

Coast Guard, DHS

§ 10.232

against his or her credential or while an appeal from these actions is pending.

(3) *Professional examination.* (i) When the Coast Guard finds an applicant's experience and training for raise of grade is satisfactory, and the applicant is eligible in all other respects, the Coast Guard will authorize a professional examination.

(ii) Oral-assisted examinations may be administered in accordance with §11.201(j) of this subchapter.

(iii) The general instructions for administration of examinations and the lists of subjects for all endorsements are found in part 11, subpart I; part 12, subpart E; and part 13, subpart A of this subchapter.

[USCG-2004-17914, 78 FR 77894, Dec. 24, 2013]

§ 10.232 Sea service.

(a) *Documenting sea service.* (1) Sea service may be documented in various forms such as certificates of discharge, pilotage service and billing forms, and service letters or other official documents from marine companies signed by the owner, operator, master, or chief engineer of the vessel. The Coast Guard must be satisfied as to the authenticity and acceptability of all evidence of experience or training presented.

(2) Documentary evidence produced by the applicant, unless in the form of a Certificate of Discharge conforming to §14.307 of this subchapter, must contain all of the following information:

(i) Vessel name(s) and official numbers listed on the registration, certificate, or document issued.

(ii) Gross tonnage of the vessel.

(iii) Propulsion power and mode of propulsion of the vessel.

(iv) The amount and nature (e.g. chief mate, assistant engineer, etc.) of the applicant's experience.

(v) Applicable dates of service for each vessel, and the ports or terminals if applicable.

(vi) The routes upon which the experience was acquired.

(vii) For those seeking service credit on towing vessels in accordance with §11.211(e) of this subchapter, the aggregate tonnage of the tug and barges during the mariner's service.

(viii) Any other information necessary to determine the applicability of STCW to the vessel.

(ix) Whether the vessel is manned and equipped in accordance with SOLAS.

(x) Where required for an officer endorsement, time served as bridge watchkeeping or engine watchkeeping duties under the supervision of a qualified officer.

(3) An MMC endorsement, in certain cases, may be considered as satisfactory evidence of any qualifying experience for obtaining other endorsements.

(4) For service on vessels of less than 200 GRT, owners of vessels may attest to their own service and provide proof of ownership. Those who do not own a vessel must obtain letters or other evidence from licensed personnel or the owners of the vessels listed.

(5) If the required sea service is associated with watchkeeping functions and the performance of duties, as required in §§11.323, 11.329, and 11.333, the service must be documented as having been carried out under the direct supervision of the appropriate person. If the required sea service is associated with the performance of duties, as required in §§11.470, 11.472, and 11.474, the service must be documented as having been carried out under the supervision of the appropriate person.

(6) An applicant who has been acting as a pilot may submit a letter from a pilot's association attesting to the applicant's sea service. Pilots not part of an association may submit other relevant records indicating service, such as billing forms. For a raise-of-grade, pilots must comply with the requirements of paragraph (a)(2) of this section.

(b) Service toward an oceans, near-coastal, or STCW endorsement will be credited as follows:

(1) Service on the Great Lakes will be credited on a day-for-day basis up to 100 percent of the total required service.

(2) Service on inland waters, other than Great Lakes, that are navigable waters of the United States, will be credited on a day-for-day basis for up to 50 percent of the total required service.

(3) Service on vessels to which STCW applies, whether inland or coastwise, will be credited on a day-for-day basis. For establishing credit for sea service, the waters of the Inside Passage between Puget Sound and Cape Spencer, Alaska will be credited for a near-coastal and STCW endorsement.

(c) Service toward a near-coastal or a Great Lakes endorsement will be credited on a day-for-day basis and in accordance with the individual requirements for the specific credential.

(d) *Sea service as a member of the Armed Forces of the United States and civilian service on vessels owned by the United States as required experience.* (1) Sea service as a member of the Armed Forces of the United States will be accepted as required experience for an original, raise of grade, renewal, or increase in scope of all endorsements. 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 or history of assignments as verification of the service claimed when the application is submitted. A DD-214 is not acceptable evidence of sea service. The applicant must also provide the Coast Guard with other necessary information as to tonnage, routes, propulsion power, percentage of time underway, and assigned duties upon the vessels on which he or she served. Such service will be evaluated by the Coast Guard for a determination of its equivalence to sea service acquired on merchant vessels and the appropriate grade, class, and limit of endorsement for which the applicant is eligible. Normally, 60 percent of the total time onboard 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 endorsement, the applicant must have acquired military service in the capacity of commanding officer or engineer officer, respectively.

(2) Applicants for management-level, operational-level or support-level STCW endorsements must demonstrate competence in accordance with part 11,

subpart C; part 12, subpart F; and part 13, subpart F of this subchapter.

(3) Service in deck ratings on military vessels such as seaman apprentice, seaman, boatswain's mate, quartermaster, or Radarman/Operations Specialist are considered deck service for the purposes of this part. 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 the purposes of this part. 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.

(4) In addition to service on vessels that get underway regularly, members of the Armed Forces may obtain creditable service for assignment to vessels that get underway infrequently, such as tenders and repair vessels. Normally, a 25-percent factor is applied to these time periods. This experience can be equated with general shipboard familiarity, training, ship's business, and other related duties.

(5) Sea service obtained on submarines is creditable, as if it were surface vessel service, for deck and engineer officer and qualified ratings endorsements under the provision of paragraph (a) of this section. For application for deck officer and qualified ratings endorsements, submarine service may be creditable if at least 25 percent of all service submitted for the endorsement was obtained on surface vessels (e.g. if 4 years' total service were submitted for an original officer endorsement, at least 1 year must have been obtained on surface craft in order for the submarine service to be eligible for evaluation).

(6) 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 or officer endorsement as master, mate, engineer, or pilot was

not required at the time of such service, will be evaluated by the Coast Guard for a determination of equivalence.

(e) *Sea service on vessels that do not get underway.* This requirement applies to service obtained on vessels mandated by the Certificate of Inspection (COI) which are in operation but do not get underway or occasionally get underway for short voyages. Service while the vessel is not underway must be credited as follows:

(1) Engineering department. Service may be credited day-for-day for up to 50 percent of the service credit for renewal, raise in grade, and original issue for each day the engineering plant is operational.

(2) Deck department. Service may be credited as follows:

(i) Original issue and raise in grade. Service is creditable on a 3-for-1 basis (12 months of experience equals 4 months of creditable service) for up to 6 months of service credit.

(ii) Renewal. Service in any capacity in the deck department is creditable as closely related service under §10.227(e)(1)(iv). When submitted in combination with underway service, service is creditable on a 3-for-1 basis (12 months of experience equals 4 months of creditable service) for up to 6 months of service credit.

(f) *Foreign sea service.* (1) Experience and service acquired on foreign vessels is creditable for establishing eligibility for an original or renewal of an officer, rating, or STCW endorsement, subject to evaluation by the Coast Guard 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. This experience and service is also creditable to meet recency requirements.

(2) Experience and service acquired on foreign vessels while holding a valid U.S. endorsement is creditable for establishing eligibility for a raise of grade of an officer, rating, or STCW endorsement, subject to evaluation as specified in paragraph (d)(1) of this section. This experience and service is also creditable to meet recency requirements.

(3) An applicant who has obtained qualifying experience on foreign vessels must submit satisfactory documentary evidence of such service (including any necessary official translation to the English language) in accordance with paragraph (a)(1) and (a)(2) of this section.

(g) *Closely related service.* The Coast Guard may accept evidence of employment in a position closely related to the operation, construction, or repair of vessels (either deck or engineer as appropriate) as meeting the sea service requirements for renewal under §10.227(e)(1)(iv). Service as port engineer, port captain, shipyard superintendent, qualified instructor, or similar related service may be creditable for service for raise of grade of an engineer or deck officer endorsement; however, it may not be used for obtaining an original management-level endorsement. The service is creditable as follows:

(1) Port engineer, port captain or shipyard superintendent experience is creditable on a 3-for-1 basis for a raise of grade (e.g., 12 months of experience equals 4 months of creditable service). For a raise-of-grade, this credit is limited to 6 months of service.

(2) Service as a qualified instructor in a Coast Guard approved course or a training program is creditable on a 2-for-1 basis for a raise of grade (e.g., 12 months of experience equals 6 months of creditable service). For a raise-of-grade, this credit is limited to 6 months of service.

(h) *Day.* (1) Except as noted otherwise, for the purpose of calculating service in this subchapter, a day is equal to 8 hours of watchstanding or day-working not to include overtime.

(2) On vessels authorized by 46 U.S.C. 8104 and 46 CFR 15.705, to operate a two-watch system, a 12-hour working day may be creditable as 1½ days of service.

(3) On vessels of less than 100 GRT, a day is considered as 8 hours unless the Coast Guard determines that the vessel's operating schedule makes this criterion inappropriate; in no case will this period be less than 4 hours.

(4) When computing service on MODUs for any endorsement, a day of MODU service must be a minimum of 4

§ 10.233

hours, and no additional credit is received for periods served over 8 hours.

(5) For cadet service on a training ship furnished by the Maritime Administration under 46 CFR 310.4, a day may be creditable as 1½ days of service.

(i) *Tonnage equivalency.* For the purpose of parts 10, 11 and 12, 200 GRT will be considered equivalent to 500 GT, and 1,600 GRT will be considered equivalent to 3,000 GT.

[USCG-2004-17914, 78 FR 77894, Dec. 24, 2013]

§ 10.233 Obligations of the holder of a merchant mariner credential.

(a) The holder of a credential may not voluntarily part with it or place it beyond his or her personal control by pledging or depositing it with any other person, except as required by regulation or as necessary to safeguard the credential. If the holder violates this section, the Coast Guard may pursue suspension or revocation of the license, MMD, COR, or MMC under the provisions of part 5 of this chapter.

(b) Whenever a mariner loses a credential, he or she must immediately report the loss to the Coast Guard. The report must be made in writing, giving the facts incident to its loss.

(c) Invalid credentials must be returned to the Coast Guard. Upon written request, the Coast Guard will return the cancelled credential to the mariner.

§ 10.235 Suspension or revocation of merchant mariner credentials.

(a) Any MMC or endorsement is subject to suspension or revocation on the same grounds, in the same manner, and with like procedure as provided in 46 U.S.C. chapter 77.

(b) When any individual's credential is revoked, it is no longer valid for any purpose, and any MMC subsequently requested must be applied for as an original following the procedures of §§ 5.901-5.905 of this subchapter. When an endorsement on an individual's MMC is revoked, it is no longer valid, and any endorsement of the same type subsequently requested must be applied for as an original following the procedures of §§ 5.901-5.905 of this subchapter. When an officer's endorsement is revoked, the Coast Guard will issue an

46 CFR Ch. I (10-1-14 Edition)

MMC containing any rating endorsement for which the holder is qualified.

(c) An applicant who has had a TWIC, credential, or endorsement revoked, and who is applying for a subsequent MMC or endorsement, must state in his or her application the date of revocation, the serial number of the document revoked, and the type of document or endorsement revoked.

(d) A person whose credential or endorsement has been revoked or suspended without probation may not be issued a replacement credential or endorsement without approval of the Commandant. If a mariner has multiple endorsements and one or more, but not all, of those endorsements are suspended or revoked, he or she will be issued, without payment of a fee, a replacement MMC reflecting those endorsements for which the mariner remains qualified.

(e) When a credential or endorsement that is about to expire has been suspended, without probation, the renewal of the credential or endorsement will be withheld until expiration of the suspension period.

(f) When applying for an original endorsement on an MMC, pursuant to paragraph (d) of this section, an individual's existing service and training may be considered by the Coast Guard when determining the grade of the endorsement to be issued.

(g) An applicant for renewal or return of a credential with endorsement as master or mate (pilot) of towing vessels whose most recent credential has been suspended or revoked by an administrative law judge for incompetence must complete the practical demonstration required under § 10.227(e)(6)(i) of this subpart.

(h) If the Coast Guard is advised by the Transportation Security Administration (TSA) that a mariner has either been denied a TWIC or their TWIC has been revoked, the Coast Guard may initiate suspension and revocation action against the mariner's MMC, license, MMD, and COR under 46 U.S.C. 7702 and 7703. During the subsequent suspension and revocation proceeding, the TSA decision to deny issuance of, or to revoke, a mariner's TWIC will not be subject to review, and the mariner's failure to hold a TWIC will be treated