

105TH CONGRESS
1ST SESSION

S. 941

To promote the utilization of marine ferry and high-speed marine ferry services.

IN THE SENATE OF THE UNITED STATES

JUNE 19, 1997

Mr. INOUE (for himself, Mr. GORTON, Mr. KERRY, Mrs. MURRAY, and Mr. BREAU) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To promote the utilization of marine ferry and high-speed marine ferry services.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Marine Ferry and
5 High-Speed Marine Ferry Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

8 (1) today’s ferries are a critical transportation
9 component in many communities, providing vital
10 transportation services for passengers, automobiles,

1 buses, and trucks in locations where practical alter-
2 natives are insufficient or do not exist;

3 (2) ferries provide alternatives to other trans-
4 port modes that are facing severe capacity con-
5 straints;

6 (3) ferries do not require the construction of
7 costly infrastructure such as roads, bridges, or tun-
8 nels, thereby reducing environmental impacts, cap-
9 ital investment, and initiation times;

10 (4) ferries reduce single-occupancy vehicle trav-
11 el thereby reducing traffic congestion, air pollution,
12 and energy use;

13 (5) ferries are flexible because vessels and some
14 loading facilities may be shifted to new locations due
15 to changes in demand or in times of national emer-
16 gency;

17 (6) joint efforts by private operators and local
18 governments already have resulted in highly innova-
19 tive and successful ferry operations in many urban
20 areas;

21 (7) recent technological developments have fur-
22 ther developed the potential for the use of high
23 speed marine vessels;

24 (8) the Department of Transportation strategic
25 plan for the National Transportation System urges

1 emphasis on those modes of transportation that pro-
 2 mote those interests “of critical importance to our
 3 country, including clean air, reduced energy con-
 4 sumption and safe, comfortable, and cost effective
 5 transportation”;

6 (9) ferry transportation provides cost-effective
 7 transportation in an environmentally sound manner;
 8 and

9 (10) ferry transportation is an important and
 10 unique component of the national transportation sys-
 11 tem which should be encouraged and supported in
 12 those communities for which it is applicable.

13 **SEC. 3. REPORT ON UTILIZATION POTENTIAL.**

14 (a) STUDY.—The Secretary of Transportation shall
 15 conduct a study of ferry transportation in the United
 16 States and its possessions—

17 (1) to identify existing ferry operations, includ-
 18 ing—

19 (A) the locations and routes served;

20 (B) the name, United States official num-
 21 ber, and a description of each vessel operated as
 22 a ferry;

23 (C) the source and amount, if any, of
 24 funds derived from Federal, State, or local gov-

1 ernment sources supporting ferry construction
2 or operations;

3 (D) the impact of ferry transportation on
4 local and regional economies; and

5 (E) the potential for use of high-speed
6 ferry services.

7 (2) identify potential domestic ferry routes in
8 the United States and its possessions and to develop
9 information on those routes, including—

10 (A) locations and routes that might be
11 served;

12 (B) estimates of capacity required;

13 (C) estimates of capital costs of developing
14 these routes;

15 (D) estimates of annual operating costs for
16 these routes;

17 (E) estimates of the economic impact of
18 these routes on local and regional economies;
19 and

20 (F) the potential for use of high-speed
21 ferry services.

22 (b) REPORT.—The Secretary shall report the results
23 of the study under subsection (a) within 1 year after the
24 date of enactment of this Act to the Committee on Com-
25 merce, Science, and Transportation of the United States

1 Senate and the Committee on Transportation and Infra-
2 structure of the United States House of Representatives.

3 **SEC. 4. MEETING WITH STATE MUNICIPAL PLANNING OR-**
4 **GANIZATIONS.**

5 After reporting the results of the study required by
6 section 3, the Secretary of Transportation shall meet with
7 the relevant State and Municipal planning organizations
8 to discuss the results of the study and the availability of
9 resources, both Federal and State, for providing marine
10 ferry service.

11 **SEC. 5. FUNDING.**

12 (a) IN GENERAL.—Section 1064 of the Intermodal
13 Surface Transportation Efficiency Act of 1991 (23 U.S.C.
14 129 note) is amended by adding at the end thereof the
15 following:

16 “(e) AUTHORIZATION.—In addition to any amounts
17 otherwise authorized to be appropriated to carry out the
18 provisions of this section, there are authorized to be appro-
19 priated \$18,000,000 for each fiscal year for which funds
20 are authorized to be appropriated under the Intermodal
21 Surface Transportation Efficiency Act of 1991 for fiscal
22 years beginning with fiscal year 1997.

23 “(f) OPERATIONAL FUNDING.—The Secretary of
24 Transportation shall make available under this section
25 such amounts as may be necessary to support ferry oper-

1 ations providing daily transportation for workers, stu-
 2 dents, or both who reside on one or more islands in the
 3 noncontiguous United States, without regard to section
 4 129(c)(3), or the second sentence of section 129(c)(5), of
 5 title 23, United States Code.”.

6 (b) OPERATING AND LEASING AMENDMENTS.—Sub-
 7 section (c) of section 1064 of that Act (23 U.S.C. 129
 8 note) is amended—

9 (1) by striking “owned.” in paragraph (3) and
 10 inserting “owned or operated.”; and

11 (2) by striking “sold, leased, or” in paragraph
 12 (6) and inserting “sold or”.

13 **SEC. 6. LOAN GUARANTEES.**

14 (a) IN GENERAL.—The Secretary of Transportation
 15 may guarantee, or make a commitment to guarantee, the
 16 payment of the principal of, and the interest on, an obliga-
 17 tion for marine ferry operations in the transportation of
 18 passengers or passengers and vehicles in the United States
 19 and its possessions. A guarantee or commitment under
 20 this subsection shall be made—

21 (1) under standards and requirements substan-
 22 tially equivalent to those under title XI of the Mer-
 23 chant Marine Act, 1936 (46 U.S.C. App. 1271 et
 24 seq.); and

1 (2) subject to such terms as the Secretary may
2 prescribe.

3 (b) APPLICABLE LAWS, ETC.—A guarantee or com-
4 mitment made under subsection (a) is subject to all laws,
5 requirements, regulations, and procedures applicable to
6 guarantees or commitments made under title XI of the
7 Merchant Marine Act, 1936 (46 U.S.C. App. 1271 et
8 seq.), but the Secretary shall by rule provide a simplified
9 application and compliance process for guarantees and
10 commitments made under subsection (a).

11 (c) AUTHORIZATION.—There are authorized to be ap-
12 propriated to carry out the provisions of this section
13 \$7,000,000 for each fiscal year for which funds are au-
14 thorized to be appropriated under the Intermodal Surface
15 Transportation Efficiency Act of 1991 for fiscal years be-
16 ginning after fiscal year 1997.

17 **SEC. 7. CROSS-BORDER LEASING FOR CERTAIN VESSELS.**

18 Section 12102(d)(1) of title 46, United States Code,
19 is amended by inserting “or for a small passenger vessel,
20 a passenger vessel, or a ferry,” after “endorsement,”.

21 **SEC. 8. MARINE HIGH-SPEED FERRY SAFETY.**

22 (a) COAST GUARD REVIEW.— The Coast Guard shall
23 review the provisions of the International Code of Safety
24 for High-Speed Craft to determine whether the provisions
25 are suitable safety regulations for high-speed vessels not

1 currently regulated, and make recommendations to the
 2 House Committee on Transportation and Infrastructure
 3 and the Senate Committee on Commerce, Science, and
 4 Transportation.

5 (b) MANNING REQUIREMENT.—Section 8101(a) of
 6 title 46, United States Code, is amended—

7 (1) by striking “and” at the end of paragraph
 8 (2);

9 (2) by striking the period at the end of para-
 10 graph (3) and inserting “; and”; and

11 (3) by adding at the end the following new
 12 paragraph;

13 “(4) a high-speed passenger vessel shall
 14 consider the specialized nature of the vessel and
 15 the navigation, handling, and maintenance
 16 functions of that vessel for protection of life,
 17 property, and the environment, and, for pur-
 18 poses of this paragraph, the term ‘high-speed
 19 passenger vessel’ means a vessel as defined by
 20 Section 2101(22) or 2101(35) of this title,
 21 which conforms to the definition of high-speed
 22 craft of Chapter 1.4.24 of the International
 23 Code of Safety for High-Speed Craft of the
 24 International Maritime Organization.”.

1 (c) MANNING STANDARDS.—The Secretary of Trans-
2 portation shall prescribe standards for the manning of
3 each high speed passenger vessel operating on the waters
4 of the United States or the waters of the exclusive eco-
5 nomic zone, related to the duties, qualifications, and train-
6 ing of the officers and crew of the vessel, including stand-
7 ards related to—

8 (1) appropriate crew sizes;

9 (2) the adequacy of qualifications and training
10 of crewmembers;

11 (3) the ability of crewmembers to take emer-
12 gency actions, including the safe evacuation of pas-
13 sengers;

14 (4) the use of computer simulator courses and
15 other courses for training bridge officers and crew-
16 members, and the feasibility and practicality of man-
17 dating such training;

18 (5) the advisability of cross-training of crew-
19 members and the need for more than one crew mem-
20 ber to be trained to perform all essential operational
21 tasks in both normal and emergency situations;

22 (6) the need to specify an appropriate period of
23 operational training for the master and each crew-
24 member and the periods at which appropriate re-
25 training should be carried out; and

1 (7) the need for a type rating certificate for the
 2 master and all officers having an operational role on
 3 the vessel.

4 In prescribing the standards, the Secretary shall consider
 5 the provisions of the International Code of Safety for
 6 High-Speed Craft of the International Maritime Organiza-
 7 tion, particularly its provisions on training and qualifica-
 8 tions and emergency instructions and drills. A high-speed
 9 passenger vessel is a vessel as defined by section 2101(22)
 10 or 2101(35) of title 46, United States Code, which con-
 11 forms to the definition of High-speed craft of Chapter
 12 1.4.24 of the International Code of Safety for High-Speed
 13 Craft of the International Maritime Organization.

14 **SEC. 9. STUDY OF HIGH-SPEED MARINE FERRY TECH-**
 15 **NOLOGY.**

16 The Transportation Research Board shall conduct a
 17 study to evaluate different technological approaches to the
 18 provision of high-speed marine ferry service and potential
 19 for United States utilization and report its findings to the
 20 Committee on Commerce, Science, and Technology of the
 21 United States Senate and the Committee on Transpor-
 22 tation and Infrastructure of the United States House of
 23 Representatives within 1 year after the date of enactment
 24 of this Act.

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