerors submits a certificate, initially not less than 45 calendar days before offering training under this section, and annually thereafter, signed by the offeror or its authorized representative, stating that the training fully complies with requirements of this section, and identifying the Coast Guard-accepted QSS being used for independent monitoring. Training on this list will offer the training necessary for licenses and STCW endorsements under this part. The Coast Guard will update this list periodically and make it available to members of the public on request.

(c) If the Coast Guard determines, on the basis of observations or conclusions either of its own or of someone authorized by it to monitor the training, that particular training does not satisfy one or more of the conditions described in paragraph (a) of this section—

(1) The Coast Guard will so notify the offeror of the training by letter, enclosing a report of the observations and conclusions;

(2) The offeror may, within a period specified in the notice, either appeal the observations or conclusions to the Commanding Officer, National Maritime Center or bring the training into compliance; and

(3) If the appeal is denied—or the deficiency is not corrected in the allotted time, or within any additional period judged by the Coast Guard to be appropriate, considering progress towards compliance—the Coast Guard will remove the training from the list maintained under paragraph (b) of this section until it can verify full compliance; and it may deny applications for licenses for STCW endorsement based in whole or in part on training not on the list, until additional training or assessment is documented.

[CGD 95-062, 62 FR 34536, June 26, 1997, as amended by USCG-1998-4442, 63 FR 52189, Sept. 30, 1998; USCG-1999-5610, 67 FR 66068, Oct. 30, 2002; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004; USCG-2008-0906, 73 FR 56508, Sept. 29, 2008]

Subpart 12.05—Able Seamen

§ 12.05-1 Certification required.

(a) Every person employed in a rating as able seaman on any United States vessel requiring certificated able seamen, before signing articles of agreement, shall present to the master, his or her certificate as able seaman (issued in the form of a merchant mariner's document).

(b) No certificate as able seaman is required of any person employed on any tug or towboat on the bays and sounds connected directly with the seas, or on any unrigged vessel except seagoing barges or tank barges.

(c) The following categories of able seaman are established:

- (1) Able Seaman—Any Waters, Unlimited.
- (2) Able Seaman—Limited.
- (3) Able Seaman—Special.
- (4) Able Seaman—Special (OSV).

[CGD 80-131, 45 FR 69240, Oct. 20, 1980]

§ 12.05-3 General requirements.

(a) To qualify for certification as able seaman an applicant must:

- (1) Be at least 18 years of age;
- (2) Pass the prescribed physical examination;
- (3) Meet the sea service or training requirements set forth in this part;
- (4) Pass an examination demonstrating ability as an able seaman and lifeboatman; and,
- (5) Speak and understand the English language as would be required in performing the general duties of able seaman and during an emergency aboard ship.

(b) An STCW endorsement valid for any period on or after February 1, 2002, will be issued or renewed only when the candidate for certification as an able seaman also produces satisfactory evidence, on the basis of assessment of a practical demonstration of skills and abilities, of having achieved or maintained within the previous 5 years the minimum standards of competence for the following 4 areas of basic safety:

(1) Personal survival techniques as set out in table A-VI/1-1 of the STCW Code (incorporated by reference in §12.01-3).

(2) Fire prevention and fire-fighting as set out in table A-VI/1-2 of the STCW Code.

(3) Elementary first aid as set out in table A-VI/1-3 of the STCW Code.

(4) Personal safety and social responsibilities as set out in table A-VI/1-4 of the STCW Code.

(c) An STCW endorsement valid for any period on or after February 1, 2002, will be issued or renewed only when the candidate for certification as able seamen meets the requirements of STCW Regulation II/4 and of Section A-II/4 of the STCW Code, if the candidate will be serving as a rating forming part of the navigational watch on a seagoing ship of 500 GT or more.

[CGD 80-131, 45 FR 69240, Oct. 20, 1980, as amended by CGD 95-062, 62 FR 34537, June 26, 1997; CGD 95-062, 62 FR 40140, July 25, 1997; USCG-1999-5610, 67 FR 66068, Oct. 30, 2002]

§ 12.05-5 Physical requirements.

(a) All applicants for a certificate of service as able seaman shall be required to pass a physical examination given by a medical officer of the United States Public Health Service and present to the Officer in Charge, Marine Inspection, a certificate executed by the Public Health Service Officer. Such certificate shall attest to the applicant's acuity of vision, color sense, hearing, and general physical condition. In exceptional cases where an applicant would be put to great inconvenience or expense to appear before a medical officer of the United States Public Health Service, the physical examination and certification may be made by any other reputable physician.

(b) The medical examination for an able seaman is the same as for an original license as a deck officer as set forth in §10.205 of this subchapter. If the applicant is in possession of an unexpired deck license, the Officer in Charge, Marine Inspection, may waive the requirement for a physical examination.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by USCG-1998-4442, 63 FR 52189, Sept. 30, 1998]

§ 12.05-7 Service or training requirements.

(a) The minimum service required to qualify an applicant for the various

categories of able seaman is as listed in this paragraph.

(1) Able Seaman—Any Waters, Unlimited. Three years service on deck on vessels operating on the oceans or the Great Lakes.

(2) Able Seaman—Limited. Eighteen months service on deck in vessels of 100 gross tons or over which operate in a service not exclusively confined to the rivers and smaller inland lakes of the United States.

(3) Able Seaman—Special. Twelve months service on deck on vessels operating on the oceans, or the navigable waters of the United States including the Great Lakes.

(4) Able Seaman—Special (OSV). Six months service on deck on vessels operating on the oceans, or the navigable waters of the United States including the Great Lakes.

(5) After July 31, 1998, to receive an STCW endorsement for service as a “rating forming part of a navigational watch” on a seagoing ship of 500 GT or more, the applicant’s seagoing service must include training and experience associated with navigational watchkeeping and involve the performance of duties carried out under the direct supervision of the master, the officer in charge of the navigational watch, or a qualified rating forming part of a navigational watch. The training and experience must be sufficient to establish that the candidate has achieved the standard of competence prescribed in table A-II/4 of the STCW Code (incorporated by reference in §12.01-3), in accordance with the methods of demonstrating competence and the criteria for evaluating competence specified in that table.

NOTE: Employment considerations for the various categories of able seaman are contained in §157.20-15 of this chapter.

(b) Training programs approved by the Commanding Officer, National Maritime Center, may be substituted for the required periods of service on deck as follows:

(1) A graduate of a school ship may be rated as able seaman upon satisfactory completion of the course of instruction. For this purpose, *school ship* is interpreted to mean an institution which offers a complete course of instruction, including a period of at sea

training, in the skills appropriate to the rating of able seaman.

(2) Training programs, other than those classified as a school ship, may be substituted for up to one third of the required service on deck. The service/training ratio for each program is determined by the Commanding Officer, National Maritime Center, who may allow a maximum of three days on deck service credit for each day of instruction.

(c) A certificate of service as *Able Seaman, Great Lakes—18 months’ service*, is considered equivalent to a certificate of service as *Able Seaman—Limited*.

(d) A certificate of service as *Able Seaman* with the following route, vessel, or time restrictions is considered equivalent to a certificate of service as *Able Seaman—Special*:

(1) *Any waters—12 months.*

(2) *Tugs and towboats—any waters.*

(3) *Bays and sounds—12 months, vessels 500 gross tons or under not carrying passengers.*

(4) *Seagoing barges—12 months.*

(e) An individual holding a certificate of service endorsed as noted in paragraphs (c) or (d) of this section may have his or her merchant mariner’s document endorsed with the equivalent category, upon request.

[CGD 80-131, 45 FR 69240, Oct. 20, 1980, as amended by CGD 95-072, 60 FR 50460, Sept. 29, 1995; CGD 95-062, 62 FR 34537, June 26, 1997; CGD 95-062, 62 FR 40140, July 25, 1997; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998; USCG-1999-5610, 67 FR 66068, Oct. 30, 2002]

§ 12.05-9 Examination and demonstration of ability.

(a) Before an applicant is certified as an able seaman, he or she shall prove to the satisfaction of the Coast Guard by oral or other means of examination, and by actual demonstration, his or her knowledge of seamanship and the ability to carry out effectively all the duties that may be required of an able seaman, including those of a lifeboatman. The applicant shall demonstrate that he or she:

(1) Has been trained in all the operations connected with the launching of lifeboats and liferafts, and in the use of oars;

(2) Is acquainted with the practical handling of boats; and

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(3) Is capable of taking command of the boat's crew.

(b) The examination, whether administered orally or by other means, must be conducted only in the English language and must consist of questions regarding:

(1) Lifeboats and liferafts, the names of their essential parts, and a description of the required equipment;

(2) The clearing away, swinging out, and lowering of lifeboats and liferafts, and handling of lifeboats under oars and sails, including questions relative to the proper handling of a boat in a heavy sea;

(3) The operation and functions of commonly used types of davits;

(4) The applicant's knowledge of nautical terms; boxing the compass, either by degrees or points according to his experience; running lights, passing signals, and fog signals for vessels on the high seas, in inland waters, or on the Great Lakes depending upon the waters on which the applicant has had service; and distress signals; and,

(5) The applicant's knowledge of commands in handling the wheel by obeying orders passed to him as *wheelsman*, and knowledge of the use of engineroom telegraph or bell-pull signals.

(c) In the actual demonstration, the applicant shall show his ability by taking command of a boat and directing the operation of clearing away, swinging out, lowering the boat into the water, and acting as coxswain in charge of the boat under oars. He shall demonstrate his ability to row by actually pulling an oar in the boat. He shall also demonstrate knowledge of the principal knots, bends, splices, and hitches in common use by actually making them.

(d) The applicant must demonstrate to the satisfaction of the Officer in Charge, Marine Inspection, his knowledge of pollution laws and regulations, procedures for discharge containment and cleanup, and methods for disposal of sludge and waste material from cargo and fueling operations.

(e) Any person who is in valid possession of a certificate as able seaman endorsed, *any waters—12 months* and who can produce documentary evidence of sufficient service to qualify for a cer-

tificate as able seaman endorsed, *any waters—unlimited*, may be issued a new document bearing this endorsement without additional professional examination. The applicant shall surrender for cancellation the document bearing the limited endorsement. No physical examination will be required at the time of this exchange unless it is found that the applicant obviously suffers from some physical or mental infirmity to a degree that in the opinion of the Officer in Charge, Marine Inspection, would render him incompetent to perform the usual duties of an able seaman at sea. If such condition is believed to exist, the applicant shall be required to undergo an examination by a medical officer of the Public Health Service to determine his competency.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 71-161R, 37 FR 28263, Dec. 21, 1972; CGD 94-029, 61 FR 47064, Sept. 6, 1996; USCG-2002-13058, 67 FR 61278, Sept. 30, 2002; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

§ 12.05-11 General provisions respecting merchant mariner's document endorsed for service as able seamen.

(a) The holder of a merchant mariner's document endorsed for the rating of able seamen may serve in any unlicensed rating in the deck department without obtaining an additional endorsement; *provided*, however, that the holder shall hold the appropriate endorsement under the STCW (incorporated by reference in §12.01-3) when serving in as a "rating forming part of a navigational watch" on a seagoing ship of 500 GT or more.

(b) A merchant mariner's document endorsed as able seaman will also be considered a certificate of efficiency as lifeboatman without further endorsement.

(c) This type of document will describe clearly the type of able seaman certificate which it represents, e.g.: able seaman—any waters; able seaman—any waters, 12 months; able seaman—Great Lakes, 18 months; able seaman—on freight vessels, 500 gross tons or less on bays or sounds, and on

tugs, towboats, and barges on any waters.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 95-062, 62 FR 34537, June 26, 1997; USCG-1999-5610, 67 FR 66068, Oct. 30, 2002]

Subpart 12.07 [Reserved]

Subpart 12.10—Lifeboatman

§ 12.10-1 Certification required.

Every person employed in a rating as lifeboatman on any United States vessel requiring certificated lifeboatmen shall produce a certificate as lifeboatman or merchant mariner's document endorsed as lifeboatman or able seaman to the shipping commissioner, United States collector or deputy collector of customs, or master before signing articles of agreement. No certificate of efficiency as lifeboatman is required of any person employed on any unrigged vessel, except on a sea-going barge and on a tank barge navigating waters other than rivers and/or canals.

§ 12.10-3 General requirements.

(a) An applicant to be eligible for certification as lifeboatman must meet one of the following requirements:

(1) At least 1 year's sea service in the deck department, or at least 2 years' sea service in the other departments of ocean, coastwise, Great Lakes, and other lakes, bays, or sounds vessels.

(2) Graduation from a schoolship approved by and conducted under rules prescribed by the Commanding Officer, National Maritime Center.

(3) Satisfactory completion of basic training by a Cadet of the United States Merchant Marine Cadet Corps.

(4) Satisfactory completion of 3 years' training at the U.S. Naval Academy or the U.S. Coast Guard Academy including two training cruises.

(5) Satisfactory completion of a course of training approved by the Commanding Officer, National Maritime Center, and service aboard a training vessel.

(6) Successful completion of a training course, approved by the Commanding Officer, National Maritime Center, such course to include a min-

imum of 30 hours' actual lifeboat training; *provided*, however, that the applicant produces satisfactory evidence of having served a minimum of 6 months at sea board ocean or coastwise vessels.

(b) An applicant, to be eligible for certification as lifeboatman, shall be able to speak and understand the English language as would be required in the rating of lifeboatman and in an emergency aboard ship.

(c) An applicant shall be 18 years old to be certified as proficient in survival craft under STCW Regulation VI/2 (incorporated by reference in §12.01-3).

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 95-072, 60 FR 50460, Sept. 29, 1995; CGD 95-062, 62 FR 34537, June 26, 1997; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998; USCG-1999-5610, 67 FR 66068, Oct. 30, 2002; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

§ 12.10-5 Examination and demonstration of ability.

(a) Before an applicant is certified as a lifeboatman, he or she shall prove to the satisfaction of the Coast Guard by oral or other means of examination, and by actual demonstration, his or her knowledge of seamanship and the ability to carry out effectively all the duties that may be required of a lifeboatman. The applicant shall demonstrate that he or she:

(1) Has been trained in all the operations connected with the launching of lifeboats and liferafts, and in the use of oars;

(2) Is acquainted with the practical handling of boats; and

(3) Is capable of taking command of the boat's crew.

(b) The examination, whether administered orally or by other means, must be conducted only in the English language and must consist of questions regarding:

(1) Lifeboats and liferafts, the names of their essential parts, and a description of the required equipment;

(2) The clearing away, swinging out, and lowering of lifeboats and liferafts, the handling of lifeboats under oars and sails, including questions relative to the proper handling of a boat in a heavy sea; and,

(3) The operation and functions of commonly used types of davits.

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(c) The practical examination shall consist of a demonstration of the applicant's ability to carry out the orders incident to launching lifeboats, and the use of the boat's sail, and to row.

(d) After July 31, 1998, each applicant for a lifeboatman's certificate endorsed for proficiency in survival craft and rescue boats shall be not less than 18 years old and shall produce satisfactory evidence that he or she meets the requirements of STCW Regulation VI/2 (incorporated by reference in § 12.01-3), paragraph 1, and the appropriate provisions of Section A-VI/2 of the STCW Code (also incorporated by reference in § 12.01-3).

[CGFR 60-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 71-161R, 37 FR 28263, Dec. 21, 1972; CGD 94-029, 61 FR 47064, Sept. 6, 1996; CGD 95-062, 62 FR 34537, June 26, 1997; USCG-1999-5610, 67 FR 66068, Oct. 30, 2002]

§ 12.10-7 General provisions respecting merchant mariner's document endorsed as lifeboatman.

A merchant mariner's document endorsed as able seaman is the equivalent of a certificate as lifeboatman or of an endorsement as lifeboatman and will be accepted as either of these wherever either is required by law; *provided*, however, that, when the holder documented as an able seaman has to be certificated as either proficient in survival craft and rescue boats or proficient in fast rescue boats, he or she shall hold an endorsement under the STCW (incorporated by reference in § 12.01-3).

[CGD 95-062, 62 FR 34537, June 26, 1997; CGD 95-062, 62 FR 40140, July 25, 1997, as amended by USCG-1999-5610, 67 FR 66069, Oct. 30, 2002]

§ 12.10-9 Certificates of proficiency in fast rescue boats.

(a) Each person engaged or employed as a lifeboatman proficient in fast rescue boats shall hold either a certificate of proficiency in these boats or a merchant mariner's document endorsed for proficiency in them.

(b) To be eligible for either a certificate of proficiency in fast rescue boats or a merchant mariner's document endorsed for proficiency in them, an applicant shall—

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(1) Be qualified as a lifeboatman with proficiency in survival craft and fast rescue boats under this subpart; and

(2) Furnish satisfactory proof that he or she has met the requirements for training and competence of STCW Regulation, VI/2 (incorporated by reference in § 12.01-3), paragraph 2, and the appropriate requirements of Section A-VI/2 of the STCW Code.

[CGD 95-062, 62 FR 34537, June 26, 1997, as amended by USCG-1999-5610, 67 FR 66069, Oct. 30, 2002; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

Subpart 12.13—Persons Designated To Provide Medical Care on Board Ship

SOURCE: CGD 95-062, 62 FR 34537, June 26, 1997, unless otherwise noted.

§ 12.13-1 Documentary evidence required.

Each person designated to provide medical first aid on board ship, or to take charge of medical care on board ship, shall hold documentary evidence attesting that the person has attended a course of training in medical first aid or medical care, as appropriate.

[CGD 95-062, 62 FR 34537, June 26, 1997, as amended by USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

§ 12.13-3 Basis of documentary evidence.

The Officer in Charge, Marine Inspection will issue such documentary evidence to the person, or endorse his or her license or document, on being satisfied that the training required under section 12.13-1 of this section establishes that he or she meets the standards of competence set out in STCW Regulation VI/4 and Section A-VI/4 of the STCW Code.

Subpart 12.15—Qualified Member of the Engine Department

§ 12.15-1 Certification required.

(a) Every person employed in a rating as qualified member of the engine department on any United States vessel requiring certificated qualified members of the engine department shall

produce a certificate as qualified member of the engine department to the shipping commissioner, United States Collector or Deputy Collector of Customs, or master before signing articles of agreement.

(b) No certificate as qualified member of the engine department is required of any person employed on any unrigged vessel, except seagoing barges.

§ 12.15-3 General requirements.

(a) A qualified member of the engine department is any person below the rating of licensed officer and above the rating of coal passer or wiper, who holds a certificate of service as such qualified member of the engine department issued by the Coast Guard or predecessor authority.

(b) For purposes of administering this part the rating of *assistant electrician* is considered a rating not above that of coal passer or wiper, but equal thereto.

(c) An applicant, to be eligible for certification as qualified member of the engine department, shall be able to speak and understand the English language as would be required in the rating of qualified member of the engine department and in an emergency aboard ship.

(d) After July 31, 1998, an STCW endorsement valid for any period on or after February 1, 2002, will be issued or renewed only when the candidate for certification as a qualified member of the engine department also produces satisfactory evidence, on the basis of assessment of a practical demonstration of skills and abilities, of having achieved or maintained within the previous 5 years the minimum standards of competence for the following 4 areas of basic safety:

(1) Personal survival techniques as set out in table A-VI/1-1 of the STCW Code (incorporated by reference in §12.01-3).

(2) Fire prevention and fire-fighting as set out in table A-VI/1-2 of the STCW Code.

(3) Elementary first aid as set out in table A-VI/1-3 of the STCW Code.

(4) Personal safety and social responsibilities as set out in table A-VI/1-4 of the STCW Code.

(e) After July 31, 1998 an STCW endorsement that is valid for any period on or after February 1, 2002, will be issued or renewed only when the candidate for certification as a qualified member of the engine department meets the standards of competence set out in STCW Regulation III/4 and Section A-III/4 of the STCW Code, if the candidate will be serving as a rating forming part of a watch in a manned engine-room, or designated to perform duties in a periodically unmanned engine-room, on a seagoing ship driven by main propulsion machinery of 750 kW [1,000 hp] propulsion power or more.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 95-062, 62 FR 34538, June 26, 1997; USCG-2000-7790, 65 FR 58458, Sept. 29, 2000; USCG-1999-5610, 67 FR 66069, Oct. 30, 2002]

§ 12.15-5 Physical requirements.

(a) An applicant for a certificate of service as a qualified member of the engine department shall present a certificate of a medical officer of the United States Public Health Service, or other reputable physician attesting that his eyesight, hearing, and physical condition are such that he can perform the duties required of a qualified member of the engine department.

(b) The medical examination for qualified member of the engine department is the same as for an original license as engineer, as set forth in §10.205 of this subchapter. If the applicant is in possession of an unexpired license, the Officer in Charge, Marine Inspection, may waive the requirement for a physical examination.

(c) An applicant holding a certificate of service for a particular rating as qualified member of the engine department and desiring certification for another rating covered by this same form of certificate may qualify therefor without a physical examination unless the Officer in Charge, Marine Inspection, finds that the applicant obviously suffers from some physical or mental infirmity to a degree that would render him incompetent to perform the ordinary duties of a qualified member of the engine department. In this event

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the applicant shall be required to undergo an examination to determine his competency.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by USCG-1998-4442, 63 FR 52189, Sept. 30, 1998; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004; USCG-2004-18884, 69 FR 68089, Nov. 23, 2004]

§ 12.15-7 Service or training requirements.

(a) An applicant for a certificate of service as qualified member of the engine department shall furnish the Coast Guard proof of qualification based on six months' service in a rating at least equal to that of wiper or coal passer.

(b) Training programs approved by the Commanding Officer, National Maritime Center, may be substituted for the required service at sea in accordance with the following:

(1) A graduate of a school ship may be rated as qualified member of the engine department upon satisfactory completion of the course of instruction. For this purpose, *school ship* is interpreted to mean an institution which offers a complete course of instruction, including a period of sea training, in the skills appropriate to the rating of qualified member of the engine department.

(2) Training programs other than those classified as a school ship may be substituted for up to one-half of the required service at sea.

(c) To qualify to receive an STCW endorsement for service as a "rating forming part of a watch in a manned engine-room or designated to perform duties in a periodically unmanned en-

gine-room" on a seagoing vessel driven by main propulsion machinery 750 kW [1,000 hp] propulsion power or more, an applicant shall prove seagoing service that includes training and experience associated with engine-room watchkeeping and involves the performance of duties carried out under the direct supervision of a qualified engineer officer or a member of a qualified rating. The training must establish that the applicant has achieved the standard of competence prescribed in table A-III/4 of the STCW Code (incorporated by reference in §12.01-3), in accordance with the methods of demonstrating competence and the criteria for evaluating competence specified in that table.

[CGD 80-131, 45 FR 69241, Oct. 20, 1980, as amended by CGD 95-072, 60 FR 50460, Sept. 29, 1995; CGD 95-062, 62 FR 34538, June 26, 1997; CGD 95-062, 62 FR 40140, July 25, 1997; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998; USCG-1999-5610, 67 FR 66069, Oct. 30, 2002]

§ 12.15-9 Examination requirements.

(a) Each applicant for certification as a qualified member of the engine department in the rating of oiler, watertender, fireman, deck engineer, refrigeration engineer, junior engineer, electrician, or machinist shall be examined orally or by other means and only in the English language on the subjects listed in paragraph (b) of this section. The applicant's general knowledge of the subjects must be sufficient to satisfy the examiner that he is qualified to perform the duties of the rating for which he makes application.

(b) List of subjects required:

Subjects	Machinist	Refrigerating engineer	Fireman/Watertender	Oiler	Electrician	Junior engineer	Deck engineer
1. Application, maintenance, and use of hand tools and measuring instruments	X	X	X	X	X	X	X
2. Uses of babbitt, copper, brass, steel, and other metals	X	X	X	X	X	X	X
3. Methods of measuring pipe, pipe fittings, sheet metal, machine bolts and nuts, packing, etc	X	X	X	X	X	X	X
4. Operation and maintenance of mechanical remote control equipment	X	.....	X	X	X	X	X
5. Precautions to be taken for the prevention of fire and the proper use of firefighting equipment	X	X	X	X	X	X	X
6. Principles of mechanical refrigeration; and functions, operation, and maintenance of various machines and parts of the systems .....	.....	X	.....	X	.....	X	.....
7. Knowledge of piping systems as used in ammonia, freon, and CO ₂ , including testing for leaks, operation of bypasses, and making up of joints .....	.....	X	.....	.....	.....	X	.....

Subjects	Ma- chinist	Re- friger- ating engi- neer	Fireman/ Watertender	Oiler	Elec- trician	Junior engi- neer	Deck engi- neer
8. Safety precautions to be observed in the operation of various refrigerating systems, including storage of refrigerants, and the use of gas masks and firefighting equipment	X	X	X	X	X	X	X
9. Combustion of fuels, proper temperature, pressures, and atomization .....	.....	.....	X	X	.....	X	.....
10. Operation of the fuel oil system on oil burning boilers, including the transfer and storage of fuel oil .....	.....	.....	X	X	.....	X	X
11. Hazards involved and the precautions taken against accumulation of oil in furnaces, bilges, floorplates, and tank tops; flarebacks, leaks in fuel oil heaters, clogged strainers and burner tips	X	X	X	X	X	X	.....
12. Precautions necessary when filling empty boilers, starting up the fuel oil burning system, and raising steam from a cold boiler .....	.....	.....	X	X	.....	X	.....
13. The function, operation, and maintenance of the various engineroom auxiliaries	X	X	X	X	X	X	.....
14. Proper operation of the various types of lubricating systems	X	X	X	X	X	X	X
15. Safety precautions to be observed in connection with the operation of engineroom auxiliaries, electrical machinery, and switchboard equipment	X	X	X	X	X	X	X
16. The function, operation, and maintenance of the bilge, ballast, fire, freshwater, sanitary, and lubricating systems ...	X	X	X	X	.....	X	X
17. Proper care of spare machine parts and idle equipment ...	X	X	X	X	X	X	X
18. The procedure in preparing a turbine, reciprocating, or Diesel engine for standby; also the procedure in securing ..	.....	.....	X	X	.....	X	.....
19. Operation and maintenance of the equipment necessary for the supply of water to boilers, the dangers of high and low water and remedial action .....	.....	.....	X	X	.....	X	.....
20. Operation, location, and maintenance of the various boiler fittings and accessories	X	.....	X	X	.....	X	.....
21. The practical application and solution of basic electrical calculations (Ohm's law, power formula, etc.) .....	.....	.....	.....	.....	X	X	X
22. Electrical wiring circuits of the various two-wire and three-wire D.C. systems and the various single-phase and poly-phase A.C. systems .....	.....	.....	.....	.....	X	X	X
23. Application and characteristics of parallel and series circuits .....	.....	.....	.....	.....	X	X	X
24. Application and maintenance of electrical meters and instruments .....	.....	.....	.....	.....	X	X	X
25. The maintenance and installation of lighting and power wiring involving testing for, locating and correcting grounds, short circuits and open circuits, and making splices .....	.....	.....	.....	.....	X	X	X
26. The operation and maintenance of the various types of generators and motors, both A.C. and D.C .....	.....	.....	.....	.....	X	X	X
27. Operation, installation, and maintenance of the various types of electrical controls and safety devices .....	.....	.....	.....	.....	X	X	X
28. Testing and maintenance of special electrical equipment, such as telegraphs, telephones, alarm systems, fire-detecting systems, and rudder angle indicators .....	.....	.....	.....	.....	X	X	.....
29. Rules and Regulations and requirements for installation, repair, and maintenance of electrical wiring and equipment installed aboard ships .....	.....	.....	.....	.....	X	X	X
29a. Pollution laws and regulations, procedures for discharge containment and cleanup, and methods for disposal of sludge and waste from cargo and fueling operations	X	X	X	X	X	X	.....
30. Such further examination of a nonmathematical character as the Officer in Charge, Marine Inspection, may consider necessary to establish the applicant's proficiency	X	X	X	X	X	X	X

(c) Each applicant for certification as a qualified member of the engine department in the rating of pumpman shall, by oral or other examination, demonstrate sufficient knowledge of the subjects peculiar to that rating to

satisfy the Officer in Charge, Marine Inspection, that he or she is qualified to perform the duties of that rating.

(d) Applicants for certification as qualified members of the engine department in the rating of deck engine

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mechanic or engineman, who have proved eligibility for such endorsement under either §12.15-13 or §12.15-15, will not be required to take a written or oral examination for such ratings.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGFR 66-46, 31 FR 13649, Oct. 22, 1966; CGD 71-161R, 37 FR 28263, Dec. 21, 1972; CGD 74-75, 42 FR 24741, May 16, 1977; CGD 94-029, 61 FR 47064, Sept. 6, 1996]

§ 12.15-11 General provisions respecting merchant mariner's documents endorsed as qualified member of the engine department.

The holder of a merchant mariner's document endorsed with one or more qualified member of the engine department ratings may serve in any unqualified rating in the engine department without obtaining an additional endorsement. This does not mean that an endorsement of one qualified member of the engine department rating authorizes the holder to serve in all qualified member of the engine department ratings. Each qualified member of the engine department rating for which a holder of a merchant mariner's document is qualified must be endorsed separately. When, however, the applicant qualifies for all ratings covered by a certificate as a qualified member of the engine department, the certification may read *QMED—any rating*. The ratings are as follows:

- (a) Refrigerating engineer.
- (b) Oiler.
- (c) Deck engineer.
- (d) Fireman/Watertender.
- (e) Junior engineer.
- (f) Electrician.
- (g) Machinist.
- (h) Pumpman.
- (i) Deck engine mechanic.
- (j) Engineman.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGFR 66-46, 31 FR 13649, Oct. 22, 1966; CGD 74-45, 42 FR 24741, May 16, 1977]

§ 12.15-13 Deck engine mechanic.

(a) An applicant for a certificate as *deck engine mechanic* shall be a person holding a merchant mariner's document endorsed as *junior engineer*. The applicant shall be eligible for such certification upon furnishing one of the following:

(1) Satisfactory documentary evidence of sea service of 6 months in the

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rating of *junior engineer* on steam vessels of 4,000 horsepower or over; or,

(2) Documentary evidence from an operator of an automated vessel that he has completed satisfactorily at least 4 weeks indoctrination and training in the engine department of an automated steam vessel of 4,000 horsepower or over; or,

(3) Satisfactory completion of a course of training for *deck engine mechanic* acceptable to the Commanding Officer, National Maritime Center.

(b) The Officer in Charge, Marine Inspection, who is satisfied that an applicant for the rating of *deck engine mechanic* meets the requirements specified in this section, will endorse this rating on the current merchant mariner's document held by the applicant.

(c) Any holder of a merchant mariner's document endorsed for *any unlicensed rating in the engine department* or *QMED—any rating* is qualified as a *deck engine mechanic* and that endorsement will not be entered on his document.

[CGFR 66-46, 31 FR 13649, Oct. 22, 1966, as amended by CGD 95-072, 60 FR 50460, Sept. 29, 1995; CGD 95-028, 62 FR 51196, Sept. 30, 1997; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998]

§ 12.15-15 Engineman.

(a) An applicant for a certificate as *engineman* shall be a person holding a merchant mariner's document endorsed as *fireman/watertender* and *oiler*, or *junior engineer*. The applicant shall be eligible for such certification upon furnishing one of the following:

(1) Satisfactory documentary evidence of sea service of 6 months in any one or combination of *junior engineer*, *fireman/watertender* or *oiler* on steam vessels of 4,000 horsepower or over; or,

(2) Documentary evidence from an operator of a *partially automated* steam vessel that he has completed satisfactorily at least 2 weeks indoctrination and training in the engine department of a *partially automated* steam vessel of 4,000 horsepower or over;

(3) Satisfactory completion of a course of training for *engineman* acceptable to the Commanding Officer, National Maritime Center.

(b) The Officer in Charge, Marine Inspection, who is satisfied that an applicant for the rating of *engineman* meets

the requirements specified in this section, will endorse this rating on the current merchant mariner's document held by the applicant.

(c) Any holder of a merchant mariner's document endorsed for *any unlicensed rating in the engine department, QMED—any rating or deck engine mechanic* is qualified as an *engineman* and that endorsement will not be entered on his document.

[CGFR 66–46, 31 FR 13650, Oct. 22, 1966, as amended by CGD 95–072, 60 FR 50460, Sept. 29, 1995; CGD 95–028, 62 FR 51196, Sept. 30, 1997; USCG–1998–4442, 63 FR 52189, Sept. 30, 1998]

Subpart 12.25—Certificates of Service for Ratings Other Than Able Seaman or Qualified Member of the Engine Department

§ 12.25–1 Certification required.

Every person employed in a rating other than able seaman or qualified member of the engine department of U.S. merchant vessels requiring such certificated persons shall produce a merchant mariner's document to the master, or person in charge if appropriate, before signing a shipping articles agreement.

[CGD 95–028, 62 FR 51196, Sept. 30, 1997]

§ 12.25–10 General requirements.

(a) Merchant mariner's documents shall be issued without professional examination to applicants for certificates of service as endorsements on merchant mariner's documents in capacities other than able seaman, lifeboatman, tankerman or qualified member of the engine department and shall be endorsed for one or more ratings. For example, *ordinary seaman—wiper—steward's department (F.H.)*. Holders of documents endorsed for service as *ordinary seaman* may serve in any unqualified rating in the deck department. Holders of documents endorsed for service as *wiper* may serve in any unqualified rating in the engine department. Documents endorsed for *steward's department (F.H.)* will authorize the holder's service in any capacity in the steward's department. (See § 12.02–11(e)(2) for unqualified ratings in the staff department.)

(b) When the holder of a merchant mariner's document has qualified as a food handler, the endorsement of his rating will be followed by the further endorsement (*F.H.*).

[CGFR 65–50, 30 FR 16640, Dec. 30, 1965, as amended by USCG–2002–13058, 67 FR 61278, Sept. 30, 2002]

§ 12.25–20 Food handler.

No applicant for a rating authorizing the handling of food will be certificated unless he produces a certificate from a medical officer of the United States Public Health Service, or other reputable physician, stating that the applicant is free from communicable disease.

[CGFR 65–50, 30 FR 16640, Dec. 30, 1965, as amended by USCG–2004–18884, 69 FR 58343, Sept. 30, 2004]

§ 12.25–25 Members of Merchant Marine Cadet Corps.

No ratings other than cadet (deck) or cadet (engine) as appropriate, and lifeboatman shall be shown on a merchant mariner's document issued to a member of the U.S. Merchant Marine Cadet Corps. The merchant mariner's document shall also be stamped *Valid only while cadet in the U.S. Maritime Administration training program*. The merchant mariner's document thus prepared shall be surrendered upon the holder being certified in any other rating or being issued a license and the rating of cadet (deck) or cadet (engine) shall be omitted from any new merchant mariner's document issued.

§ 12.25–30 Student observers.

Students in technical schools who are enrolled in courses in marine management and ship operations who present a letter or other documentary evidence that they are so enrolled shall be issued a merchant mariner's document as *student observers—any department* and may be signed on ships as such. Students holding these documents or certificates will not take the place of any of the crew, or fill any of the regular ratings.

§ 12.25–35 Apprentice engineers.

(a) Persons enrolled in an apprentice engineer training program approved by

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the Commanding Officer, National Maritime Center, and who present a letter or other documentary evidence that they are so enrolled may be issued a merchant mariner's document as apprentice engineer and may be signed on ships as such. The endorsement apprentice engineer may be in addition to other endorsements. However, this endorsement of apprentice engineer does not authorize the holder to fill any of the regular ratings.

(b) Persons holding merchant mariner's documents with the endorsement apprentice engineer shall be deemed to be seamen.

[CGFR 66-69, 31 FR 15669, Dec. 13, 1966, as amended by CGD 95-072, 60 FR 50460, Sept. 29, 1995; CGD 95-028, 62 FR 51196, Sept. 30, 1997; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998]

§ 12.25-40 Apprentice mate.

A person enrolled in an apprentice mate training program approved by the Commanding Officer, National Maritime Center who presents a letter or other documentary evidence that he is so enrolled may be issued a merchant mariner's document as apprentice mate and may be signed on ships as apprentice mate. The endorsement *apprentice mate* may be in addition to other endorsements. However, this endorsement as apprentice mate does not authorize the holder to fill any of the regular ratings.

[CGD 74-226, 40 FR 33976, Aug. 13, 1975, as amended by CGD 95-072, 60 FR 50460, Sept. 29, 1995; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998]

§ 12.25-45 GMDSS At-sea Maintainer.

An applicant is eligible to have his or her STCW certificate or endorsement include a statement of qualification as GMDSS At-sea Maintainer if he or she holds sufficient evidence of having completed a training program that covers at least the scope and content of training outlined in Section B-IV/2 of the STCW Code (incorporated by reference in §12.01-3) for training in maintenance of GMDSS installations on board vessels.

[CGD 95-062, 62 FR 34538, June 26, 1997, as amended by USCG-1999-5610, 67 FR 66069, Oct. 30, 2002]

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Subpart 12.30—Ro-Ro Passenger Ships

SOURCE: CGD 95-062, 62 FR 34538, June 26, 1997, unless otherwise noted.

§ 12.30-1 Purpose of regulations.

The purpose of the regulations in this subpart is to establish requirements for certification of seamen serving on roll-on/roll-off (Ro-Ro) passenger ships.

[CGD 95-062, 62 FR 34538, June 26, 1997, as amended by CGD 97-057, 62 FR 51042, Sept. 30, 1997]

§ 12.30-3 Definitions.

Roll-on/Roll-off (Ro-Ro) passenger ship means a passenger ship with Ro-Ro cargo spaces or special-category spaces as defined in the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS), to which ship a SOLAS Certificate is issued.

MMD means merchant mariner's document.

§ 12.30-5 General requirements.

To serve on a Ro-Ro passenger ship after January 31, 1997, a person holding an MMD and performing duties toward safety, cargo-handling, or care for passengers shall meet the appropriate requirements of STCW Regulation V/2 and of Section A-V/2 of the STCW Code (incorporated by reference in §12.01-3), and hold documentary evidence to show his or her meeting these requirements.

[CGD 95-062, 62 FR 34538, June 26, 1997, as amended by USCG-1999-5610, 67 FR 66069, Oct. 30, 2002]

Subpart 12.35—Crewmembers on a Passenger Ship, Other Than a Ro-Ro Passenger Ship, When on an International Voyage

SOURCE: USCG-1999-5610, 67 FR 66069, Oct. 30, 2002, unless otherwise noted.

§ 12.35-1 Purpose of rules.

The rules in this subpart establish requirements for the certification of seamen serving on passenger ships as defined in §12.35-3.

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§ 12.35-3 Definition.

Passenger ship in this subpart means a ship, other than a Ro-Ro passenger ship, carrying more than 12 passengers when on an international voyage.

§ 12.35-5 General requirements.

If you are an unlicensed person, then, before you may serve on a passenger ship and perform duties that involve safety or care for passengers, you must—

(a) Meet the appropriate requirements of the STCW Regulation V/3 and of section A-V/3 of the STCW Code (incorporated by reference in §12.01-3); and

(b) Hold documentary evidence to show that you do meet these requirements through approved or accepted training.

Subpart 12.40—Non-resident Alien Unlicensed Members of the Steward's Department on U.S.-Flag Large Passenger Vessels

AUTHORITY: 31 U.S.C. 9701; 46 U.S.C. 2101, 2103, 2110, 7301, 7302, 7503, 7505, 7701 and 8103; Department of Homeland Security Delegation No. 0170.1.

SOURCE: USCG-2007-27761, 72 FR 20284, Apr. 24, 2007, unless otherwise noted.

§ 12.40-1 Purpose of rules.

The rules in this subpart implement 46 U.S.C. 8103(k) by establishing requirements for the issuance of merchant mariner's documents, valid only for service in the steward's department of U.S.-flag large passenger vessels, to non-resident aliens.

§ 12.40-3 Definitions.

As used in this subpart:

Large passenger vessel means a vessel of more than 70,000 gross tons, as measured under 46 U.S.C. 14302 and documented under the laws of the United States, with capacity for at least 2,000 passengers and a coastwise endorsement under 46 U.S.C. chapter 121.

Non-resident alien means an individual who is not a citizen or alien lawfully admitted to the United States for permanent residence, but who is employable in the United States under the Immigration and Nationality Act (8

U.S.C. 1101 *et seq.*), including an alien crewman described in section 101(a)(15)(D)(i) of that Act who meets the requirements of 46 U.S.C. 8103(k)(3)(A).

Steward's department means the department that includes entertainment personnel and all service personnel, including wait staff, housekeeping staff, and galley workers, as defined in the vessel security plan approved by the Secretary under 46 U.S.C. 70103(c). These personnel may also be referred to as members of the hotel department on a large passenger vessel.

§ 12.40-5 General application requirements.

(a) Unless otherwise expressly specified in this subpart, non-resident alien applicants for Coast Guard-issued merchant mariner's documents are subject to all applicable requirements contained in this subchapter.

(b) No application from a non-resident alien for a merchant mariner's document issued pursuant to this subpart will be accepted unless the applicant's employer satisfies all of the requirements of §12.40-7.

§ 12.40-7 Employer requirements.

(a) The employer must submit the following to the Coast Guard, as a part of the applicant's merchant mariner's document application, on behalf of the applicant:

(1) A signed report that contains all material disciplinary actions related to the applicant, such as, but not limited to, violence or assault, theft, drug and alcohol policy violations, and sexual harassment, along with an explanation of the criteria used by the employer to determine the materiality of those actions;

(2) A signed report regarding an employer-conducted background check. The report must contain:

(i) A statement that the applicant has successfully undergone an employer-conducted background check;

(ii) A description of the employer-conducted background check, including all databases and records searched. The background check must, at a minimum, show that the employer has reviewed all information reasonably and

legally available to the owner or managing operator, including the review of available court and police records in the applicant's country of citizenship, and any other country in which the applicant has received employment referrals, or resided, for the past 20 years prior to the date of application; and,

(iii) All information derived from the employer-conducted background check.

(3) The employer-conducted background check must be conducted to the satisfaction of the Coast Guard for a merchant mariner's document to be issued to the applicant.

(b) If a merchant mariner's document is issued to the applicant, the report and information required in paragraph (a)(2) of this section must be securely kept by the employer on the U.S.-flag large passenger vessel, or U.S.-flag large passenger vessels, on which the applicant is employed. The report and information must remain on the last U.S.-flag large passenger vessel on which the applicant was employed until such time as the merchant mariner's document is returned to the Coast Guard in accordance with paragraph (d) of this section.

(c) If a merchant mariner's document or a transportation worker identification credential (TWIC) is issued to the applicant, each merchant mariner's document and TWIC must be securely kept by the employer on the U.S.-flag large passenger vessel on which the applicant is employed. The employer must maintain a detailed record of the seaman's total service on all authorized U.S.-flag large passenger vessels, and must make that information available to the Coast Guard upon request, to demonstrate that the limitations of § 12.40-13(c) have not been exceeded.

(d) In the event that the seaman's merchant mariner's document and/or TWIC expires, the seaman's visa status terminates, the seaman serves onboard the U.S.-flag large passenger vessel(s) for 36 months in the aggregate as a nonimmigrant crewman, the employer terminates employment of the seaman or if the seaman otherwise ceases working with the employer, the employer must return the merchant mariner's document to the Coast Guard and/or the TWIC to the Transportation Se-

curity Administration within 10 days of the event.

(e) In addition to the initial material disciplinary actions report and the initial employer-conducted background check specified in paragraph (a) of this section, the employer must:

(1) Submit an annual material disciplinary actions report to update whether there have been any material disciplinary actions related to the applicant since the last material disciplinary actions report was submitted to the Coast Guard.

(i) The annual material disciplinary actions report must be submitted to the satisfaction of the Coast Guard in accordance with the same criteria set forth in paragraph (a)(1) of this section, except that the period of time examined for the material disciplinary actions report need only extend back to the date of the last material disciplinary actions report; and

(ii) The annual material disciplinary actions report must be submitted to the Coast Guard on or before the anniversary of the issuance date of the merchant mariner's document.

(2) Conduct a background check each year that the merchant mariner's document is valid to search for any changes that might have occurred since the last employer-conducted background check was performed:

(i) The annual background check must be conducted to the satisfaction of the Coast Guard in accordance with the same criteria set forth in paragraph (a)(2) of this section, except that the period of time examined during the annual background check need only extend back to the date of the last background check; and

(ii) All information derived from the annual background check must be submitted to the Coast Guard on or before the anniversary of the issuance date of the merchant mariner's document.

(f) The employer is subject to the civil penalty provisions specified in 46 U.S.C. 8103(f) for any violation of this section.

§ 12.40-9 Basis for denial.

In addition to the requirements for a merchant mariner's document established elsewhere in this subchapter, and the basis for denial established in

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§ 12.02-4 of this part, an applicant for a merchant mariner's document issued pursuant to this subpart must:

(a) Have been employed, for a period of at least one year, on a foreign-flag passenger vessel, or foreign flag passenger vessels, that are under the same common ownership or control as the U.S.-flag large passenger vessel, or U.S.-flag large passenger vessels, on which the applicant will be employed upon issuance of a merchant mariner's document under this subpart.

(b) Have no record of material disciplinary actions during the employment required under paragraph (a) of this section, as verified in writing by the owner or managing operator of the U.S.-flag large passenger vessel, or U.S.-flag large passenger vessels, on which the applicant will be employed.

(c) Have successfully completed an employer-conducted background check, to the satisfaction of both the employer and the Coast Guard.

(d) Meet the citizenship and identity requirements of § 12.40-11.

§ 12.40-11 Citizenship and identity.

(a) In lieu of the requirements of §§ 12.02-10, 12.02-12 and 12.02-14 of this part, a non-resident alien may apply for a Coast Guard-issued merchant mariner's document, endorsed and valid only for service in the steward's department of a U.S.-flag large passenger vessel as defined in this subpart, if he or she is employable in the United States under the Immigration and Nationality Act (8 U.S.C. 1101, *et seq.*), including an alien crewman described in section 101 (a)(15)(D)(i) of that Act.

(b) To meet the citizenship and identity requirements of this subpart, an applicant must present an unexpired passport issued by the government of the country of which the applicant is a citizen or subject; and either a valid U.S. C-1/D Crewman Visa or other valid U.S. visa or authority deemed acceptable by the Coast Guard.

(c) Any non-resident alien applying for a merchant mariner's document under this subpart may not be a citizen of, or a temporary or permanent resident of, a country designated by the Department of State as a "State Sponsor of Terrorism" pursuant to section 6(j) of the Export Administration Act

of 1979 (50 U.S.C. App. 2405(j)) or section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371).

§ 12.40-13 Restrictions.

(a) A merchant mariner's document issued to a non-resident alien under this subpart authorizes service only in the steward's department of the U.S.-flag large passenger vessel(s), that is/are under the same common ownership and control as the foreign-flag passenger vessel(s), on which the non-resident alien served to meet the requirements of § 12.40-9(a):

(1) The merchant mariner's document will be endorsed for service in the steward's department in accordance with § 12.25-10 of this part;

(2) The merchant mariner's document may also be endorsed for service as a food handler if the applicant meets the requirements of § 12.25-20 of this part; and

(3) No other rating or endorsement is authorized, except lifeboatman, in which case all applicable requirements of this subchapter and the STCW Convention and STCW Code must be met.

(b) The following restrictions must be printed on the merchant mariner's document, or listed in an accompanying Coast Guard letter, or both:

(1) The name and official number of all U.S.-flag vessels on which the non-resident alien may serve. Service is not authorized on any other U.S.-flag vessel;

(2) Upon issuance, the merchant mariner's document must remain in the custody of the employer at all times;

(3) Upon termination of employment, the merchant mariner's document must be returned to the Coast Guard within 10-days in accordance with § 12.40-7;

(4) A non-resident alien issued a merchant mariner's document under this subpart may not perform watchstanding, engine room duty watch, or vessel navigation functions; and,

(5) A non-resident alien issued a merchant mariner's document under this subpart may perform emergency-related duties provided:

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(i) The emergency-related duties do not require any other rating or endorsement, except lifeboatman as specified in paragraph (a)(3) of this section;

(ii) The non-resident alien has completed familiarization and basic safety training, as required in § 15.1105 of this subchapter;

(iii) That if the non-resident alien serves as a lifeboatman, he or she must have the necessary lifeboatman's endorsement; and

(iv) The non-resident alien has completed the training for crewmembers on passenger ships performing duties involving safety or care for passengers, as required in subpart 12.35 of this part.

(c) A non-resident alien may only serve for an aggregate period of 36 months actual service on all authorized U.S.-flag large passenger vessels combined under the provisions of this subpart:

(1) Once this 36-month limitation is reached, the merchant mariner's document becomes invalid and must be returned to the Coast Guard under § 12.40-7(d), and the non-resident alien is no longer authorized serve in a position requiring a merchant mariner's document on any U.S.-flag large passenger vessel; and

(2) An individual who successfully adjusts his or her immigration status to become either a alien lawfully admitted for permanent residence to the United States or citizen of the United States may apply for a merchant mariner's document, subject to the requirements of §§ 12.02-10, 12.02-12 and 12.02-14 of this part, without any restrictions or limitations imposed by this subpart.

§ 12.40-15 Alternative means of compliance.

(a) The owner or managing operator of a U.S.-flag large passenger vessel, or U.S.-flag large passenger vessels, seeking to employ non-resident aliens issued merchant mariner's documents under this subpart may submit a plan to the Coast Guard, which, if approved, will serve as an alternative means of complying with the requirements of this subpart.

(b) The plan must address all of the elements contained in this subpart, as well as the related elements contained

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in § 15.530 of this subchapter, to the satisfaction of the Coast Guard.

PART 13—CERTIFICATION OF TANKERMEN

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13.507 Eligibility: Firefighting course.

13.509 Eligibility: Cargo course.

AUTHORITY: 46 U.S.C. 3703, 7317, 8105, 8703, 9102; Department of Homeland Security Delegation No. 0170.1.

SOURCE: CGD 79-116, 60 FR 17142, Apr. 4, 1995, unless otherwise noted.

Subpart A—General

§ 13.101 Purpose.

This part describes the various tankerman endorsements issued by the Coast Guard and prescribes the requirements for obtaining an endorsement as a “Tankerman-PIC,” “Tankerman-PIC (Barge),” “Tankerman-Assistant,” or “Tankerman-Engineer” to a merchant mariner’s document.

§ 13.103 Definitions.

As used in this part:

Approved training means training that is approved by the Coast Guard or meets the requirements of §10.309 of this chapter.

Cargo engineer means a licensed person on a dangerous-liquid tankship or a liquefied-gas tankship whose primary responsibility is maintaining the cargo system and cargo-handling equipment.

Competent person means a person designated as such in accordance with 29 CFR 1915.7.

Dangerous liquid means a liquid listed in 46 CFR 153.40 that is not a liquefied gas as defined in this part. Liquid cargoes in bulk listed in 46 CFR Part 153, Table 2, are not dangerous-liquid cargoes when carried by non-oceangoing barges.

Directly supervised means being in the direct line of sight of the person in charge, or maintaining direct, two-way communications by a convenient, reliable means, such as a predetermined working frequency over a hand-held radio.

DL means dangerous liquid.

IMO means the International Maritime Organization.

Liquefied gas means a cargo that has a vapor pressure of 172 kPa (25 psia) or more at 37.8 C (100 F).

LG means liquefied gas.

Liquid cargo in bulk means a liquid or liquefied gas listed in 46 CFR 153.40 and carried as a liquid cargo or liquid-cargo residue in integral, fixed, or portable

tanks, except a liquid cargo carried in a portable tank actually loaded and discharged from a vessel with the contents intact.

Marine chemist means a person certified by the National Fire Protection Association.

MMD means a merchant mariner’s document issued by the Coast Guard.

Officer in Charge, Marine Inspection (OCMI) for the purposes of part 13 means the officer or individual so designated at one of the Regional Examination Centers, or any person so designated by the Commandant.

Participation, when used with regard to the service on transfers required for tankerman by §13.120, 13.203, or 13.303, means either actual participation in the transfers or close observation of how the transfers are conducted and supervised.

PIC means a person in charge.

Regional examination center (REC) means an office of an OCMI that performs licensing and certification.

Restricted Tankerman endorsement means a valid tankerman endorsement on an MMD restricting its holder as the OCMI deems appropriate—for instance, to one or a combination of the following: A specific cargo or cargoes; a specific vessel or vessels; a specific facility or facilities; a specific employer or employers; a specific activity or activities (such as loading or unloading in a cargo transfer); or a particular area of water.

Self-propelled tank vessel means a self-propelled tank vessel other than a tankship.

Simulated transfer means a transfer practiced in a course meeting the requirements of §13.121 that uses simulation supplying part of the service on transfers required for tankerman by §13.203 or 13.303.

Tank barge means a non-self-propelled tank vessel.

Tankship means a self-propelled tank vessel constructed or adapted primarily to carry oil or hazardous material in bulk in the cargo spaces.

Tank vessel means a vessel that is constructed or adapted to carry, or that carries, oil or hazardous material in bulk as cargo or cargo residue, and that—

(a) Is a vessel of the United States;

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(b) Operates on the navigable waters of the United States; or

(c) Transfers oil or hazardous material in a port or place subject to the jurisdiction of the United States.

Tankerman-Assistant means a person holding a valid “Tankerman-Assistant” endorsement to his or her MMD.

Tankerman-Engineer means a person holding a valid “Tankerman-Engineer” endorsement to his or her MMD.

Tankerman-PIC means a person holding a valid “Tankerman-PIC” endorsement to his or her MMD.

Tankerman-PIC (Barge) means a person holding a valid “Tankerman-PIC (Barge)” endorsement to his or her MMD.

Tankship means any tank vessel constructed or adapted primarily to carry oil or hazardous material in bulk as cargo or as cargo residue and propelled by power or sail.

Transfer means any movement of dangerous liquid or liquefied gas as cargo in bulk or as cargo residue to, from, or within a vessel by means of pumping, gravitation, or displacement. Section 13.127 describes what qualifies as participation in a creditable transfer.

[CGD 79-116, 60 FR 17142, Apr. 4, 1995, as amended by CGD 79-116, 62 FR 25127, May 8, 1997; USCG-2006-25535, 71 FR 48483, Aug. 21, 2006]

§ 13.105 Paperwork approval.

(a) This section lists the control numbers assigned by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1980 [Pub. L. 96-511] for the reporting and record-keeping requirements in this part.

(b) OMB has assigned the following control numbers to the sections indicated:

(1) OMB 1625-0040—46 CFR 13.113, 13.115, 13.117, 13.201, 13.203, 13.205, 13.301, 13.303, 13.305, 13.401, 13.403, 13.405, 13.501, 13.503, 13.505.

(2) OMB 1625-0028—46 CFR 13.121, 13.207, 13.209, 13.307, 13.309, 13.407, 13.409, 13.507, 13.509.

[CGD 79-116, 60 FR 17142, Apr. 4, 1995, as amended by USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

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§ 13.107 Tankerman endorsement: General.

(a) If an applicant meets the requirements of subpart B of this part, the OCMI at an REC may endorse his or her MMD as “Tankerman-PIC” with the appropriate cargo classification or classifications. A person holding this endorsement and meeting the other requirements of 33 CFR 155.710(a) may act as a PIC of a transfer of fuel oil, of a transfer of liquid cargo in bulk, or of cargo-tank cleaning on any tank vessel. That person may also act as a Tankerman-Engineer, provided that he or she also holds an engineer’s license.

(b) If an applicant meets the requirements of subpart C of this part, the OCMI at an REC may endorse his or her MMD as “Tankerman-PIC (Barge)” with the appropriate cargo classification or classifications. A person holding this endorsement and meeting the other requirements of 33 CFR 155.710(b) may act as a PIC of a transfer of liquid cargo in bulk only on a tank barge.

(c) If an applicant meets the requirements of subpart D of this part, the OCMI at an REC may endorse his or her MMD as “Tankerman-Assistant” with the appropriate cargo classification or classifications. No person holding this endorsement may act as a PIC of any transfer of fuel oil, of any transfer of liquid cargo in bulk, or of cargo-tank cleaning unless he or she also holds an endorsement authorizing service as PIC. He or she may, however, without being directly supervised by the PIC, perform duties relative to cargo and cargo-handling equipment assigned by the PIC of transfers of fuel oil, of transfers of liquid cargo in bulk, or of cargo-tank cleaning. When performing these duties, he or she shall maintain continuous two-way voice communications with the PIC.

(d) If an applicant meets the requirements of subpart E of this part, the OCMI at an REC may endorse his or her MMD as Tankerman-Engineer. No person holding this endorsement may act as a PIC or “Tankerman-Assistant” of any transfer of fuel oil, of any transfer of liquid cargo in bulk, or of cargo-tank cleaning unless he or she also holds an endorsement authorizing such service. A person holding this endorsement and acting in this capacity

has the primary responsibility, on his or her self-propelled tank vessel carrying DL or LG, for maintaining both the cargo systems and equipment for transfer of liquids in bulk and the bunkering systems and equipment. No person licensed under part 10 of this chapter may serve as a chief engineer, first assistant engineer, or cargo engineer aboard an inspected self-propelled tank vessel when liquid cargo in bulk or cargo residue is carried unless he or she holds this endorsement or equivalent.

(e) If an applicant meets the requirements of §13.111, the OCMI at an REC may place on his or her MMD an endorsement as a “Tankerman-PIC” restricted according to the definitions of “restricted Tankerman endorsement” in §13.103.

(f) A tankerman wishing to obtain an endorsement that he or she does not hold shall apply at an REC referenced in §10.105 of this chapter. If he or she meets all requirements for the new endorsement, the REC may issue a new MMD including the endorsement.

(g) This section does not apply to any person solely by reason of his or her involvement in bunkering or fueling.

[CGD 79-116, 60 FR 17142, Apr. 4, 1995, as amended by CGD 79-116, 62 FR 25127, May 8, 1997; USCG-2008-0906, 73 FR 56508, Sept. 29, 2008]

§13.109 Tankerman endorsement: Authorized cargoes.

(a) Each tankerman endorsement described in §13.107 will expressly limit the holder’s service under it to transfers involving one or both of the following cargo classifications:

- (1) Dangerous liquid (DL).
- (2) Liquefied gas (LG).

(b) No tankerman endorsement is necessary to transfer the liquid cargoes in bulk listed in Table 2 of Part 153 of this chapter when those cargoes are carried on barges not certified for ocean service.

(c) A tankerman having qualified in one cargo classification and wishing to qualify in another shall apply at an REC referenced in §10.105 of this chapter. If he or she meets all requirements

for the other, the REC may issue a new MMD including the endorsement.

[CGD 79-116, 60 FR 17142, Apr. 4, 1995, as amended by USCG-2008-0906, 73 FR 56508, Sept. 29, 2008]

§ 13.111 Restricted endorsement.

(a) An applicant may apply at an REC listed in 46 CFR 10.105 for a tankerman endorsement restricted to specific cargoes, specific vessels or groups of vessels (such as uninspected towing vessels and Oil Spill Response Vessels), specific facilities, specific employers, or otherwise as the OCMI deems appropriate. The OCMI will evaluate each application and may modify the applicable requirements for the endorsement, allowing for special circumstances and for whichever restrictions the endorsement will state.

(b) To qualify for a restricted “Tankerman-PIC” endorsement, an applicant shall meet §§13.201, excluding paragraph (f); 13.203; and 13.205.

(1) Twenty-five percent of the service described in §13.203(a) must have occurred within the past five years.

(2) Two of the transfers described in §13.203(b) must have occurred within the past five years.

(c) To qualify for a restricted “Tankerman-PIC (Barge)” endorsement, an applicant shall meet §§13.301, excluding paragraph (f); and 13.305.

(1) Twenty-five percent of the service described in §13.303(a) must have occurred within the past five years.

(2) Two of the transfers described in §13.303(b) must have occurred within the past five years.

(d) To qualify for a restricted “Tankerman-PIC (Barge)” endorsement restricted to a tank-cleaning and gas-freeing facility, an applicant shall—

- (1) Be at least 18 years old;
- (2) Apply on a Coast Guard form;
- (3) Present evidence of passing a physical examination in accordance with §13.125;

(4) Present evidence in the form of a letter on company letterhead from the operator of the facility stating that OSHA considers the applicant a “competent person” for the facility and that the applicant has the knowledge necessary to supervise tank-cleaning and gas-freeing; and

(5) Be capable of speaking and understanding, in English, all instructions needed to commence, conduct, and complete a transfer of cargo, and of reading the English found in the Declaration of Inspection, vessel response plans, and Cargo Information Cards.

(e) The restricted “Tankerman-PIC (Barge)” endorsement restricted to a tank-cleaning and gas-freeing facility is valid only while the applicant is employed by the operator of the facility that provided the letter of service required by paragraph (d)(4) of this section, and this and any other appropriate restrictions will appear in the endorsement.

(f) Because the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW), does not recognize restricted Tankerman-PIC endorsements, persons may act under these only aboard vessels conducting business inside the Boundary Line.

[CGD 79-116, 60 FR 17142, Apr. 4, 1995, as amended by CGD 79-116, 62 FR 25128, May 8, 1997]

§§ 13.113–13.117 [Reserved]

§ 13.119 Expiration of endorsement.

An endorsement as tankerman is valid for the duration of the MMD.

§ 13.120 Renewal of endorsement.

An applicant wishing to renew a tankerman’s endorsement shall meet the requirements of §12.02–27 of this chapter for renewing an MMD and prove either participation in at least two transfers within the last 5 years in accordance with §13.127(b) or completion of an approved course as described in §10.304.

[CGD 79-116, 62 FR 25130, May 8, 1997]

§ 13.121 Courses for training tankerman.

(a) This section prescribes the requirements, beyond those in §§10.203 and 10.303 of this chapter, applicable to schools offering courses required for a tankerman endorsement and courses that are a substitute for experience with transfers of liquid cargo in bulk required for the endorsement.

(b) Upon satisfactory completion of an approved course, each student shall

receive a certificate, signed by the head of the school offering the course or by a designated representative, indicating the title of the course, the duration, and, if appropriate, credit allowed towards meeting the transfer requirements of this part.

(c) A course that uses simulated transfers to train students in loading and discharging tank vessels may replace up to 2 loadings and 2 discharges, 1 commencement and 1 completion of loading, and 1 commencement and 1 completion of discharge required for a Tankerman-PIC or Tankerman-PIC (Barge) endorsement. The request for approval of the course must specify those segments of a transfer that the course will simulate. The letter from the Coast Guard approving the course will state the number and kind of segments that the course will replace.

(d) The course in liquid cargo required for an endorsement as—

- (1) “Tankerman-PIC DL” is Tankship: Dangerous Liquids;
- (2) “Tankerman-PIC (Barge) DL” is Tank Barge: Dangerous Liquids;
- (3) “Tankerman-PIC LG” is Tankship: Liquefied Gases;
- (4) “Tankerman-PIC (Barge) LG” is Tank Barge: Liquefied Gases;
- (5) “Tankerman-Assistant DL” is Familiarization with DL Tankship; and
- (6) “Tankerman-Assistant LG” is Familiarization with LG Tankship.

(e) The course in firefighting required for an endorsement as—

- (1) “Tankerman-PIC (Barge)” is Tank Barge: Firefighting; and
- (2) “Tankerman-PIC”, “Tankerman-Assistant”, and “Tankerman-Engineer” is a firefighting course that meets the basic firefighting section of the IMO’s Resolution A.437 (XI), “Training of Crews in Fire Fighting”.

(f) No school may issue a certificate unless the student has successfully completed an approved course with the appropriate curriculum outlined in Table 13.121(f) or §13.121(h).

(g) An organization with a course in DL or LG or a course in tank-barge firefighting taught before March 31, 1996, that substantially covered the material required by Table 13.121(f) for liquid cargoes, Table 13.121(g) for firefighting, or §13.121(h) for familiarization with tankships, may seek approval

under §10.302 of this chapter from the Coast Guard for any course taught up to ten years before March 31, 1996.

(h) The Coast Guard will evaluate the curricula of courses for Familiarization with DL and LG Tankships to ensure adequate coverage of the required subjects. Training may employ classroom instruction, demonstrations, or simulated or actual operations.

(1) The curricula of courses for Familiarization with DL Tankships must consist of the following:

(i) General characteristics, compatibility, reaction, firefighting, and safety precautions for bulk liquid cargoes defined as DL in this part.

(ii) Terminology of tankships carrying oil and other chemicals.

(iii) General arrangement and construction of cargo tanks, vapor control, and venting.

(iv) Cargo-piping systems and valves.

(v) General operation of cargo pumps.

(vi) General discussion of the following operations connected with the loading and discharging of cargo:

(A) Pre-transfer inspection and conference and Declaration of Inspection.

(B) Lining up of the cargo and vapor-control systems and starting of liquid flow.

(C) Connecting and disconnecting of cargo hoses and loading arms.

(D) Loading.

(E) Ballasting and de-ballasting.

(F) Discharging.

(G) Tank-gauging (open and closed).

(vii) Rules of the Coast Guard governing operations in general and prevention of pollution in particular.

(viii) Prevention and control of pollution.

(ix) Emergency procedures.

(x) Safety precautions relative to:

(A) Entering cargo tanks and pump room.

(B) Dangers of contact with skin.

(C) Inhalation of vapors.

(D) Protective clothing and equipment.

(E) Hot work.

(F) Precautions respecting electrical hazards, including hazards of static electricity.

(xi) General principles and procedures of Crude-Oil Washing (COW) Systems and inert-gas systems.

(xii) Tank-cleaning procedures and precautions.

(xiii) Principles and procedures of vapor-control systems.

(xiv) Cargo-hazard-information systems.

(2) To ensure adequate coverage of the required subjects, training may employ classroom instruction, demonstrations, or simulated or actual operations. The curricula of courses for Familiarization with LG Tankships must consist of the following:

(i) General characteristics, compatibility, reaction, firefighting, and safety precautions for cargoes defined as LG in this part.

(ii) Terminology of tankships carrying LG.

(iii) Physical properties of LG.

(iv) Potential hazards and safety precautions of LG:

(A) Combustion characteristics.

(B) Hot work.

(C) Results of release of LG to the atmosphere.

(D) Health hazards (skin contact, inhalation, and ingestion).

(E) Protective clothing and equipment.

(F) Tank-entry procedures and precautions.

(G) Thermal stresses.

(H) Precautions respecting electrical hazards, including hazards of static electricity.

(v) Cargo-containment systems.

(vi) General arrangement and construction of cargo tanks.

(vii) Cargo-piping systems and valves.

(viii) Instrumentation:

(A) Cargo-level indicators.

(B) Gas-detecting systems.

(C) Systems for monitoring temperatures of hulls and cargoes.

(D) Automatic shut-down systems.

(ix) Heating systems for cofferdams and ballast tanks.

(x) General discussion of the following operations connected with the loading and discharging of cargo:

(A) Pre-transfer inspection and conference and Declaration of Inspection.

(B) Lining up of the cargo and vapor-control systems and starting of liquid flow.

(C) Connecting and disconnecting of cargo hoses and loading arms.

- (D) Loading.
- (E) Ballasting and de-ballasting.
- (F) Discharging.
- (xi) Disposal of boil-off.
- (xii) Emergency procedures.
- (xiii) Rules of the Coast Guard governing operations in general and prevention of pollution in particular.
- (xiv) Principles and procedures of IGSSs.
- (xv) Tank-cleaning procedures and precautions.
- (xvi) Principles and procedures of vapor-control systems.
- (xvii) Cargo-hazard-information systems.
- (i) A company that offers approved DL training for its employees shall ensure discussion of the following topics (further discussed in STCW Regulation V, Section A-V/1, paragraphs 9 through 21):
 - (1) Treaties and rules.
 - (2) Design and equipment.
 - (3) Cargo characteristics.
 - (4) Ship operations.
 - (5) Repair and maintenance.
 - (6) Emergency procedures.
 - (j) A company that offers approved LG training for its employees shall ensure discussion of the following topics (further discussed in STCW Regulation V, Section A-V/1, paragraphs 22 through 34):
 - (1) Treaties and rules.
 - (2) Chemistry and physics.
 - (3) Health hazards.
 - (4) Cargo containment.
 - (5) Pollution.
 - (6) Cargo-handling systems.
 - (7) Ship operations.
 - (8) Safety practices and equipment.
 - (9) Emergency procedures.
 - (10) General principles of cargo operations.

TABLE 13.121(F)

Course topics	1	2	3	4
General characteristics, compatibility, reaction, firefighting procedures, and safety precautions for the cargoes of:				
Bulk liquids defined as Dangerous Liquids in 46 CFR Part 13	x	x		
Bulk liquefied gases & their vapors defined as Liquefied Gases in 46 CFR Part 13			x	x
Physical phenomena of liquefied gas, including:				
Basic concept			x	x
Compression and expansion			x	x
Mechanism of heat transfer			x	x
Potential hazards of liquefied gas, including:				
Chemical and physical properties			x	x
Combustion characteristics			x	x
Results of gas release to the atmosphere			x	x
Health hazards (skin contact, inhalation, and ingestion)			x	x
Control of flammability range with inert gas			x	x
Thermal stress in structure and piping of vessel			x	x
Cargo systems, including:				
Principles of containment systems	x	x	x	x
Construction, materials, coating, & insulation of cargo tanks			x	x
General arrangement of cargo tanks	x	x	x	x
Venting and vapor-control systems	x	x	x	x
Cargo-handling systems, including:				
Piping systems, valves, pumps, and expansion systems	x	x	x	x
Operating characteristics	x	x	x	x
Instrumentation systems, including:				
Cargo-level indicators	x	x	x	x
Gas-detecting systems	x		x	x
Temperature-monitoring systems, cargo	x		x	x
Temperature-monitoring systems, hull			x	x
Automatic-shutdown systems	x		x	x
Auxiliary systems, including:				
Ventilation, inerting	x	x	x	x
Valves, including:				
Quick-closing	x	x	x	x
Remote-control	x	x	x	x
Pneumatic	x	x	x	x
Excess-flow	x	x	x	x
Safety-relief	x	x	x	x
Pressure-vacuum	x	x	x	x
Heating-systems: cofferdams & ballast tanks			x	x
Operations connected with the loading and discharging of cargo, including:				
Lining up the cargo and vapor-control systems	x	x	x	x
Pre-transfer inspections and completion of the Declaration of Inspection	x	x	x	x

TABLE 13.121(F)—Continued

Course topics	1	2	3	4
Hooking up of cargo hose, loading arms, and grounding-strap	x	x	x	x
Starting of liquid flow	x	x	x	x
Calculation of loading rates	x		x	
Discussion of loading	x	x	x	x
Ballasting and deballasting	x	x	x	x
Topping off of the cargo tanks	x	x	x	x
Discussion of discharging	x	x	x	x
Stripping of the cargo tanks	x	x		
Monitoring of transfers	x	x	x	x
Gauging of cargo tanks	x	x	x	x
Disconnecting of cargo hoses or loading arms	x	x	x	x
Cargo-tank-cleaning procedures and precautions	x	x		
Operating procedures and sequence for:				
Inerting of cargo tanks and void spaces	x	x	x	x
Cooldown and warmup of cargo tanks			x	x
Gas-freeing	x	x	x	x
Loaded or ballasted voyages	x		x	
Testing of cargo-tank atmospheres for oxygen & cargo vapor	x	x	x	x
Stability and stress considerations connected with loading and discharging of cargo	x	x	x	x
Loadline, draft, and trim	x	x	x	x
Disposal of boil-off, including:				
System design			x	x
Safety features			x	x
Stability-letter requirements	x		x	
Emergency procedures, including notice to appropriate authorities, for:				
Fire	x	x	x	x
Collision	x	x	x	x
Grounding	x	x	x	x
Equipment failure	x	x	x	x
Leaks and spills	x	x	x	
Structural failure	x	x	x	x
Emergency discharge of cargo	x	x	x	x
Entering cargo tanks	x	x	x	x
Emergency shutdown of cargo-handling	x	x	x	x
Emergency systems for closing cargo tanks	x	x		
Rules & regulations (international and Federal, for all tank vessels) on conducting operations and preventing pollution	x	x	x	x
Pollution prevention, including:				
Procedures to prevent air and water pollution	x	x	x	x
Measures to take in event of spillage	x	x	x	x
Danger from drift of vapor cloud	x	x	x	x
Terminology for tankships carrying oil and chemicals	x			
Terminology for tank barges carrying oil and chemicals		x		
Terminology for tankships carrying liquefied gases			x	
Terminology for tank barges carrying liquefied gases				x
Principles & procedures of crude-oil-washing (COW) systems, including:				
Purpose	x			
Equipment and design	x			
Operations	x			
Safety precautions	x			
Maintenance of plant and equipment	x			
Principles & procedures of the inert-gas systems (IGSs), including:				
Purpose	x		x	
Equipment and design	x		x	
Operations	x		x	
Safety precautions	x		x	
Maintenance of plant and equipment	x		x	
Principles & procedures of vapor-control systems, including:				
Purpose	x	x	x	x
Principles	x	x	x	x
Coast Guard regulations	x	x	x	x
Hazards	x	x	x	x
Active system components	x	x	x	x
Passive system components	x	x	x	x
Operating procedures, including:				
Testing and inspection requirements	x	x	x	x
Pre-transfer procedures	x	x	x	x
Connecting sequence	x	x	x	x
Start-up sequence	x	x	x	x
Normal operations	x	x	x	x
Emergency procedures	x	x	x	x
Cargo-hazard-information systems	x	x	x	x

TABLE 13.121(F)—Continued

Course topics	1	2	3	4
Safe entry into confined spaces, including:				
Testing tank atmospheres for oxygen & hydrocarbon vapors	x	x		
Definition and hazards of confined spaces	x	x	x	x
Cargo tanks and pumprooms	x	x	x	x
Evaluation and assessment of risks and hazards	x	x	x	x
Safety precautions and procedures	x	x	x	x
Personnel protective equipment (PPE) and clothing	x	x	x	x
Maintenance of PPE	x	x	x	x
Dangers of skin contact	x	x	x	x
Inhalation of vapors	x	x		
Electricity and static electricity—hazards and precautions	x	x	x	x
Emergency procedures	x	x	x	x
Federal regulations, national standards & industry guidelines	x	x	x	x
Inspections by marine chemists & competent persons, including hot-work permits & procedures	x	x	x	x
Vessel response plans:				
Purpose, content, and location of information	x	x	x	x
Procedures for notice and mitigation of spills	x	x	x	x
Geographic-specific appendices	x	x	x	x
Vessel-specific appendices	x	x	x	x
Emergency-action checklist	x	x	x	x

Column 1—Tankerman-PIC DL.
 Column 2—Tankerman-PIC (Barge) DL.
 Column 3—Tankerman-PIC LG.
 Column 4—Tankerman-PIC (Barge) LG.

TABLE 13.121(G)

Course topics	1	2
Elements of fire (Fire triangle):		
Fuel	X	X
Source of ignition	X	X
Oxygen	X	X
Ignition sources (general):		
Chemical		X
Biological		X
Physical		X
Ignition sources applicable to barges	X	
Definitions of flammability and combustibility:		
Flammability	X	X
Ignition point	X	X
Burning temperature	X	X
Burning speed		X
Thermal value		X
Lower flammable limit	X	X
Upper flammable limit	X	X
Flammable range	X	X
Inerting		X
Static electricity	X	X
Flash point	X	X
Auto-ignition	X	X
Spread of fire:		
By radiation	X	X
By convection	X	X
By conduction	X	X
Reactivity	X	X
Fire classifications and applicable extinguishing agents	X	X
Main causes of fires:		
Oil leakage	X	X
Smoking	X	X
Overheating pumps	X	X
Galley appliances		X
Spontaneous ignition	X	X
Hot work	X	X
Electrical apparatus		X
Reaction, self-heating, and auto-ignition		X

TABLE 13.121(G)—Continued

Course topics	1	2
Fire prevention:		
General	X	X
Fire hazards of DL and LG	X	X
Fire detection:		
Fire- and smoke-detection systems		X
Automatic fire alarms		X
Firefighting equipment:		
Fire mains, hydrants		X
International shore-connection		X
Smothering-installations, carbon dioxide (CO ₂), foam		X
Halogenated hydrocarbons		X
Pressure-water spray system in special-category spaces		X
Automatic sprinkler system		X
Emergency fire pump, emergency generator		X
Chemical-powder applicants		X
General outline of required and mobile apparatus		X
Fireman's outfit, personal equipment		X
Breathing apparatus		X
Resuscitation apparatus		X
Smoke helmet or mask		X
Fireproof life-line and harness		X
Fire hose, nozzles, connections, and fire axes		X
Fire blankets		X
Portable fire extinguishers	X	X
Limitations of portable and semiportable extinguishers	X	X
Emergency procedures:		
Arrangements:		
Escape routes	X	X

TABLE 13.121(G)—Continued

Course topics	1	2
Means of gas-freeing tanks	X	X
Class A, B, and C divisions		X
Inert-gas system		X
Ship firefighting organization:		
General alarms		X
Fire-control plans, muster stations, and duties		X
Communications		X
Periodic shipboard drills		X
Patrol system		X
Basic firefighting techniques:		
Sounding alarm	X	X
Locating and isolating fires	X	X
Stopping leakage of cargo	X	X
Jettisoning		X
Inhibiting		X
Cooling		X
Smothering		X
Sizing up situation	X	
Locating information on cargo	X	
Extinguishing	X	X
Extinguishing with portable units	X	X
Setting refash watch	X	X
Using additional personnel	X	X
Firefighting extinguishing-agents:		
Water (solid jet, spray, fog, and flooding)		X
Foam (high, medium and low expansion)		X
Carbon dioxide (CO ₂)	X	X
Halon		X
Aqueous-film-forming foam (AFFF)		X
Dry chemicals	X	X
Use of extinguisher on:		
Flammable and combustible liquids	X	X
Manifold-flange fire	X	X
Drip-pan fire	X	X
Pump fire	X	X
Drills for typical fires on barges	X	
Field exercises:		
Extinguish small fires using portable extinguishers:		
Electrical	X	X
Manifold-flange	X	X
Drip-pan	X	X
Pump	X	X
Use self-contained breathing apparatus		X
Extinguish extensive fires with water		X
Extinguish fires with foam, or chemical		X
Fight fire in smoke-filled enclosed space wearing SCBA		X
Extinguish fire with water fog in an enclosed space with heavy smoke		X
Extinguish oil fire with fog applicator and spray nozzles, dry-chemical, or foam applicators		X
Effect a rescue in a smoke-filled space while wearing breathing apparatus		X

(1) Course in tank-barge firefighting.
 (2) From the basic firefighting section of the IMO's Resolution A.437 (XI), "Training of Crews in Fire Fighting".

[CGD 79-116, 60 FR 17142, Apr. 4, 1995, as amended by CGD 79-116, 62 FR 25130, 25131, 25133, May 8, 1997]

§ 13.123 Recency of service or experience for original tankerman endorsement.

An applicant for an original tankerman endorsement in subpart B, C, D, or E of this part shall have obtained at least 25% of the qualifying service and, if the endorsement requires transfers, at least two of the qualifying transfers, within five years of the date of application.

§ 13.125 Physical requirements.

Each applicant for an original tankerman endorsement shall meet the physical requirements of §10.205(d) of this chapter, excluding paragraph (d)(2) of that section.

§ 13.127 Service: General.

(a) A service letter must be signed by the owner, operator, master, or chief engineer of the vessel and must specify—

(1) The classification of cargo (DL, LG, or, for a restricted endorsement, a specific product) handled while the applicant accumulated the service;

(2) The dates, the number and kinds of transfers the applicant has participated in, and the number of transfers that involved commencement or completion; and

(3) That the applicant has demonstrated to the satisfaction of the signer that he or she is fully capable of supervising transfers of liquid cargo, including

- (i) Pre-transfer inspection;
- (ii) Pre-transfer conference and execution of the Declaration of Inspection;
- (iii) Connection of cargo hoses or loading-arms;
- (iv) Line-up of the cargo system for loading and discharge;
- (v) Start of liquid flow during loading;
- (vi) Start of cargo pump and increase of pressure to normal discharge pressure;
- (vii) Calculation of loading-rates;
- (viii) Monitoring;
- (ix) Topping-off of cargo tanks during loading;
- (x) Stripping of cargo tanks;

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(xi) Ballasting and deballasting, if appropriate;

(xii) Disconnection of the cargo hoses or loading-arms; and

(xiii) Securing of cargo systems.

(b) In determining the numbers and kinds of transfers that the applicant has participated in under paragraph (a)(2) of this section, the following rules apply:

(1) A transfer must involve the loading or discharge from at least one of the vessel's cargo tanks to or from a shore facility or another vessel. A shift of cargo from one tank to another tank is not a transfer for this purpose.

(2) Regardless of how long the transfer lasts beyond four hours, it counts as only one transfer.

(3) A transfer must include both a commencement and a completion.

(4) Regardless of how many tanks or products are being loaded or discharged at the same time, a person may receive credit for only one transfer, one loading, and one discharge a watch.

(5) Credit for a transfer during a watch of less than four hours accrues only if the watch includes either the connection and the commencement of transfer or the completion of transfer and the disconnection.

(6) Credit for a commencement of loading accrues only if the applicant participates in the pre-transfer inspection, the pre-transfer conference including execution of the Declaration of

Inspection, the connection of cargo hoses or loading-arms, the line-up of the cargo system for the loading, the start of liquid flow, and the calculation of loading-rates, where applicable.

(7) Credit for a commencement of discharge accrues only if the applicant participates in the pre-transfer inspection, the pre-transfer conference including execution of the Declaration of Inspection, the connection of cargo hoses or loading-arms, the line-up of the cargo system for the discharge, the start of the cargo pump or pumps and increase of pressure to normal pressure for discharge, and the monitoring of discharge rates.

(8) Credit for a completion of transfer, whether loading or discharge, accrues only if the applicant participates in the topping-off at the loading port, or in the stripping of cargo tanks and the commencement of ballasting, if required by the vessel's transfer procedures, at the discharge port.

(9) Personnel desiring credit for transfers during off-duty hours may satisfy requirements of competence through incremental training periods that include segments of transfers. The cumulative number of transfers must equal the minimum specified in §13.203(b) or 13.303(b).

[CGD 79-116, 60 FR 17142, Apr. 4, 1995, as amended by CGD 79-116, 62 FR 25133, May 8, 1997]

§ 13.129 **Quick-reference table for tankerman.**
 Table 13.129 provides a guide to the requirements for various tankerman endorsements. Provisions in the reference sections are controlling.

TABLE 13.129

Category	Minimum age	Physical required	Service	Recency of service	Proof of service	Certificate from fire-fighting course 13.207	Cargo course	English language
Tankerman-PIC Subpart B.	18; 13.201(a)	Yes; 13.125	13.203	13.123	13.205	13.207	13.209	13.201(g)
Tankerman-PIC (Barge) Subpart C.	18; 13.301(a)	Yes; 13.125	13.303	13.123	13.305	13.307	13.309	13.301(g)
Tankerman-Assistant Subpart D.	18; 13.401(a)	Yes; 13.125	13.403	13.123	13.405	13.407	13.409	13.401(f)
Tankerman-Engineer Subpart E.	18; 13.501(a)	Yes; 13.125	13.503	13.123	13.505	13.507	13.509	13.501(g)
Restricted Tankerman-PIC.	18; 13.111(b)	Yes; 13.111(b)	13.111(b)	13.111(b)	13.111(b)	13.111(b)	No	13.111(b)
Restricted Tankerman-PIC (Barge).	18; 13.111(c)	Yes; 13.111(c)	13.111(c)	13.111(c)	13.111(c)	13.111(c)	No	13.111(c)
Restricted Tankerman-PIC (Barge), Facility.	18; 13.111(d)(1) ...	Yes; 13.111(d)(3)	13.111(d)(4)	No	13.111(d)(4)	No	No	13.111(d)(5)

[CGD 79-116, 60 FR 17142, Apr. 4, 1995, as amended by CGD 79-116, 62 FR 25133, May 8, 1997]

**Subpart B—Requirements for
“Tankerman-PIC” Endorsement**

**§ 13.201 Original application for
“Tankerman-PIC” endorsement.**

Each applicant for an original “Tankerman-PIC” endorsement shall—

- (a) Be at least 18 years old;
- (b) Apply on a Coast Guard form;
- (c) Present evidence of passing a physical examination in accordance with § 13.125;
- (d) Present evidence of service on tankships in accordance with § 13.203;
- (e) Meet the requirement of a course on firefighting in § 13.207;
- (f) Meet the requirement of a course in DL or LG appropriate for the endorsement applied for in § 13.209; and
- (g) Be capable of speaking and understanding, in English, all instructions needed to commence, conduct, and complete a transfer of cargo, and be capable of reading the English found in the Declaration of Inspection, vessel response plans, and Cargo Information Cards.

§ 13.203 Eligibility: Experience.

Each applicant for a “Tankerman-PIC” endorsement for DL or LG shall meet the requirements of either paragraphs (a) and (b) or paragraph (c) of this section.

(a) Each applicant shall present evidence of—

(1) At least 90 days of service as a licensed deck officer or a licensed engineering officer on one or more tankships or self-propelled tank vessels certified to carry DL or LG appropriate to the endorsement applied for;

(2) At least 90 days of unlicensed or cadet service on deck or in the engine department on one or more tankships or self-propelled tank vessels certified to carry DL or LG appropriate to the endorsement applied for; or

(3) A combination of the service in paragraphs (a) (1) and (2) of this section.

(b) Each applicant shall present evidence of participation, under the supervision of a “Tankerman-PIC,” in at least 10 transfers of liquid cargo in bulk of the classification desired on tankships or self-propelled tank vessels, including at least—

- (1) Five loadings and five discharges;

(2) Two commencements of loading and two completions of loading; and

(3) Two commencements of discharge and two completions of discharge.

(c) Each applicant already holding an MMD endorsed “Tankerman-PIC” for DL and seeking an endorsement for LG, or the converse, shall—

(1) Provide evidence of at least half the service required by paragraph (a) of this section; and

(2) Comply with paragraph (b) of this section, except that he or she need provide evidence of only three loadings and three discharges along with evidence of compliance with paragraphs (b)(2) and (3) of this section.

[CGD 79-116, 60 FR 17142, Apr. 4, 1995, as amended by CGD 79-116, 62 FR 25134, May 8, 1997]

**§ 13.205 Proof of service for
“Tankerman-PIC” endorsement.**

Service must be proved by a letter on company letterhead from the owner, operator, or master of the vessel on which the applicant obtained the service. The letter must contain the information described in § 13.127(a).

§ 13.207 Eligibility: Firefighting course.

Each applicant for an original “Tankerman-PIC” endorsement shall present a certificate of successful completion from a course in shipboard firefighting, approved by the Commandant and meeting the basic firefighting section of the IMO’s Resolution A.437 (XI), “Training of Crews in Fire Fighting”, completed within five years of the date of application for the endorsement, unless he or she has previously submitted such a certificate for a license or a tankerman endorsement.

§ 13.209 Eligibility: Cargo course.

Each applicant for an original “Tankerman-PIC” endorsement shall present a certificate of completion from a course in DL or LG appropriate for tankships and for the endorsement applied for, and approved by the Commandant. The date of the certificate may not be more than 5 years earlier than the date of application.

[CGD 79-116, 62 FR 25134, May 8, 1997]

Subpart C—Requirements for “Tankerman-PIC (Barge)” Endorsement

§ 13.301 Original application for “Tankerman-PIC (Barge)” endorsement.

Each applicant for a “Tankerman-PIC (Barge)” endorsement shall—

- (a) Be at least 18 years old;
- (b) Apply on a Coast Guard form;
- (c) Present evidence of passing a physical examination in accordance with § 13.125;
- (d) Present evidence of service on tank vessels in accordance with § 13.303;
- (e) Meet the requirement of a fire-fighting course in § 13.307;
- (f) Meet the requirement of a course in DL or LG appropriate for the endorsement applied for in § 13.309; and
- (g) Be capable of speaking, and understanding, in English, all instructions needed to commence, conduct, and complete a transfer of cargo, and be capable of reading the English found in the Declaration of Inspection, vessel response plans, and Cargo Information Cards.

§ 13.303 Eligibility: Experience.

Each applicant for a “Tankerman-PIC (Barge)” endorsement for DL or LG shall meet the requirements of either paragraphs (a) and (b) or paragraph (c) of this section.

- (a) Each applicant shall present evidence of—
 - (1) At least 60 days of service, whether by shore-based or by vessel-based personnel, on one or more tank vessels certified to carry DL or LG appropriate to the endorsement applied for; or
 - (2) At least 6 months of closely related service directly involved with tank barges appropriate to the endorsement applied for; and
- (b) Participation, under the supervision of a “Tankerman-PIC” or “Tankerman-PIC (Barge),” in at least 10 transfers of liquid cargo in bulk of the classification desired on any tank vessel, including at least—
 - (1) Five loadings and five discharges;
 - (2) Two commencements of loading and two completions of loading; and
 - (3) Two commencements of discharge and two completions of discharge.

(c) Each applicant already holding an MMD endorsed “Tankerman-PIC (Barge)” for DL and seeking an endorsement for LG, or the converse, shall—

- (1) Provide evidence of at least half the service required by paragraph (a) of this section; and
- (2) Comply with paragraph (b) of this section, except that he or she need provide evidence of only three loadings and three discharges along with evidence of compliance with paragraphs (b)(2) and (3) of this section.

[CGD 79-116, 60 FR 17142, Apr. 4, 1995, as amended by CGD 79-116, 62 FR 25134, May 8, 1997]

§ 13.305 Proof of service for “Tankerman-PIC (Barge)” endorsement.

Service must be proved by a letter on company letterhead from the owner or operator of a terminal; the owner or operator of a tank barge; the owner, operator, or master of a tank vessel; or the employer of shore-based tankermen. The letter must contain the information required by § 13.127(a), excluding paragraph (a)(3)(vii).

[CGD 79-116, 62 FR 25134, May 8, 1997]

§ 13.307 Eligibility: Firefighting course.

Each applicant for a “Tankerman-PIC (Barge)” endorsement shall present a certificate of successful completion from—

- (a) A course in shipboard firefighting, approved by the Commandant and meeting the basic firefighting section of the IMO’s Resolution A.437(XI), “Training of Crews in Firefighting,” completed 5 years or less before the date of application for the endorsement, unless he or she has previously submitted such a certificate for a license or a tankerman endorsement; or
- (b) A course in tank-barge firefighting, approved by the Commandant and meeting § 13.121, completed within five years of the date of application for the endorsement.

[CGD 79-116, 60 FR 17142, Apr. 4, 1995, as amended by CGD 79-116, 62 FR 25134, May 8, 1997]

§ 13.309

§ 13.309 Eligibility: Cargo course.

Each applicant for an original “Tankerman-PIC (Barge)” endorsement shall present a certificate of completion from a course in DL or LG appropriate for tank barges and for Tankerman-PIC or Tankerman-PIC (Barge), and approved by the Commandant. The date of the certificate may not be more than 5 years earlier than the date of application.

[CGD 79-116, 62 FR 25134, May 8, 1997]

Subpart D—Requirements for “Tankerman-Assistant” Endorsement

§ 13.401 Original application for “Tankerman-Assistant” endorsement.

Each applicant for a “Tankerman-Assistant” endorsement shall—

- (a) Be at least 18 years old;
- (b) Apply on a Coast Guard form;
- (c) Present evidence of passing a physical examination in accordance with § 13.125;
- (d) Meet the requirement of a fire-fighting course in § 13.407;
- (e) (1) Meet the requirement of a course in DL or LG appropriate for the endorsement applied for in § 13.409; or (2) Present evidence of service on tankships or self-propelled tank vessels in accordance with § 13.403; and
- (f) Be capable of speaking and understanding, in English, all instructions needed to commence, conduct, and complete a transfer of cargo.

[CGD 79-116, 60 FR 17142, Apr. 4, 1995, as amended by CGD 79-116, 62 FR 25134, May 8, 1997]

§ 13.403 Eligibility: Experience.

(a) Each applicant for a “Tankerman-Assistant” endorsement shall present—

- (1) Evidence of at least 90 days of deck service on tankships or self-propelled tank vessels certified to carry DL or LG appropriate to the endorsement applied for; or
- (2) A certificate of completion from a course in DL or LG appropriate for the endorsement applied for as prescribed in § 13.409.

(b) Each applicant already holding an MMD endorsed “Tankerman-Assist-

ant” for DL and seeking one for LG, or the converse, shall—

(1) Provide evidence of at least half the service required in paragraph (a)(1) of this section; or

(2) Meet the requirement of a course in DL or LG appropriate for the endorsement applied for as prescribed in § 13.409.

[CGD 79-116, 60 FR 17142, Apr. 4, 1995, as amended by CGD 79-116, 62 FR 25134, May 8, 1997]

§ 13.405 Proof of service for “Tankerman-Assistant” endorsement.

(a) Service must be proved by a letter on company letterhead from the owner, operator, or master of a tankship or self-propelled tank vessel. The letter must specify—

(1) The classification of cargo (DL or LG) carried while the applicant accumulated the service;

(2) The number of days of deck service the applicant accumulated on the tankship or self-propelled tank vessel; and

(3) That the applicant has demonstrated an understanding of cargo transfer and a sense of responsibility that, in the opinion of the signer, will allow the applicant to safely carry out duties respecting cargo transfer and transfer equipment assigned by the PIC of the transfer without direct supervision by the PIC; or

(b) Service must be proved by—

(1) Certificates of Discharge from tankships with the appropriate classification of cargo (DL, LG, or both); and

(2) A letter on company letterhead from the owner, operator, or master of one of the tankships or self-propelled tank vessel stating that he or she has demonstrated—

(i) An understanding of cargo transfer; and

(ii) A sense of responsibility that, in the opinion of the signer, will allow him or her to safely carry out duties respecting cargo and its equipment assigned by the PIC of the transfer without direct supervision by the PIC.

[CGD 79-116, 60 FR 17142, Apr. 4, 1995, as amended by CGD 79-116, 62 FR 25134, May 8, 1997]

Coast Guard, DHS

§ 13.505

§ 13.407 Eligibility: Firefighting course.

Each applicant for a “Tankerman-Assistant” endorsement shall present a certificate of successful completion from a course in shipboard firefighting, approved by the Commandant and meeting the basic firefighting section of the IMO’s Resolution A.437 (XI), “Training of Crews in Fire Fighting”, completed within five years of the date of application for the endorsement, unless he or she has previously submitted such a certificate from one of these courses for a license or endorsement.

§ 13.409 Eligibility: Cargo course.

Each applicant for an original “Tankerman-Assistant” endorsement who has not presented the required service on tankships or self-propelled tank vessels shall present a certificate of completion from a course for Familiarization with DL or LG Tankships or from a tanker-familiarization course appropriate to the endorsement applied for, and approved by the Commandant. The date of the certificate may not be more than 5 years earlier than the date of application.

[CGD 79-116, 62 FR 25134, May 8, 1997]

Subpart E—Requirements for “Tankerman-Engineer” Endorsement

§ 13.501 Original application for “Tankerman-Engineer” endorsement.

Each applicant for a “Tankerman-Engineer” endorsement shall—

- (a) Be at least 18 years old;
- (b) Apply on a Coast Guard form;
- (c) Present evidence of passing a physical examination in accordance with § 13.125;
- (d) Present evidence of service on tankships and self-propelled tank vessels in accordance with § 13.503;
- (e) Meet the requirement of a firefighting course in § 13.507;
- (f) Meet the requirement of a course in DL or LG appropriate for the endorsement applied for in § 13.509; and
- (g) Be capable of speaking and understanding, in English, all instructions

needed to commence, conduct, and complete a transfer of cargo.

[CGD 79-116, 60 FR 17142, Apr. 4, 1995, as amended by CGD 79-116, 62 FR 25134, May 8, 1997]

§ 13.503 Eligibility: Experience.

(a) Each applicant for a “Tankerman-Engineer” endorsement shall present evidence of at least—

(1) 90 days of service as a licensed engineering officer of tankships or self-propelled tank vessels certified to carry DL or LG appropriate to the endorsement applied for;

(2) 90 days of unlicensed or cadet service in the engine department on tankships or self-propelled tank vessels certified to carry DL or LG appropriate to the endorsement applied for; or

(3) A combination of the service in paragraphs (a) (1) and (2) of this section.

(b) Each applicant already holding an MMD endorsed as Tankerman-Engineer for DL and seeking one for LG, or the converse, shall prove at least half the service required by paragraph (a) of this section.

[CGD 79-116, 60 FR 17142, Apr. 4, 1995, as amended by CGD 79-116, 62 FR 25134, May 8, 1997]

§ 13.505 Proof of service for “Tankerman-Engineer” endorsement.

(a) Service must be proved by a letter on company letterhead from the owner, operator, master, or chief engineer of a tankship or self-propelled tank vessel. The letter must specify—

(1) The classification of cargo (DL, LG, or both) carried while the applicant accumulated the service; and

(2) The number of days of licensed and unlicensed service in the engine department on tankships or self-propelled tank vessels; or

(b) Service must be proved by certificates of discharge from tankships or self-propelled tank vessels with the appropriate classification of cargo (DL, LG, or both).

[CGD 79-116, 60 FR 17142, Apr. 4, 1995, as amended by CGD 79-116, 62 FR 25135, May 8, 1997]

§ 13.507

§ 13.507 Eligibility: **Firefighting course.**

Each applicant for a “Tankerman-Engineer” endorsement shall present a certificate of successful completion from a course in shipboard firefighting, approved by the Commandant and meeting the basic firefighting section of the IMO’s Resolution A.437 (XI), “Training of Crews in Fire Fighting”, completed within five years of the date of application for the endorsement, unless he or she has previously submitted such a certificate for a license or tankerman endorsement.

§ 13.509 Eligibility: **Cargo course.**

Each applicant for an original “Tankerman-Engineer” endorsement shall present a certificate of completion from a course in DL or LG, appropriate for tankships and the endorsement applied for, approved by the Commandant. The date of the certificate may not be more than 5 years earlier than the date of application.

[CGD 79–116, 62 FR 25135, May 8, 1997]

PART 14—SHIPMENT AND DISCHARGE OF MERCHANT MARINERS

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- 14.401 General.
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- 14.405 Procedures.
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AUTHORITY: 5 U.S.C. 552; 46 U.S.C. Chapters 103 and 104.

SOURCE: CGD 94–004, 61 FR 56637, Nov. 4, 1996, unless otherwise noted.

Subpart A—General

§ 14.101 Purpose of part.

This part prescribes rules for the shipment and discharge of merchant mariners aboard certain vessels of the United States.

§ 14.103 Addresses of Coast Guard.

(a) U.S. postal mail: U.S. Coast Guard National Maritime Center (NMC-42), 100 Forbes Drive, Martinsburg, West Virginia 25404.

(b) Electronic mail: IASKNMC@uscg.mil.

(c) World wide web: <http://www.uscg.mil/nmc>.

[USCG–2008–0906, 73 FR 56508, Sept. 29, 2008]

§ 14.105 Disclosure and privacy.

The Coast Guard makes information available to the public in accordance with 49 CFR part 7, including appendix B.

Subpart B—Shipment of Merchant Mariners

§ 14.201 Voyages upon which shipping articles are required.

(a) Before proceeding either upon a foreign, intercoastal, or coastwise voyage (including a voyage on the Great Lakes) listed in paragraph (b) of this section or with the engagement or replacement of a merchant mariner for such a voyage, each master or individual in charge of a vessel or seagoing

barge of the United States shall execute shipping articles however prepared, manually or electronically. The master or individual in charge and each mariner engaged or replaced shall sign the articles.

(b) Except as provided by §14.203, articles are required upon each voyage by a vessel of the United States—

(1) Of 100 gross tons or more, on a foreign voyage, which is a voyage from a port in the United States to any foreign port other than a port in—

- (i) Canada;
- (ii) Mexico; or
- (iii) The West Indies.

(2) Of 75 gross tons or more on a voyage between a port of the United States on the Atlantic Ocean and a port of the United States on the Pacific Coast; or

(3) Of 50 gross tons or more on a voyage between a port in one State and a port in another State other than an adjoining State.

§ 14.203 Voyages upon which shipping articles are not required.

Although they may be used for the voyage; shipping articles are not required for any voyage by—

- (a) A yacht;
- (b) A vessel engaged exclusively in fishing or whaling;
- (c) A vessel aboard which the merchant mariners are by custom or agreement entitled to participate in the profits or results of a cruise or voyage;
- (d) A vessel employed exclusively in trade on the navigable rivers of the United States; or
- (e) A ferry, or a tug used in ferrying, if the vessel is employed exclusively in trade on the Great Lakes, other lakes, bays, sounds, bayous, canals, or harbors.

§ 14.205 Production of credentials by merchant mariner signing shipping articles.

On engagement for a voyage upon which shipping articles are required, each merchant mariner shall present to the master or individual in charge of the vessel every document, certificate, or license required by law for the service the mariner would perform.

§ 14.207 Content and form of shipping articles.

(a)(1) The content and form of shipping articles for each vessel of the United States of 100 gross tons or more upon a foreign or intercoastal voyage must conform to the present shipping articles, form CG-705A, which meets the requirements of 46 U.S.C. 10302, 10303, 10304, and 10305. The articles must identify the nature of the voyage and specify at least the name, the number of the license or merchant mariner's document, the capacity of service, the time due on board to begin work, and the name and address of the next of kin of, and the wages due to each merchant mariner, either who was discharged or whose services were otherwise terminated during the month.

(2) The content and form of articles for each such vessel upon a coastwise voyage (including a voyage on the Great Lakes) must also conform to the present shipping articles, form CG-705A, which meet the requirements of 46 U.S.C. 10502. The articles must specify at least the matter identified by paragraph (a)(1) of this section, except that they must not specify the wages due to the mariner. The wages section of the form shall be left blank for coastwise voyages.

(b) Any shipping company that manually prepares the articles may, upon request, obtain Shipping Articles, Form CG-705A, from any Officer in Charge, Marine Inspection (OCMI), of the Coast Guard.

(c) Any company that electronically prepares the articles may, upon request submitted to either address in §14.103, obtain a copy of software developed by the Coast Guard to produce articles in the proper format. Alternatively, a company may develop its own software or buy it off the shelf; but, in either of these cases, it must secure approval of the software from the National Maritime Center at either address in §14.103.

§ 14.209 Preparation of shipping articles at beginning of voyage.

Each master or individual in charge of a vessel when shipping articles are required shall prepare an original and two copies of the articles. The original and one copy must be signed by the

§ 14.211

master or individual in charge and by each merchant mariner; but the second copy must not be signed by any of them.

§ 14.211 Posting of copy of shipping articles.

On commencement of a foreign, intercoastal, or coastwise voyage (including a voyage on the Great Lakes), each master or individual in charge of a vessel when shipping articles are required shall ensure that a legible copy of the articles, unsigned by the mariner, and without the next of kin information, is posted at a place accessible to the crew.

§ 14.213 Report of shipment of merchant mariner.

(a) When a vessel of the United States sails upon a foreign, intercoastal, or coastwise voyage (excluding a voyage on the Great Lakes), each master or individual in charge shall, at the commencement of the voyage, send one copy of shipping articles, signed by the master and by each merchant mariner, to the owner, charterer, or managing operator. The master shall keep the original throughout the voyage and enter in it all charges made to the crew during the voyage.

(b) (1) When a vessel of the United States sails exclusively on the Great Lakes, each master or individual in charge shall, at the commencement of the season, or once the vessel is put into service, whichever occurs earlier, send one copy of articles, signed by the master and by each mariner, to the owner, charterer, or managing operator.

(2) The master or individual in charge shall every 60 days send supplementary particulars of engagement covering each mariner engaged during this period, signed by the master and by each mariner, to the owner, charterer, or managing operator.

(3) The master of individual in charge shall, at the close of the season, or once the vessel is withdrawn from service, whichever occurs later, send articles, signed by the master and by each mariner, to the owner, charterer, or managing operator.

(c) When a vessel of the United States sails exclusively on bays or

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sounds, each master or individual in charge shall, at least every 60 days, send articles, signed by the master and by each mariner, to the owner, charter, or managing operator.

(d) Any person who fails to comply with the requirements of this section is subject to a civil penalty of \$5,000.

Subpart C—Discharge of Merchant Mariners

§ 14.301 Paying off of merchant mariner during or after voyage upon which shipping articles are required.

Each master or individual in charge of a vessel when shipping articles are required shall complete and sign, and each merchant mariner paid off during or after such a voyage shall sign the articles and otherwise comply with the requirements of this subpart. When signed by the master or individual in charge and by the mariner, the articles constitute a release from the duties to which they bound their parties.

§ 14.303 Discharge of merchant mariner in foreign port.

Upon the discharge of any mariner in a foreign port, the master shall make the required entries on the ship's articles. Upon the request of the master or a mariner, the consular officer shall discharge the mariner in accordance with the requirements of 46 U.S.C. 10318.

§ 14.305 Entries in continuous discharge book.

If the merchant mariner holds a continuous discharge book, the master or individual in charge of the vessel shall make the proper entries in it.

§ 14.307 Entries on certificate of discharge.

(a) Each master or individual in charge of a vessel shall, for each merchant mariner being discharged from the vessel, prepare a certificate of discharge and two copies; whether by writing or typing them on the prescribed form with permanent ink or generating them from computer in the prescribed format; and shall sign them with permanent ink. The prescribed format for a certificate of discharge is

the same as the present form CG-718A (Rev. 3-85). The left portion of the form has the mariner's printed name, signature, citizenship, and merchant mariner's document number; the certification statement, date and the master's signature. The right portion of the form contains the rate/rank the mariner is serving on the voyage, date and place of shipment, date and place of discharge, name of the vessel, name of the operating company, official number of the vessel, class of the vessel, and the nature of the voyage.

(b) Each mariner being discharged shall sign the certificate and both copies with permanent ink.

(c) When the mariner leaves the vessel, the master or individual in charge shall give the original certificate to the mariner.

(d) Except as directed by §14.313, the shipping company shall keep both copies of the certificate.

(e) The company shall provide copies of certificates of discharge to the mariner and the Coast Guard upon request.

[CGD 94-004, 61 FR 56637, Nov. 4, 1996, as amended by USCG-2002-13058, 67 FR 61278, Sept. 30, 2002]

§ 14.309 Entries in shipping articles at end of voyage.

(a) At the end of each voyage upon which shipping articles are required, the master or individual in charge of the vessel shall—

(1) Complete the articles, conforming the pertinent entries in them to those on the certificate of discharge and its copies;

(2) Note in the articles the execution of each Mutual Release;

(3) Attach to the articles each Mutual Release and a copy of each certificate; and

(4) Pay to each merchant mariner all wages due.

(b) When paid off, each mariner shall sign the articles.

§ 14.311 Report of discharge of merchant mariner.

(a) At the end of each foreign, intercoastal, and coastwise voyage by a vessel of the United States, or of each voyage by such a vessel that sails exclusively on bays or sounds (or by such a vessel at the close of the season on the

Great Lakes, or once the vessel is withdrawn from service there, whichever occurs later), the shipping company shall electronically transmit the data from the certificates of discharge to an electronic address which the shipping company may request from the National Maritime Center.

(b) If the data is submitted manually, the shipping companies shall provide the data for foreign and intercoastal voyages at the end of each voyage. For coastwise voyages or of each voyage by such a vessel that sails exclusively on bays or sounds (or by such a vessel at the close of the season of the Great Lakes, or once the vessel is withdrawn from service there, whichever occurs later), the shipping companies shall submit a copy of each certificate of discharge to the address in §14.103(a) at least once per calendar month.

[CGD 94-004, 61 FR 56637, Nov. 4, 1996, as amended by USCG-2007-29018, 72 FR 53964, Sept. 21, 2007]

§ 14.313 Storage of shipping articles and of certificates of discharge.

(a) Each shipping company shall keep all original shipping articles and copies of all certificates of discharge for 3 years. After 3 years the shipping companies shall prepare the original shipping articles in alphabetical order by vessel name and send to the address in §14.103(a) for storage at the Federal Records Center at Suitland, Maryland. The company may dispose of the copies of certificates of discharge. The Coast Guard will dispose of copies of certificates submitted manually, once the data are entered into its sea-service database and are validated.

(b) Each shipping company that goes out of business or merges with another company shall send all original articles to the address in §14.103(a) within 30 days of the transaction.

(c) The shipping company must provide copies of shipping articles and certificates of discharge to the mariner and the Coast Guard upon request.

Subpart D—Oceanographic Research Vessels

§ 14.401 General.

Unless otherwise provided by Title 46 United States Code, by any act amending or supplementing that Title, or by this subpart, that Title as far as it governs the employment of merchant mariners remains, and any act amending or supplementing that title becomes, applicable to oceanographic research vessels.

§ 14.403 Exemptions.

(a) Certain requirements of Title 46, United States Code do not apply to the employment of merchant mariners on oceanographic research vessels. These requirements are those concerned with, among other things, the shipment and discharge of mariners, their pay and allotments, and the adequacy of their clothing. 46 U.S.C. 2113(2) allows exemptions of oceanographic research vessels from certain requirements of parts B, C, F, or G of subtitle II of 46 U.S.C., upon such terms as the Secretary of the Department of Transportation deems suitable. The exemptions available under this subpart are subject to the following terms:

(1) No use of any exemption relieves the owner, charterer, managing operator, master, or individual in charge of the vessel of other statutory responsibilities for the protection of every mariner under his or her command.

(2) If it is presented at a reasonable time and in a reasonable manner, the master or individual in charge shall receive, consider, and appropriately address the legitimate complaint of any mariner.

(b) For any oceanographic research vessel sailing with any mariner employed by any firm, association, corporation, or educational or governmental body or agency, the Commandant may grant exemptions from—

- (1) 46 U.S.C. 10301, Application;
- (2) 46 U.S.C. 10302, Shipping articles (for foreign and intercoastal voyages);
- (3) 46 U.S.C. 10307, Posting of articles;
- (4) 46 U.S.C. 10308, Foreign engagements;
- (5) 46 U.S.C. 10311, Certificates of discharge;
- (6) 46 U.S.C. 10313 and 10504, Wages;

(7) 46 U.S.C. 10314 and 10505, Advances;

(8) 46 U.S.C. 10315, Allotments;

(9) 46 U.S.C. 10316 and 10506, Trusts;

(10) 46 U.S.C. 10321 and 10508, General penalties;

(11) 46 U.S.C. 10502, Shipping articles (for coastwise voyages); and

(12) 46 U.S.C. 10509, Penalty for failure to begin coastwise voyages.

§ 14.405 Procedures.

(a) Upon written request for the owner, charterer, managing operator, master, or individual in charge of the vessel to the OCMI of the Coast Guard in whose zone the vessel is located, the Commandant may grant an exemption of any oceanographic research vessel designated by 46 U.S.C. 2113(2) from any requirement of any section listed by § 14.403(b).

(b) The request must state—

(1) Any requirement of any section listed in § 14.403(b) from which the applicant wishes an exemption; and

(2) What business practices regarding, among other things, the shipment and discharge of merchant mariners, their pay and allotments, and the adequacy of their clothing would justify the exemption.

(c) The OCMI will forward the request, along with his or her recommendation, to the Commandant, who will determine whether to grant any exemption of any vessel from any requirement. The OCMI will issue a letter indicating any exemption granted. The master or individual in charge of the vessel shall keep the letter aboard the vessel.

(d) If operating conditions change, the owner, charterer, managing operator, master, or individual in charge of the vessel shall so advise the OCMI. The OCMI will forward pertinent information on how the conditions have changed, along with his or her recommendation, to the Commandant, who will determine whether any exemption should remain granted.

§ 14.407 Reports.

(a) The owner, charterer, managing operator, master, or individual in charge of each oceanographic research vessel of 100 gross tons or more shall maintain a record of the employment,

discharge, or termination of service of every merchant mariner in the crew. At least every 6 months, the person maintaining this record shall transmit it to the Coast Guard, either manually, in the form of a copy of a certificate of discharge, or electronically.

(b) The owner, charterer, managing operator, master, or individual in charge of the vessel shall keep original shipping articles and a copy of each certificate ready for review by the Coast Guard or the concerned mariner upon request. After January 3, 1997, the Coast Guard will no longer keep either original articles or copies of certificates; it will keep only electronic records of employment.

(c) The master or individual in charge of the vessel shall ensure that every entry made in the articles agrees with the corresponding entry made in a continuous discharge book, on a certificate, or in any other proof of sea service furnished to the mariner.

(d) Each oceanographic company shall keep all original articles and copies of all certificates for 3 years. After that each such company shall send all articles to the address in §14.103(a).

(e) Each oceanographic company that goes out of business or merges with another company shall send all original articles to the address in §14.103(a) within 30 days of the transaction.

PART 15—MANNING REQUIREMENTS

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 - 15.105 Incorporation by reference.

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AUTHORITY: 46 U.S.C. 2101, 2103, 3306, 3703, 8101, 8102, 8104, 8105, 8301, 8304, 8502, 8503, 8701, 8702, 8901, 8902, 8903, 8904, 8905(b), 8906, 9102, and 8103; and Department of Homeland Security Delegation No. 0170.1.

EFFECTIVE DATE NOTE: At 73 FR 52795, Sept. 11, 2008, the authority citation to part 15 was revised, effective Oct. 14, 2008. For the convenience of the user, the revised text is set forth as follows:

AUTHORITY: 46 U.S.C. 2101, 2103, 3306, 3703, 8101, 8102, 8103, 8104, 8105, 8301, 8304, 8502, 8503, 8701, 8702, 8901, 8902, 8903, 8904, 8905(b), 8906 and 9102; and Department of Homeland Security Delegation No. 0170.1.

SOURCE: CGD 81-059, 52 FR 38652, Oct. 16, 1987, unless otherwise noted.

Subpart A—Purpose and Applicability

§ 15.101 Purpose of regulations.

The purpose of the regulations in this part is to set forth uniform minimum requirements for the manning of vessels. In general, they implement, interpret, or apply the specific statutory manning requirements in title 46, U.S.C., parts E & F, implement various international conventions which affect merchant marine personnel, and provide the means for establishing the complement necessary for safe operation of vessels.

§ 15.102 Paperwork approval.

(a) This section lists the control numbers assigned by the Office of Management and Budget under the Paper Reduction Act of 1980 (Pub. L. 96-511) for the reporting and recordkeeping requirements in this part.

(b) The following control numbers have been assigned to the sections indicated:

- (1) OMB 1625-0079—46 CFR 15.1107.

(2) [Reserved]

[CGD 95-62, 62 FR 34538, June 26, 1997, as amended by USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

§ 15.103 General.

(a) The regulations in this part apply to all vessels which are subject to the manning requirements contained in the navigation and shipping laws of the United States, including uninspected vessels (46 U.S.C. 7101-9308).

(b) The navigation and shipping laws state that a vessel may not be operated unless certain manning requirements are met. In addition to establishing a minimum of licensed individuals and members of the crew to be carried on board certain vessels, they establish minimum qualifications concerning licenses, citizenship, and conditions of employment. It is the responsibility of the owner, charterer, managing operator, master, or person in charge or command of the vessel to ensure that appropriate personnel are carried to meet the requirements of the applicable navigation and shipping laws and regulations.

(c) Inspected vessels are issued a certificate of inspection which indicates the minimum complement of licensed individuals and crew (including lifeboatmen) considered necessary for safe operation. The certificate of inspection complements the statutory requirements but does not supersede them.

(d) The regulations in subpart J of this part apply to seagoing vessels subject to the International Convention on Standards of Training, Certification and watchkeeping for Seafarers as amended (STCW).

(e) Neither any person serving on any of the following vessels, nor any owner or operator of any of these vessels, need meet the requirements of subpart J, because the vessels are exempt from application of STCW:

- (1) Uninspected passenger vessels as defined in 46 U.S.C. 2101(42).
- (2) Fishing vessels as defined in 46 U.S.C. 2101(11)(a).
- (3) Fishing vessels used as fish-tender vessels as defined in 46 U.S.C. 2101(11)(c).

(4) Barges as defined in 46 U.S.C. 2101(2), including non-self-propelled mobile offshore-drilling units.

(5) Vessels operating exclusively on the Great Lakes.

(f) Personnel serving on the following vessels, and the owners and operators of these vessels, are in compliance with subpart J and are not subject to further obligation for the purposes of STCW, on account of the vessels' special operating conditions as small vessels engaged in domestic voyages:

(1) Small passenger vessels subject to subchapter T or K of title 46, CFR.

(2) Vessels of less than 200 GRT (other than passenger vessels subject to subchapter H of title 46 CFR).

(g) Licensed personnel serving on vessels identified in paragraphs (e)(5), (f)(1), and (f)(2) of this section will be issued, without additional proof of qualification, an appropriate STCW certificate or endorsement when the Officer in Charge, Marine Inspection determines that such an endorsement is necessary to enable the vessel to engage in an international voyage. The STCW certificate or endorsement will be expressly limited to service on the vessel or the class of vessels and will not establish qualification for any other purpose.

[CGD 81-059, 52 FR 38652, Oct. 16, 1987, as amended by CGD 95-062, 62 FR 34538, June 26, 1997; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

§ 15.105 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish notice of change in the FEDERAL REGISTER and must ensure that the material is available to the public. All approved material is available for inspection at the U.S. Coast Guard, Office of Operating and Environmental Standards, 2100 Second Street SW., Washington, DC 20593-0001, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/>

federal register/
code_of_federal_regulations/
ibr_locations.html. All material is available from the sources indicated in paragraph (b) of this section.

(b) The material approved for incorporation by reference in this part and the sections affected are as follows:

International Maritime Organization (IMO)

4 Albert Embankment, London, SE1 7SR, England

STCW—The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended, (STCW Convention), and Seafarer's Training, Certification and Watchkeeping Code (STCW Code)—15.103; 15.1101; 15.1103; 15.1105; 15.1109.

[CGD 95-062, 62 FR 34539, June 26, 1997, as amended by USCG-1999-6216, 64 FR 53223, Oct. 1, 1999; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

Subpart B—Definition of Terms

§ 15.301 Definitions of terms used in this part.

(a) The following terms defined in this subpart apply only to the manning of vessels subject to the manning provisions in the navigation and shipping laws of the United States:

Assistance Towing means towing a disabled vessel for consideration.

Coastwise seagoing vessel means a vessel that is authorized by its Certificate of Inspection to proceed beyond the Boundary Line established in part 7 of this chapter.

Deck crew (excluding licensed individuals) means, as used in 46 U.S.C. 8702, only the following members of the deck department below the grade of licensed individual: Able seamen and ordinary seamen.

Designated areas means those areas within pilotage waters for which first class pilot's licenses or endorsements are issued under part 10, subpart G, of this Chapter, by the Officer in Charge, Marine Inspection (OCMI). The areas for which first class pilot's licenses or endorsements are issued within a particular Marine Inspection Zone and the specific requirements to obtain them may be obtained from the OCMI concerned.

Directly supervised means being in the direct line of sight of the person in charge or maintaining direct, two-way communications by a convenient, reliable means, such as a predetermined working frequency over a hand-held radio.

Disabled vessel means a vessel that needs assistance, whether docked, moored, anchored, aground, adrift, or under way; but does not mean a barge or any other vessel not regularly operated under its own power.

Officer in Charge, Marine Inspection (OCMI) for the purposes of part 15 means any person designated as such by the Commandant and who under the Coast Guard District Commander is in charge of an inspection zone.

Operate, operating, or operation, as applied to vessels, refers to a vessel anytime passengers are embarked whether the vessel is underway, at anchor, made fast to shore, or aground.

Pilotage waters means the navigable waters of the United States, including all inland waters and offshore waters to a distance of three nautical miles from the baseline from which the Territorial Sea is measured.

Staff officer means a person who holds a certificate of registry in the staff department such as a purser, a medical doctor or professional nurse, which is issued by the Coast Guard.

Self-Propelled has the same meaning as the terms propelled by *machinery* and mechanically propelled. This term would also include vessels fitted with both sails and mechanical propulsion.

Tank barge means a non-self-propelled tank vessel.

Tank vessel means a vessel that is constructed or adapted to carry, or that carries, oil or hazardous material in bulk as cargo or cargo residue.

Tankship means any tank vessel constructed or adapted primarily to carry oil or hazardous material in bulk as cargo or cargo residue and propelled by power or sail.

Transfer means any movement of dangerous liquid or liquefied gas as cargo in bulk or as cargo residue to, from, or within a vessel by means of pumping, gravitation, or displacement. Section 13.127 of this chapter describes what qualifies as participation in a creditable transfer.

Underway means that a vessel is not at anchor, made fast to the shore, or aground.

(b) The following categories of licensed individuals are established in part 10 of this chapter. When used in this part, the following terms mean an individual holding a valid license and/or endorsement to serve in that capacity issued under part 10 of this chapter.

- (1) Master;
 - (2) Mate;
 - (3) Pilot;
 - (4) Engineer;
 - (5) Radio officer;
 - (6) Operator of uninspected passenger vessels;
 - (7) Offshore installation manager (OIM);
 - (8) Barge supervisor (BS);
 - (9) Ballast control operator (BCO);
- and
- (10) GMDSS radio operator; and
 - (11) Vessel Security Officer.

(c) The following ratings are established in part 12 of this chapter. When used in this part, terms for the ratings identify persons holding valid merchant mariners' documents for service in the ratings issued under that part:

- (1) Able seaman.
- (2) Ordinary seaman.
- (3) Qualified member of the engine department.
- (4) Lifeboatman.
- (5) Wiper.
- (6) Steward's department (F.H.).
- (7) GMDSS At-sea Maintainer.

(d) The following ratings are established in part 13 of this chapter. When used in this part, the terms for the ratings identify persons holding valid merchant mariners' documents for service in the ratings issued under that part:

- (1) Tankerman-PIC.
- (2) Tankerman-PIC (Barge).
- (3) Restricted Tankerman-PIC.
- (4) Restricted Tankerman-PIC (Barge).
- (5) Tankerman-Assistant.
- (6) Tankerman-Engineer.

[CGD 81-059 and CGD 81-059a, 52 FR 38623 and 38670, Oct. 16, 1987]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §15.301, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

Subpart C—Manning Requirements; All Vessels

§ 15.401 Employment and service with-in restrictions of license or document.

A person may not employ or engage an individual, and an individual may not serve, in a position in which an individual is required by law or regulation to hold a license, certificate of registry, or merchant mariner's document, unless the individual holds a valid license, certificate of registry, or merchant mariner's document, as appropriate, authorizing service in the capacity in which the individual is engaged or employed and the individual serves within any restrictions placed on the license, certificate of registry, or merchant mariner's document.

[CGD 81-059, 54 FR 149, Jan. 4, 1989]

§ 15.405 Familiarity with vessel characteristics.

Each licensed, registered, or certificated individual must become familiar with the relevant characteristics of the vessel on which engaged prior to assuming his or her duties. As appropriate, these include but are not limited to: general arrangement of the vessel; maneuvering characteristics; proper operation of the installed navigation equipment; firefighting and life-saving equipment; stability and loading characteristics; emergency duties; and main propulsion and auxiliary machinery, including steering gear systems and controls.

§ 15.410 Licensed individuals for assistance towing vessels.

Every assistance towing vessel must be under the direction and control of a licensed individual authorized to engage in assistance towing under the provisions of 46 CFR 10.482.

[CGD 87-017, 53 FR 18562, May 24, 1988]

§ 15.415 Transportation Worker Identification Credential.

By April 15, 2009 a person may not employ or engage an individual, and an individual may not serve in a position in which an individual is required by law or regulation to hold an active License, Merchant Mariner Document

(MMD), Certificate of Registry (COR), or STCW endorsement, unless the individual holds a valid Transportation Worker Identification Credential (TWIC). All mariners holding an active License, MMD, COR or STCW endorsement issued by the Coast Guard must hold a valid TWIC issued by the Transportation Security Administration under 49 CFR part 1572.

[CG-2006-24196, 72 FR 3588, Jan. 25, 2007, as amended at 73 FR 25566, May 7, 2008]

Subpart D—Manning Requirements; Inspected Vessels

§ 15.501 Certificate of inspection.

(a) The certificate of inspection (COI) issued by an Officer in Charge, Marine Inspection (OCMI), to a vessel required to be inspected under 46 U.S.C. 3301 specifies the minimum complement of officers and crew necessary for the safe operation of the vessel.

(b) The manning requirements for a particular vessel are determined by the OCMI after consideration of the applicable laws, the regulations in this part, and all other factors involved, such as: Emergency situations, size and type of vessel, installed equipment, proposed routes of operation including frequency of port calls, cargo carried, type of service in which employed, degree of automation, use of labor saving devices, and the organizational structure of the vessel.

[CGD 81-059, 52 FR 38652, Oct. 16, 1987, as amended at CGD 81-059, 54 FR 149, Jan. 4, 1989]

§ 15.505 Changes in the certificate of inspection.

All requests for changes in manning as indicated on the certificate of inspection must be made to the OCMI who last issued the certificate of inspection, unless the request is made in conjunction with an inspection for certification, in which case the request should be addressed to the OCMI conducting the inspection.

§ 15.510 Right of appeal.

Any person directly affected by a decision or action taken under this part, by or on behalf of the Coast Guard,

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may appeal therefrom in accordance with subpart 1.03 of this chapter.

[CGD 88-033, 54 FR 50380, Dec. 6, 1989]

§ 15.515 Compliance with certificate of inspection.

(a) Except as provided by § 15.725, no vessel may be operated unless it has in its service and on board, the complement required by the certificate of inspection.

(b) Any vessel subject to inspection under 46 U.S.C. 3301 must, while on a voyage, be under the direction and control of an individual who holds an appropriate license issued by the Coast Guard. For the purposes of this paragraph:

(1) A voyage is the period of time necessary to transit from the port of departure to the final port of arrival.

(2) A port does not include an Outer Continental Shelf (OCS) facility as defined in 33 CFR part 140.

[CGD 81-059, 52 FR 38652, Oct. 16, 1987, as amended at USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

§ 15.520 Mobile offshore drilling units.

(a) The requirements in this section for mobile offshore drilling units (MODUs) supplement other requirements in this part.

(b) The OCMI determines the minimum number of licensed individuals and crew (including lifeboatmen) required for the safe operation of inspected MODUs. In addition to other factors listed in this part, the specialized nature of the MODU is considered in determining the specific manning levels.

(c) A license as offshore installation manager (OIM), barge supervisor (BS), or ballast control operator (BCO) authorizes service only on MODUs. A license or endorsement as OIM is restricted to the MODU type and mode of operation specified on the license.

(d) A self-propelled MODU other than a drillship must be under the command of an individual who holds a license as master endorsed as OIM.

(e) A drillship must be under the command of an individual who holds a license as master. When a drillship is on location, the individual in command

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must hold a license as master endorsed as OIM.

(f) A non-self-propelled MODU must be under the command of an individual who holds a license or endorsement as OIM.

(g) An individual serving as mate on a self-propelled surface unit other than a drillship must hold an appropriate license as mate and an endorsement as BS or BCO. An individual holding a license or endorsement as barge supervisor or ballast control operator may be substituted for a required mate when a self-propelled surface unit other than a drillship is on location or under tow, under certain circumstances as determined by the cognizant OCMI.

(h) An individual holding a license or endorsement as barge supervisor is required on a non-self-propelled surface unit other than a drillship.

(i) An individual holding a license or endorsement as barge supervisor may serve as ballast control operator.

(j) The OCMI issuing the MODU's certificate of inspection may authorize the substitution of chief or assistant engineer (MODU) for chief or assistant engineer, respectively, on self-propelled or propulsion assisted surface units, except drillships. The OCMI may also authorize the substitution of assistant engineer (MODU) for assistant engineer on drillships.

(k) Requirements in this part concerning radar observers do not apply to non-self-propelled MODUs.

(1) A surface mobile offshore drilling unit underway or on location, when afloat and equipped with a ballast control room, must have that ballast control room manned by an individual holding a license or endorsement authorizing service as ballast control operator.

[CGD 81-059a, 55 FR 14805, Apr. 18, 1990]

§ 15.525 Reference to other parts.

Parts 31 and 35 of this chapter contain additional manning requirements applicable to tank vessels.

§ 15.530 Large passenger vessels.

(a) The definition of terms used in this section is the same as § 12.40-3 of this subchapter.

(b) The owner or operator of a U.S.-flag large passenger vessel must ensure

that any non-resident alien holding a Coast Guard-issued merchant mariner's document described in subpart 12.40 of this subchapter is provided the rights, protections, and benefits of the International Labor Organization's Merchant Shipping (Minimum Standards) Convention of 1976.

(c) On U.S.-flag large passenger vessels, non-resident aliens holding a Coast-Guard issued merchant mariner's document described in subpart 12.40 of this subchapter:

(1) May only be employed in the steward's department on the vessel(s) specified on the merchant mariner's document or accompanying Coast Guard letter under §12.40-13(b)(1) of this subchapter;

(2) May only be employed for an aggregate period of 36 months actual service on all authorized U.S.-flag large passenger vessels combined, under §12.40-13(c) of this subchapter;

(3) May not perform watchstanding, engine room duty watch, or vessel navigation functions, under §12.40-13(b)(4) of this subchapter; and

(4) May perform emergency-related duties only if, under §12.40-13(b)(5) of this subchapter:

(i) The emergency-related duties do not require any other rating or endorsement, except lifeboatman as specified in §12.40-13(a)(3) of this subchapter;

(ii) The non-resident alien has completed familiarization and basic safety training, as required in §15.1105 of this part;

(iii) That if the non-resident alien serves as a lifeboatman, he or she must have the necessary lifeboatman's endorsement; and

(iv) The non-resident alien has completed the training for crewmembers on passenger ships performing duties involving safety or care for passengers, as required in subpart 12.35 of this subchapter.

(d) No more than 25 percent of the total number of unlicensed seamen on a U.S.-flag large passenger vessel may be aliens, whether admitted to the United States for permanent residence or otherwise allowed to be employed in the United States as non-resident aliens.

(e) The owner or operator of a U.S.-flag large passenger vessel employing non-resident aliens holding Coast Guard-issued merchant mariner's documents described in subpart 12.40 of this subchapter must:

(1) Retain custody of all non-resident alien merchant mariner's documents for the duration of employment, under §12.40-13(b)(2) of this subchapter; and

(2) Return all non-resident alien merchant mariner's documents to the Coast Guard upon termination of employment, under §12.40-13(b)(3) of this subchapter.

(f) The owner or operator of a U.S.-flag large passenger vessel employing non-resident aliens holding Coast Guard-issued merchant mariner's documents described in subpart 12.40 of this subchapter is subject to the civil penalty provisions specified in 46 U.S.C. 8103(f), for any violation of this section.

[USCG-2007-27761, 72 FR 20286, Apr. 24, 2007]

Subpart E—Manning Requirements; Uninspected Vessels

§ 15.601 General.

The following sections of subparts F, G, and H of this part contain provisions concerning manning of uninspected vessels; §§ 15.701, 15.705, 15.710, 15.720, 15.730, 15.801, 15.805, 15.810, 15.820, 15.825, 15.840, 15.850, 15.855, 15.905, 15.910, and 15.915.

§ 15.605 Licensed operators for uninspected passenger vessels.

Each uninspected passenger vessel must be under the direction and control of an individual licensed by the Coast Guard as follows:

(a) Every self-propelled, uninspected vessel as defined by 46 U.S.C. 2101(42)(B), carrying not more than six passengers, must be under the direction and control of an individual holding a license as operator.

(b) Every uninspected passenger vessel of 100 gross tons or more, as defined by 46 U.S.C. 2101(42)(A), must be under the direction and control of a licensed master, pilot, or mate as appropriate.

[USCG-1999-5040, 67 FR 34767, May 15, 2002]

§ 15.610 Master and mate (pilot) of towing vessels.

(a) Except as provided in this paragraph, every towing vessel of at least 8 meters (at least 26 feet) in length, measured from end to end over the deck (excluding sheer), must be under the direction and control of a person licensed as master or mate (pilot) of towing vessels or as master or mate of vessels of greater than 200 gross register tons holding either an endorsement on his or her license for towing vessels or a completed Towing Officer's Assessment Record (TOAR) signed by a designated examiner indicating that the officer is proficient in the operation of towing vessels. This does not apply to any vessel engaged in assistance towing, or to any towing vessel of less than 200 gross register tons engaged in exploiting offshore minerals or oil if the vessel has sites or equipment so engaged as its place of departure or ultimate destination.

(b) An officer may continue to operate towing vessels within any restrictions of his or her license from May 21, 2001, until the first renewal or upgrade of that license, but not later than May 21, 2006. Every towing vessel covered by paragraph (a) of this section must carry at least the following personnel:

(1) An officer designated Master and holding a license as—

- (i) Master of towing vessels;
- (ii) Master of towing vessels (Limited) when operating solely within a limited local area;
- (iii) Operator of uninspected towing vessels;
- (iv) Master of inspected, self-propelled vessels within any restrictions on the license; or
- (v) Mate or first-class pilot of inspected, self-propelled vessels with a license for service in vessels of greater than 200 gross register tons (Domestic service only).

(2) Another officer, if the vessel is operating more than 12 hours in any 24-hour period, holding a license—

- (i) Listed in 46 CFR 15.610(b)(1);
- (ii) As mate (pilot) of towing vessels;
- (iii) As second-class OUTV; or
- (iv) As mate of inspected, self-propelled vessels within any restrictions on the license.

(c) Any towing vessel operating in the pilotage waters of the Lower Mississippi River must be under the control of an officer who holds a first-class pilot's license or endorsement for that route, or meets the requirements of either paragraph (c)(1) or paragraph (c)(2) of this section as applicable:

(1) To operate a towing vessel with tank barges, or a tow of barges carrying hazardous materials regulated under part N or O of this subchapter, an officer in charge of the towing vessel must have completed 12 round trips over this route as an observer, with at least 3 of those trips during hours of darkness, and at least 1 round trip of the 12 within the last 5 years.

(2) To operate a towing vessel without barges, or a tow of uninspected barges, an officer in charge of the towing vessel must have completed at least four round trips over this route as an observer, with at least one of those trips during hours of darkness, and at least one round trip of the 12 within the last 5 years.

[USCG–1999–6224, 66 FR 20944, Apr. 26, 2001, as amended at 68 FR 35818, June 17, 2003; USCG–2008–0906, 73 FR 56508, Sept. 29, 2008]

Subpart F—Limitations and Qualifying Factors**§ 15.701 Officers Competency Certificates Convention, 1936.**

(a) This section implements the Officers Competency Certificates Convention, 1936, and applies to each vessel documented under the laws of the United States navigating seaward of the Boundary Lines in part 7 of this chapter, except:

- (1) A public vessel;
- (2) A wooden vessel of primitive build, such as a dhow or junk;
- (3) A barge; and,
- (4) A vessel of less than 200 gross tons.

(b) The master, mates and engineers on any vessel to which this section applies must hold a license to serve in that capacity issued by the Coast Guard under part 10 of this chapter.

(c) A vessel to which this section applies, or a foreign flag vessel to which the Convention applies, may be detained by a designated official until that official is satisfied that the vessel

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is in compliance with the Convention. *Designated official* includes Coast Guard officers, Coast Guard petty officers and officers or employees of the Customs Service.

(d) Whenever a vessel is detained, the owner, charterer, managing operator, agent, master, or individual in charge may appeal the detention within five days under the provisions of § 2.01-70 of this chapter.

§ 15.705 Watches.

(a) Title 46 U.S.C. 8104 is the law applicable to the establishment of watches aboard certain U.S. vessels. The establishment of adequate watches is the responsibility of the vessel's master. The Coast Guard interprets the term *watch* to be the direct performance of vessel operations, whether deck or engine, where such operations would routinely be controlled and performed in a scheduled and fixed rotation. The performance of maintenance or work necessary to the vessel's safe operation on a daily basis does not in itself constitute the establishment of a watch. The minimum safe manning levels specified in a vessel's certificate of inspection take into consideration routine maintenance requirements and ability of the crew to perform all operational evolutions, including emergencies, as well as those functions which may be assigned to persons in watches.

(b) Subject to exceptions, 46 U.S.C. 8104 requires that when a master of a seagoing vessel of more than 100 gross tons establishes watches for the licensed individuals, sailors, coal passers, firemen, oilers and watertenders, the personnel shall be *divided, when at sea, into at least three watches and shall be kept on duty successively to perform ordinary work incident to the operation and management of the vessel*. The Coast Guard interprets *sailors* to mean those members of the deck department other than licensed officers, whose duties involve the mechanics of conducting the ship on its voyage, such as helmsman (wheelsman), lookout, etc., and which are necessary to the maintenance of a continuous watch. *Sailors* is not interpreted to include able seamen and ordinary seamen not performing these duties.

(c) Subject to exceptions, 46 U.S.C. 8104(g) permits the licensed individuals and crew members (except the coal passers, firemen, oilers, and watertenders) to be divided into two watches when at sea and engaged on a voyage of less than 600 miles on the following categories of vessels:

- (1) Towing vessel;
- (2) Offshore supply vessel; or,
- (3) Barge.

(d) Subject to exceptions, 46 U.S.C. 8104(h) permits a licensed master or mate (pilot) operating a towing vessel that is at least 26 feet in length measured from end to end over the deck (excluding sheer) to work not more than 12 hours in a consecutive 24 hour period except in an emergency. The Coast Guard interprets this, in conjunction with other provisions of the law, to permit licensed masters or mates (pilots) serving as operators of towing vessels that are not subject to the provisions of the Officers' Competency Certificates Convention, 1936, to be divided into two watches regardless of the length of the voyage.

(e) Fish processing vessels are subject to various provisions of 46 U.S.C. 8104 concerning watches.

(1) For fish processing vessels that entered into service before January 1, 1988, the following watch requirements apply to the licensed officers and deck crew:

(i) If over 5000 gross tons—three watches.

(ii) If more than 1600 gross tons and not more than 5000 gross tons—two watches.

(iii) If not more than 1600 gross tons—no watch division specified.

(2) For fish Processing vessels which enter into service after December 31, 1987, the following watch requirements apply to the licensed officers and deck crew:

(i) If over 5000 gross tons—three watches.

(ii) If not more than 5000 gross tons and having more than 16 individuals on board primarily employed in the preparation of fish or fish products—two watches.

(iii) If not more than 5000 gross tons and having not more than 16 individuals on board primarily employed in

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the preparation of fish or fish products—no watch division specified.

(f) Properly manned uninspected passenger vessels of at least 100 gross tons—

(1) Which are underway for no more than 12 hours in any 24-hour period, and which are adequately moored, anchored, or otherwise secured in a harbor of safe refuge for the remainder of that 24-hour period may operate with one navigational watch;

(2) Which are underway more than 12 hours in any 24-hour period must provide a minimum of a two-watch system;

(3) In no case may the crew of any watch work more than 12 hours in any 24-hour period, except in an emergency.

[CGD 81-059, 52 FR 38652, Oct. 16, 1987, as amended by USCG-1999-6224, 64 FR 63235, Nov. 19, 1999; USCG-1999-5040, May 15, 2002; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

§ 15.710 Working hours.

In addition to prescribing watch requirements, 46 U.S.C. 8104 sets limitations on the working hours of licensed individuals and crew members, prescribes certain rest periods, and prohibits unnecessary work on Sundays and certain holidays when the vessel is in a safe harbor. It is the responsibility of the master or person in charge to ensure that these limitations are met. However, under 46 U.S.C. 8104(f), the master or other licensed individual can require any part of the crew to work when, in his or her judgment, they are needed for:

(a) Maneuvering, shifting berth, mooring, unmooring;

(b) Performing work necessary for the safety of the vessel, or the vessel's passengers, crew, or cargo;

(c) Saving of life on board another vessel in jeopardy; or,

(d) Performing fire, lifeboat, or other drills in port or at sea.

[CGD 81-059, 52 FR 38652, Oct. 16, 1987, as amended by USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

§ 15.715 Automated vessels.

(a) Coast Guard acceptance of automated systems to replace specific personnel or to reduce overall crew requirements is predicated upon the capabilities of the system, the system's

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demonstrated and continuing reliability, and a planned maintenance program that ensures continued safe operation of the vessel.

(b) The OCMI considers the capabilities of an automated system in establishing initial manning levels; however, until the system is proven reliable, a manning level adequate to operate in a continuously attended mode will be specified on a vessel's COI. It remains the responsibility of the vessel's master to determine when a continuous watch is necessary.

§ 15.720 Use of non-U.S. licensed and/or documented personnel.

(a) United States vessels which need to replace one or more persons while on a foreign voyage and outside the jurisdiction of the United States, in order to meet manning requirements, may utilize non-U.S. licensed and documented personnel, except for the positions of master and radio officer, until the vessel returns to a port at which in the most expeditious manner replacements who are citizens of the United States can be obtained.

(b) The citizenship requirements of 46 U.S.C. 8103 (a) and (b) are waived, except for the requirement that the master must be a U.S. citizen, with respect to the following vessels:

(1) A U.S.-documented offshore supply vessel (OSV) (as that term is defined in 46 U.S.C. 2101(19)) that is operating from a foreign port; and

(2) A U.S.-documented mobile offshore drilling unit (MODU) (as that term is defined in 46 U.S.C. 2101(15a)) that is operating beyond the water above the U.S. Outer Continental Shelf.

(c) The waiver provided in paragraph (b) of this section does not apply to any vessel operating in water above the U.S. Outer Continental Shelf (as that term is defined in 43 U.S.C. 1331(a)).

(d) The master shall assure that any replacements of crewmembers by non-U.S. citizens made in accordance with this section will be with an individual who holds a license or document which is equivalent in experience, training, and other qualifications to the U.S. license or document required for the position and that the person possesses or will possess the training required to

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communicate to the extent required by § 15.730.

[CGD 89-061, 55 FR 1212, Jan. 12, 1990]

§ 15.725 Sailing short.

Whenever a vessel is deprived of the service of a member of its complement, and the master or person in charge is unable to find appropriate licensed or documented personnel to man the vessel, the master or person in charge may proceed on the voyage, having determined the vessel is sufficiently manned for the voyage. A report of sailing short must be filed in writing with the Officer in Charge, Marine Inspection (OCMI) having cognizance for inspection in the area in which the vessel is operating, or the OCMI within whose jurisdiction the voyage is completed. The report must explain the cause of each deficiency and be submitted within twelve hours after arrival at the next port. The actions of the master or person in charge in such instances are subject to review and it must be shown the vacancy was not due to the consent, fault or collusion of the master or other individuals specified in 46 U.S.C. 8101(e). A civil penalty may be assessed against the master or person in charge for failure to submit the report.

§ 15.730 Language requirements.

(a) The provisions of 46 U.S.C. 8702 relating to language apply generally to vessels of at least 100 gross tons except:

(1) Vessels operating on rivers and lakes (except the Great Lakes);

(2) A manned barge (except a seagoing barge or a barge to which chapter 37 of 46 U.S.C. applies);

(3) A fishing vessel, fish tender vessel, whaling vessel, or yacht;

(4) A sailing school vessel with respect to sailing school instructors and sailing school students;

(5) An oceanographic research vessel with respect to scientific personnel;

(6) A fish processing vessel which entered into service before January 1, 1988, and is not more than 1600 gross tons or which enters into service after December 31, 1987, and has not more than 16 individuals on board primarily employed in the preparation of fish or fish products; and,

(7) All fish processing vessels with respect to those personnel primarily em-

ployed in the preparation of fish or fish products or in a support position not related to navigation.

(b) 46 U.S.C. 8702(b) requires that on board vessels departing U.S. ports *75 percent of the crew in each department on board is able to understand any order spoken by the officers.*

(c) The words *able to understand any order spoken by the officers* relates to any order to a member of the crew when directing the performance of that person's duties and orders relating to emergency situations such as used for response to a fire or in using lifesaving equipment. It is not expected that a member of the deck department understand terminology normally used only in the engineroom or vice versa.

(d) Whenever information is presented to the Coast Guard that a vessel fails to comply with the specified language requirements the Coast Guard investigates the allegation to determine its validity. In determining if an allegation is factual, the Coast Guard may require a demonstration by the licensed individuals and crew that appropriate orders are understood. The demonstration will require that orders be spoken to the individual members of the crew by the licensed individuals in the language ordinarily and customarily used by the licensed individuals. The orders must be spoken directly by the licensed individual to the crew member and not through an interpreter. Signs, gestures, or signals may not be used in the test. The Coast Guard representative will specify the orders to be given and will include not only daily routine but orders involving emergencies, either of a departmental or of a general nature. This test will be conducted, if possible, at a time reasonably in advance of the vessel's departure, to avoid delays.

Subpart G—Computations

§ 15.801 General.

The OCMI will determine the specific manning levels for vessels required to have certificates of inspection by part B of subtitle II of title 46 U.S.C. The masters or individuals in command of all vessels, whether required to be inspected under 46 U.S.C. 3301 or not, are

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responsible for properly manning vessels in accordance with the applicable laws, regulations, and international conventions.

[CGD 81-059, 54 FR 149, Jan. 4, 1989]

§ 15.805 Master.

(a) There must be an individual holding an appropriate license as master in command of each of the following vessels:

(1) Every self-propelled, seagoing documented vessel of 200 gross tons and over.

(2) Every self-propelled inspected vessel.

(3) Every inspected passenger vessel.

(4) Every inspected small passenger vessel.

(5) Every towing vessel of at least 8 meters (at least 26 feet) or more in length must be under the command of a master of towing vessels, or a mariner licensed as master of inspected, self-propelled vessels greater than 200 gross register tons (GRT) holding either—

(i) A completed Towing Officer's Assessment Record (TOAR), bearing the signature of a Designated Examiner and stating that the Examiner found the candidate proficient; or

(ii) A license endorsed for towing vessels.

(6) Every uninspected passenger vessel of at least 100 gross tons.

(b) Every vessel documented under the laws of the United States, other than a vessel with only a recreational endorsement, must be under the command of a U.S. citizen.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended by CGD 81-059, 54 FR 149, Jan. 4, 1989; USCG-1999-6216, 64 FR 53223, Oct. 1, 1999; USCG-1999-6224, 64 FR 63235, Nov. 19, 1999; 66 FR 20944, Apr. 26, 2001; USCG-1999-5040, 67 FR 34767, May 15, 2002]

§ 15.810 Mates.

(a) The OCMI determines the minimum number of licensed mates required for the safe operation of inspected vessels.

(b) The minimum number of licensed mates required to be carried on every inspected, self-propelled, seagoing and Great Lakes vessel, and every inspected, seagoing, passenger vessel must not be less than the following, ex-

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cept when reductions are authorized under paragraph (e) of this section:

(1) Vessels of 1000 gross tons or more (except MODUs)—three licensed mates (except when on a voyage of less than 400 miles from port of departure to port of final destination—two licensed mates).

(2) MODUs of 1000 gross tons or more:

(i) Three licensed mates when on a voyage of more than 72 hours.

(ii) Two licensed mates when on a voyage of more than 16 but not more than 72 hours.

(iii) One licensed mate when on a voyage of not more than 16 hours.

(3) Vessels of 100 or more gross tons but less than 1000 gross tons—two licensed mates (except vessels of at least 100 but less than 200 gross tons on voyages which do not exceed 24 hours in duration—one licensed mate).

(4) All offshore supply vessels of 100 gross tons or more—two licensed mates (except when on a voyage of less than 600 miles—one licensed mate). A voyage includes the accrued distance from port of departure to port of arrival and does not include stops at offshore points.

(5) All vessels of less than 100 gross tons—one licensed mate (except vessels on voyages not exceeding 12 hours in duration may, if the OCMI determines it to be safe, be operated without licensed mates).

(c) An individual in charge of the navigation or maneuvering of a self-propelled, uninspected, documented, seagoing vessel of 200 gross tons or over must hold an appropriate license authorizing service as mate.

(d) Each person in charge of the navigation or maneuvering of a towing vessel of at least 8 meters (at least 26 feet) in length must hold a license authorizing service as either—

(1) Mate (pilot) of towing vessels; or

(2) Mate of inspected self-propelled vessels greater than 200 GRT within any other restrictions on the officer's license, holding either—

(i) A completed Towing Officer's Assessment Record (TOAR) bearing the signature from a Designated Examiner and stating that the Examiner found the candidate proficient; or

(ii) A license endorsed for towing vessels.

(e) The OCMI may increase the minimum number of mates indicated in paragraph (b) of this section where he or she determines that the vessel's characteristics, route, or other operating conditions create special circumstances warranting an increase.

(f) The Commandant will consider reductions to the number of mates required by this section when special circumstances allowing a vessel to be safely operated can be demonstrated.

[CGD 81-059, 52 FR 38652, Oct. 16, 1987, as amended by CGD 81-059, 54 FR 149, Jan. 4, 1989; CGD 81-059a, 55 FR 14805, Apr. 18, 1990; USCG-1999-6224, 64 FR 63235, Nov. 19, 1999; 66 FR 20944, Apr. 26, 2001]

§ 15.812 Pilots.

(a) Except as specified in paragraph (f) of this section, the following vessels, not sailing on register, when underway on the navigable waters of the United States, must be under the direction and control of an individual qualified to serve as pilot under paragraph (b) or (c) of this section as appropriate:

(1) Coastwise seagoing vessels propelled by machinery and subject to inspection under 46 U.S.C. Chapter 33, and coastwise seagoing tank barges subject to inspection under 46 U.S.C. Chapter 37;

(2) Vessels that are not authorized by their Certificate of Inspection to proceed beyond the Boundary Line established in part 7 of this Chapter which are in excess of 1,600 gross tons, propelled by machinery, and subject to inspection under 46 U.S.C. chapter 33; and

(3) Vessels operating on the Great Lakes that are propelled by machinery and subject to inspection under 46 U.S.C. chapter 33, or are tank barges subject to inspection under 46 U.S.C. chapter 37.

(b) The following individuals may serve as a pilot for a vessel subject to paragraph (a) of this section, when underway on the navigable waters of the United States that are designated areas.

(1) An individual holding a valid first class pilot's license issued by the Coast Guard, operating within the restrictions of his or her license, may serve as pilot on any vessel to which this section applies.

(2) An individual holding a valid license issued by the Coast Guard as master or mate, employed aboard a vessel within the restrictions of his or her license, may serve as pilot on a vessel of not more than 1,600 gross tons propelled by machinery, described in paragraphs (a)(1) and (a)(3) of this section, provided he or she:

(i) Is at least 21 years old;

(ii) Complies with the currency of knowledge provisions of §10.713 of this chapter; and

(iii) Has completed a minimum of four round trips over the route to be traversed while in the wheelhouse as watchstander or observer. At least one of the round trips must be made during the hours of darkness if the route is to be traversed during darkness.

(3) An individual holding a valid license issued by the Coast Guard as master, mate, or operator employed aboard a vessel within the restrictions of his or her license, may serve as pilot on a tank barge or tank barges totaling not more than 10,000 gross tons, described in paragraphs (a)(1) and (a)(3) of this section, provided he or she:

(i) Is at least 21 years old;

(ii) Complies with the currency of knowledge provisions of §10.713 of this chapter;

(iii) Has a current physical examination in accordance with the provisions of §10.709 of this chapter;

(iv) Has at least six months service in the deck department on towing vessels engaged in towing operations; and

(v) Has completed a minimum of twelve round trips over the route to be traversed, as an observer or under instruction in the wheelhouse. At least three of the round trips must be made during the hours of darkness if the route is to be traversed during darkness.

(c) An individual holding a valid license issued by the Coast Guard as master, mate, or operator, employed aboard a vessel within the restrictions of his or her license, may serve as a pilot for a vessel subject to paragraph (a)(1) and (a)(2) of this section, when underway on the navigable waters of the United States that are not designated areas of pilotage waters, provided he or she:

(1) Is at least 21 years old;

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(2) Complies with the currency of knowledge provisions of §10.713 of this chapter; and

(3) Has a current physical examination in accordance with the provisions of §10.709 of this chapter.

(d) In any instance when the qualifications of a person satisfying the requirements for pilotage through the provisions of this Subpart are questioned by the Coast Guard, the individual shall, within a reasonable time,

provide the Coast Guard with documentation proving compliance with the applicable portion(s) of paragraphs (b) and (c) of this section.

(e) Federal pilotage requirements contained in paragraphs (a) through (d) of this section are summarized in two quick reference tables.

(1) Table 15.812(e)(1) provides a guide to the pilotage requirements for inspected, self-propelled vessels.

TABLE 15.812(e)(1)—QUICK REFERENCE TABLE FOR FEDERAL PILOTAGE REQUIREMENTS FOR U.S. INSPECTED SELF-PROPELLED VESSELS, NOT SAILING ON REGISTER

	Designated areas of pilotage waters (routes for which First Class Pilot's licenses are issued)	Nondesignated areas of pilotage waters (between the three mile line and the start of traditional pilotage routes)
Inspected self-propelled vessels greater than 1,600 GT, authorized by their Certificate of Inspection (COI) to proceed beyond the Boundary Line, or operating on the Great Lakes.	First Class Pilot	Master or Mate may serve as pilot if the individual: 1. Is at least 21 years old. 2. Has an annual physical exam. 3. Maintains current knowledge of the waters to be navigated. ¹
Inspected self-propelled vessels not more than 1,600 GT, authorized by their Certificate of Inspection to proceed beyond the Boundary Line, or operating on the Great Lakes.	First Class Pilot, or Master or Mate may serve as pilot if the individual: 1. Is at least 21 years old. 2. Maintains current knowledge of the waters to be navigated. ¹ 3. Has 4 round trips over the route. ²	Master or Mate may serve as pilot if the individual: 1. Is at least 21 years old. 2. Maintains current knowledge of the waters to be navigated. ¹
Inspected self-propelled vessels greater than 1,600 GT, not authorized by their COI to proceed beyond the Boundary Line (Inland route vessels); other than vessels operating on the Great Lakes.	First Class Pilot	Master or Mate may serve as pilot if the individual: 1. Is at least 21 years old. 2. Has an annual physical exam. 3. Maintains current knowledge of the waters to be navigated. ¹
Inspected self-propelled vessels not more than 1,600 GT, not authorized by their COI to proceed beyond the Boundary Line (Inland route vessels); other than vessels operating on the Great Lakes.	No pilotage requirement	No pilotage requirement.

¹ One round trip within the past 60 months.

² If the route is to be traversed during darkness, 1 of the 4 round trips must be made during darkness.

(2) Table 15.812(e)(2) provides a guide to the pilotage requirements for tank barges.

TABLE 15.812(e)(2)—QUICK REFERENCE TABLE FOR FEDERAL PILOTAGE REQUIREMENTS FOR U.S. INSPECTED TANK BARGES, NOT SAILING ON REGISTER

	Designated areas of pilotage waters (routes for which First Class Pilot's licenses are issued)	Nondesignated areas of pilotage waters (between the three mile line and the start of traditional pilotage routes)
Tank Barges greater than 10,000 GT, authorized by their Certificate of Inspection to proceed beyond the Boundary Line, or operating on the Great Lakes.	First Class Pilot	Master, Mate, or Operator may serve as pilot if the individual: 1. Is at least 21 years old. 2. Has an annual physical exam. ¹ 3. Maintains current knowledge of the waters to be navigated. ² 4. Has at least 6 months' service in the deck department on towing vessels engaged in towing.

TABLE 15.812(e)(2)—QUICK REFERENCE TABLE FOR FEDERAL PILOTAGE REQUIREMENTS FOR U.S. INSPECTED TANK BARGES, NOT SAILING ON REGISTER—Continued

	Designated areas of pilotage waters (routes for which First Class Pilot's licenses are issued)	Nondesignated areas of pilotage waters (between the three mile line and the start of traditional pilotage routes)
Tank Barges 10,000 GT or less, authorized by their Certificate of Inspection to proceed beyond the Boundary Line, or operating on the Great Lakes.	First Class Pilot, or Master, Mate, or Operator may serve as pilot if the individual: <ol style="list-style-type: none"> 1. Is at least 21 years old 2. Has an annual physical exam.¹ 3. Maintains current knowledge of the waters to be navigated.² 4. Has at least 6 months' service in the deck department on towing vessels engaged in towing operations. 5. Has 12 round trips over the route.³ 	Master, Mate, or Operator may serve as pilot if the individual: <ol style="list-style-type: none"> 1. Is at least 21 years old. 2. Has an annual physical exam.¹ 3. Maintains current knowledge of the waters to be navigated.² 4. Has at least 6 months' service in the deck department on towing vessels engaged in towing operations.
Tank Barges authorized by their Certificate of Inspection for Inland routes only (Lakes, Bays, and Sounds/Rivers); other than vessels operating on the Great Lakes.	No pilotage requirement	No pilotage requirement.

¹ Annual physical exam does not apply to an individual who will serve as a pilot of a Tank Barge of less than 1,600 gross tons.
² One round trip within the past 60 months.
³ If the route is to be traversed during darkness, 3 of the 12 round trips must be made during darkness.

(f) In Prince William Sound, Alaska, coastwise seagoing vessels over 1,600 gross tons and propelled by machinery and subject to inspection under 46 U.S.C. Chapter 37 must:

(1) When operating from 60°49' North latitude to the Port of Valdez be under the direction and control of a federally licensed pilot who:

- (i) Is operating under the Federal license;
- (ii) Holds a license issued by the State of Alaska; and
- (iii) Is not a member of the crew of the vessel.

(2) Navigate with either two licensed deck officers on the bridge or a federally licensed pilot when operating South of 60°49' North latitude and in the approaches through Hinchinbrook Entrance and in the area bounded:

- (i) On the West by a line one mile west of the western boundary of the Traffic Separation Scheme;
- (ii) On the East by 146°00' West longitude;
- (iii) On the North by 60°49' North latitude; and
- (iv) On the South by that area of Hinchinbrook Entrance within the territorial sea bounded by 60° 07' North latitude and 146°31.5' West longitude.

[CGD 84-060, 59 FR 4842, Feb. 2, 1994, as amended by CGD 84-060, 60 FR 20652, 20653, Apr. 27, 1995; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

§ 15.815 Radar observers.

(a) Each person in the required complement of licensed deck individuals, including the master, on inspected vessels of 300 gross tons or over which are radar equipped, shall hold a valid endorsement as radar observer.

(b) Each person who is employed or serves as pilot in accordance with Federal law on board vessels of 300 gross tons or over which are radar equipped, shall hold a valid endorsement as radar observer.

(c) Each person having to be licensed under 46 U.S.C. 8904(a) for employment or service as master, mate, or operator on board an uninspected towing vessel of 8 meters (approximately 26 feet) or more in length must, if the vessel is equipped with radar, hold a valid endorsement as radar observer.

[CGD 81-059, 52 FR 38652, Oct. 16, 1987, as amended by CGD 94-041, 60 FR 8309, Feb. 14, 1995; CGD 95-028, 62 FR 51196, Sept. 30, 1997; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

EFFECTIVE DATE NOTE: By USCG-2006-26202, 73 FR 52795, Sept. 11, 2008, §15.815 was amended in paragraphs (a), (b), and (c), by removing the words "a valid endorsement" and adding, in their place, the words "an endorsement"; and by adding new paragraphs (d) and (e), effective Oct. 14, 2008. For the convenience of the user, the added text is set forth as follows:

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§ 15.815 Radar observers.

* * * * *

(d) Each person who is required to hold a radar endorsement must have their certificate of training readily available to demonstrate that the endorsement is still valid.

(e) For the purposes of this section, "readily available" means that the mariner must carry the original certificate of training or a notarized copy thereof onboard. Alternatively, the mariner must provide a copy of the certificate of training to the requesting entity within 48 hours. The requested material may be delivered either physically, electronically, or by facsimile.

§ 15.820 Chief engineer.

(a) There must be an individual holding an appropriate license as chief engineer or a license authorizing service as chief engineer employed on board the following inspected mechanically propelled vessels:

(1) Seagoing or Great Lakes vessels of 200 gross tons and over.

(2) Offshore supply vessels of more than 200 gross tons.

(3) Inland (other than Great Lakes) vessels of 300 gross tons and over, if the OCMI determines that a licensed individual responsible for the vessel's mechanical propulsion is necessary.

(b) An individual engaged or employed to perform the duties of chief engineer on a mechanically propelled, uninspected, seagoing, documented vessel of 200 gross tons or over must hold an appropriate license authorizing service as a chief engineer.

§ 15.825 Engineers.

(a) An individual in charge of an engineering watch on a mechanically propelled, seagoing, documented vessel of 200 gross tons or over, other than an individual described in §15.820, must hold an appropriate license authorizing service as an assistant engineer.

(b) The Officer in Charge, Marine Inspection determines the minimum number of licensed engineers required for the safe operation of inspected vessels.

§ 15.830 Radio officers.

Radio officers are required on certain merchant vessels of the United States. The determination of when a radio officer is required is based on the Federal

Communications Commission requirements.

§ 15.835 Staff officers.

Staff officers, when carried, must be registered as specified in part 10 of this chapter.

§ 15.840 Able seamen.

(a) With certain exceptions, 46 U.S.C. 8702 applies to all vessels of at least 100 gross tons. At least 65 percent of the deck crew of these vessels, excluding licensed individuals, must be able seamen. For vessels permitted to maintain a two watch system, the percentage of able seamen may be reduced to 50 percent.

(b) Able seamen are rated as: unlimited, limited, special, offshore supply vessel, sail, and fishing industry, under the provisions of part 12 of this chapter. 46 U.S.C. 7312 specifies the categories of able seamen (i.e., unlimited, limited, etc.) necessary to meet the requirements of 46 U.S.C. 8702.

(c) It is the responsibility of the master or person in charge to ensure that the able seamen in the service of the vessel meet the requirements of 46 U.S.C. 7312 and 8702.

§ 15.845 Lifeboatmen.

The number of lifeboatmen required for a vessel are specified in the parts of the regulations dealing with the inspection of that specific type of vessel.

§ 15.850 Lookouts.

The requirements for the maintenance of a proper lookout are specified in Rule 5 of the International Regulations for Preventing Collisions at Sea, 1972 (33 U.S.C. 1602(c)), and Rule 5 of the Inland Navigational Rules Act of 1980 (33 U.S.C. 2005). Lookout is a function to be performed by a member of a navigational watch.

[USCG-2007-29018, 72 FR 53964, Sept. 21, 2007]

§ 15.855 Cabin watchmen and fire patrolmen.

(a) On vessels carrying passengers at night, the master or person in charge shall ensure that a suitable number of watchmen are in the vicinity of the cabins or staterooms and on each deck,

to guard against and give alarm in case of fire or other danger.

(b) On a fish processing vessel of more than 100 gross tons, there must be a suitable number of watchmen trained in firefighting on board when hot work is being done, to guard against and give alarm in case of a fire.

(c) For the watchmen described in paragraph (a) of this section, the owner or operator of an uninspected passenger vessel not more than 300 gross tons may substitute the use of fire detectors, heat detectors, smoke detectors, and high-water alarms with audible- and visual-warning indicators, in addition to other required safety alarms, only when each of the following conditions are met:

(1) Fire detectors are located in each space containing machinery or fuel tanks per §181.400(c) of this chapter.

(2) All grills, broilers, and deep-fat fryers are fitted with a grease extraction hood per §181.425 of this chapter.

(3) Heat and/or smoke detectors are located in each galley, public accommodation space, enclosed passageway, berthing space, and all crew spaces.

(4) High-water alarms are located in each space with a through hull fitting below the deepest load waterline, a machinery space bilge, bilge well, shaft alley bilge, or other space subject to flooding from sea water piping within the space, and a space below the waterline with non-watertight closure such as a space with a non-watertight hatch on the main deck.

(5) Each alarm has an audible- and visual-alarm indicator located at the normal operating station and, if the normal operating position is not continually manned and not navigating underway, in an alternate location that must provide the crew, and may at all times provide the passengers, immediate warning of a hazardous condition.

(6) The vessel is underway for no more than 12 hours in any 24-hour period, and the master of the vessel has chosen to operate with less than a three-watch system in accordance with §15.705.

[CGD 81-059, 52 FR 38652, Oct. 16, 1987, as amended by USCG-1999-5040, 67 FR 34767, May 15, 2002]

§ 15.860 Tankerman.

(a) The Officer in Charge, Marine Inspection, enters on the Certificate of Inspection issued to each manned tank vessel subject to the regulations in this chapter the number of crewmembers required to hold valid merchant mariners' documents with the proper tankerman endorsement. Table 15.860(a)(1) provides the minimal requirements for tankermen aboard manned tank vessels; Table 15.860(a)(2) provides the tankerman endorsements required for personnel aboard tankships.

(b) For each tankship of more than 5,000 gross tons certified for voyages beyond the Boundary Line:

(1) The number of "Tankerman-PICs" or restricted "Tankerman-PICs" carried must be not fewer than two.

(2) The number of "Tankerman-Assistants" carried must be not fewer than three.

(3) The number of "Tankerman-Engineers" carried must be not fewer than two.

(c) For each tankship of 5,000 gross tons or less certified for voyages beyond the Boundary Line:

(1) The number of "Tankerman-PICs" or restricted "Tankerman-PICs" carried must be not fewer than two.

(2) The number of "Tankerman-Engineers" carried must be not fewer than two, unless only one engineer is required, in which case the number of "Tankerman-Engineers" carried may be just one.

(d) For each tankship not certified for voyages beyond the Boundary Line, if the total crew complement is:

(1) One or two, the number of "Tankerman-PICs" or restricted "Tankerman-PICs" carried may be just one.

(2) More than two, the number of "Tankerman-PICs" or restricted "Tankerman-PICs" carried must be not fewer than two.

(e) For each tank barge manned under §31.15-5 of this chapter, if the total crew complement is:

(1) One or two, the number of "Tankerman-PICs", restricted "Tankerman-PICs", "Tankerman-PICs (Barge)", or restricted "Tankerman-PICs (Barge)" carried may be just one.

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(2) More than two, the number of “Tankerman-PICs”, restricted “Tankerman-PICs”, “Tankerman-PICs (Barge)”, or restricted “Tankerman-PICs (Barge)” carried must be not fewer than two.

(f) The following personnel aboard each tankship certified for voyages beyond the Boundary Line shall hold valid merchant mariners’ documents, endorsed as follows:

(1) The master and chief mate shall each hold a “Tankerman-PIC” or restricted “Tankerman-PIC” endorsement.

(2) The chief, first assistant, and cargo engineers shall each hold a “Tankerman-Engineer” or “Tankerman (PIC)” endorsement.

(3) Each licensed person acting as the PIC of a transfer of liquid cargo in bulk

shall hold a “Tankerman-PIC” or restricted “Tankerman-PIC” endorsement.

(4) Each licensed or unlicensed person, who is assigned by the PIC duties and responsibilities related to the cargo or cargo-handling equipment during a transfer of liquid cargo in bulk but is not directly supervised by the PIC, shall hold a “Tankerman-Assistant” endorsement.

(g) The endorsements required by this section must be for the classification of the liquid cargo in bulk or of the cargo residue being carried.

(h) Because STCW does not recognize restricted Tankerman-PIC endorsements, persons may act under these only aboard vessels conducting business inside the Boundary Line.

TABLE 15.860(a)(1)—MINIMAL REQUIREMENTS FOR TANKERMEN ABOARD MANNED TANK VESSELS

Tank vessels	Tankerman PIC	Tankerman assistant	Tankerman engineer	Tankerman PIC or tankerman PIC (barge)
Tankship Certified for Voyages Beyond Boundary Line:				
Over 5000 GT	2	3	2	.....
5000 GT or less	2	.....	*2	.....
Tankship Not Certified for Voyages Beyond Boundary Line	**2	.....	.....	.....
Tank Barge .....	.....	.....	.....	***2

* If only one engineer is required, then only one Tankerman Engineer is required.
 ** If the total crew complement is one or two persons, then only one Tankerman PIC is required.
 *** If the total crew complement is one or two persons, then only one Tankerman PIC or Tankerman PIC (Barge) is required.

TABLE 15.860(a)(2)—TANKERMEN ENDORSEMENTS REQUIRED FOR PERSONNEL ABOARD TANKSHIPS
 [Endorsement for the Classification of the Bulk Liquid Cargo or Residues Carried]

Tankship certified for voyages beyond boundary line	Tankerman PIC	Tankerman engineer	Tankerman assistant
Master	✓		
Chief Mate	✓		
Chief Engineer	✓	or	✓
First Assistant Engineer	✓	or	✓
Cargo Engineer	✓	or	✓
Licensed Person Acting as PIC of Transfer of Liquid Cargo in Bulk	✓		
Licensed or Unlicensed Person Not Directly Supervised by PIC			✓

[CGD 79-116, 60 FR 17154, Apr. 4, 1995, as amended by CGD 79-116, 62 FR 25135, May 8, 1997]

Subpart H—Equivalent

§ 15.901 Inspected vessels of less than 100 gross tons.

(a) An individual holding a license as mate or pilot of inspected, self-propelled vessels of over 200 gross tons is authorized to serve as master on inspected vessels of less than 100 gross

tons within any restrictions on the individual’s license.

(b) An individual holding a license authorizing service as master or mate of inspected, self-propelled vessels is authorized to serve as master or mate, respectively, of non-self-propelled vessels other than sail vessels, within any restrictions on the individual’s license.

(c) An individual holding a license authorizing service as master or mate of inspected, sail vessels is authorized to serve as master or mate, respectively, of other non-self-propelled vessels, within any restrictions on the individual's license.

(d) An individual holding a license authorizing service as master or mate of inspected, auxiliary sail vessels, is authorized to serve as master or mate, respectively, of self-propelled and non-self-propelled vessels, within any restrictions on the individual's license.

[CGD 81-059, 54 FR 150, Jan. 4, 1989]

§ 15.905 Uninspected passenger vessels.

(a) An individual holding a license as master or pilot of an inspected, self-propelled vessel is authorized to serve as operator of an uninspected passenger vessel under 100 gross tons within any restrictions, other than gross tonnage limitations, on the individual's license.

(b) An individual holding a license as master or pilot of an inspected, self-propelled vessel is authorized to serve as master, as required by 46 CFR 15.805(a)(6), of an uninspected passenger vessel of at least 100 gross tons within any restrictions, including gross tonnage and route, on the individual's license.

(c) An individual holding a license as mate of inspected, self-propelled vessels (other than Great Lakes, inland, or river vessels of not more than 200 gross tons) is authorized to serve as operator of uninspected passenger vessels of less than 100 gross tons within any restrictions, other than gross tonnage limitations, on the individual's license.

[USCG-1999-5040, 67 FR 34767, May 15, 2002]

§ 15.910 Towing vessels.

(a) No person may serve as master or mate (pilot) of any towing vessel without meeting the requirements of 46 CFR 15.805(a)(5) or 15.810(d), respectively.

(b) Through May 21, 2006, the exception granted by 46 CFR 15.610(b) of this part applies to the manning of towing vessels.

[USCG 1999-6224, 66 FR 20944, Apr. 26, 2001]

§ 15.915 Engineer licenses.

The following licenses authorize the holder to serve as noted, within any restrictions on the license:

(a) A designated duty engineer license authorizes service as chief or assistant engineer on vessels of not more than 500 gross tons in the following manner:

(1) A designated duty engineer limited to vessels of not more than 1000 horsepower or 4000 horsepower may serve only on near coastal, Great Lakes, or inland waters;

(2) A designated duty engineer with no horsepower limitations may serve on any waters.

(b) A chief engineer (limited-oceans) license authorizes service as chief or assistant engineer on vessels of any gross tons on inland waters and of not more than 1600 gross tons on ocean, near coastal, or Great Lakes waters.

(c) A chief engineer (limited-near coastal) license authorizes service as chief or assistant engineer on vessels of any gross tons on inland waters and of not more than 1600 gross tons on near coastal or Great Lakes waters.

(d) An assistant engineer (limited-oceans) license authorizes service on vessels of any gross tons on inland waters and of not more than 1600 gross tons on ocean, near coastal, or Great Lakes waters.

[CGD 81-059, 54 FR 150, Jan. 4, 1989]

Subpart I—Vessels in Foreign Trade

SOURCE: CGD 92-061, 60 FR 24796, May 10, 1995, unless otherwise noted.

§ 15.1001 General.

Self-propelled vessels engaged in foreign commerce are required to use a pilot holding an appropriately endorsed Federal first class pilot's license issued by the Coast Guard when operating in the navigable waters of the United States specified in this subpart.

§ 15.1010 California.

The following offshore marine oil terminals located within U.S. navigable waters of the State of California:

(a) *Carlsbad, CA.* The waters including the San Diego Gas and Electric,

Encina Power Plant, lying within an area bounded by a line beginning at latitude 33°10'06"N, longitude 117°21'42"W, thence southwesterly to latitude 33°08'54"N, longitude 117°24'36"W, thence southwesterly to latitude 33°04'30"N, longitude 117°21'42"W, thence northeasterly to latitude 33°05'36"N, longitude 117°18'54"W, thence northwesterly along the shoreline to latitude 33°10'06"N, longitude 117°21'42"W.

(b) *Huntington Beach, CA.* The waters including the Golden West Refining Company, Huntington Beach Marine Terminal, lying within an area bounded by a line beginning at latitude 33°39'06"N, longitude 118°00'0"W, thence westerly to latitude 33°39'18"N, longitude 118°05'12"W, thence southeasterly along a line drawn three nautical miles from the baseline to latitude 33°35'30"N, longitude 118°00'00"W, thence easterly to latitude 33°35'30"N, longitude 117°52'30"W, thence northwesterly along the shoreline to latitude 33°39'06"N, longitude 118°00'00"W.

(c) *El Segundo, CA.* The waters including the Chevron USA, El Segundo Marine Terminal, lying within an area bounded by a line beginning at latitude 33°56'18"N, longitude 118°26'18"W, thence westerly to latitude 33°56'18"N, longitude 118°30'48"W, thence southeasterly along a line drawn three nautical miles from the baseline to latitude 33°51'48"N, longitude 118°27'54"W, thence easterly to latitude 33°51'48"N, longitude 118°24'00"W, thence northwesterly along the shoreline to latitude 33°56'18"N, longitude 118°26'18"W.

(d) *Oxnard, CA.* The waters including the Southern California Edison Company, Mandalay Generating Station, lying within an area bounded by a line beginning at latitude 34°14'12"N, longitude 119°16'00"W, thence westerly to latitude 34°14'12"N, longitude 119°19'36"W, thence southeasterly along a line drawn three nautical miles from the baseline to latitude 34°09'24"N, longitude 119°17'20"W, thence easterly to latitude 34°09'24"N, longitude 119°13'24"W, thence northwesterly along the shoreline to latitude 34°14'24"N, longitude 119°16'00"W.

(e) *Goleta, CA.* The waters including the ARCO, Ellwood Marine Terminal, lying within an area bounded by a line

beginning at latitude 34°26'12"N, longitude 119°57'00"W, thence southerly to latitude 34°22'48"N, longitude 119°57'00"W, thence southeasterly along a line drawn three nautical miles from the baseline to latitude 34°21'06"N, longitude 119°50'30.5"W, thence northerly to latitude 34°24'18"N, longitude 119°50'30"W, thence northwesterly along the shoreline to latitude 34°26'12"N, longitude 119°57'00"W.

(f) *Gaviota, CA.* The waters including the Texaco Trading and Transportation, Gaviota Marine Terminal, lying within an area bounded by a line beginning at latitude 34°28'06"N, longitude 120°16'00"W, thence southerly to latitude 34°25'06"N, longitude 120°16'00"W, thence easterly along a line drawn three nautical miles from the baseline to latitude 34°25'24"N, longitude 120°08'30"W, thence northerly to latitude 34°28'24"N, longitude 120°08'30"W, thence westerly along the shoreline to latitude 34°28'06"N, longitude 120°16'00"W.

(g) *Moss Landing, CA.* The waters including the Pacific Gas and Electric Company Power Plant, lying within an area bounded by a line beginning at latitude 36°49'00"N, longitude 121°47'42"W, thence westerly to latitude 36°49'00"N, longitude 121°51'00"W, thence southerly to latitude 36°47'00"N, longitude 121°51'00"W thence easterly to latitude 36°47'00"N, longitude 121°47'54"W, thence northerly along the shoreline to latitude 36°49'00"N, longitude 121°47'42"W.

(h) *Estero Bay, CA.* The waters including various moorings, including the Pacific Gas and Electric Company mooring and the two Chevron Oil Company Terminals lying within an area bounded by a line beginning at latitude 36°25'00"N, longitude 120°52'30"W, thence westerly to latitude 36°25'00"N, longitude 120°56'00"W, thence southerly to latitude 36°22'00"N, longitude 120°56'00"W, thence easterly to latitude 36°22'00"N, longitude 120°52'12"W, thence northerly along the shoreline to latitude 36°25'00"N, longitude 120°52'30"W.

(i) *San Luis Obispo Bay, CA.* The waters including the Unocal Corporation Avila Terminal and the approaches thereto, lying in an area bounded by a line beginning at latitude 35°09'42"N, longitude 120°46'00"W, thence southerly

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to latitude 35°07'00"N, longitude 120°46'00"W, thence easterly to latitude 35°07'00"N, longitude 120°43'00"W, thence northerly to latitude 35°10'24"N, longitude 120°43'00"W, thence westerly along the shoreline to latitude 35°09'42"N, longitude 120°46'00"W.

[CGD 92-061, 60 FR 24796, Jan. 4, 1995, as amended by USCG-1998-4442, 63 FR 52189, Sept. 30, 1998]

§ 15.1020 Hawaii.

The following offshore marine oil terminals located within U.S. navigable waters of the State of Hawaii: *Barbers Point, Island of Oahu*. The waters including the Hawaiian Independent Refinery, Inc. and the Chevron moorings lying within an area bounded by a line bearing 180 degrees true from Barbers Point Light to latitude 21°14.8'N, longitude 158°06.4'W, thence easterly to latitude 21°14.8'N, longitude 158°03.3'W, thence northeasterly to latitude 21°15.6'N, longitude 158°01.1'W, thence northwesterly to latitude 21°18.5'N, longitude 158°02.0'W, thence westerly along the shoreline to latitude 21°17.8'N, longitude 158°06.4'W.

§ 15.1030 New York and New Jersey.

The following U.S. navigable waters located within the States of New York and New Jersey when the vessel is making an intra-port transit, to include, but not limited to, a movement from a dock to a dock, from a dock to an anchorage, from an anchorage to a dock, or from an anchorage to an anchorage, within the following listed operating areas:

- (a) East River from Execution Rocks to New York Harbor, Upper Bay;
- (b) Hudson River from Yonkers, New York to New York Harbor, Upper Bay;
- (c) Raritan River from Grossman Dock/Arsenal to New York Harbor, Lower Bay;
- (d) Arthur Kill Channel;
- (e) Kill Van Kull Channel;
- (f) Newark Bay;
- (g) Passaic River from Point No Point to Newark Bay;
- (h) Hackensack River from the turning basin to Newark Bay; and
- (i) New York Harbor, Upper and Lower Bay.

NOTE TO §15.1030: "Intra-port transit" as used in this section includes the movement

of a foreign-trade vessel inbound from sea from the point where a State-licensed pilot ceases providing pilotage to another point within the identified areas (*i.e.*, a dock or anchorage). Likewise, intra-port transit also includes the movement of a foreign-trade vessel outbound to sea from a point within the identified areas (*i.e.*, a dock or anchorage) to the point where a State licensed pilot begins providing pilotage.

[CGD 92-061, 60 FR 24796, May 10, 1995, as amended by USCG-2004-18884, 69 FR 58344, Sept. 30, 2004]

§ 15.1040 Massachusetts.

The following U.S. navigable waters located within the State of Massachusetts when the vessel is in transit, but not bound to or departing from a port within the following listed operating areas:

- (a) Cape Cod Bay south of latitude 41°48'54"N;
- (b) The Cape Cod Canal; and
- (c) Buzzards Bay east of a line extending from the southernmost point of Wilbur Point (latitude 41°34'55"N longitude 70°51'15"W) to the easternmost point of Pasque Island (latitude 41°26'55"N longitude 70°50'30"W).

[CGD 92-061, 60 FR 24796, May 10, 1995, as amended by USCG-1998-4442, 63 FR 52189, Sept. 10, 1998]

§ 15.1050 North Carolina.

(a) The following navigable waters of the United States within the State of North Carolina when the vessel is maneuvering while berthing or unberthing, is approaching or passing through a bridge, or is making any intra-port transit, which transit may include but is not limited to movement from a dock to a dock, from a dock to an anchorage, from an anchorage to a dock, or from an anchorage to an anchorage, within either of the following areas:

- (1) The waters of the Cape Fear River from the boundary line established by 46 CFR 7.60 to Latitude 34° 16.5'N.
- (2) The waters of the Northeast Cape Fear River from its confluence with the Cape Fear River at Point Peter to Latitude 34°17'N.

(b) This subpart does not apply to any vessel on the waters specified in paragraph (a) of this section if the laws

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of the State of North Carolina require a State-licensed pilot on the vessel.

[CGD 97-073, 63 FR 57255, Oct. 27, 1998]

Subpart J—Vessels Subject to Requirements of STCW

SOURCE: CGD 95-062, 62 FR 34539, June 26, 1997, unless otherwise noted.

§ 15.1101 General.

(a) *Definitions.* For purposes of this subpart, the term—

(1) *STCW* means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended in 1995;

(2) *STCW Code* means the Seafarer's Training, Certification and Watchkeeping Code;

(3) *Seagoing vessel* means a self-propelled vessel in commercial service that operates beyond the Boundary Line established by 46 CFR part 7. It does not include a vessel that navigates exclusively on inland waters;

(4) *Rest* means a period of time during which the person concerned is off duty, is not performing work (which includes administrative tasks such as chart corrections or preparation of port-entry documents), and is allowed to sleep without being interrupted; and

(5) *Overriding operational conditions* means circumstances in which essential shipboard work cannot be delayed for safety or environmental reasons, or could not reasonably have been anticipated at the commencement of the voyage.

(6) *Vessel Security Officer (VSO)* means a person onboard the vessel accountable to the Master, designated by the Company as responsible for security of the vessel, including implementation and maintenance of the Vessel Security Plan, and for liaison with the Facility Security Officer and vessel's Company Security Officer.

(b) Except as otherwise provided in § 15.1103(d), the regulations in this subpart apply to seagoing vessels subject to STCW.

(c) A vessel that has on board a valid Safety Management Certificate and a copy of a Document of Compliance issued for that vessel in accordance with 46 U.S.C. 3205 is presumed in com-

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pliance with the regulations in this subpart.

[CGD 95-062, 62 FR 34539, June 26, 1997, as amended by USCG-2008-0028, 73 FR 29071, May 20, 2008]

§ 15.1103 Employment and service within restrictions of a license, document, and STCW endorsement or of a certificate of training.

(a) On board a seagoing vessel operating beyond the Boundary Line, no person may employ or engage any person to serve, and no person may serve, in a position requiring a person to hold an STCW endorsement, including master, chief mate, chief engineer, second engineer, officer of the navigational or engineering watch, or radio operator, unless the person serving holds an appropriate, valid STCW certificate or endorsement issued in accordance with part 10 or 12 of this chapter.

(b) On board a seagoing vessel of 500 GT or more as determined under the International Tonnage Convention, no person may employ or engage any person to serve, and no person may serve, as a rating forming part of the navigational watch, except for training, unless the person serving holds an appropriate, valid STCW certificate or endorsement issued in accordance with part 12 of this chapter.

(c) After January 31, 2002, on board a seagoing vessel driven by main propulsion machinery of 750 kW [1,000 hp] propulsion power or more, no person may employ or engage any person to serve, and no person may serve, in a rating forming part of a watch in a manned engine-room, nor may any person be designated to perform duties in a periodically unmanned engine-room, except for training or for the performance of duties of an unskilled nature, unless the person serving holds an appropriate, valid STCW certificate or endorsement issued in accordance with part 12 of this chapter.

(d) You must hold documentary evidence to show you meet the requirements of § 10.1005 (if licensed) or § 12.30-5 (if unlicensed) of this chapter if you are a master or crewmember on board a Ro-Ro passenger ship to which a certificate signifying compliance with the

International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS), has been issued.

(e) You must hold documentary evidence to show you meet the requirements of §10.1105 (if licensed) or §12.35-5 (if unlicensed) of this chapter if you are a master or crewmember on board a vessel that is—

- (1) Subject to the STCW;
- (2) Not a Ro-Ro passenger ship; and
- (3) Carrying more than 12 passengers when on an international voyage.

(f) After January 31, 2002, on board a seagoing vessel required to comply with provisions of the Global Maritime Distress and Safety System (GMDSS) in Chapter IV of SOLAS, no person may employ or engage any person to serve, and no person may serve, as the master, chief mate, or officer of the navigational watch, unless the person serving holds the appropriate certificate for operator of radio in GMDSS.

(g) On board a seagoing vessel required to comply with provisions of the GMDSS in Chapter IV of SOLAS, no person may employ or engage any person to serve, and no person may serve, as the person designated to maintain GMDSS equipment at sea, when the service of a person so designated is used to meet the maintenance requirements of SOLAS Regulation IV/15, which allows for capability of at-sea electronic maintenance to ensure that radio equipment is available for radio communication, unless the person so serving holds documentary evidence that he or she is competent to maintain GMDSS equipment at sea.

(h) After January 31, 2002, on board a seagoing vessel fitted with an Automatic Radar Plotting Aid (ARPA), no person may employ or engage any person to serve, and no person may serve, as the master, chief mate, or officer of the navigational watch, unless the person so serving has been trained in the use of ARPA in accordance with §10.205 or §10.209 of this chapter, whichever is appropriate.

[CGD 95-062, 62 FR 34539, June 26, 1997, as amended by USCG-1999-5610, 67 FR 55069, Oct. 30, 2002; USCG-2004-18884, 69 FR 58344, Sept. 30, 2004]

§15.1105 Familiarization and basic safety-training.

(a) After January 31, 1997, on board a seagoing vessel, no person may assign any person to perform shipboard duties, and no person may perform those duties, unless the person performing them has received—

(1) Training in personal survival techniques as set out in the standard of competence under STCW Regulation VI/1; or

(2) Sufficient familiarization training or instruction that he or she—

(i) Can communicate with other persons on board about elementary safety matters and understand informational symbols, signs, and alarm signals concerning safety;

(ii) Knows what to do if a person falls overboard; if fire or smoke is detected; or if the firm alarm or abandon-ship alarm sounds;

(iii) Can identify stations for muster and embarkation, and emergency-escape routes;

(iv) Can locate and don life-jackets;

(v) Can raise the alarm and knows the use of portable fire extinguishers;

(vi) Can take immediate action upon encountering an accident or other medical emergency before seeking further medical assistance on board; and

(vii) Can close and open the fire doors, weather-tight doors, and water-tight doors fitted in the vessel other than those for hull openings.

(b) After January 31, 1997, on board a seagoing vessel, no person may assign a shipboard duty or responsibility to any person who is serving in a position that must be filled as part of the required crew complement, and no person may perform any such duty or responsibility, unless he or she is familiar with it and with all vessel's arrangements, installations, equipment, procedures, and characteristics relevant to his or her routine or emergency duties or responsibilities, in accordance with STCW Regulation I/14.

(c) After January 31, 1997, on board a seagoing vessel, no person may assign a shipboard duty or responsibility to any person who is serving in a position that must be filled as part of the required crew complement or who is assigned a responsibility on the muster list, and no person may perform any such duty

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or responsibility, unless the person performing it can produce evidence of having—

(1) Received appropriate approved basic safety training or instruction as set out in the standards of competence under STCW Regulation VI/1, with respect to personal survival techniques, fire prevention and fire-fighting, elementary first aid, and personal safety and social responsibilities; and

(2) Achieved or, if training has been completed, maintained competence within the last 5 years, in accordance with STCW regulation VI/1.

(d) Fish-processing vessels in compliance with the provisions of 46 CFR part 28 on instructions, drills, and safety orientation are deemed to be in compliance with the requirements of this section on familiarization and basic safety-training.

[CGD 95-062, 62 FR 34539, June 26, 1997, as amended by USCG-2004-18884, 69 FR 58344, Sept. 30, 2004]

§ 15.1107 Maintenance of merchant mariners' records by owner or operator.

Each owner or operator of a U.S.-documented seagoing vessel shall ensure that procedures are in place, in respect of each merchant mariner holding a license or merchant mariner's document and serving on any such vessel, to ensure that the following information is maintained throughout his or her service, and is readily accessible to those in management responsible for the safety of the vessel and for the prevention of marine pollution:

(a) Medical fitness (such as results of a recent evaluation by a medical professional certifying that the mariner is physically able to perform the tasks and duties normally associated with a particular shipboard position or does not have an apparent medical condition that disqualifies him or her from the requirements of a particular shipboard position).

(b) Experience and training relevant to assigned shipboard duties (i.e., record of training completed, and of relevant on-the-job experience acquired).

(c) Competency in assigned shipboard duties (evidenced by copies of current licenses, documents, or endorsements

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that the mariner holds, as well as by a record of the most recent basic safety assessment and by instances where ship-specific familiarization has been achieved and maintained).

§ 15.1109 Watches.

Each master of a vessel that operates beyond the Boundary Line shall ensure observance of the principles concerning watchkeeping set out in STCW Regulation VIII/2 and section A-VIII/2 of the STCW Code.

§ 15.1111 Work hours and rest periods.

(a) After January 31, 1997, each person assigned duty as officer in charge of a navigational or engineering watch, or duty as a rating forming part of a navigational or engineering watch, on board any vessel that operates beyond the Boundary Line shall receive a minimum of 10 hours of rest in any 24-hour period.

(b) The hours of rest required under paragraph (a) of this section may be divided into no more than two periods, of which one must be at least 6 hours in length.

(c) The requirements of paragraphs (a) and (b) of this section need not be maintained in the case of an emergency or drill or in other overriding operational conditions.

(d) The minimum period of 10 hours of rest required under paragraph (a) of this section may be reduced to not less than 6 consecutive hours as long as—

(1) No reduction extends beyond 2 days; and

(2) Not less than 70 hours of rest are provided each 7-day period.

(e) The minimum period of rest required under paragraph (a) of this section may not be devoted to watchkeeping or other duties.

(f) Watchkeeping personnel remain subject to the work-hour limits in 46 U.S.C. 8104 and to the conditions when crew members may be required to work.

(g) The Master shall post watch schedules where they are easily accessible. They must cover each affected member of the crew and must take into account the rest requirements of this section as well as port rotations and changes in the vessel's itinerary.

§ 15.1113 Vessel Security Officer (VSO).

After July 1, 2009, on board seagoing vessel, all persons performing duties as VSO must hold a valid endorsement as Vessel Security Officer.

[USCG–2008–0028, 73 FR 29071, May 20, 2008]

PART 16—CHEMICAL TESTING**Subpart A—General**

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Subpart C [Reserved]**Subpart D—Employee Assistance Programs**

- 16.401 Employee Assistance Program (EAP).

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- 16.500 Management Information System requirements.

APPENDIX A [RESERVED]

AUTHORITY: 46 U.S.C. 2103, 3306, 7101, 7301, and 7701; Department of Homeland Security Delegation No. 0170.1.

SOURCE: CGD 86-067, 53 FR 47079, Nov. 21, 1988, unless otherwise noted.

Subpart A—General**§ 16.101 Purpose of regulations.**

(a) The regulations in this part provide a means to minimize the use of intoxicants by merchant marine personnel and to promote a drug free and safe work environment.

(b) These regulations prescribe the minimum standards, procedures, and means to be used to test for the use of dangerous drugs.

(c) As part of a reasonable cause drug testing program established pursuant to this part, employers may test for drugs in addition to those specified in this part only with approval granted by the Coast Guard under 49 CFR part 40 and for substances for which the Department of Health and Human Services has established an approved testing protocol and positive threshold.

§ 16.105 Definitions of terms used in this part.

Chemical test means a scientifically recognized test which analyzes an individual's breath, blood, urine, saliva, bodily fluids, or tissues for evidence of dangerous drug or alcohol use.

Consortium/Third party administrator (C/TPA) means a service agent who provides or coordinates the provision of a variety of drug and alcohol testing services to employers. C/TPAs typically perform administrative tasks concerning the operation of the employers' drug and alcohol testing programs. This term includes, but is not limited to, groups of employers who join together to administer, as a single entity, the DOT drug and alcohol testing programs of its members.

Crewmember means an individual who is:

(a) On board a vessel acting under the authority of a license, certificate of registry, or merchant mariner's document issued under this subchapter, whether or not the individual is a member of the vessel's crew; or

(b) Engaged or employed on board a vessel owned in the United States that is required by law or regulation to engage, employ, or be operated by an individual holding a license, certificate of registry, or merchant mariner's document issued under this subchapter, except the following:

(1) Individuals on fish processing vessels who are primarily employed in the preparation of fish or fish products, or in a support position, and who have no duties that directly affect the safe operation of the vessel;

(2) Scientific personnel on an oceanographic research vessel;

(3) Individuals on industrial vessels who are industrial personnel, as defined in this chapter; and

(4) Individuals not required under part 15 of this subchapter who have no duties that directly affect the safe operation of the vessel.

Dangerous drug means a narcotic drug, a controlled substance, or a controlled-substance analog (as defined in section 102 of the Comprehensive Drug Abuse and Control Act of 1970 (21 U.S.C. 802)).

Drug test means a chemical test of an individual's urine for evidence of dangerous drug use.

Employer means a marine employer or sponsoring organization.

Fails a chemical test for dangerous drugs means that the result of a chemical test conducted in accordance with 49 CFR 40 was reported as "positive" by a Medical Review Officer because the chemical test indicated the presence of a dangerous drug at a level equal to or exceeding the levels established in 49 CFR part 40.

Marine employer means the owner, managing operator, charterer, agent, master, or person in charge of a vessel, other than a recreational vessel.

Medical Review Officer (MRO) means a person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results.

Operation means to navigate, steer, direct, manage, or sail a vessel, or to control, monitor, or maintain the vessel's main or auxiliary equipment or systems. Operation includes:

(a) Determining the vessel's position, piloting, directing the vessel along a desired trackline, keeping account of the vessel's progress through the water, ordering or executing changes in course, rudder position, or speed, and maintaining a lookout;

(b) Controlling, operating, monitoring, maintaining, or testing: the vessel's propulsion and steering systems; electric power generators; bilge, ballast, fire, and cargo pumps; deck machinery including winches, windlasses, and lifting equipment; life-saving equipment and appliances; fire-fighting systems and equipment; and

navigation and communication equipment; and

(c) Mooring, anchoring, and line handling; loading or discharging of cargo or fuel; assembling or disassembling of tows; and maintaining the vessel's stability and watertight integrity.

Passes a chemical test for dangerous drugs means the result of a chemical test conducted in accordance with 49 CFR part 40 is reported as "negative" by a Medical Review Officer in accordance with that part.

Positive rate for random drug testing means the number of verified positive results for random drug tests conducted under this part plus the number of refusals of random drug tests required by this part, divided by the total number of random drug test results (*i.e.*, positives, negatives, and refusals) under this part.

Refuse to submit means you refused to take a drug test as set out in 49 CFR 40.191.

Serious marine incident means an event defined in 46 CFR 4.03–2.

Service agent means any person or entity that provides services specified under this part or 49 CFR part 40 to employers and/or crewmembers in connection with DOT drug and alcohol testing requirements. This includes, but is not limited to, collectors, BATs and STTs, laboratories, MROs, substance abuse professionals, and C/TPAs. To act as service agents, persons and organizations must meet the qualifications set forth in applicable sections of 49 CFR part 40. Service agents are not employers for purposes of this part.

Sponsoring organization is any company, consortium, corporation, association, union, or other organization with which individuals serving in the marine industry, or their employers, are associated.

Stand-down means the practice of temporarily removing a crewmember from the performance of safety-sensitive functions based only on a report from a laboratory to the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test, before the MRO has completed verification of the test result.

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Substance Abuse Professional (SAP) means a person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

Vessel owned in the United States means any vessel documented or numbered under the laws of the United States; and any vessel owned by a citizen of the United States that is not documented or numbered by any nation.

[CGD 86-067, 53 FR 47079, Nov. 21, 1988; 53 FR 48367, Nov. 30, 1988, as amended by CGD 90-014, 56 FR 31033, July 8, 1991; CGD 90-053, 58 FR 31107, May 28, 1993; CGD 93-051, 59 FR 28792, June 3, 1994; 59 FR 62226, Dec. 2, 1994; CGD 91-223, 60 FR 4525, Jan. 23, 1995; USCG-2000-7759, 66 FR 42967, Aug. 16, 2001; USCG-2003-16414, 69 FR 6577, Feb. 11, 2004]

§ 16.107 Waivers.

(a) To obtain a waiver from 49 CFR 40.21 or from this part you must send your request for a waiver to the Commandant (G-MOA).

(b) Employers for whom compliance with this part would violate the domestic laws or policies of another country may request an exemption from the drug testing requirements of this part by submitting a written request to Commandant (G-MOA), at the address listed in § 16.500(a).

(c) An employer may request a waiver from the Coast Guard in order to stand-down a crewmember following the Medical Review Officer's receipt of a laboratory report of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test pertaining to the crewmember. Consistent with 49 CFR 40.21, the request for a waiver must include as a minimum: Information about the organization and the proposed written company policy concerning stand-down. Specific elements required in the written waiver request are contained in 49 CFR 40.21(c).

[USCG-2000-7759, 66 FR 42967, Aug. 16, 2001]

§ 16.109 Public Interest Exclusion (PIE).

Service agents are subject to Public Interest Exclusion (PIE) actions in accordance with 49 CFR Part 40, subpart

R. The PIE is an action which excludes from participation in DOT's drug and alcohol testing program any service agent who, by serious noncompliance with this part or with 49 CFR part 40, has shown that it is not currently acting in a responsible manner.

[USCG-2000-7759, 66 FR 42968, Aug. 16, 2001]

§ 16.113 Chemical drug testing.

(a) Drug testing programs required by this part must be conducted in accordance with 49 CFR part 40, Procedures for Transportation Workplace Testing Programs. This subpart summarizes the responsibilities of documented and licensed mariners, marine employers, MRO, SAP and other chemical testing service providers in 49 CFR part 40. The regulations in 49 CFR part 40 should be consulted to determine the specific procedures which must be established and utilized. Drug testing programs required by this part must use only drug testing laboratories certified by the Department of Health and Human Services (DHHS).

(b) Each specimen collected in accordance with this part will be tested, as provided in 49 CFR 40.85, for the following:

- (1) Marijuana;
- (2) Cocaine;
- (3) Opiates;
- (4) Phencyclidine (PCP); and
- (5) Amphetamines.

[USCG-2000-7759, 66 FR 42968, Aug. 16, 2001]

§ 16.115 Penalties.

Violation of this part is subject to the civil penalties set forth in 46 U.S.C. 2115. Any person who fails to implement or conduct, or who otherwise fails to comply with the requirements for chemical testing for dangerous drugs as prescribed under this part, is liable to the United States Government for a civil penalty of not more than \$5,000 for each violation. Each day of a continuing violation will constitute a separate violation.

[USCG-2000-7759, 66 FR 42968, Aug. 16, 2001]

Subpart B—Required Chemical Testing

§ 16.201 Application.

(a) Chemical testing of personnel must be conducted as required by this subpart and in accordance with the procedures detailed in 49 CFR part 40.

(b) If an individual fails a chemical test for dangerous drugs under this part, the individual will be presumed to be a user of dangerous drugs.

(c) If an individual holding a license, certificate of registry, or merchant mariner's document fails a chemical test for dangerous drugs, the individual's employer, prospective employer, or sponsoring organization must report the test results in writing to the nearest Coast Guard Officer in Charge, Marine Inspection (OCMI). The individual must be denied employment as a crewmember or must be removed from duties which directly affect the safe operation of the vessel as soon as practicable and is subject to suspension and revocation proceedings against his or her license, certificate of registry, or merchant mariner's document under 46 CFR part 5.

(d) If an individual who does not hold a license, certificate of registry, or merchant mariner's document fails a chemical test for dangerous drugs, the individual shall be denied employment as a crewmember or removed from duties which directly affect the safe operation of the vessel as soon as possible.

(e) An individual who has failed a required chemical test for dangerous drugs may not be re-employed aboard a vessel until the requirements of paragraph (f) of this section and 46 CFR Part 5, if applicable, have been satisfied.

(f) Before an individual who has failed a required chemical test for dangerous drugs may return to work aboard a vessel, the MRO must determine that the individual is drug-free and the risk of subsequent use of dangerous drugs by that person is sufficiently low to justify his or her return to work. In addition, the individual must agree to be subject to increased unannounced testing—

(1) For a minimum of six (6) tests in the first year after the individual re-

turns to work as required in 49 CFR part 40; and

(2) For any additional period as determined by the MRO up to a total of 60 months.

[CGD 86-607, 53 FR 47049, November 11, 1988, as amended by CGD 90-014, 56 FR 31034, July 8, 1991; USCG-2000-7759, 66 FR 42968, Aug. 16, 2001]

§ 16.203 Employer, MRO, and SAP responsibilities.

(a) *Employers.* (1) Employers must ensure that they and their crewmembers meet the requirements of this part.

(2) Employers are responsible for all the actions of their officials, representatives, and agents in carrying out the requirements of this part.

(3) All agreements and arrangements, written or unwritten, between and among employers and service agents concerning the implementation of DOT drug testing requirements are deemed, as a matter of law, to require compliance with all applicable provisions of this part and DOT agency drug testing regulations. Compliance with these provisions is a material term of all such agreements and arrangements.

(b) *Medical Review Officer (MRO).* (1) Individuals performing MRO functions must meet the training requirements and follow the procedures in 49 CFR Part 40.

(2) MROs may report chemical drug test results to the Coast Guard for unemployed, self-employed, or individual mariners.

(c) *Substance Abuse Professional (SAP).* Individuals performing SAP functions must meet the training requirements and follow the procedures in 49 CFR Part 40.

[USCG-2000-7759, 66 FR 42968, Aug. 16, 2001]

§ 16.205 Implementation of chemical testing programs.

(a) When a vessel owned in the United States is operating in waters that are not subject to the jurisdiction of the United States, the testing requirements of §§ 16.210 and 16.230 do not apply to a citizen of a foreign country engaged or employed as pilot in accordance with the laws or customs of that foreign country.

(b) Upon written request of an employer, Commandant (G-MOA) will review the employer's chemical testing program to determine compliance with the provisions of this part.

[CGD 90-014, 56 FR 60930, Nov. 30, 1991, as amended by 59 FR 62226, Dec. 2, 1994; CGD 95-072, 60 FR 50461, Sept. 29, 1995; CGD 96-041, 61 FR 50726, Sept. 27, 1996; CGD 95-028, 62 FR 51196, Sept. 30, 1997]

§ 16.210 Pre-employment testing requirements.

(a) No marine employer shall engage or employ any individual to serve as a crewmember unless the individual passes a chemical test for dangerous drugs for that employer.

(b) An employer may waive a pre-employment test required for a job applicant by paragraph (a) of this section if the individual provides satisfactory evidence that he or she has:

(1) Passed a chemical test for dangerous drugs, required by this part, within the previous six months with no subsequent positive drug tests during the remainder of the six-month period; or

(2) During the previous 185 days been subject to a random testing program required by § 16.230 for at least 60 days and did not fail or refuse to participate in a chemical test for dangerous drugs required by this part.

[CGD 90-053, 58 FR 31107, May 28, 1993, as amended by CGD 93-051, 59 FR 28792, June 3, 1994]

§ 16.220 Periodic testing requirements.

(a) Except as provided by paragraph (c) of this section, and §§ 10.209(h) and 12.02-9(f) of this subchapter, an applicant for an original issuance or a renewal of a license or a certificate of registry (COR), a raise in grade of a license, a higher grade of COR, an original issuance of a merchant mariner's document (MMD), the first endorsement as an able seaman, lifeboatman, qualified member of the engine department, or tankerman, or a reissuance of an MMD with a new expiration date shall be required to pass a chemical test for dangerous drugs. The applicant shall provide the results of the test to the Coast Guard Regional Examination Center (REC) at the time of submitting an application. The test results must

be completed and dated not more than 185 days prior to submission of the application.

(b) Unless excepted under paragraph (c) of this section, each pilot required by this subchapter to receive an annual physical examination must pass a chemical test for dangerous drugs as a part of that examination. The individual shall provide the results of each test required by this section to the REC when the pilot applies for a license renewal or when requested by the Coast Guard.

(c) An applicant need not submit evidence of passing a chemical test for dangerous drugs required by paragraph (a) or (b) of this section if he or she provides satisfactory evidence that he or she has—

(1) Passed a chemical test for dangerous drugs required by this part within the previous six months with no subsequent positive chemical tests during the remainder of the 6-month period; or

(2) During the previous 185 days been subject to a random testing program required by § 16.230 for at least 60 days and did not fail or refuse to participate in a chemical test for dangerous drugs required by this part.

(d) Except as provided by paragraph (b) of this section, an applicant is required to provide the results of only one chemical test for dangerous drugs when multiple transactions are covered by or requested in a single application.

[CGD 91-223, 60 FR 4525, Jan. 23, 1995]

§ 16.230 Random testing requirements.

(a) Marine employers shall establish programs for the chemical testing for dangerous drugs on a random basis of crewmembers on inspected vessels who:

(1) Occupy a position, or perform the duties and functions of a position, required by the vessel's Certificate of Inspection;

(2) Perform the duties and functions of patrolmen or watchmen required by this chapter; or,

(3) Are specifically assigned the duties of warning, mustering, assembling, assisting, or controlling the movement of passengers during emergencies.

(b) Marine employers shall establish programs for the chemical testing for dangerous drugs on a random basis of

§ 16.230

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crewmembers on uninspected vessels who:

(1) Are required by law or regulation to hold a license issued by the Coast Guard in order to perform their duties on the vessel;

(2) Perform duties and functions directly related to the safe operation of the vessel;

(3) Perform the duties and functions of patrolmen or watchmen required by this chapter; or,

(4) Are specifically assigned the duties of warning, mustering, assembling, assisting, or controlling the movement of passengers during emergencies.

(c) The selection of crewmembers for random drug testing shall be made by a scientifically valid method, such as a random number table or a computer-based random number generator that is matched with crewmembers' Social Security numbers, payroll identification numbers, or other comparable identifying numbers. Under the testing frequency and selection process used, each covered crewmember shall have an equal chance of being tested each time selections are made and an employee's chance of selection shall continue to exist throughout his or her employment. As an alternative, random selection may be accomplished by periodically selecting one or more vessels and testing all crewmembers covered by this section, provided that each vessel subject to the marine employer's test program remains equally subject to selection.

(d) Marine employers may form or otherwise use sponsoring organizations, or may use contractors, to conduct the random chemical testing programs required by this part.

(e) Except as provided in paragraph (f) of this section, the minimum annual percentage rate for random drug testing shall be 50 percent of covered crewmembers.

(f) The annual rate for random drug testing may be adjusted in accordance with this paragraph.

(1) The Commandant's decision to increase or decrease the minimum annual percentage rate for random drug testing is based on the reported random positive rate for the entire industry. All information used for this determination is drawn from the drug

MIS reports required by this part. In order to ensure reliability of the data, the Commandant considers the quality and completeness of the reported data, may obtain additional information or reports from marine employers, and may make appropriate modifications in calculating the industry random positive rate. Each year, the Commandant will publish in the FEDERAL REGISTER the minimum annual percentage rate for random drug testing of covered crewmembers. The new minimum annual percentage rate for random drug testing will be applicable starting January 1 of the calendar year following publication.

(2) When the minimum annual percentage rate for random drug testing is 50 percent, the Commandant may lower this rate to 25 percent of all covered crewmembers if the Commandant determines that the data received under the reporting requirements of 46 CFR 16.500 for two consecutive calendar years indicate that the positive rate is less than 1.0 percent.

(3) When the minimum annual percentage rate for random drug testing is 25 percent, and the data received under the reporting requirements of 46 CFR 16.500 for any calendar year indicate that the positive rate is equal to or greater than 1.0 percent, the Commandant will increase the minimum annual percentage rate for random drug testing to 50 percent of all covered crewmembers.

(g) Marine employers shall randomly select a sufficient number of covered crewmembers for testing during each calendar year to equal an annual rate not less than the minimum annual percentage rate for random drug testing determined by the Commandant. If the marine employer conducts random drug testing through a consortium, the number of crewmembers to be tested may be calculated for each individual marine employer or may be based on the total number of covered crewmembers covered by the consortium who are subject to random drug testing at the same minimum annual percentage rate under this part or any DOT drug testing rule.

(h) Each marine employer shall ensure that random drug tests conducted under this part are unannounced and

that the dates for administering random tests are spread reasonably throughout the calendar year.

(i) If a given covered crewmember is subject to random drug testing under the drug testing rules of more than one DOT agency for the same marine employer, the crewmember shall be subject to random drug testing at the percentage rate established for the calendar year by the DOT agency regulating more than 50 percent of the crewmember's function.

(j) If a marine employer is required to conduct random drug testing under the drug testing rules of more than one DOT agency, the marine employer may—

(1) Establish separate pools for random selection, with each pool containing the covered crewmembers who are subject to testing at the same required rate; or

(2) Randomly select such crewmembers for testing at the highest percentage rate established for the calendar year by any DOT agency to which the marine employer is subject.

(k) An individual may not be engaged or employed, including self-employment, on a vessel in a position as master, operator, or person in charge for which a license or merchant mariner's document is required by law or regulation unless all crewmembers covered by this section are subject to the random testing requirements of this section.

[CGD 90-014, 56 FR 31034, July 8, 1991, as amended by 59 FR 62227, Dec. 2, 1994]

§ 16.240 Serious marine incident testing requirements.

The marine employer shall ensure that all persons directly involved in a serious marine incident are chemically tested for evidence of dangerous drugs and alcohol in accordance with the requirements of 46 CFR 4.06.

§ 16.250 Reasonable cause testing requirements.

(a) The marine employer shall require any crewmember engaged or employed on board a vessel owned in the United States that is required by law or regulation to engage, employ or be operated by an individual holding a license, certificate of registry, or mer-

chant mariner's document issued under this subchapter, who is reasonably suspected of using a dangerous drug to be chemically tested for dangerous drugs.

(b) The marine employer's decision to test must be based on a reasonable and articulable belief that the individual has used a dangerous drug based on direct observation of specific, contemporaneous physical, behavioral, or performance indicators of probable use. Where practicable, this belief should be based on the observation of the individual by two persons in supervisory positions.

(c) When the marine employer requires testing of an individual under the provisions of this section, the individual must be informed of that fact and directed to provide a urine specimen as soon as practicable. This fact shall be entered in the vessel's official log book, if one is required.

(d) If an individual refuses to provide a urine specimen when directed to do so by the employer under the provisions of this section, this fact shall be entered in the vessel's official log book, if one is required.

§ 16.260 Records.

(a) Employers must maintain records of chemical tests as provided in 49 CFR 40.333 and must make these records available to Coast Guard officials upon request.

(b) The records shall be sufficient to:

- (1) Satisfy the requirements of §§ 16.210(b) and 16.220(c) of this part.
- (2) Identify the total number of individuals chemically tested annually for dangerous drugs in each of the categories of testing required by this part including the annual number of individuals failing chemical tests and the number and types of drugs for which individuals tested positive.

[CGD 86-067, 53 FR 47079, Nov. 21, 1988, as amended by CGD 91-223, 60 FR 4526, Jan. 23, 1995; USCG-2000-7759, 66 FR 42968, Aug. 16, 2001]

Subpart C [Reserved]

Subpart D—Employee Assistance Programs

§ 16.401 Employee Assistance Program (EAP).

The employer shall provide an Employee Assistance Program (EAP) for all crewmembers. The employer may establish the EAP as a part of its internal personnel services or the employer may contract with an entity that will provide EAP services to a crewmember. Each EAP must include education and training on drug use for crewmembers and the employer's supervisory personnel as provided below:

(a) *EAP education program:* Each EAP education program must include at least the following elements: display and distribution of informational material; display and distribution of a community service hot-line telephone number for crewmember assistance, and display and distribution of the employer's policy regarding drug and alcohol use in the workplace.

(b) *EAP training program:* An EAP training program must be conducted for the employer's crewmembers and supervisory personnel. The training program must include at least the following elements: the effects and consequences of drug and alcohol use on personal health, safety, and work environment; the manifestations and behavioral cues that may indicate drug and alcohol use and abuse; and documentation of training given to crewmembers and the employer's supervisory personnel. Supervisory personnel must receive at least 60 minutes of training.

Subpart E—Management Information System

§ 16.500 Management Information System requirements.

(a) *Data collection.* (1) All marine employers must submit drug testing pro-

gram data required by 49 CFR 40.26 and Appendix H to 49 CFR part 40.

(2) The provisions in 49 CFR part 40 for alcohol testing do not apply to the Coast Guard or to marine employers, and alcohol testing data is not required or permitted to be submitted by this section.

(b) *Data reporting.* (1) By March 15 of the year following the collection of the data in paragraph (a) of this section, marine employers must submit the data on the form titled U.S. Department of Transportation Drug and Alcohol Testing MIS Data Collection Form (OMB Number: 2105–0529) by mail to Commandant (G-MOA), 2100 Second Street, SW, Washington, DC 20593–0001 or by Internet at <http://www.uscg.mil/hq/g-m/moa/dapip.htm>.

(2) The DOT Drug and Alcohol Testing MIS form can be downloaded and printed from <http://www.uscg.mil/hq/g-m/moa/dapip.htm> or may be obtained from any Sector Office.

(3) A consortium or other employer representative may submit data for a marine employer. Reports may contain data for more than one marine employer. Each report, however, must list the marine employers included in the report.

(4) Marine employers must ensure that data submitted by a consortium or other employer representative under paragraph (b)(3) of this section is correct.

(c) After filing 3 consecutive annual MIS reports since January 1, 1996, required by paragraph (b) of this section, marine employers with 10 or fewer covered employees may stop filing the annual report each succeeding year during which they have no more than 10 covered employees.

[USCG-1998-4469, 64 FR 22559, Apr. 27, 1999; 64 FR 31989, June 15, 1999, as amended by USCG-2003-16414, 69 FR 6578, Feb. 11, 2004; USCG-2006-25556, 72 FR 36330, July 2, 2007]

APPENDIX A [RESERVED]

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EDITORIAL NOTE: This listing is provided for informational purposes only. It is compiled and kept current by the U.S. Coast Guard, Department of Homeland Security. This index is updated as of October 1, 2008.

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