

**HMS Advisory Panel
Bethesda, MD
September 2012**

**Office of Commercial Vessel Compliance
Fishing Vessel Division
U.S. Coast Guard Headquarters**



**Coast Guard Authorization Act of 2010
(Public Law 111- 281)**

**UPDATE: NEW REQUIREMENTS
FOR
COMMERCIAL FISHING INDUSTRY VESSELS**



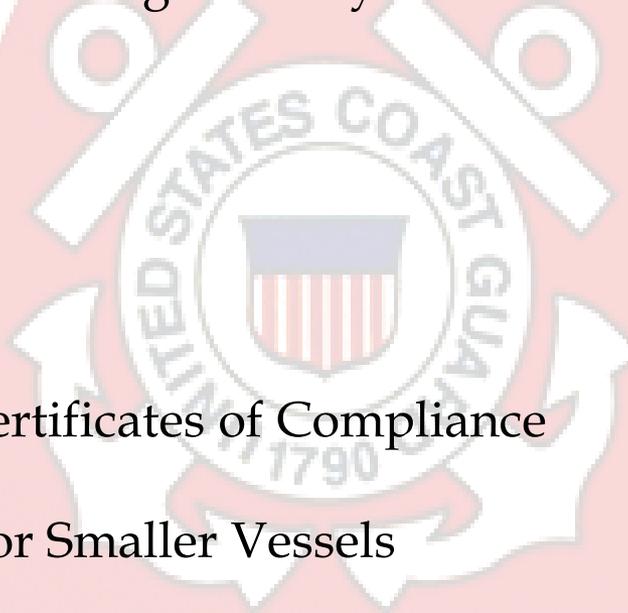
IN REVIEW

What the Law did:

Section 604, 608 and 609 of the “Coast Guard Authorization Act of 2010,” (P.L. 111-281) signed into law on 15 October 2010, made numerous changes to Chapter 45 of Title 46 United States Code (U.S.C.) [46 USC 4502-4508], “Uninspected Commercial Fishing Industry Vessels” and Chapter 51, “Load Lines.”

Areas Impacted:

- Parity for All Vessels
- Survival Craft
- Records
- Vessel Examinations & Certificates of Compliance
- Training for Operators
- Construction Standards for Smaller Vessels
- Load Line Requirements
- Classing of Vessels
- Other Provisions (Training/Research Grants & CFSAC)
- Replacing Boundary Line with Three Nautical Miles from Baseline



GOING AHEAD

Regulatory Strategy:

- USCG intends to publish an **Interim Rule**:
 - > Deemed fastest means for implementation
 - > Rule language will follow Authorization Act verbiage to the letter; no discretionary language
 - > Will utilize “Good Cause” exemption to APA since delays would frustrate the rule’s purpose and would be contrary to the public interest
 - > Defers the need for notice-and-comment procedures (Comments after)
 - > Allows for statutes to become enforceable
 - > Final Rule to follow after public meeting and comment period to provide discretionary and interpretive language to regulations

GOING AHEAD

Timeline for Requirements:

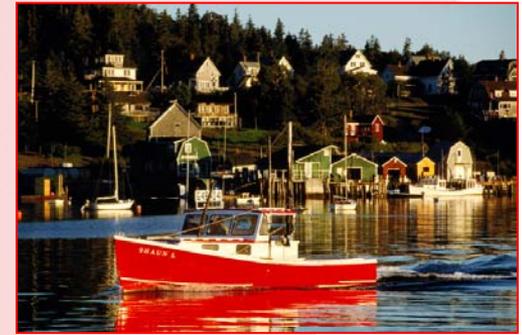
- Construction standards for vessels under 50 feetApplicable January 1, 2010
- Load lines required for vessels 79 feet or greater, built afterJuly 1, 2012
- Survey and classification on vessels 50 feet or Greater, built afterJuly 1, 2012
- Buoyant apparatuses and life floats no longer allowable.....January 1, 2015
- Develop an Alternate Safety Compliance Program for vessels at least 50 feet in length, built before July 1, 2012, and over 25 years of age by.....January 1, 2017
- Vessel above must comply with an Alternate Safety Compliance Program described above by(**).....January 1, 2020

** Owners of more than 30 vessels subject to an Alternate Safety Compliance Program must meet program requirementsJanuary 1, 2030

++ Rulemaking is a deliberative process that requires an extensive amount of review. The Interim Rule must be finalized/cleared through the USCG, DHS and OMB before publication.

GOING AHEAD

Thinking of building a new fishing vessel?



The law affects the construction of new fishing vessels that **operate beyond 3 nm from the baseline** from which the territorial sea of the United States is measured or 3 nm from the coastline of the Great Lakes.

The vessels are grouped and/or identified as follows:

- Vessels less than 50' **overall** in length built after January 1, 2010
- Vessels 50' **overall** in length or greater built after July 1, 2012
- Vessels 79' or greater in length, and built after July 1, 2012

* **Overall length can differ from registered length**

CLASSIFICATION SOCIETY CONTACT INFORMATION:

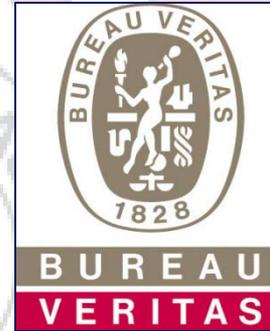
American Bureau of Shipping (ABS):

Mr. Tom Ingram
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tingram@eagle.org



Bureau Veritas (BV):

Mr. Wade Stoner
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wade.stoner@us.bureauveritas.com



Det Norske Veritas (DNV):

Mr. Joar Bengaard
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Lloyd's Register (Lloyds):

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ches.king@lr.org



AMERICAN BOAT & YACHT COUNCIL (ABYC) and BOAT BUILDER HANDBOOK INFORMATION:

American Boat and Yacht Council:

Mr. John Adey

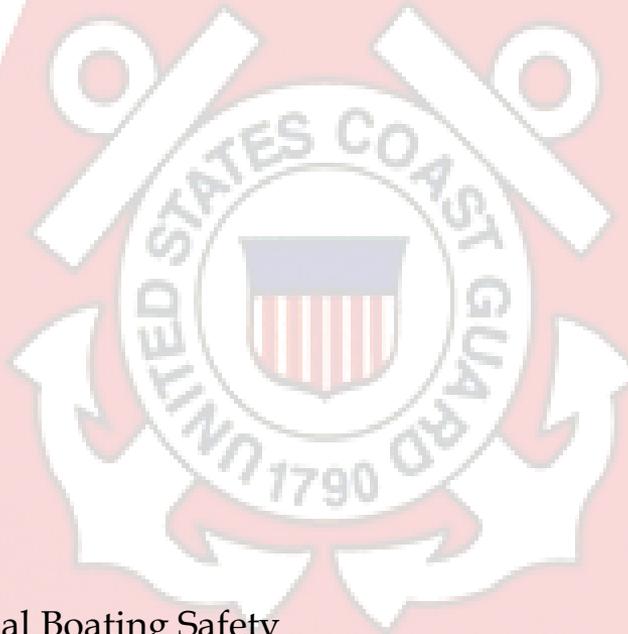
(401) 990-4460 Ext: 117

jdey@abyncinc.org

Boat Builders Handbook:

Copy available online at the recreational Boating Safety
website:

www.uscgboating.org



U.S. COAST GUARD CONTACT INFORMATION:

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Websites:

www.FishSafe.info

Homeport.uscg.mil

Federal eRulemaking Portal:

www.regulations.gov



Coast Guard Authorization Act of 2010 (Public Law 111-281)

QUESTIONS?

<http://www.fishsafe.info/>

http://www.fishsafe.info/Notice_CFVSExaminationRequirement.pdf