U.S. Department of Transportation
United States Coast Guard

Commandant
United States Coast Guard

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Staff Symbol: G-MOC
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COMDTPUB P16700.4
NVIC 2-00

MAY 3 2000

NAVIGATION AND VESSEL INSPECTION CIRCULAR NO. 2-00

Subj: INSPECTION GUIDANCE FOR VESSELS PARTICIPATING IN MARINE EVENTS OF NATIONAL SIGNIFICANCE

1. PURPOSE. This Circular provides guidance for the inspection of vessels operating as registered participants in Marine Events of National Significance. Included are guidelines to help determine a vessel's inspection status, policy direction for issuance of special permits to uninspected vessels, a discussion on coastwise trade restrictions, and supplemental guidance for handling moored attraction vessels.

2. ACTION.

   a. Officers-in-Charge, Marine Inspection (OCMIs) shall review this circular and ensure that the enclosed guidance is applied as appropriate. OCMIs should maintain active communications with the senior operational commander and staff having jurisdiction over the event (i.e., Area or District Commander) in order to facilitate issuance of special permits and attraction vessel COIs. Additionally, the OCMIs within the affected Area or District will need to work together in issuing these documents to ensure consistency when prescribing the terms and conditions of operation required for each inspection zone. Ideally, the special permit and attraction vessel COI should be issued at the first U.S. port associated with the event and should remain valid for the duration of the vessel's participation in the event, covering each affected OCMI zone.

   b. Event sponsors and affected vessel representatives should familiarize themselves with the guidance contained in this Circular. It is important to review the entire document because of the many variations in rules that may apply. Particular attention should be given to the deadlines that apply. These deadlines provide the Coast Guard with the necessary lead-time for processing application requests and for the allocation of inspection resources.

3. DIRECTIVES AFFECTED. None.

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4. BACKGROUND.

a. A Marine Event of National Significance is an event that carries a high degree of political or public interest. Examples of past Marine Events of National Significance would include those that occurred in conjunction with the 1964 World's Fair, the Bicentennial Celebration in 1976, Liberty Weekend and the rededication of the Statue of Liberty in 1986, and the Christopher Columbus Quincentennial in 1992. Typically, these events draw a large number of tall ships (sailing vessels) or other traditional ships from around the world, with an underlying purpose to promote maritime heritage, cultural exchange and international goodwill. The participants usually include a broad mix of U.S. and foreign-flag vessels, including public vessels and ships of war, commercial vessels, and recreational vessels or yachts.

b. The majority of participants in these events usually engage in sail training or passenger-carrying activities while underway, making them subject to inspection under U.S. laws and regulations. In general, U.S. vessels should not be a concern, as they should already have a Certificate of Inspection allowing them to engage in these activities. Foreign vessels, however, will require more attention, as their inspection status will vary based on a number of factors, making compliance issues a concern. U.S. maritime safety and inspection laws give exemption to foreign public vessels (as long as they don't engage in commercial activities) and allow reciprocity for vessels in possession of valid IMO safety certificates. Unfortunately, the number of foreign vessels that qualify as public vessels or are entitled to reciprocity may be relatively small. Most foreign-flag sail training vessels, being less than 500 gross tons, will not have IMO safety certificates because they are considered cargo ships by their Flag Administrations and therefore, will not qualify for reciprocity.

5. DISCUSSION.

a. SOLAS regulations recognize two types of vessels: passenger and cargo vessels. According to SOLAS, a cargo ship is any ship that is not a passenger ship; a passenger ship is any ship that carries more than 12 passengers. "Sail trainees", because they are engaged in the business of the ship, do not fit the SOLAS definition of passenger. Thus, vessels that are engaged in sail training activities are considered cargo ships under SOLAS, which of course, applies only to cargo ships of 500 gross tons or more. Even if a sail training vessel were 500 gross tons or more, it would likely be issued a Cargo Ship Safety Certificate rather than a Passenger Ship Safety Certificate or Special Purpose Ship Code certificate. We will not accept a Cargo Ship Safety Certificate as being reciprocal to meeting our passenger vessel or sailing school vessel regulations. NOTE: *The term "sail training vessel" is predominantly used in this Circular in lieu of the term "sailing school vessel", which refers specifically to those vessels that meet the definition given by 46 USC 2101(30) and are inspected under 46 CFR, Subchapter R. Most foreign-flag vessels would be unable to qualify for the sailing school vessel designation.*

b. The only alternative for granting reciprocity, as given by 46 USC 3303, is to allow acceptance of a foreign certificate of inspection or similar document issued by a country party to SOLAS that has, *by its laws, accorded to vessels of the United States visiting that country the same privileges accorded to vessels of that country visiting the United States.* The latter part of this alternative creates a stumbling block. We cannot simply accept a foreign inspection certificate under our reciprocity provisions. That country needs to offer, by its laws, reciprocity to U.S. vessels or at least have a formal treaty or agreement, as we do with Canada. We currently do not have such an arrangement with any foreign country other than Canada.

c. Without a reciprocity arrangement, we are left with two choices: inspect each vessel for compliance with applicable U.S. inspection regulations and issue a Certificate of Inspection (COI), or; issue special permits allowing limited excursion activities as permitted under 46 USC 2113. Issuing COIs would prove to be time and resource intensive and it's likely that many vessels would not meet our standards. We would then be placed in the awkward and undesirable position of having to turn away foreign participants for these events or otherwise restrict their operations to remain within an "uninspected" status. The logical alternative is to issue special permits to those vessels that fall subject to inspection but do not qualify for reciprocity. The special permit will allow vessels participating in Marine Events of National Significance to engage in sail training activities or passenger-carrying excursions for the duration of the event, subject to the conditions and limitations discussed in enclosure (1) to this NVIC.

d. The regulations covering the issuance of special permits for vessels participating in Marine Events of National Significance are included in 46 CFR 2.01-45 and 46 CFR 26.03-8. In making the determination of whether a marine event is "nationally significant" and thus defining the eligibility of vessels for receiving special permits, the Commandant will consider any or all of the following:

(1) The number of port visits scheduled for the event.

(2) Whether there is a high degree of public interest.

(3) Whether there is an expressed political interest of a governing body.

(4) Whether the event will promote maritime education, cultural exchange or international goodwill through the gathering of participating vessels.

(5) Whether the event is structured in a manner that provides enhanced safety for the registered participants.

Item (5) above is probably the most important consideration because it helps to address some of the obvious safety concerns regarding these vessels. By nature of their design and, in an effort to maintain historic integrity, many of these vessels are unable to fully comply with the modern safety requirements specified by U.S. and international standards. The special safety arrangements associated with these organized events help to

mitigate this concern; e.g., emergency assistance is on standby or mobilized, many vessels are sailing on similar tracklines, and routine communications are maintained between the participating vessels and event officials.

e. Enclosure (1) includes guidelines for determining a vessel's inspection status, which in turn, will help determine whether a special permit is required for a particular vessel operation. This enclosure also includes guidance for the issuance of special permits, a discussion on coastwise trade restrictions and supplemental guidance for moored attraction vessels.

6. APPLICABILITY. This inspection guidance shall apply to vessels that are registered participants in a Marine Event of National Significance. For the purposes of this policy, "registered participant" means a vessel that has been officially accepted by the event organizer or sponsor as a participant in the event.

7. FORMS/REPORTS. The forms referenced in this Circular are available to Coast Guard personnel on Forms Plus Laser. Vessel representatives may contact any Coast Guard marine safety office for copies. The forms attached to this Circular may also be used.

R. C. NORTH
Assistant Commandant for Marine Safety
and Environmental Protection

Encl: (1) Inspection Guidance for Vessels Participating in Marine Events of National Significance

Inspection Guidance for Vessels Participating in Marine Events of National Significance

This provides guidance for the inspection of vessels operating as registered participants in Marine Events of National Significance. Included are guidelines to help determine a vessel's inspection status, policy direction for issuance of special permits to uninspected vessels, a discussion on coastwise trade restrictions, and guidance for handling moored attraction vessels.

1. Definitions. The following definitions, as prescribed by the maritime safety laws of the United States, as given by 46 USC 2101, are provided to supplement and help clarify the guidance contained herein:

   a. "***Passenger***" means an individual carried on the vessel except –
      (1) the owner or an individual representative of the owner or, in the case of a vessel under charter, an individual charterer or individual representative of the charterer;
      (2) the master; or
      (3) a member of the crew engaged in the business of the vessel who has not contributed consideration for carriage and who is paid for onboard services.

      NOTE: The various passenger definitions found under 46 USC 2101(21) for specific vessel types are omitted to avoid confusion.

   b. "***Passenger-for-hire***" means a passenger for whom consideration is contributed as a condition of carriage on the vessel, whether directly or indirectly flowing to the owner, charterer, operator, agent, or any other person having an interest in the vessel.

      NOTE: Legal interpretations for the various "passenger-for-hire" activities that may exist during these events are excluded from this circular because an accurate legal determination cannot be made without knowing the specifics details of the "for-hire" arrangement. If a particular passenger activity is questioned and a legal determination is required, Coast Guard field offices should seek assistance from their district legal staffs.

   c. "***Commercial service***" includes any type of trade or business involving the transportation of goods or individuals, except service performed by a combatant vessel.

2. Inspection Status. Each participating vessel should fall into one of the inspection categories listed below. Knowing a vessel's inspection status will help determine the safety standards that apply and the nature and scope of inspection (if required). To that end, basic inspection guidance is included for each inspection category.

   a. **Vessels in possession of a valid Certificate of Inspection (COI).** A vessel in possession of a valid COI shall be operated in accordance with the terms and conditions prescribed by its COI. An inspected passenger vessel may be issued an Excursion Permit in accordance with 46 CFR 71.10 and the Coast Guard Marine Safety Manual (MSM) Vol. II, Section B.4.B.2 (Chapter 10.B in old MSM), to allow the carriage of additional passengers or allow voyages on an extended route for a limited period of time. Other inspected vessels (e.g. sailing school vessels, cargo vessels, etc.) may apply for a special

permit to allow the carriage of passengers for the duration of the event, as discussed in paragraph f(2) of this section.

b. **Vessels in possession of IMO safety certificates.**

(1) Passenger Ship Safety Certificate (PSSC). A foreign-flag vessel in possession of a valid PSSC will be accepted as meeting the maritime safety laws and inspection standards that apply to passenger vessels under 46 CFR Subchapter H, K, or T. A special permit will not be required, however; these vessels will be subject to a Port State Control examination as given by 46 CFR 2.01-13(a). Such examination will be conducted in accordance with the established Port State Control procedures as outlined in MSM, Vol. II, Section D.1.F (Chapter 19 in old MSM), to verify compliance with the certificates issued. These vessels will not be required to undergo the full examination process which is normally required of all foreign passenger vessels under the Coast Guard's Control Verification Examination (CVE) program. As registered participants in a Marine Event of National Significance and, for the purposes of this policy only, the standard Port State Control examination process, as applied to SOLAS cargo ships, will suffice.

(2) IMO Special Purpose Ship (SPS) Code Certificate. A foreign-flag vessel in possession of a valid SPS Code certificate will be accepted as meeting U.S. maritime safety and inspection standards for the special service authorized on the face of the vessel's certificate. For these vessels, a special permit will be required only if more than 12 passengers are carried in addition to the authorized complement "special personnel" or if the vessel's planned activities extend beyond the service authorized on the certificate. SPS Code ships will be subject to a Port State Control examination as described in paragraph (1) above.

(3) Cargo Ship Safety Construction and Safety Equipment Certificate. A foreign-flag vessel in possession of a valid Cargo Ship Safety Construction and Safety Equipment Certificate will be accepted as meeting 46 CFR, Subchapter I. A special permit will not be required unless more than 12 passengers (or sail trainees) will be carried. Such vessels will be subject to a Port State Control examination as described in paragraph (1) above.

c. **Uninspected Vessels.** A vessel under 100 gross tons, that carries 6 or less passengers (or sail trainees), with one or more being "for hire", is considered an uninspected passenger vessel. Vessels of 100 gross tons or more may carry up to 12 passengers (or sail trainees) and remain uninspected. With the exception of sailing school vessels certificated under Title 46, Code of Federal Regulations (CFR), Subchapter R, sail trainees are considered "passengers" and, if required to pay for an education which includes training on board the vessel, they are considered "passengers-for-hire". Vessels that fall within this category will not require a special permit but will be expected to meet the minimum safety criteria as outlined in, Subchapter C, "Uninspected Vessels". Routine port safety boardings may be conducted to confirm a vessel's "uninspected" status and to verify compliance with the Uninspected Vessel regulations and with the applicable pollution prevention regulations of 33 CFR and MARPOL.

d. **Recreational Vessels.** A vessel that is operated primarily for pleasure (not engaged in commercial service) is considered a recreational vessel and will not be subject to Coast Guard inspection. The SOLAS regulations refer to these vessels as "pleasure yachts not engaged in trade". As with uninspected vessels, routine port safety boardings may be conducted to confirm a vessel's "recreational" status and to verify compliance with all applicable federal recreational and boating safety requirements. Also, a special permit will not be required.

e. **Public Vessels.** Public vessels are exempt from U.S. maritime safety and inspection laws and therefore, are not subject to Coast Guard inspection. By definition [46 USC 2101(24)], "public vessel" means a vessel that is owned, or demise chartered, and operated by the U.S. government or a government of a foreign country; and **is not** engaged in commercial service. Public vessels that engage in commercial service effectively relinquish their "public vessel" status and thereby become subject to regulation as a commercial vessel. The vessel will then fall under one of the other inspection categories specified under this section and therefore, may require issuance of a special permit.

f. **Other Vessels.** Vessels that do not fall within any of the above categories [as specified by paragraphs (a) through (e) above] will require issuance of a special permit, allowing the vessel to engage in passenger-carrying excursions which would otherwise subject the vessel to Coast Guard inspection. Specific direction for the issuance of special permits is given in Section 3 of this policy. The following explains the qualification criteria and application procedures for special permits and offers inspection guidance for these vessels:

(1) Foreign-flag (non-U.S.) Vessels.

(a) For a foreign-flag vessel, the Coast Guard needs an assurance from the vessel's Flag Administration that an appropriate safety standard is applied and that the vessel is certified as seaworthy and safe for the activity engaged. To that end, the Coast Guard should accept a foreign nation's domestic certificate of inspection in lieu of IMO certificates, provided that the nation is signatory to the 1974 SOLAS Convention. The foreign certificate of inspection may be in the form of a certificate, a letter, or other official designation. Most importantly, it shall be issued by the vessel's Flag Administration or by a third party organization, such as a classification society, authorized to act on behalf of the Administration. The certificate of inspection must authorize service as either a sailing school vessel (or equivalent) or as a passenger vessel. If the vessel's domestic certificate does not have either of these designations, then the Coast Guard will require a letter from the vessel's Flag authority explaining the service for which the vessel is authorized to engage. Without such authorization from the Flag Authority, the vessel shall be restricted to uninspected vessel activities, as explained in Section 2.c of this enclosure.

(b) The special permit will allow the vessel to engage in passenger-carrying excursions **only to the extent permitted by the vessel's Flag authority**. If the

proposed vessel operation extends beyond that permitted by its domestic safety certificate, the vessel representative must pursue separate written authorization from the vessel's Flag authority, allowing this "extended" activity. Where separate written authorization is given, the flag authority must also include an explanation of any additional lifesaving equipment and other safety provisions required for the extended activity.

(c) It is anticipated that most foreign-flag sail training vessels in this category will be authorized by their Flag authority to carry a number of students (sail trainees) and up to 12 passengers in addition to the regular, professional crew. On the foreign certificate of inspection, these students or sail trainees may also be referred to in various terms, such as "voyage crew", "temporary crew", or "persons in addition to the crew". Though their designation will vary, there should be a commonality to their status or role on board the vessel; they must be engaged in the operations of the vessel. In most, if not all cases, these persons will not be licensed as professional mariners in accordance with the STCW Convention and, in general, may receive only limited safety instruction prior to their sailing activities on the vessel. Referring to paragraph (b) above, these vessels will not be permitted to replace sail trainees with passengers unless special permission is given, in writing, by the Flag authority.

(d) Vessel operators seeking a special permit will be required to submit written application [Appendix (1)], along with a copy of the vessel's foreign certificate of inspection, to the Coast Guard at least thirty (30) days in advance of commencement of U.S. operations. Any additional information, as required by paragraph (a) above, should also be submitted at this time. To streamline the application process, this information should be submitted to the most senior operational commander of an event, such as the Area or District Commander or local OCMI, or as otherwise directed for the event. A separate written directive, such as an Area or District Operating Plan will normally be issued, providing specific administrative instructions for an event that qualifies as a Marine Event of National Significance.

(e) Vessels that fall within this category will be subject to a Port State Control examination as given by 46 CFR 2.01-13(b). Such examination will be conducted in accordance with established Port State Control procedures to verify compliance with the terms and conditions of the foreign Certificate of Inspection. The condition of the vessel, certification of the crew, and the Flag State's minimum manning standard shall be compatible with that of U.S. laws and regulations. Above all, this examination will verify that a satisfactory level of safety is achieved. Inspectors may require the crew (including sail trainees) to conduct emergency drills, including fire, muster/abandon ship, or damage control drills (as appropriate) to evaluate the crew's ability to handle emergency situations. Inspectors should question crew members and sail trainees on their emergency duties. Aside from being an effective tool for evaluating crew competence, emergency drills and questioning can be used to verify a person's status as either

a sail trainee or passenger; sail trainees should at least have some basic safety training and be familiar with emergency procedures.

(2) Domestic (U.S.) Vessels.

(a) Any domestic vessel lacking a valid COI for passenger service will require individual consideration prior to issuance of a special permit. Unlike a foreign vessel in this category, a domestic vessel which lacks a COI also lacks prior safety certification by its responsible Flag authority; i.e., the Coast Guard. The likely candidate for a special permit will be a moored attraction vessel, seeking to carry passengers while underway. Although an attraction vessel is issued a COI which allows its operation in passenger service while safely moored to a pier, this in no way attests to the vessel's ability to operate safely while underway.

(b) In order to provide the time necessary for a comprehensive safety review, a vessel owner or operator must give written notice to the local OCMI or senior operational commander for the event. A six (6)-month lead-time prior to commencement of the proposed operation is strongly suggested. Along with the Application for Special Permit [Appendix (1)], the owner/operator will be required to submit proof that the vessel can safely engage in the proposed activity. This should include documentation proving a record of safe operation for the vessel or other evidence to prove its overall safety and seaworthiness. Plans or schematics reflecting the vessel's "as-built" condition may be required. Plans or other documentation should provide a description of the vessel's safety systems and equipment, including fire safety, lifesaving, structural integrity, subdivision, stability, and damage control features. A description of crew qualifications and safety instructions or training given to passengers/sail trainees will also be necessary. Recognizing that some of these vessels will not have a valid Load Line certificate, which would at least give some indication of its seaworthiness, special attention will be given to vessel stability and subdivision, and overall structural condition. Therefore, vessel drydocking may also be required.

3. Issuance of Special Permits. A vessel meeting the above qualification criteria may be issued a special permit, using form CG-949a, allowing the vessel to engage in excursions carrying passengers or sail trainees, as appropriate, for the duration of the marine event. The special permit will prescribe the route and special conditions under which the vessel may operate, the minimum lifesaving equipment required, and the total persons allowed. For vessels of 100 gross tons or more, lifesaving equipment shall be of sufficient number and capacity to accommodate 100% of the total persons on board. For vessels under 100 gross tons, the number/capacity of lifesaving equipment will be determined by the requirements of 46 CFR, Subchapter T or K, as appropriate. Appendix (2) includes a sample permit for foreign vessels. Appendix (3) includes a sample permit for domestic vessels.

4. Coastwise Trade. Generally, the U.S. coastwise trade laws prohibit the transportation of passengers or merchandise between U.S. ports aboard a foreign-flag vessel (or other non-coastwise-qualified vessel). The following provides further explanation of the coastwise

trade laws as they apply to foreign-flag vessels engaged in passenger or sail training activities:

a. Sail Training Vessels. According to a U.S. Customs ruling given in a letter dated March 6th, 1998, "Persons who board a non-coastwise-qualified vessel at a coastwise point for the purpose of receiving training in sailing, seamanship, navigation and the like, may receive that training and may disembark at a different United States port other than their port of embarkation". Under this determination, sailing school students (trainees), in either permanent or temporary capacity, are considered a part of the vessel's crew. The fact that a sail trainee has paid for the training is not a disqualifying factor since the primary purpose of their voyage is not coastwise transportation. Thus, sail training vessels may transport students/trainees, instructors, and others associated with the business of the vessel (as above), in addition to the regularly assigned crew, between consecutive U.S. port visits. However, if passengers are also carried, the guidance in paragraph (b) below will apply.

b. Passenger Vessels. The carriage of passengers, except as explained in paragraph (a) above, from one U.S. port to the next aboard a foreign-flag vessel is prohibited under the coastwise trade laws. Moreover, even if the passengers were to embark and disembark at the same U.S. port, such carriage is prohibited unless the vessel proceeds beyond the 3-mile territorial waters and stops at no other U.S. port. The carriage of passengers from a U.S. port to a foreign port, and the reverse, is not considered coastwise trade and is thus permitted.

c. Enforcement of Coastwise Trade Laws. As mentioned in Section 2, paragraph f.(1)(e) of this policy, Coast Guard inspectors may use emergency drills and crew questioning to verify sail trainee or passenger status. Where it is suspected that passengers are being carried in place of sail trainees (or others involved in the business of the vessel) and a potential violation of the coastwise trade laws exists, such cases should be reported to U.S. Customs for resolution.

5. Carriage of Passengers. It must be understood that the coastwise trade laws and the maritime safety laws are separate considerations that are mutually exclusive of each other. Even if a vessel is authorized by the Coast Guard to carry passengers in a commercial capacity, this does not allow a non-coastwise-qualified vessel to engage in coastwise trade carrying passengers. With that in mind, the following gives further explanation of the maritime safety laws as they affect the carriage of passengers on various vessels.

a. **Public vessels** may carry only non-paying passengers or guests; "passengers for hire" are not permitted.

b. **Vessels having a valid SOLAS Passenger Ship Safety Certificate (PSSC)** may carry passengers up to the maximum number specified on the PSSC.

c. **Vessels having a valid Cargo Ship Safety Construction and Safety Equipment Certificate** may carry a maximum of 12 persons in addition to the regularly assigned crew unless a Special Permit is issued authorizing the carriage of additional passengers.

For the purposes of this policy, "regularly assigned crew" shall mean those persons engaged in the business of the vessel who have not contributed consideration for their carriage and are paid for their services on board. Again, for the purposes of compliance with U.S. maritime safety laws, sailing school students (sail trainees) who pay for their carriage will be considered as passengers for hire, not as regular crew.

d. **Vessels having a valid IMO Special Purpose Ship (SPS) Code certificate** will be permitted to carry up to 12 passengers while underway or anchored unless a special permit is issued, authorizing the carriage of additional passengers. As given by the SPS Code, "special personnel", along with the regularly assigned crew, will not be considered as passengers.

e. **Vessels issued a Special Permit** will be permitted to carry passengers to the extent authorized by the permit.

6. Moored Attraction Vessels. Vessels that take on "passengers-for-hire" while moored will be subject to the Coast Guard's moored attraction vessel policy. The special permit will not cover this activity. Details of the moored attraction vessel policy are included in the Marine Safety Manual, Volume II, Section B.4.CC (former MVI Policy Letter No. 9-88). For convenience to the public, a copy is included in Appendix (4).

a. Close attention should be paid to the applicability of this policy. Although this policy does not specifically apply to foreign-flag vessels in possession of a valid Passenger Ship Safety Certificate (PSSC) or to vessels whose passengers are not "for hire", the Captain of the Port (COTP) may require compliance with portions of this policy as safety concerns may dictate.

b. Vessel owners or operators wishing to have "passengers-for-hire" aboard a vessel while moored shall make application for inspection, at least 90 days in advance of the vessel's first U.S. port visit, to the Coast Guard operational commander for the marine event.

c. A blank Application for Inspection is included as Appendix (5). This form may be used for both U.S. and foreign-flag vessels; foreign vessel applicants should line out "U.S." in the title of the form. The additional vessel information and plans as required by the moored attraction vessel policy shall be submitted along with the Application for Inspection.

7. User Fees. Vessels issued a Special Permit will not be charged a user fee. However, vessels that are issued a Coast Guard Certificate of Inspection, including moored attraction vessels, are normally required to pay user fees. There is an exemption provision in the user fee regulations (46 CFR 2.10-5) for vessels owned or operated by a non-profit organization that engage in training youth in boating, seamanship or navigation skills. Other qualifying criteria for exemption include: educating youth in a course of marine environmental studies; providing excursions for persons with disabilities; or, providing medical services. For vessels that meet the conditions for exemption, limited fund-raising activities are permitted. Thus, it is possible to raise funds while in a moored attraction vessel status and remain exempt from user fees.

a. In accordance with 46 CFR 2.10-5(d), vessel owners or operators may submit a written request for user fee exemption to the Coast Guard. The exemption request must provide the vessel name, the vessel identification number, and evidence that the organization and the vessel meet the qualifying criteria. Exemption requests should be submitted directly to the Coast Guard operational commander for the event, along with the Application for Inspection.

b. For vessels that do not qualify for the above exemption, the Coast Guard will consider submitting an exemption request to the Secretary of Transportation. As provided by 46 USC 2110(g), the Secretary may exempt a person from paying a fee or charge established under this section if the Secretary determines that it is in the public interest to do so. In order to allow the time necessary to prepare a consolidated exemption request for the Secretary, the Coast Guard must have the names of the affected vessels and owner/operator information at least six months prior to commencement of the event.

DEPARTMENT OF TRANSPORTATION U.S. COAST GUARD CG-950A (Rev. 4-00)	**APPLICATION FOR SPECIAL PERMIT**	FORM APPROVED OMB NO. 2115-0133

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number.

The Coast Guard estimates that the average burden for this report is 10 minutes. You may submit any comments concerning the accuracy of this burden estimate or any suggestion reducing the burden to: Commandant (G-MOC), U.S. Coast Guard, Washington, DC 20593-0001 or Office of Management and Budget, Paperwork Reduction Project (2115-0578), Washington, DC 20503.

INSTRUCTIONS

1. This form should be completed to the fullest extent possible. Incomplete information will delay processing of this application and may be cause for denial of special permit issuance.
2. Upon completion, this form should be mailed or delivered to the Coast Guard's senior operational commander for the Marine Event of National Significance. For foreign (non-U.S.)-flag vessels, a copy of the official safety certificates issued by the vessel's flag authority should be included with this application. Any supplemental authorizations issued by the flag authority for the event should also be included.
3. Questions concerning this form, including address information for mailing, can be directed to your event sponsor or to Commandant (G-MOC).

Date of Request: _____

Marine Event of National Significance (title): _____

Date/Period of Vessel Participation in Event: _____

U.S. Ports to be visited: (date/location) _____ _____

_____ _____

_____ _____

_____ _____

_____ _____

Vessel Name: _____ Flag of Registry: _____

Official (IMO) Number: _____ Gross Tonnage: _____

Owner Information:

Name: _____

Address: _____

_____

_____

Phone: _____

Email: _____

Operator Information:

_____

_____

_____

_____

_____

_____

[1]Public Vessel? (Y/N): _____ [2]Engaged in Commercial Service? (Y/N): _____

[3]Certified by Flag Authority? (Y/N): _____ Valid Load Line Certificate? (Y/N): _____

[4]Certificate of Financial Responsibility (COFR)? (Y/N): _____ [5]Moored Attraction Vessel? (Y/N): _____

Maximum number of Passengers and/or Sail Trainees to be carried during the event:

Passengers: _____

Sail Trainees: _____

APPLICATION FOR SPECIAL PERMIT

Vessel Name: _____

Primary Lifesaving Equipment (indicate number & capacity for each):

Lifeboats _____

Liferafts _____

Bouyant Apparatus _____

Life Preservers (number adult/children) _____

Firefighting Systems/Equipment:

Fixed extinguishing systems (space protected/type) _____

e.g. engine room/CO_2 _____

Portable extinguishers (number/type) _____

e.g. 2 / 20lb dry chem. _____

_____

The undersigned hereby certifies that sufficient safety arrangements will be made as necessary for the safety of the lives of passengers on board in case of accident.

_____

Master, Owner, or Agent

FOOTNOTES:

1. "Public Vessel" means a vessel that is owned, or demise chartered, and operated by the United States Government or a government of a foreign country and is not engaged in commercial service.
2. "Commercial Service" includes any type of trade or business involving the transportation of goods or individuals, except service performed by a combatant vessel.
3. The Coast Guard will request detailed safety information for vessels lacking Flag certification in the form of either IMO certificates (Passenger Ship Safety or Special Purpose Ship Code certificates) or other official designation by the Flag authority.
4. A Certificate of Financial Responsibility (COFR) is required for all self-propelled (motor or sail) vessels over 300 gross tons, with the exception of public vessels.
5. "Moored Attraction Vessel" means a vessel that takes on passengers while moored and charges for admission. Such vessels are subject to inspection as passenger vessels; Coast Guard Moored Attraction Vessel policy will apply.

DEPARTMENT OF TRANSPORTATION
U.S. COAST GUARD
CG-949 (Rev. 4-97)

PERMIT TO CARRY EXCURSION PARTY

FORM APPROVED
OMB
NO. 2115-0578

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number.

The Coast Guard estimates that the average burden for this report is 5 mins. You may submit any comments concerning the accuracy of this burden estimate or any suggestion reducing the burden to: Commandant (G-MOC), U.S. Coast Guard, Washington, DC 20593-0001 or Office of Management and Budget, Paperwork Reduction Project (2115-0578), Washington, DC 20503.

INSTRUCTIONS

1. This permit must be framed under glass and exposed near the Certificate of Inspection and surrendered when required by inspectors in the zone in which this permit is issued.
2. Distribution *(A transmittal letter is not needed):*
   a. Original copy shall be issued direct to master, operator, owner, or agent of the vessel. *(Additional copies may be obtained by the master, operator, owner, or agent of the vessel upon proper request to the issuing OCMI.)*
   b. First copy shall be delivered to the Collector of Customs for the district in which the permit is issued.
   c. Second copy shall be forwarded to the Commandant (MVI) via the appropriate Coast Guard District Commander.
   d. Third copy shall be retained by the issuing office.

NAME OF VESSEL: FOREIGN FORERUNNER

OFFICIAL OR AWARD NO.: L1234567

HOME PORT: Anywhere, Earth

GROSS TONS: 298

ROUTE AND SPECIAL CONDITIONS

This is a SPECIAL PERMIT allowing the above vessel to be engaged in passenger-carrying excursions during (insert name of event), a Marine Event of National Significance. This vessel shall, at all times, be operated in compliance with the safety certificates dated (insert date) issued by the (insert flag authority) and with the terms/conditions specified by this permit. In accordance with the special authorization given by (insert flag authority) dated (insert date), this vessel may carry up to 28 additional sail trainees while operating on inland voyages and during parades of sail, allowing for a combined total of 100 trainees. At all other times, the vessel may carry a maximum of 12 passengers & 60 sail trainees. The operator has been advised of the coastwise trade restrictions that apply when carrying passengers. Child-size lifejackets must be provided for each child on board.

LIFESAVING EQUIPMENT

1. PRIMARY LIFESAVING EQUIPMENT

TYPE	REQUIRED BY CERTIFICATE OF INSPECTION		ADDITIONAL EQUIPMENT REQUIRED		TOTAL EQUIPMENT REQUIRED	
	NUMBER	CAPACITY	NUMBER	CAPACITY	NUMBER	CAPACITY
a. Lifeboats	2	100			2	100
b. Life Rafts			1	25	1	25
c. Life Floats					0	0
d. Buoyant Apparatus					0	0
e. Other					0	0

2. OTHER LIFESAVING EQUIPMENT

TYPE	REQUIRED BY CERTIFICATE OF INSPECTION	ADDITIONAL EQUIPMENT REQUIRED	TOTAL EQUIPMENT REQUIRED
a. Life Preservers, Adults'	90	28	118
b. Life Preservers, Children's			0
c. Wood Floats			0
d. Other			0

TOTAL PERSONS ALLOWED

PASSENGERS ALLOWED BY CERTIFICATE	ADDITIONAL PASSENGERS	TOTAL PASSENGERS	CREW	TOTAL PERSONS ALLOWED
72	28	100	18	118

The above named vessel is hereby permitted to carry the excursion party indicated above, on the route specified, on or between the following dates:

5/15-7/31/2000

DATE	INSPECTION ZONE	SIGNATURE, OFFICER IN CHARGE, MARINE INSPECTION
5/15/2000	San Juan, PR	

Edition 4-59 may be used

DEPARTMENT OF TRANSPORTATION U.S. COAST GUARD CG-949 (Rev. 4-97)	**PERMIT TO CARRY EXCURSION PARTY**	FORM APPROVED OMB NO. 2115-0578

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number.

The Coast Guard estimates that the average burden for this report is 5 mins. You may submit any comments concerning the accuracy of this burden estimate or any suggestion reducing the burden to: Commandant (G-MOC), U.S. Coast Guard, Washington, DC 20593-0001 or Office of Management and Budget, Paperwork Reduction Project (2115-0578), Washington, DC 20503.

INSTRUCTIONS

1. This permit must be framed under glass and exposed near the Certificate of Inspection and surrendered when required by inspectors in the zone in which this permit is issued.
2. Distribution *(A transmittal letter is not needed):*
   a. Original copy shall be issued direct to master, operator, owner, or agent of the vessel. *(Additional copies may be obtained by the master, operator, owner, or agent of the vessel upon proper request to the issuing OCMI.)*
   b. First copy shall be delivered to the Collector of Customs for the district in which the permit is issued.
   c. Second copy shall be forwarded to the Commandant (MVI) via the appropriate Coast Guard District Commander.
   d. Third copy shall be retained by the issuing office.

NAME OF VESSEL	OFFICIAL OR AWARD NO.
DOMESTIC DOMINATOR	D123456
HOME PORT	**GROSS TONS**
Anywhere, USA	150

ROUTE AND SPECIAL CONDITIONS

This is a SPECIAL PERMIT allowing the above vessel to be engaged in passenger-carrying excursions while participating in (insert name of event), a Marine Event of National Significance.
This permit supplements the vessel's existing (e.g. Sailing School Vessel) COI to allow for the carriage of up to 25 passengers on inland voyages and during parades of sail and up to 12 passengers on near-coastal voyages, not more than 20 miles from a harbor of safe refuge. When passengers on board, this vessel shall be operated in accordance the terms and conditions of both the existing COI and this SPECIAL PERMIT.

If children are carried, child-size life preservers must be available for each child.

LIFESAVING EQUIPMENT

1. PRIMARY LIFESAVING EQUIPMENT

TYPE	REQUIRED BY CERTIFICATE OF INSPECTION		ADDITIONAL EQUIPMENT REQUIRED		TOTAL EQUIPMENT REQUIRED	
	NUMBER	CAPACITY	NUMBER	CAPACITY	NUMBER	CAPACITY
a. Lifeboats					0	0
b. Life Rafts	2	50	1	25	3	75
c. Life Floats					0	0
d. Buoyant Apparatus					0	0
e. Other					0	0

2. OTHER LIFESAVING EQUIPMENT

TYPE	REQUIRED BY CERTIFICATE OF INSPECTION	ADDITIONAL EQUIPMENT REQUIRED	TOTAL EQUIPMENT REQUIRED
a. Life Preservers, Adults'	50	25	75
b. Life Preservers, Children's			0
c. Wood Floats			0
d. Other			0

TOTAL PERSONS ALLOWED

PASSENGERS ALLOWED BY CERTIFICATE	ADDITIONAL PASSENGERS	TOTAL PASSENGERS	CREW	TOTAL PERSONS ALLOWED
40	25	65	10	75

The above named vessel is hereby permitted to carry the excursion party indicated above, on the route specified, on or between the following dates:

5/15-7/31/2000

DATE	INSPECTION ZONE	SIGNATURE, OFFICER IN CHARGE, MARINE INSPECTION
5/15/2000	San Juan, PR	

Edition 4-59 may be used

CC. INSPECTION AND CERTIFICATION OF MOORED PASSENGER/ATTRACTION VESSELS

1. Purpose

The purpose of this policy is to set forth procedures for the inspection and certification of temporarily moored attraction vessels as passenger vessels.

2. Discussion

a. Attraction vessels are vessels that are put on public display or used as a platform for a public exhibit and carry "passengers" only while temporarily moored to dock. By charging visitors some form of admission to board, or accepting donations or some other valuable consideration, attraction vessels are subject to U.S. inspection laws as passenger vessels or small passenger vessels. These vessels may operate on an established itinerary, calling on several ports for brief periods of time. Attraction vessels may be of unique or unusual design, have some historical significance, be restored or constructed as replicas of former vessels or provide some related maritime interest to the public. Generally, the design or construction of an attraction vessel precludes conformance with or retrofitting to meet U.S. passenger vessel requirements without damaging the originality of the vessel.

b. The term "passenger" as used in this policy is the same as defined in 46 USC 2101(21)(A).

3. General Policy

a. In recognition of the reduced safety risks associated with a vessel that is moored to a fixed structure, an attraction vessel may be issued a Certificate of Inspection (COI) to permit operation as a passenger vessel if the OCMI is satisfied that the vessel can operate safely while moored. A COI may be issued under this policy with a period of validity up to one year and will contain specific operating restrictions, including those addressing local conditions. An attraction vessel with a valid COI issued under this policy that relocates in another OCMI zone will undergo subsequent reinspection by the cognizant OCMI to determine the need to specify operating restrictions based upon local port conditions.

b. Regardless of the period of validity of the COI, an attraction vessel will be considered to be operating under the terms of its COI only while it is moored at the location(s) and during the period authorized, as specifically endorsed on the COI by the OCMI.

4. Applicability

These guidelines apply to a vessel meeting the following criteria:

a. A U.S.-flag vessel that is either uninspected or, if inspected, lacks authorization on its COI for the carriage of passengers. Or, a foreign-flag vessel that does not possess a valid SOLAS Passenger Ship Safety Certificate.

b. The vessel is visiting a port or place for a limited period of time.

c. The vessel is not permanently moored.

d. A charge for admission or some form of compensation or consideration from visitors is required, expected, or accepted in conjunction with boarding.

e. Passengers are not carried while the vessel is underway or while the vessel is at anchor.

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5. Duration of Operation in a Zone

This policy is not intended to permit a vessel to circumvent vessel inspection laws by operating as a passenger vessel while moored for an indefinite period of time in the same general area. A period of approximately one month at the same location or port area is considered reasonable, but in unusual circumstances, OCMIs may permit a brief extension of the initial period. An OCMI shall, when issuing or amending a COI issued pursuant to this policy, specify in the operating details of the COI the dates when and place(s) where in the OCMI's zone the vessel is permitted to operate.

Jones Act Status

a. Jones Act Status. U.S. Customs, in practice, has not considered a foreign-built vessel moving along the coast and charging a fee for exhibition as coastwise trade, provided promotional literature, or articles for sale or exhibit are not loaded and unloaded between coastwise points. If there is doubt as to the applicability of the Jones Act to a particular attraction vessel, prior to issuing a COI, an OCMI may require the vessel operator to obtain a ruling from the U.S. Customs Service, Office of Regs and Rulings, Entry Procedures and Carrier Branch, 1300 Pennsylvania Avenue, Washington, D.C. 20229, Tel (202) 927-2320.

Application for Inspection

b. Application for Inspection. To apply for inspection as an attraction vessel, the owner or operator of an uninspected or foreign vessel will submit an application for inspection to the cognizant OCMI. Accompanying the application for inspection, the owner or operator must submit additional vessel information per paragraph 7.a. and a port operating plan containing port specific information per paragraph 7.b. If the vessel will be operating on an itinerary and calling in other OCMI zones, the owner or operator should arrange for reinspection in subsequent ports, but need only submit a port operating plan in advance. A U.S. inspected vessel not in passenger service will be required to submit an application for inspection and information to the OCMI as specified in paragraph 12.

Additional Vessel Information and Plans Required

c. Additional Vessel Information and Plans Required. Accompanying the application for inspection, the owner or operator shall provide the following information to the OCMI:

(1) A copy of the vessel's fire control plan and/or structural fire protection plan, if such plans are available.

(2) If a fire control plan in accordance with SOLAS 74 (as amended), Chapter II-2, Reg. 20 is unavailable, a basic plan should be provided, indicating the locations and types of all emergency response or safety-related equipment available on the vessel, including fire fighting, damage control, and lifesaving equipment.

(3) Proposed maximum number of passengers to be permitted aboard the vessel, including the calculations used for determining the maximum number of passengers.

(4) Results of the most recent hull examination, if any, including an assessment/testament as to the condition of the hull.

(5) Copies of any applicable certificates issued by other OCMIs, the vessel's home Administration, or a recognized classification society (e.g., Load Line, SOLAS, etc.).

(6) The minimum number of crewmembers to be aboard the vessel during hours of operation and an explanation of their job descriptions and qualifications.

(7) Amounts, types and stowage of any flammable or combustible liquids including fuel aboard the vessel.

(8) The proposed (general) itinerary of the vessel while in U.S. waters, including ports, dates of arrival and departure.

Submission of Port Operating Plans

d. Submission of Port Operating Plans. A Port Operating Plan shall be submitted to the OCMI conducting the inspection for certification and to the OCMI for each subsequent zone where the vessel will be operating. The Port Operating Plan will provide detailed information concerning a vessel's intended operations while in each respective OCMI zone. Each Port Operating Plan should include the following information:

(1) Approximate dates when the vessel will operate in the OCMI's zone.

(2) Location(s) in the OCMI's zone where the vessel will operate.

(3) Proposed hours of operation during which passengers would be permitted on board.

(4) Proposed method for mooring the vessel.

(5) Means of access/egress for passengers.

---

8. Inspection for Certification

The inspection for certification of an attraction vessel should be oriented towards identifying potential hazards to passengers on board that vessel while moored to a pier. In this respect, the requirements and scope of the inspection are significantly less than that for inspection of a vessel carrying passengers underway. The following provides general and specific requirements, particular areas of concern, and suggested equivalent standards of safety for moored attraction vessels.

Pollution Regulations

a. Pollution Regulations. Attraction vessels shall comply with the requirements for pollution prevention and marine sanitation devices as found in 33 CFR 151, 155, 156 and 159.

Decks, Rails, and Stairs

b. Decks, Rails, and Stairs. Deck areas, stairs and ladders will be free from tripping, slipping and falling hazards to passengers. The OCMI may apply the standards for heights of deck rails from the regulations for small passenger vessels in 46 CFR, Subchapter T.

Gangways (or Brows)

c. Gangways (or Brows). Gangways should be suitably sized and located to accommodate passenger/crew escape in the event of an emergency. Depending upon vessel arrangement and size, and width of the gangway, the OCMI may require the installation of two or more gangways. Inspectors should closely scrutinize any gangway that is attached to the side of a vessel, in lieu of being supported by a gunwale or other deck support. Unless properly designed to accommodate the service load and the dynamic forces resulting from tidal changes and vessel surge, the mounting brackets used to attach the gangway to the side of the vessel are subject to potential failure, presenting a serious safety risk to persons using the brow. When side-mounting brackets are used, a redundant means for securing the gangway shall be provided. This may be accomplished by use of ropes, chains or cables attached to a secure structure or fitting on deck, which could support the brow in the event of failure of the side brackets. Regardless of design and securing arrangements, OCMIs should consider requiring the installation of safety nets below all gangways, where practicable.

Lighting

d. Lighting. Interior lighting in areas accessible to passengers should be adequate to the extent that portable lighting equipment should not be necessary. If emergency lights are not installed, guides or crewmembers on watch during hours of operation may be required to carry suitable portable lighting. If the vessel operates at night, there shall be exterior lighting of sufficient intensity for illuminating the weather decks and gangway(s).

Electrical Fixtures and Wiring

e. Electrical Fixtures and Wiring. Electrical installations and equipment shall be reasonably safe from fire or electrical shock. For U.S.-flag vessels, inspectors should refer to the electrical standards included in 46 CFR, Subchapter J, K, or T (as appropriate) as a general guide. For foreign-flag vessels, the standards found in SOLAS 74/78 (as amended), Chapter II-1, Regulation 45 should be used.

Means of Escape from Below-Deck Spaces

f. Means of Escape from Below-Deck Spaces. If below deck areas will be accessible to passengers, at least two means of escape should be available, or as an equivalent, the number of passengers permitted below decks or in a space below decks at any given time should be restricted. The OCMI may also require that passengers be escorted by a crewmember in areas below deck. If below-deck areas have no emergency back-up lighting system, crewmembers assigned to escorting passengers must carry flashlights.

Engine room and Bilges

g. Engine room and Bilges. Machinery spaces shall be examined for potential fire hazards. If passengers will be permitted in machinery spaces, the vessel operator shall identify to the inspector any equipment that may be in operation with passengers on board. An examination shall be made to detect slipping and overhead hazards, adequacy of guards for rotating machinery, appropriate insulation of hot pipes or equipment, protection of open switchboards, etc. All pressure vessels shall be identified to the inspector. If, as a result of the examination, areas are considered dangerous to passengers, they shall be declared off limits and required secured during hours of passenger operation. Spaces should also be inspected for evidence of excessive water or oil in the bilges. If such condition exists, it shall be corrected to the satisfaction of the OCMI prior to allowing passengers aboard the vessel.

Fire Fighting Equipment

h. Fire Fighting Equipment. The OCMI shall be satisfied with the amount and type of fire fighting equipment aboard the vessel. The following guidelines will apply to fire equipment requirements:

(1) Fixed fire fighting equipment, if any, and portable extinguishers shall be tested or serviced annually to the satisfaction of the OCMI. OCMIs may accept certificates issued by a professional service provider as evidence of proper servicing.

(2) In determining the number of portable extinguishers required, the OCMI may apply the standards of 46 CFR, Subchapter T, K, or H as appropriate. Portable extinguishers need not be Coast Guard approved but must be of a marine type. The use of water fire bottles is prohibited. Only carbon dioxide, foam or chemical extinguishers suitable for marine application are permitted.

(3) Fire detection and alarm systems, if installed, shall be tested to the satisfaction of the OCMI. Passengers shall not have access to any space protected by fixed gas (CO_2 or Halon) fire extinguishing system unless the space has a time delay and audible warning device that activates prior to releasing the extinguishing agent. Further, the OCMI shall be satisfied that the space has adequate means of escape for the maximum number of passengers permitted in that space at any given time.

NOTE: The OCMI may require that fire drill be conducted as part of the inspection for certification.

Lifesaving Equipment	i.	Lifesaving Equipment. A minimum of two ring buoys with lines shall be provided on board the vessel. Additional ring buoys, with lines as specified by the OCMI, may be required. If the vessel operates at night, ring buoys shall be outfitted with lights.
Means for Retrieval of Persons from the Water	j.	Means for Retrieval of Persons from the Water. The vessel shall have suitable means or a procedure acceptable to the OCMI for the retrieval of persons from the water. The OCMI may require that a man-overboard drill be conducted as part of the inspection for certification.
Hull Condition	k.	Hull Condition. The OCMI shall be satisfied with the condition of the vessel's hull. Where evidence of a satisfactory hull examination or internal structural examination within the past five years is unavailable, the vessel may be required to undergo an appropriate hull examination. In such case, the OCMI may require a drydock examination, underwater survey or internal structural examination, as necessary to gain an adequate condition assessment of the vessel hull.
Mooring Facilities	l.	Mooring Facilities. The vessel's mooring location, equipment and arrangements must be acceptable to the OCMI. An OCMI should consider the location of the vessel in terms of vessel traffic, nearby waterfront facility operations, and accessibility by emergency responders. The general condition of the pier or other structure that the vessel is moored to should be evaluated for the safe transit of passengers and access by emergency vehicles. The risk matrix for permanently moored vessels, as found in MSM II-B4.I.1, may by used as a guide for OCMIs when evaluating mooring arrangements.
Public Address System	m.	Public Address System. Vessels permitting passengers below decks shall have a public address system or equivalent means, acceptable to the OCMI, to alert the crew and passengers to emergencies and possible evacuation.

9. Operating Conditions and Restrictions

The following operating restrictions *may* be imposed, based on the design and construction of the vessel as well as local conditions. In preparing or amending a COI, the OCMI shall use the Vessel File Operating Details (VFOD) in MSIS to specify restrictions.

Fires and Smoking

a. Fires and Smoking. Generally, smoking or cooking using an open flame should not be permitted during hours of passenger operation on vessels that do not meet structural fire protection standards for passenger vessels. This restriction may be relaxed for vessels possessing a Coast Guard COI for service other than a passenger vessel, or for foreign vessels having a valid SOLAS Cargo Ship Safety Certificate or a Special Purpose Ship Safety Certificate issued in accordance with IMO Resolution A.534(13).

Means of Access to the Vessel

b. Means of Access to the Vessel. The vessel shall be required to maintain a clear area around the gangway(s) to facilitate evacuation of passengers and access for emergency personnel and equipment.

Passengers Permitted

c. Passengers Permitted. The number of passengers on board shall be limited as determined by the OCMI. The OCMI may apply standards from 46 CFR, Subchapter T regarding deck area, rail space or fixed seating, or use stability information on the vessel, if available. The number of passengers permitted may be restricted based upon the number of crewmembers aboard the vessel available to respond to an emergency, adequacy of escape route(s) or width/number of gangway(s). Passengers shall not be permitted to remain overnight or go aloft in rigging.

Emergency Plans

d. Emergency Plans. OCMIs shall require the vessel owner or operator to develop emergency action plans to address evacuation of passengers in the event of an emergency on board and procedures for responding to passenger injury. This may include a requirement to submit a copy of a general arrangement plan of the vessel to assist the local fire department or other emergency responders. The OCMI should, as a matter of routine, notify the local fire department regarding an attraction vessel operation and encourage a familiarization visit to the vessel.

Communications

e. Communications. As a minimum, the vessel should have some form of radio or telephone communications available for emergencies, either on board or reasonably available on the pier. Public pay phones are not considered an acceptable alternative. Also, a listing of local phone numbers for Coast Guard, fire department, policy and other emergency services should be readily available.

10. Crew Assignments

Evaluation of Manning Adequacy

a. As part of an inspection for certification, the OCMI shall evaluate the crew assignments submitted by the vessel operator to determine if the number of personnel on duty is adequate for crowd control, emergency response and, if required, escorting passengers. The number of crewmembers required on board and on duty while conducting passenger operations should be based upon the following minimums:

(1) A person in charge, having authority over the vessel operation and crew, shall be assigned.

(2) A person shall be stationed in the immediate proximity of each gangway to monitor the arrival and departure of passengers.

(3) Additional personnel as necessary for escorting passengers below decks or maintaining a roving safety/fire watch.

Reduced Manning

b. Reduced Manning. The OCMI may authorize a reduced number of crewmembers on duty depending upon the number of passengers on board and the configuration of the vessel. This reduction may be contingent upon the vessel operator demonstrating that there are means to adequately monitor the number of passengers on board at any given time.

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11. U.S. Inspected Vessels Operating As Attraction Vessels

A U.S. vessel that possesses a valid COI as other than a passenger vessel or small passenger vessel and desires to operate as an attraction vessel shall be inspected to the extent necessary to determine that the vessel can safely accommodate the number of passengers requested. Upon requesting inspection, the vessel operator shall indicate the number of passengers requested, number of crewmembers aboard and job description, and provide a Port Operating Plan as specified in paragraph 7.b. The vessel's existing COI shall be amended to address special operating conditions that may be imposed while the vessel is operating as an attraction vessel.

---

12. Operation in Other OCMI Zones

Vessels that will operate in more than one OCMI zone are subject to a "reinspection" prior to commencing operation in a new zone to satisfy the OCMI that the vessel is safe for the intended operation. In general, OCMIs should employ the conditions of a previous OCMI, but may impose additional operating restrictions more suitable to local conditions. In so far as possible, OCMIs should be consistent in their application of conditions and restrictions. The first OCMI who has contact with a vessel that will operate in other zones should obtain the vessel's itinerary (see 7.a.(8)) and notify the other OCMIs of the vessel's intentions.

MSIS

a. MSIS. OCMIs shall employ MSIS to enter vessel particulars, record inspection activities and deficiencies, and issue COIs. Detail products in the vessel file (e.g., portable fire fighting and lifesaving equipment) shall be entered to the extent necessary to reflect equipment requirements on the COI. Also, an inspection note should be entered in MSIS indicating the vessel's last hull examination date, regardless of whether the examination was attended by Coast Guard inspectors.

Vessel Inspection User Fees

b. Vessel Inspection User Fees. Because moored attraction vessels are issued Certificates of Inspection, they are subject to paying vessel inspection user fees, unless otherwise exempted. The qualifications for exemption are included in 46 CFR 2.10-5

NOTE: These regulations were amended 21 April 1997 and are reflected in the 1998 version of the CFR.

Referencing the list of fees included in 46 CFR 2.10 (Table 2.10-101), attraction vessels measuring less than 100 gross tons will be assessed fees as "small passenger vessels"; attraction vessels of 100 gross tons or more will be assessed fees as "other" vessels.

DEPARTMENT OF TRANSPORTATION U.S. COAST GUARD CG-3752 (Rev. 4-97)	**APPLICATION FOR INSPECTION OF U.S. VESSEL**	FORM APPROVED OMB NO. 2115-0007

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number.

The Coast Guard estimates that the average burden for this report is 15 mins. You may submit any comments concerning the accuracy of this burden estimate or any suggestion reducing the burden to: Commandant (G-MOC), U.S. Coast Guard, Washington, DC 20593-0001 or Office of Management and Budget, Paperwork Reduction Project (2115-0007), Washington, DC 20503.

Address to reply to:

TELEPHONE NUMBER:

DATE:

TO: Officer in Charge, Marine Inspection

Marine Inspection Zone _____

The undersigned applies to have the ☐ Steam Vessel ☐ Motor Vessel

☐ Motorboat ☐ Barge ☐ Other *(Indicate)* _____

named _____ Official or Award No. _____

inspected under the laws of the United States; to be employed as a ☐ Passenger Vessel *(No. of Passengers* _____ *)*

☐ Cargo Vessel ☐ Tank Vessel ☐ MODU ☐ Other *(Indicate)* _____

on the following route: *(Waters, Geographical limits)* _____

_____

Liquid cargo in bulk ☐ will ☐ will not be carried as follows:

☐ Flammable or Combustible *(Indicate grade)* _____

☐ Chemicals *(Indicate)* _____

Length of vessel _____ ft.

Hull material: ☐ Steel ☐ Other *(Indicate)* _____

Vessel will be at *(Port, Pier, etc.)* _____

The current Certificate of Inspection expires on _____ .

Inspection is desired on _____ .

Cargo Ship Safety Construction Certificate to be issued by ☐ ABS ☐ USCG.

Vessel ☐ is ☐ is not to be classed.

If classed, indicate Classification Society: ☐ ABS ☐ Other *(Indicate)* _____

I CERTIFY that previous application for this inspection ☐ has ☐ has not been made. I further certify that I have instructed the master to present the vessel ready in all respects for the above requested inspection on the date specified. I understand that if this inspection is to be conducted at foreign port or place the vessel owners will be billed for the costs incurred in accordance with 46 USC 385b-1.

(Signature) _____

(Title) _____

PREVIOUS EDITION IS OBSOLETE

U.S. Department of Transportation
United States Coast Guard

Commandant
United States Coast Guard

2100 Second Street, S.W.
Washington, DC 20593-0001
Staff Symbol: G-MSO-2
Phone: (202) 267-1181
FAX: (202) 267-4570

COMDTPUB 16700.4
NVIC 8-00
June 22, 2000

NAVIGATION AND VESSEL INSPECTION CIRCULAR NO. 8-00

Subj: NVIC 8-00, GUIDANCE REGARDING ENFORCEMENT OF THE INTERNATIONAL CONVENTION FOR SAFE CONTAINERS (CSC), 1972, FOR FREIGHT CONTAINERS WITH ONE DOOR REMOVED

1. PURPOSE. The purpose of this Circular is to provide guidance regarding the transportation of commodities in existing and new freight containers meeting the CSC construction and inspection requirements, where one door has been specifically removed from a container design to provide extra ventilation for general cargoes being transported. The action of physically removing one of the aft doors of a two-door CSC approved freight container is considered a modification to the existing container design, unless the unit was initially tested for such transportation operations as required by the CSC approval regulations. In such cases where a freight container was built for dual operation (one-door-off and two-door operation), the CSC Approval Plate attached to the container's door would be marked to show the minimum allowance for use in one-door or two-door transportation operation.

2. DIRECTIVES AFFECTED. None.

3. BACKGROUND.

a. During 1998, the U.S. Coast Guard Marine Safety Offices in the northwestern ports of the United States recognized that existing CSC freight containers were being modified by having one door removed when carrying general cargoes of fruits, vegetables and plants. In place of the container door, spaced wooden battening materials were secured to allow openings for extra ventilation needed for the cargoes to remain fresh. This eliminated the need for refrigerated freight containers. It was recognized that this practice of removing a door from an existing container, required a determination as to whether the freight container design needed to be re-tested due to such a modification, as discussed in regulation 11 of the CSC. Meetings were held with representatives of container owners, lessors and port authorities to discuss the consequences of this

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	a	b	c	d	e	f	g	h	i	j	k	l	m	n	o	p	q	r	s	t	u	v	w	x	y	z
A																										
B		2	10		1			1						132	1		5									30
C					*							1	*													
D	1	1		1*							1	*														
E														2	2											
F	1		1								1															
G																										
H																										

NON-STANDARD DISTRIBUTION: (See page 3.)

practice and the needs of the producers to export their products.

b. During these meetings and discussions with the maritime industry, a major U.S. freight container owner volunteered to complete CSC re-testing of a number of existing containers with one-door-off modifications. Specifically, these existing containers would be tested regarding their capabilities and limitations for meeting CSC stacking and racking requirements. During the time these tests were being completed, Commandant (G-MSO) issued a letter of policy that the transportation of goods in one-door-off containers could continue unhampered, if:

1) these existing freight containers had their CSC Approval Plate in clear sight on the remaining attached aft door of the container; and

2) these existing freight containers used in one-door-off operations were only top-stowed in container stacks on vessels, where there would be little if any racking or stacking stresses placed upon them.

4. DISCUSSION

a. Testing completed on existing containers with one door removed, showed that the container could not meet the stacking and racking test criteria of the CSC, for approval of unrestricted use in a one-door-off cargo transport operation. As a result, existing containers will not be allowed to operate in one-door-off operations for transport of cargoes unless they have been re-tested for a one-door-off modification, and the CSC Approval Plate is marked showing any operational limitations of the container used with one door removed.

b. Industry is designing, constructing and replacing existing containers with newer freight container designs which have passed one-door and two-door test requirements. These newer designs are marked on their CSC Approval Plates indicating their capabilities in either transport configuration.

5. ACTION.

a. All container owners, lessors and container vessel operators shall ensure that any freight container placed in international transport operations will at all times have a visible CSC Approval Plate on an aft door of the freight container which properly displays the unit's minimum safe transportation capabilities. Any modification to a CSC approved freight container will require that the container design be re-tested to ensure that the modifications have not weakened the original design capabilities and the container design meets the CSC marked minimum operation standards shown on its CSC Approval Plate.

b. If an existing CSC approved freight container, that has not been tested for operation with one door removed, is placed in one-door-off transport operations, it may be allowed for use **only** if top-stowed on the vessel. If the CSC container modification

testing for one-door operation has been completed, it should be ensured that the modified freight container design is noted on the freight container's CSC Approval Plate for both two-door and one-door transport operations. This allowance will affect only an existing CSC approved general freight container built and delivered before June 1, 2000. This allowance for one-door-off operations can only be used when an existing container is transporting fruits, vegetables or other general produce cargoes, and proper dunnage is secured in the open door space at the aft end of the container so cargo cannot fall out. Such an allowance will not be recognized on any existing freight container for the transportation of dangerous goods or liquids of any kind.

c. A new container, i.e., those units constructed and delivered on or after June 1, 2000, shall not be allowed this variance to the CSC modification requirements. A new freight container shall be tested for one-door-off operation and have its CSC Approval Plate marked with the minimum operational requirements, or the container will be detained for non-compliance with the CSC for international transportation of goods under 49 CFR part 453.

d. Cognizant U.S. Coast Guard Officers In Charge, Marine Inspection (OCMIs), and Captains of the Port (COTPs), shall ensure that this allowance for one-door-off transportation use of an existing CSC approved freight container is given the widest dissemination, especially during industry days and within safety office newsletters.

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Acting Assistant Commandant for Marine
Safety and Environmental Protection

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