Coast Guard, DHS

§ 104.240

Maritime Security (MARSEC) Level coordination and implementation.

(a) The vessel owner or operator must ensure that, prior to entering a port or visiting an Outer Continental Shelf (OCS) facility, all measures are taken that are specified in the Vessel Security Plan (VSP) for compliance with the MARSEC Level in effect for the port or the OCS facility.

§ 104.235 Vessel recordkeeping requirements.

(a) Unless otherwise specified in this section, the Vessel Security Officer must keep records of the activities as set out in paragraph (b) of this section for at least 2 years and make them available to the Coast Guard upon request.

(b) Records required by this section may be kept in electronic format. If kept in an electronic format, they must be protected against unauthorized deletion, destruction, or amendment. The following records must be kept:

(1) Training. For training under §104.225, the date of each session, duration of session, a description of the training, and a list of attendees;

(2) Drills and exercises. For each drill or exercise, the date held, description of drill or exercise, list of participants; and any best practices or lessons learned which may improve the Vessel Security Plan (VSP);

(3) Incidents and breaches of security. Date and time of occurrence, location within the port, location within the vessel, description of incident or breaches, to whom it was reported, and description of the response;

(4) Changes in Maritime Security (MARSEC) Levels. Date and time of notification received, and time of compliance with additional requirements;

(5) Maintenance, calibration, and testing of security equipment. For each occurrence of maintenance, calibration, and testing, the date and time, and the specific security equipment involved;

(6) Security threats. Date and time of occurrence, how the threat was communicated, who received or identified the threat, description of threat, to whom it was reported, and description of the response;

(7) Declaration of Security (DoS). Manned vessels must keep on board a copy of the last 10 DoSs and a copy of each continuing DoS for at least 90 days after the end of its effective period; and

(8) Annual audit of the VSP. For each annual audit, a letter certified by the Company Security Officer or the VSO stating the date the audit was completed.

(c) Any records required by this part must be protected from unauthorized access or disclosure.

§ 104.245 Communications.

(a) The Vessel Security Officer must have a means to effectively notify vessel personnel of changes in security conditions on board the vessel.

(b) Communications systems and procedures must allow effective and continuous communication between the vessel security personnel, facilities interfacing with the vessel, vessels interfacing with the vessel, and national or local authorities with security responsibilities.

(c) Communication systems and procedures must enable vessel personnel to notify, in a timely manner, shore side authorities or other vessels of a security threat or incident on board.

§ 104.250 Procedures for interfacing with facilities and other vessels.

(a) The vessel owner or operator must ensure that there are measures for interfacing with facilities and other vessels at all MARSEC Levels.

(b) For each U.S. flag vessel that calls on foreign ports or facilities, the vessel owner or operator must ensure procedures for interfacing with those ports and facilities are established.

§ 104.255 Declaration of Security (DoS).

(a) Each vessel owner or operator must ensure procedures are established for requesting a DoS and for handling DoS requests from a facility or other vessel.

(b) At MARSEC Level 1, the Master or Vessel Security Officer (VSO), or their designated representative, of any cruise ship or manned vessel carrying Certain Dangerous Cargoes, in bulk, must complete and sign a DoS with the VSO or Facility Security Officer (FSO), or their designated representative, of any vessel or facility with which it interfaces.

(1) For a vessel-to-facility interface, prior to arrival of a vessel to a facility, the FSO and Master, VSO, or their designated representatives must coordinate security needs and procedures, and agree upon the contents of the DoS for the period of time the vessel is at the facility. Upon a vessel’s arrival to a facility and prior to any passenger embarkation or disembarkation or cargo transfer operation, the FSO or...