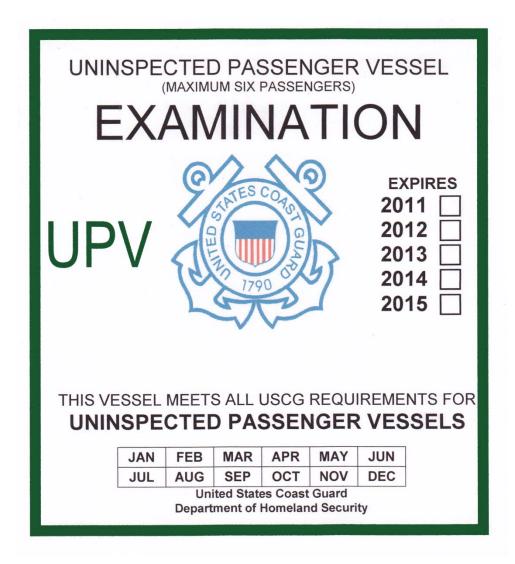


UPV Examiner Training Uninspected Passenger Vessel





You are about to be trained to become a small select group of Auxiliary Examiners that will become qualified to issue a USCG examination decal to vessels run by knowledgeable professional USCG licensed operators. Your knowledge and actions will reflect on the USCG as well as on the Auxiliary. When in doubt, contact your Program Manager for guidance.

Remember this is as much a check of compliance to regulations as it is an educational opportunity



UPV Training Uninspected Passenger Vessel



Materials you should have:

- (1) SSENE Instruction
- (2) UPV Examination sheets & Envelope
- (3) ANSC 7038 (01-08) Aux. Vessel Exam Report
- (4) Additional guidance sheet
- (5) UPV PQS Book Rev: 10 April 2010
- (6) Requirements for UPVs Book LANTAREAINST 16710.2 your reference guide with CFRs (corrections included)
- (7) Various forms: Emerg. Check-list/2692B/MIS/PFDs/
- (8) FOR DIRECTORS: MISLE User Guide



UPV Training



Uninspected Passenger Vessel

- They are commercial vessels that are required to be operated by a USCG licensed operator.
- They can carry at least one and no more than
 6 passengers- for-hire.

They have specific regulations contained in

46 CFR / 33 CFR / 49 CFR / 46 USC

Penalties

http://ecfr.gpoaccess.gov/

In accordance with 46 USC 4106, if an UPV is operated in violation of applicable laws and regulations, the owner, charterer, managing operator, agent, master, and individual in charge are each liable for criminal or civil penalties.

The UPV is liable in rem for the penalty. (if unable to pay fine, the vessel is seized)



UPV Program



Chain of Command

Sector Cdr (COTP) **Sector Auxiliary Liaison Officer**

> **Senior Program Director Program Directors UPV** Instructors

> > **UPV** Examiners

Contact #: SECTOR COMMAND - (508) 457-4321



UPV EXAMINER Training



6 Requirements to become a UPV Examiner:

- 1. 2 years experience as a qualified V.E.
- 2. Attend a local training course by a UPV Instructor
- Complete the UPV PQS under supervision of a UPV examiner
- 4. Participate in <u>at least 3</u> UPV Exams with a qualified UPV examiner & You are the lead on one of them
- 5. Conduct <u>at least 1</u> UPV exam under the supervision of a UPV instructor or a Program Director
- 6. Pass a UPV Oral Exam Board



UPV EXAMINER Training



Maintaining Proficiency as a UPV Examiner:

- Participate in at least 5 UPV exams a year
- If you do not do your 5 exams per year, you will need to do at least one (1) UPV exam with a Qualified Examiner and forward his recommendation letter to have you re-instated as a UPV Examiner to a Program Director or if you have extenuating circumstances, you may request a waiver from the Senior Program Director.





The program is similar to Commercial Fishing Vessel Exam Program

It is a USCG Program, but it is run entirely by the Auxiliary. UPV Examiners are awarding a USCG UPV Decal not an Auxiliary VSC decal.

It is a voluntary program that lets the UPV operator know if they are in compliance with all Federal regulations relative to Uninspected Passenger vessels that are under 100 Gross Tons.





The vessel must conform with all the FEDERAL and STATE requirements for Uninspected Passenger Vessels.

Basically the Federal <u>VSC requirements</u> plus <u>additional requirements</u>

Many of the licensed operators are very professional mariners, and they may think they know all the regulations. That is why you need to know, and be able to show them, the appropriate CFRs that cover each regulation if there are any questions.





Definitions

Demarcation Line:

The regulations in this part established the lines of demarcation delineating those waters upon which mariners shall comply with the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS) and those waters upon which mariners shall comply with the Inland navigation Rules. The waters inside the lines are Inland Rules waters. The waters outside the lines are COLREGS waters. 33 CFR 80.01 (a) (b)

BOUNDARY LINE... Used for licensing only. A line drawn that encloses all islands along the coast of the USA.

Merchant Mariner Credential:

An MMC is the credential issued by the Coast Guard under 46 CFR part 10. It combines the individual merchant mariner's document, OUPV license, and certificate of registry enumerated in 46 U.S.C. subtitle II part E as well as the STCW endorsement into a single credential that serves as the mariner's qualification document, certificate of identification, and certificate of service.

TWIC:

A common identification credential for all personnel requiring unescorted access to secure areas of MTSA-regulated facilities and vessels, and all mariners holding Coast Guard-issued credentials such as your OUPV License. Individuals who meet TWIC eligibility requirements will be issued a tamper-resistant credential containing the worker's biometric (fingerprint template) to allow for a positive link between the card and the individual. All workers need to carry your TWIC as well as your license when operating under the identification provisions found in 46 CFR 15.415.

Crewmember:

An individual who is on board a vessel acting under the authority of a license, certificate of registry, or merchant mariner's document issued under this subchapter, whether or not the individual is a member of the vessel's crew; or engaged or employed on board a vessel owned in the United States that is required by law or regulation to engage, employ, or be operated by an individual holding a license, certificate of registry, or merchant mariner's document issued under this subchapter. 46 CFR 16.105 (a) (b). Or any other paid crewmember doing safety sensitive duties.

Def. from Drug Program Regs.





Definitions

Consideration:

An economic benefit, inducement, right, or profit including monetary payment going to an individual, person, or entity, but not including a voluntary sharing of the <u>actual expenses of the voyage</u>, by monetary compensation of fuel, food, beverage, or other supplies. *46 USC 2101 (5a)*

Passenger:

Any person on a vessel, <u>other than</u> the owner or an individual representative of the owner or in the case of a <u>vessel</u> <u>under charter</u>, (<u>bareboat charter</u>) an individual charterer or individual representative of the charterer, <u>master and the</u> <u>members of the crew, or other any other person employed or engaged in any capacity on board a vessel in the <u>business of that vessel</u>. If the charterer can remove crewmembers, then the crewmembers are passengers.

46 USC 2101 (21) and 46 CFR24.10-1.</u>

Note: All persons on board are crewmembers, passengers, or National Marine Fisheries Service official observers. **THERE ARE NO GUESTS OR "OTHER" OBSERVERS.**

Passenger for Hire:

Passenger for whom a consideration is contributed as a condition of carriage whether directly or indirectly flowing to the owner, charterer, operator, agent, or any other person interested in the vessel is a passenger for hire.

46 USC 2101 (21a)

<u>UPV:</u>

A vessel not subject to inspection by the Coast Guard under 46 USC 3301, less than 100 GTs:

- ♦ Carrying no more than six passengers, including at least one passenger for hire, or
- ◆ Chartered with the crew provided by the owner or owner's representative, and carrying six or fewer passengers.

 46 USC 2101(42)(B)





Additional UPV Requirements

UPV Examiner_	Date	Operator	
USCG UNINSPECTED PAS	SENGER VESSEL SA	AFETY EXAMINATION RESULTS	
Vessel Name	Official No	LengthYr Built	
Home Port	Net Tons Gr	oss Tons Max POB	
Propulsion: SAIL I/B GAS O/E (circle one) circle one Colored one Co	CAS DIESEL HP: BOAT DIVING PARA-SAI	Hull: ST ML EG WD* Prior Decal: Y N Tcircle one)	
Route: INLAND UNLINITED Doc/	Reg Endorsement: COMME		
Owner Name		CG Lic. Issue Date	UPV
Address		License Endorsement	
Address		Phone	
Operator Name	INTERNATE A	CG Lic. Issue Date	C
Address		License Endorsement	Summary
Address	KINGSON MANY	Phone_	J
Typical U/W Crew ("X"): Opera	orMate Deckhand	Other Total Crew Number	
Last 4100 Boarding Date	Deficiencies Is	sued	Sheet
CG Examiner's Name		nit	
Exam Location	Hours: E		4 Part Form
As a result of the examination of this Uninspected Passenger Vessel Safety Ex	ressel, the following deficient	ies were noted that prevented the issuance of the	White & Yellow to Program Directo Pink to UPV Examiner Gold to Vessel owner
Congratulations! Your vessel is in full	lease call to schedule a follow is letter should be kept onboar compliance with the U. S. C	-up examination to receive the Uninspected of the vessel. oast Guard's Uninspected Passenger Vessel Safet his Uninspected Passenger Vessel decal number the Uninspected Passenger Vessel decal number than the Un	If there is a failure, UPV examiner keeps the top 3 in tact for 30 days - After two weeks - call the Vessel Owner for a follow up exam

Congratulations! Your vessel is in full compliance with the U. S. Coast Guard's Uninspected Passenger Vessel Safety regulations for the operations described above. As evidence of this, Uninspected Passenger Vessel decal number has been affixed to your vessel. You are urged to maintain the high standards required to receive this decal, and have this vessel re-examined annually. If this vessel is subsequently sold, the decal should be removed.





Additional UPV Requirements

EXAMINER:	Date:	Vessel Re	presentative:	di garend is	rancipaga at	100
	dicates a suggestion – not	a requirement	EVICES	O MOTE	TO.PL	LAM (LL)
. NUMBERING	and helling most on stone, subsline	on 4" lottoulus	46 CFR 67.123	SAT	UN-SAT	NIA
Documented vessels; vessel name a	46 CFIC 67.123	Depted solved				
Documented vessels; vessel name of	on port & starboard bow, minim	ım 4" lettering	46 CFR 67.123			
Documented vessels; Official numb minimum 3" block-type Arabic num	merals.		46 CFR 67.121		ers visible	unio
Not documented; state numbers or permanently marked, contrasting ba	33 CFR 173.27 ABYC T-10.3	KL toro La pit has	erny việ.), – 1. Stanion, số s	90K		
Not documented; validation sticker	displayed (will see on stern)		33 CFR 173.35			
. REGISTRATON / DO Documented vessels; ≥5 net tons (about 25 ft.), documented for co		46 CFR 57.15	S 100 10	Contract of the second	
Documented vessels; original docum (e.g. coastwise trade, recreation) an	46 CFR 57.7/163	ognigotyla	orcasta em	9.00		
Not documented; original state num			33 CFR 173.21	2 3000	an abdurto	10
License & TWIC is in operator's possession (usually in frame hanging on bulkhead) Operator is licensed for waters navigated ***Safficient number of operators for two watches (if voyage over 12 hours) **spection notes: License must be applicable for vessed operation and tomage. Original			46 CFR 26.20-1(a) 46 CFR 15.401 46 USC 8104(b)	(200)	000000	100
				h identifica	tion on lice	nne
igainst ID (e.g. driver's license). <u>Re</u>	toard Scense number. & DOB			h identifica	tton on lice	rase
gainst ID (e.g. driver's license). Re HULL IDENTIFICAT	TION NUMBER	License should be		ANDIS	itan on lice	rasse
gainst ID (e.g. driver's license). Re HULL IDENTIFICAT (Included in block #1 NUMBERING)	TION NUMBER G for documented vessels)	License should be	rigned.	ANDIS	ition on lice	rasse
gainst ID (e.g. driver's license). Re HULL IDENTIFICAT (Included in block #1 NUMBERING). NAVIGATION LIGH	TION NUMBER G for documented vessels)	License should be:	R 181.23 ABYC T-	ANDIS	ition on lice	nse
gainst ID (e.g. driver's license). Be HULL IDENTIFICAT (Included in block #1 NUMBERIN) NAVIGATION LIGH Proper navigation lights	TION NUMBER G for documented vessels)	License should be: 33 CF	R 181.23 ABYC T-	ANDIS	tton on lice	nse
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J. HULL IDENTIFICATION OF THE PROPERTY OF T	TION NUMBER G for documented vessels) TIS OR LINE	33 CFR 33 CFR 33 CFR	R 181.23 ABYC T- 84 ABYC A-16.5.2 84 ABYC A-16.6.5	ANDIS	ition on lice	rase
James ID (e.g. driver's license). In HULL IDENTIFICATION of the license of the li	TION NUMBER G for documented vessels) TIS OR LINE	33 CFR 33 CFR 33 CFR	R 181.23 ABYC T-	ANDIS	ition on lice	rase
In the control of the	TION NUMBER G for documented vessels) TIS DR LINE Int anchor line for area of operating	33 CFR 33 CFR 33 CFR	R 181.23 ABYC T- 84 ABYC A-16.5.2 84 ABYC A-16.6.5	ANDIS	ition on lice	rise
HULL IDENTIFICAT NAVIGATION LIGH Proper navigation lights All around anahor light ANCHOR & ANCHO Solitable for vessel with sufficient SOUND PRODUCING Whistle or hora	TION NUMBER G for documented vessels) TIS DR LINE nt anchor line for area of operating G DEVICE	33 CFR 33 CFR 33 CFR	R 181.23 ABYC T- 84 ABYC A-16.5.2 84 ABYC A-16.6.5	ANDIS	tton on lice	nsce
HULL IDENTIFICAT NAVIGATION LIGH Proper navigation lights All around anahor light ANCHOR & ANCHO Solitable for vessel with sufficient SOUND PRODUCING Whistle or hora	TION NUMBER G for documented vessels) TIS DR LINE nt anchor line for area of operating G DEVICE	33 CFR 33 CFR 33 CFR	R 181.23 ABYC T- 84 ABYC A-16.5.2 84 ABYC A-16.6.5	ANDIS	tion on lice	nse
HULL IDENTIFICA (Included in block #1 NUMBERIN NAVIGATION LIGH Proper navigation light ANCHOR & ANCHO ** Suitable for vessel with sufficient SOUND PRODUCING Whistle or horn sepection notes: Addesse whostle not	TION NUMBER G for documented vessels) TIS DR LINE nt anchor line for area of operating G DEVICE	33 CFR 33 CFR 33 CFR	R 181.23 ABYC T- 84 ABYC A-16.5.2 84 ABYC A-16.6.5	ANDIS	tion on lice	nise
HULL IDENTIFICAT HULL IDENTIFICAT (Inclusied in block #1 NUMBERING NAVIGATION LIGH Proper navigation lights All around anchor light ANCHOR & ANCHO Suitable for vessel with sufficient SOUND PRODUCING Whistle or born supection notes: Athletic whistle not RING LIFE BUOY	TION NUMBER G for documented vessels) TIS DR LINE nt anchor line for area of operating G DEVICE I acceptable for vesselt ≥ 12 men	33 CFR 33 CFR 33 CFR	R 181.23 ABYC T- (84 ABYC A-16.5.2 (84 ABYC A-16.6.5 ABYC H-40.4	ANDIS	ition on lice	ASS
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throwable device, e.g. hunyant cushion. For vessels ≥ 65ft, 3 ring life buoys are required

UPV Check Off Sheets

4 Part Form

White & Yellow to Program Director Pink to UPV Fxaminer Gold to Vessel owner

If there is a failure, UPV examiner keeps the top 3 in tact for 30 days - After two weeks - call the Vessel Owner for a follow up exam

USCG Uninspected Passenger Vessel safety Examination

REMOVE EXAM SHEETS before writing on this exam envelope

ADDITIONAL INFO SHEET for UPV Examinations:	Decal Issued	Decal not issued (open case)					
Date of the Exam: Date En	tered into MISLE:	MISLE Activity No.:					
Director's Approval for entry into MISLE:	& Date:	MISLE entry Person:					
VESSEL NAME:		DOC #/REG #:					
Location of the Vessel: Marina	Slip #:	Phone # of Marina:					
Street:	City:	, State:					
Owner: name:	Phone:	E mail:					
Type of vessel:							
1 st Lead UPV Examiner:		Aux #:					
Assisting UPV Examiner:		Aux #:					
Examiners in training with Aux #:		_					
· · · · · · · · · · · · · · · · · · ·							
AOR:	Emer	g. POC:					
EPIRB DATE: HEX #		HIN #:					
PFDs: # of Adult: # of Child	Battery	Date:					
if Life raft: # of persons	if lifeboat (ding	hy), is always aboard, length:	_ft.				
Fire Extinguishers: # of B-1: B-2:	(B-II needs brace	ket) Fixed system: YES	□ №				
If Decal is issued, any items must be perfected before another decal is issued?							
If the decal is not issued, What needs to be correct	ed? (<u>Be very specific</u>)						

Extra data needed for entry of data into MISLE

DRUG & ALCOHOL PROGRAM CHECKLIST – Examination Items 1). Do crew members know who the Designated Employee Representative (DER) is?	Applicable Regs. 49 CFR 40.3	Yes to issue a D Yes	ecal No
2). Is there a company's policy?	46 CFR 16.401		
 Did crew members receive, or are they aware of, the Employers Drug Policy (Company Policy)? (EAP Education Program) 	46 CFR 16.401		
s). Were Hotline Numbers given to employees, or posted in a common space? EAP Education Program)	46 CFR 16.401		
i). Has supervisory and general crew members received avareness training (EAP)?EAP Training Program)	46 CFR 16.401		
5). Were all crew members pre-employment tested or transferred from another DOT Regulated employer?	46 CFR 16.210		
7). Is there knowledge of where to go or how to get drug and alcohol testing accomplished in the event of a Serious Marine Incident (SMI) ? (2hr testing for alcohol: 32hr testing for drugs)	46 CFR 4.06		
8). Are Alcohol Testing Devices kept onboard? (if no, how do they meet the 2 hr alcohol requirement?)	46 CFR 16.240 46 CFR 4.06		
9). Have any crew members been randomly tested this year?	46 CFR 16.230		
PROGRAM IN Name of Consortium/TPA: or "Self —Run Program"	<u>IFORMATION</u>		
Name of SMI Testing Facility *Must Test Drugs & Alcohol*			
24hr SMI Testing Facility: or			
Drug & Alcohol Program Compliant? Program Compliant items corrected on-scene	Program Not Complia	ant	
46CFR 16.401 Employee Assistance Program (EAP). The employer shall provide an Employee Assistance Program (EAP) for all crewmembe the employer may contract with an entity that will provide EAP services to a crewmen and the employer's supervisory personnel as provided below: (a) EAP education program: Each EAP education program must include at least the for distribution of a community service hot-line telephone number for crewmember assistacholo use in the workplace. (b) EAP training program: An EAP training program must be conducted for the emploteast the following elements: the effects and consequences of drug and alcohol use on the conducted for the emploteast that may indicate drug and alcohol use and abuse; and documentation of training personnel must receive at least 60 minutes of training.	nber. Each EAP must include educ llowing elements: display and dist stance, and display and distributio yer's crewmembers and supervisc n personal health, safety, and wor	ation and training on tribution of information of the employer's poor pry personnel. The trains the environment; the m	drug use for crewmember anal material; display and blicy regarding drug and ining program must includ anifestations and behavio

Drug Program compliance





Federal Requirements that are the same as the VSC

VDS (flares)

Fire Extinguishers

Marine Sanitation Devices

Ventilation

Backfire flame control

Navigation Lights

HIN

Display of numbers

Pollution Placard

MARPOL Trash Placard/ Plan

Navigation rules

Sound Producing Devices/bell

Capacity Plate vessels < 20 ft.

Cert. of Compliance label vessels < 20 ft.

State & Local Requirements

Overall vessel condition





Additional UPV Requirements

Documentation or **State Registration** #2

If the vessel is 5 net tons or more it MUST be Documented with an enrollment in the

COASTWISE trade.

Rule of thumb (any vessel greater than 25 ft)

(there are exceptions to the rule)

FORMULA:

Net Tons =(length of main Deck-Beam)* Beam*D/100 where D is the distance from the main deck to the bottom of the bilge

Any error on COD (other than address of owner) is \$10,000 fine per day the vessel is underway

In RI, If fish are caught from the for-hire vessel they must display a #22

RI Party & Charter Boat Decal issued by the State of RI

or for MA vessels a MA For-Hire Fishing Permit





Additional UPV Requirements

CER	NITED DEPAR U NATIONA	ETMENT OF HOME NITED STATES CO L VESSEL DOCUM	OF AME SECURITY DAST GUARD MENTATION CENTER OCUMEN	ER	Vessel Data
VESSEL NAME SEA HAWK HAILING PORT		OFFICIAL NUMBER 676429 HULL MATERIAL	IMO OR OTHER NUMBER 450-3075	YEAR COMPLETED 1973 MECHANICAL PROPULSION	Sample of
WARWICK, RI GROSS TONNAGE 22 GRT PLACE BUILT LANCASTER, PA	NET TONNAGE	FRP (FIBERGLASS) LENGT	TH BREADTH 35.9 13		Documentation
OWNERS ARNOLD E BUTZIGER		OPERATION COASTWIS	IAL ENCORSEMENTS E	V.C.HE	Papers
					5
MANAGING OWNER ARNOLD E BUTZK 44 BOWEN BRIGG WARWICK, RI 028	S AVE.				
ARNOLD E BUTZK 44 BOWEN BRIGG	S AVE.				"COASTWISE"
ARNOLD E BUTZK 44 BOWEN BRIGG WARWICK, RI 028 RESTRICTIONS	S AVE.				"COASTWISE" Expiration Date





Numbering & Documentation #1 & #2

- •Using at least <u>3 inch block</u> letters, Documentation number must be permanently attached to the vessel proceed with "NO."
- •Using at least 4 inch readable letters,
- 1) Name on exterior part of the BOW (both sides)
- 2) Name and Hailing Port on the exterior part of the stern
- Must have COASTWISE trade endorsement on documentation papers





State Registration #1 & #2

ONLY allowed If the vessel is under 5 net tons,

it cannot be documented and it is a commercial vessel operating under State registration.

If the state has Commercial vessel regulations, they must be adhered to.

The display of State Numbers

is the same as for the VSC

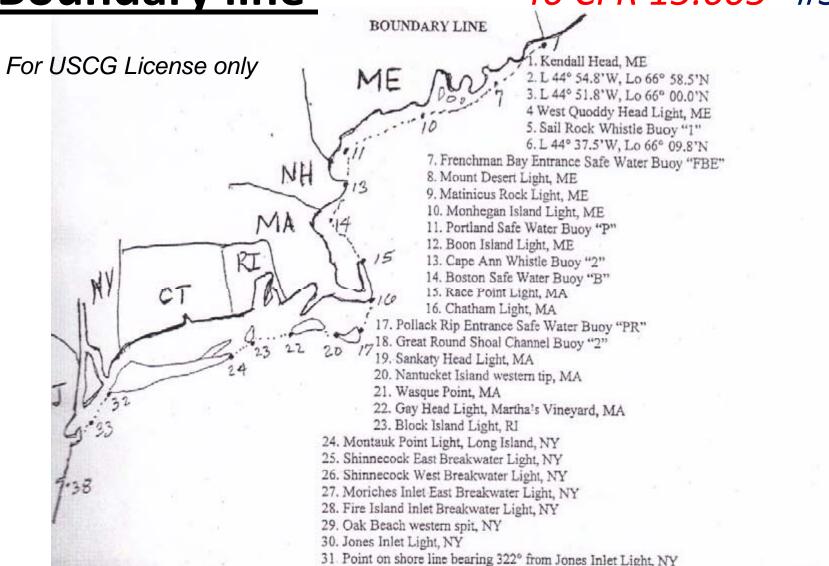
A documented vessel may not display State Numbers





Additional UPV Requirements

Boundary line 46 CFR 15.605 #3



Additional UPV Requirements 46 CFR 15.605 #3

USCG Licenses

BOUNDARY LINE... Used for licensing only. A line drawn that encloses all islands along the coast of the USA.

A License can read for

- 1) Un-Inspected vessels or for Inspected Vessels UPVs are Un-Inspected vessels
- 2) Inland or Near Coastal or Ocean

Licenses types.....

3) MASTER LIMITED Launch operator-

AOR is a small restricted region of operation

- 4) **OUPV** operate only **U**ninspected **P**assenger **V**essels
- 5) MATE or **MASTER** operate Inspected & Uninspected Vessels
- 6) INLAND or **Near Coastal** or Oceans

You cannot go seaward of the boundary line unless the license reads "Near Coastal "or Oceans





PERSONNEL LICENSING ~ 46 CFR 15.605 #3

Every UPV must be under the direction and control of an individual licensed by the Coast Guard. The following rules apply:

- An individual holding a Merchant Mariner Credential (MMC) or license as
 <u>master</u> or pilot <u>of inspected</u>, <u>self-propelled vessels</u> <u>is authorized to serve as</u>
 <u>operator of an UPV</u> within any restrictions other than gross tonnage limitations
 on the individual's license;
- A <u>licensed mate of inspected</u>, self-propelled vessels on the Great Lakes, inland, or rivers of not more than 200 GTs are authorized to serve as an operator of an UPV and <u>must operate in their respective waters only</u>; (<u>see next slide</u>)
- A <u>licensed mate of oceans and coastwise inspected</u>, self-propelled vessels is authorized to serve as an operator of an UPV, within any restrictions other than gross tonnage limitations on the individual's license. 46 CFR 15.905





PERSONNEL LICENSING – (continued) 46CFR Part 10

must operate in their respective waters ...

(where they can operate the UPV?)

OUPV - can operate a 6 pack (or >100 GT -12 passengers)

Master Inland or Mate - can operate a 6 pack

You cannot go seaward of the **boundary line** unless their license says "NEAR COASTAL"

EEZ - US Territorial waters (from 3 NM out to 200 NM) - they need STCW95 to operate a commercial vessel in the EEZ.

<u>Master</u> ... will say operate on... OCEAN or NEAR COASTAL waters will be restricted to domestic voyages and if so then STCW requirements are met!





PERSONNEL LICENSING - 46 CFR 26.20-1 #3

The <u>original</u> Coast Guard MMC or <u>license</u> suitable for the vessel's route and service license <u>must be kept on board</u> and be available for immediate presentation it to Coast Guard officials <u>whenever</u> <u>passengers are being carried for hire</u>.

Any person required to be licensed (MMC), hold a MMD or STCW shall have a valid <u>Transportation</u> <u>Worker Identification</u> <u>Credential</u> <u>only if</u> <u>the vessel has a restricted area</u>. You must have a valid <u>TWIC</u> for initial issue of your MMC 46 CFR 10.113 and 46 CFR 12.01-11.

There is no requirement for mates or other UPV personnel who are not in control of the vessel to hold a Coast Guard license or document.





Additional UPV Requirements

License#

PERSONNEL LICENSING - 46 CFR 26.20-1



Expir Date

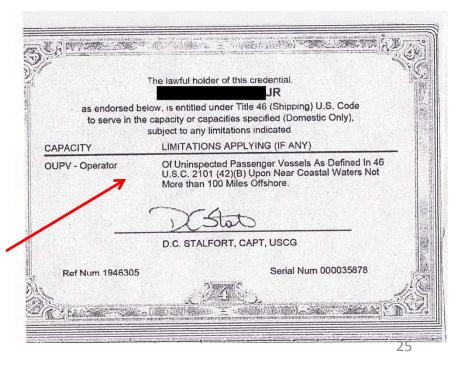
LOOKS LIKE A PASSPORT

License type

restrictions

Sample License









Additional UPV Requirements

PERSONNEL LICENSING - 46 CFR 26.20-1

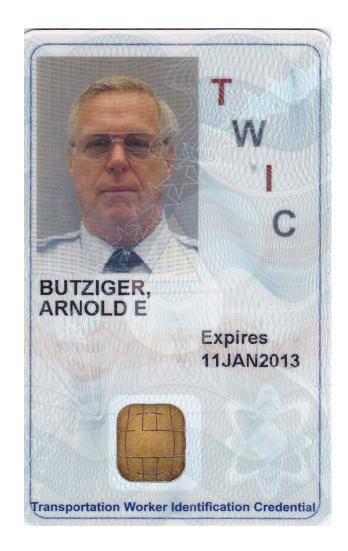


Paper License





PERSONNEL LICENSING - 46 CFR 26.20-1



Only required for initial license

Only required for initial license

Only required for initial license

Nhen you renew - you need an

When you renew - you need an

stating you have

additional form stating you have

Sample TWIC card

Only required for original license or if the vessel has a restricted area December 2011





PERSONNEL LICENSING - 46 USC 8104 (b) #3

A licensed individual <u>may not be required to work more than 12 of 24 hours at sea</u>, except in an emergency when life or property is endangered.

<u>UPVs operating more than 12 hours should have a two-watch system</u>, specifically a second licensed operator. Licensed individuals serving as the operator of a UPV may voluntarily work more than 12 hours in a 24-hour period. *He or she must maintain an adequate watch*. If they have no relief and are too fatigued to stand an alert watch, then that <u>individual would be negligent</u> for failure to maintain an adequate watch.

Charter fishing and dive vessels routinely operating more than 24 consecutive hours with only one licensed operator present significant issues of negligence on the part of the UPV operator or owner for failure to provide an adequate watch.

It has been suggested by some operators that a qualified seaman could be left at the helm while the licensed operator sleeps close by. This is an untenable position. **46 USC 8903** mandates the vessel be operated (under the "direction and control") by a licensed individual; the Coast Guard does not have the discretion to allow any unlicensed seaman to control the vessel without supervision.



Same as VSC

Navigation lights



#5

visible distance

	<12 M	12 -50M	>50 M	
Side light red & green	1 nm	2 nm	3 nm	
Masthead white	2 nm	5 nm	6 nm	
Stern white	2 nm	2 nm	3 nm	
	< 39.3 ft		>164. 0 ft	
	1 meter (M) ~ 3 ft			

Various lighting options allowed under the Navigation Rules

For sail vessels – Masthead light must be able to be turned off while side & stern lights are still light

Make sure the arc of visability is not blocked









Anchors and rode

#6

Suggestion - NOT a requirement

They should be of adequate size, number of anchors and rode. All attachments should have safety wire.

ABYC recommendation H-40.4.3.1

"For boats over 20 feet in LOA, provision shall be made for the deployment of two anchor rodes over the bow."



Same as VSC







Efficient bell and whistle per Navigation Rule 33, Inland and International:

- ♦ UPVs less than 12 meters (39.4 feet) in length must have a means of making an efficient sound signal.
- ◆ UPVs of 12 meters (39.4 feet) and more in length must have a whistle and bell (Note: The bell is not required under the International Rules, but is required if the vessel operates in any area where the Inland Rules apply):
- ♦ UPVs of 12 to 20 meters (65.6 feet) in length must have a whistle and bell of at least 200mm (7.9 inches) in diameter:
- ♦ UPVs over 20 meters (65.6 feet) in length must have a bell of at least 300 mm (11.8 inches) in diameter.





Lifesaving Equipment - 46 CFR 25.25-5(d) #8 Ring Life Buoy immediately available

<u>UPVs 26 feet or longer</u> in length must have at least one CG approved for ALL VESSELS ~ white or orange throwable Ring Life Buoy with a minimum outside diameter of 20 inches.

If the vessel goes on an international voyage it must be orange in color

If under 26 ft any approved type IV throwable is OK





Lifesaving Equipment - PFDs - 46 CFR 25.25-5 #10 All UPVs must have at least one CG approved TYPE I PFD of a suitable size for each person embarked.. Readily accessible Adult & Child sizes

- •Kapok and fibrous glass life preservers without plastic covered pad inserts are unacceptable.
- You must be able to read the label......
- •They must have 200 sq cm of retro-reflective tape on the front and also on the back (*if reversible*)
- They must have water lights (expiration or dated batteries)
- Other types of life jackets must be stowed separately



Post or place in PFD Locker

UPV Examiner Training Additional UPV Requirements



Type I Adult or Type 1 Child ~ Jacket Type #31



RI Party & Charter Boat Association USCG APPROVED TYPE I OFFSHORE PFD DONNING INSTRUCTIONS



1



Put on lifejacket

2



Pull and Tie the Top strap & also the Bottom strap

3



Locate the strap that goes around the middle of the lifejacket

4



Clip the strap to the ring

5



Pull the strap tight

6



Finished Look
If night-time: turn on the water-light





Type I Adult or Type 1 Child ~ Collar Type #31



RI Party & Charter Boat Association
USCG APPROVED TYPE I
OFFSHORE PFD DONNING INSTRUCTIONS



1



Place lifejacket Over your head

2



Bring the strap around your body and fasten clip

3



Adjust the lifejacket to a snug fit by pulling end of strap

Post or place in PFD Locker





Finished Look
If night-time: Turn on the water-light

5



Cross arms across chest and enter water feet first





PFD SIZES: Type I Adult *or* Type 1 Child #10

The label must must read "all vessels"

Commercial hybrid PFDs (type V) may be substituted for life preservers only if:

- ♦ It is worn when the UPV is underway and the intended wearer is not within an enclosed space;
- ♦ It is used in accordance with the marked conditions on the PFD and in the owner's manual;
- ◆ Labeled for use aboard commercial vessels.

46 CFR 25.25-5(f) and 45 CFR 160.077



UPV Examiner Training same as VSC



Fire Prevention and Suppression #11 & #15

Fire Extinguishers - same as vsc

over 65 ft additional ones are required

SUGGESTION - NOT A REQUIREMENT - should be mounted

If a B-II must be stored in a special bracket

Ventilation & Blowers - same as VSC

Gas engine vessels - Vessels built after 1980, the operator must maintain an operating blower system and have a warning label to run blower(s)

33 CFR 183.610





same as VSC

Visual Distress Signals #12

for vessels 16 ft or larger 3 day and night

Additional UPV Requirement

for vessels less than 16 ft. 3 day and night

They have the same VDS requirement as the larger vessels



UPV Examiner Training Additional UPV Requirements Fire Prevention and Suppression

Cooking, lighting & Heating #21

Two organizations have generated standards for the industry

- American Boat and Yacht Council.
- 2. National Fire Protection Association.

 UPVs must follow these standards

 for award of the decal





Fire Prevention and Suppression

Cooking, lighting & Heating

#21

- ◆ Alcohol solid (containers must be properly secured to a fixed base);
- ♦ Alcohol liquid, combustible (must have a catch pan of not less than ¾ inch depth secured inside the frame of the stove, and a ¾" upward flange around the edge of the protection pan underneath the stove);
- ♦ Fuel oil #1, #2, or #3 (must have a catch pan of not less than ¾ inch depth secured inside the frame of the stove, or a ¾" upward flange around the edge of the protection pan underneath the stove);
- ♦ Kerosene (must follow the same guidelines as for fuel oil systems);
- ♦ Wood (systems fitted after August 9, 1989 must be installed in accordance with guidelines of chapter 6 of NFPA 302);
- ♦ Charcoal (must follow the same guidelines as for wood-burning systems).
- ◆ Liquefied Petroleum Gas (LPG) <u>for cooking systems only</u>; additional requirements apply; see following page.
- ◆ Compressed Natural Gas (CNG) <u>For cooking systems only</u>; additional requirements apply; see following page.





Fire Prevention and Suppression

Cooking, lighting & Heating LPG or CNG compliance standards

UPVs fitted with cooking systems that use compressed natural gas (CNG) or liquefied

petroleum gas (LPG) must comply with additional requirements. 46 CFR 25.45-2

LPG and CNG cooking systems must meet the compliance standards listed in the table below:

SYSTEM ELEMENT

LPG – Design, installation, and testing

LPG - Odorization3

LPG – Cylinder markings and mounting3

LPG – Cylinder type (vapor withdrawal)3

CNG – Design, installation and testing

CNG – Odorization3

CNG – Cylinders, regulating equipment,

and safety equipment: stowage,

installation and testing4

COMPLIANCE STANDARD

ABYC1 A-1-78, or NFPA2 302, ch.. 6

ABYC A-1.5.d

ABYC A-1.6.b

ABYC A-1.5.b

ABYC A-22-78, or NFPA 302, ch. 6

ABYC A-22.5.b

NFPA 302, ch. 6-5.12

- 1. American Boat and Yacht Council.
- 2. National Fire Protection Association.
- 3. Applies only to LPG and CNG systems using NFPA 302, chapter 6 as the installation standard.
- 4. Applies only to CNG systems using ABYC as the installation standard.



UPV Examiner Training Additional UPV Requirements Fire Prevention and Suppression



Basically check for:

- ♦ CNG containers shall not be stored in accommodation areas, machinery spaces, bilges, or other enclosed spaces.
- ◆ LPG and CNG systems installed using ABYC standards, shall not be fitted with continuous pilot lights or automatic glow plugs.
- ♦ No UPV shall have a CNG stove with an attached CNG cylinder stowed in an enclosed space.



UPV Examiner Training Additional UPV Requirements What to check for? #21



LPG Stove:

- Bottle location & container & venting
 Container needs a gasket on opening and
 a vent leading to clear air
 Container (locker) must be labeled
- 2) Pressure Gauge must be in the line between the bottle & the appliance to test the lines for leaks
- 3) Gas line: grommets going through bulkheads,
- 4) Shut off at the appliance





What to check for? #21

Alcohol stove:

Pressurized type: have them pressurize it (check for O ring leaks)

drip pan, seals leaking, unit secured

Flammable material near the stove

Heater (diesel or coal etc):

Venting, heat protection for surfaces around the unit Flammable material near the unit



Same as VSC



Marine Sanitation Device #22 & #23

Portable toilets or "port-a-potties" are not considered installed toilets and are not subject to MSD regulations. Such devices do not "treat" the sewage refuse. Consequently, discharge of this untreated sewage into coastal waters, estuaries, and other internal waters is prohibited. 40 CFR 140.3(d).

Any UPV 65 feet or under in length may utilize a properly labeled and functioning Type I MSD. 33 CFR 159.7(c)(2)

**** Locking the Head door only applies to Type I or II heads

Note: If a Type III MSD has a "Y" valve which allows discharge over the deck to a facility or through the hull over the side, it must be secured so as to prohibit accidental discharges overboard in U.S. navigable waters inside three nautical miles from land. 33 CFR 159.7(c)

A macerator to pump overboard, that has a keyed switch and the key is removed, meets this requirement.

45





Same as VSC #24

For vessels 40 ft or over Placard & Waste Management Plan

SAMPLE WASTE MANAGEMENT PLAN:

Waste Management Plan Person in Charge:	,
Solid Waste Management All vessel refuse is put in disposed of in dumpsters	garbage bags and stored on board until they can be

If vessel is over 26 ft and less than 40 ft, just the Placard.



UPV Examiner Training Same as VSC



Oil Pollution Prevention

#25

- •No person may intentionally drain oil or hazardous materials from any source into the bilge. 33 CFR 155.770
- •No person may operate a U.S. non-oceangoing UPV in U.S. navigable waters unless it has the capacity to retain on board all oily mixtures and is equipped to discharge the oily mixtures to a reception facility. 33 CFR 155.330
- •Make sure they can shut off the automatic part of the bilge pumps

Oil Placard

UPVs 26 feet or more in length must have a placard posted in each machinery space and bilge system control station. The placard must be at least 5 by 8 inches. *33 CFR 155.450*



UPV Examiner Training SAME AS VSC



Communications Requirements #27 & #28

VHF is required only on vessels of 20 meters or more in length.

If <u>required to have a VHF</u>, they need:

Station license with all TX gear listed (EPIRB, RADAR, ETC) and A valid Radio Operator's Permit

If a SSB is aboard they must have a Station License and are required to have a VHF aboard.

If an EPIRB, it MUST be registered (re-registered every 2 years) Record the date & the ID of the device





Drug & Alcohol Testing

#29

Employer Responsibilities

As an employer, you are responsible for meeting all applicable requirements and procedures of this part.

(a) You are responsible for all actions of your officials, representatives, and agents (including service agents) in carrying out the requirements of the DOT agency regulations.

(b) All agreements and arrangements, written or unwritten, between and among employers and service agents concerning the implementation of DOT drug and alcohol testing requirements are deemed, as a matter of law, to require compliance with all applicable provisions of this part and DOT agency drug and alcohol testing regulations. Compliance with these provisions is a material term of all such agreements and arrangements

Penalties of Non-compliance rev 3/10

The Coast Guard is authorized to suspend or revoke USCG credentials and operating papers of individuals found not to be in compliance with the drug testing rule and issue fines of \$5500 per day to non-compliant firms. In case of a marine accident, a firm or individual not in compliance with a Coast Guard regulation can be deemed automatically responsible under admiralty law.

A marine employer that knowingly returns a mariner to duty without the MRO return to work letter and fulfilling the requirements of the Substance Abuse Professional (SAP) may be subject to the above civil penalties.





What is an employer? 46 CFR 16.105 #29

"Employers" subject to testing and education.

The Regulations defines a

"Marine employer" as the owner, managing operator, charterer, agent, master or person in charge of a vessel, other than a recreational vessel.

Thus, the regulations apply to all commercial vessels, irrespective of size or number of crew.

THE EMPLOYER IS RESPONSIBLE FOR COMPLIANCE

for a 6 Pack it is the Owner/Operator





Drug & Alcohol Testing #29

Applies To:

- ♦ Coast Guard (CG) licensed UPV crewmembers, operators and/or masters acting under the authority of a license/MMC.
- ◆ UPV paid crewmembers who do not hold a MMC but whose duties directly affect the safe operation of the vessel (<u>such as those who assist passengers in emergency situations, lookouts, helmsmen, line handlers</u>). Safety Sensitive duties
- ♦ Crewmember includes all individuals above.





Drug & Alcohol Testing

Pre-employment testing

Periodic testing

Random testing

Cause Testing

Serious Marine Incident

Each marine employer is required to test crewmembers on a random basis at an annual rate of greater than or equal to 50 percent. No other tests, such as preemployment or SMI, can be counted toward the 50 percent. (Example: If 11 employees are covered under random testing, at least 6 persons are required to be tested per year. Five would be less than 50% and is not adequate to meet this requirement.)

mandates includes alcohol testing within 2 hrs and drug (urine) testing within 32 hours of the incident Must have a plan to meet the 2 hr alcohol testing requirement in case of a SMI





This is a CCF

Additional UPV Requirements

MEDTOX [®] FEDERAL DRUG TE	ESTING CUSTO	DY AND CONT	TROL FORM			
402 W County Rd D St. Paul, MN 55112	V25	1841F	169			
TEP 1: COMPLETED BY COLLECTOR OR EMPLOYER REPRESENTATI	VE	SPECIMEN ID	NO	ACC	ESSION NO.	
A. Employer Name, Address, I.D. No.	B. MRO N	ame, Address,	Phone No. a			
Employer 44 BONEN BRIGGAVENUE 3395: 44 BONEN BRIGGAVENUE 3395: 4401-739-6028 F: 401-737-5812	3934	DAM 13 9501 DENVEI		MD V ELD BLV 0236 361 FX	D 303-595	-5263
C. Donor SSN or Employee I.D. No D. Specify Testing Authority: HHS NRC DOT - Specify DOE E. Reason for Test: Pre-employment Reasonable Suspici F. Drug Tests to be Performed: THC, COC, PCP, OPI, AMP G. Collection Site Address: Collector Phone No.	on/Cause Post	Accident Retu				USCG
EP 2: COMPLETED BY COLLECTOR (make remarks when appropriate						
Temperature between 90° and 100° F? ☐ Yes ☐ No, Enter Remark Collection	on: Split S	Single None	Provided, Enter	Remark	Observed, Enter	r Remark
REMARKS					57006	
(Mo,/Day/Yr,) TEP 5: COMPLETED BY DONOR certify that I provided my urine specimen to the collector; that I have not adult all in my presence; and that the information provided on this form and on the				ed was sealed	with a tamper- e	evident
Signature of Donor	(PRINT) Donor's f	Name (First, MI, Last)			Date (Mo/Day/	Yr.)
Daytime Phone No. () Evening Phone	No. ()			Date of Birth_	1. /	
fter the Medical Review Officer receives the test results for the specime ver-the-counter medications you may have taken. Therefore, you may we ECESSARY. If you choose to make a list, do so either on a separate particular on the BACK OF ANY OTHER COPY OF THE FORM. TAKE	en identified by the ant to make a list piece of paper or KE COPY 5 WITH	of those medic	ations for you	ir own record	Is. THIS LIST I	IS NOT
TEP 6: COMPLETED BY MEDICAL REVIEW OFFICER - PRIMARY SPEC						
n accordance with applicable Federal requirements, my verification	is:					
NEGATIVE POSITIVE for:						
□ REFUSAL TO TEST because – check reason(s) below: □ ADULTERATED (adulterant/reason): □ SUBSTITUTED □ OTHER:				□ TEST C	ANCELLED	
REMARKS:						
					15.054	
newanto.						
newants.						
X Signature of Medical Review Officer	(DDINES A. d.	Review Officer's Name	(First MI)		Date (Mo./Day	/

Records Retention:

Federal DOT Chain of Custody Form

Anyone who has tested positive for use of a dangerous drug must obtain a "drug-free" letter from an MRO, as per 46 CFR 16.370, prior to being allowed to return to work in any safety related position.

This includes the mariner who does not hold a license, MMD, or COR.





FIRST/Advantage

Daily Toxicology Report

Auto Fax

06/24/2011 MEDTOX

Employer

PHONE: 401-737-5812 PHONE: 401-739-6028

Account: 33953934

Panal Result

Reason

COC#

Identification

ID#

DOT 5 Negative

Random

Y17954208

Collected: May 27, 2011 Verified/Released: June 01, 2011 13:45 CCF received: June 01, 2011

Walny MO

David Nahin M.D. Medical Review Officer

If you have questions about this report, call Client Services at (800) 684-4448

7301 Calhoun Place Rockville, MD 20855
Phone: (800) 684-4448

Fax: (301) 841-0463

MRC

Records Retention:

Test Result
From
Employer's MRO





Additional UPV Requirements

Employer: Company Name	coltrag	noled bus		rel/ to	r Covered					Form	DOTE	385 (Rev.	5/200
Doing Business As (I	DBA) Na	me (if applie	able):										
Address:								1070	E-m	ail:	dati p	III AL	
Name of Certifying O	fficial: _					Sign	ature:						
Telephone: ()_ Prepared by (if differe	ent):	020 250 7	01 0201	THE RESERVE	Dat	e Certif	ed:	Telepl	hone: ()	921		
CTPA Name and Tel theek the DOT agency FMCSA - Motor Car FAA - Aviation: Ce PHASA - Fipeline: FTA - Bailsoad: Tot USCG - Maritime: V FTA - Transit I. Covered Employees:	for which rrier: DC rrifficate ((Chock) tal Numb Vessel III (A) Ent	h you are re /T h: 2 (if appliest) Gas Gethern er of observe // (USCG- observe) ler Total Nu	eporting ole); ngGa: ec/docur or State-l umber Sa	r Transmis mented Par Issued):	_ Owner- sion Gas 1219 "Ruli	Distrib	n (circle on an / Registr ution Tra servations f	e) YES or ation # (if ap nsport Haza or covered e	NC Ex oplicable): irdous Liqu imployees: (If mor	empt (Ci sidsT:	ircle One	Carbon D	Dioxi
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Employee (Catagory			Total Num in thi	ber of Empl s Category	ry 1000	and each	u have multip II (A) & (B), employee ca ach separate o	Take that fi tegory and a	illed-in fo complete :	em and me	ke one co	ppy fo
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Pre-Employment													\top
Random					_	\vdash							+
Post-Accident		-	_	_	1		+		-	_			+
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Follow-Up										1	- 1		

U.S. DEPARTMENT OF TRANSPORTATION DRUG AND ALCOHOL TESTING MIS DATA COLLECTION FORM

Records Retention:

MIS Form Employer files with USCG

The marine employer remains responsible for ensuring that the data is submitted and is accurate.

Marine employers with 10 or less employees who submit their own MIS form (not via a consortium) and who have submitted for three years in a row will be exempt from further submissions.





You as the UPV Examiner must be convinced that the owner/operator understands and is in compliance with the Drug Program requirements.

At the least he should know the following:

- 1) DER name & address and Phone # and also the name address and Phone # of the MRO (on the CCF)
- 2) He should be able to document who is in a random drug testing program
- 3) Show you a <u>company Policy</u> & he understands what an <u>EAP</u> is and who has attended one

If you feel it is necessary, you can ask him to produce any of the required documents (within -48 hours) before you issue the decal 46 CFR 16.260



Educational Assistance Program

EMPLOYEE ASSISTANCE PROGRAM (EAP) 46CFR 16.401)

The marine employer must establish an EAP. The marine employer may establish the EAP as part of its internal personnel services or the employer may contract with an entity, such as a consortium, that will provide EAP services to a crewmember.

This EAP must include education and training.

The requirements of the <u>educational program</u> must include <u>display</u> and <u>distribution</u> of: information on drug use/abuse; a community service help & substance abuse hot-line telephone numbers for crewmember assistance; the marine employers drug and alcohol policy. (these items could be displayed at the company office if crew go there)

The requirements of the <u>training program</u> must include: the effects of drug and alcohol use on personal health, safety, and the work environment; the behavioral indications of drug and alcohol use/abuse; documentation of training completed by employees.

Supervisors must be given an additional sixty (60) minutes of additional training, on the Company Policy, how to intervene with crew that are suspected of Drug use, drugs and their effect on the workplace, which should also be documented. Documentation can be in the form of a letter, memo, or log entry attesting to the date/time, type of training, and personnel attending.





Contents of an Educational Assistance Program

Worker: the effects and consequences of drug and alcohol use on personal health, safety in the work environment; the manifestations and behavioral signs that may indicate drug and alcohol use and abuse. Company Policy & Help-line phone numbers.

Supervisor: Company policy relative to safety sensitive workers & how to interact with them when you suspect abuse, signs of drug & alcohol abuse and intervention company policies & regulations.

Method to document this training. Keep while worker is employed





Additional UPV Requirements

This presentation is simply an example of an EAP provided to the marine employer to try and assist them with compliance.

No one is certifying the accuracy or completeness of this with the constantly changing regulatory environment.

Employee Assistance Program for employers that operate a UPV

For the

In 1988 the USCG & DOT adopted drug and alcohol testing requirements for inspected as well as uninspected passenger carrying vessels. The Code of Federal Regulations (CFR) that govern these regulations are 46 CFR parts 4, 5, 16 & 49 CFR part 40 & 33 CFR part 95. These regulations state that each marine employer is responsible for implementing all the required pieces of these regulations. Three of the many pieces of the regulations are the development of a company policy in reference to drugs and alcohol, a 1 hour Training for Drug and Alcohol Awareness called an EAP, and Random drug testing. EAP training as well as random drug testing is required for licensed personnel acting under the authority of their license and also for any crew members that perform duties and functions directly related to the safe operation of the vessel (safety sensitive duties). Duties and functions directly related to the safe operation of the vessel is an extensive list.

Who has to be in a drug testing program and complete an EAP...

A crewmember is defined in 46 CFR 16.105 as someone onboard a vessel acting under the authority of a credential or engaged or employed onboard a vessel required to be operated by a credentialed individual, except individuals who have no duties that directly affect the safe operation of the vessel. Operation (as defined in 46 CFR 16.105) means to navigate, steer, direct, manage, or sail a vessel, or to control, monitor, or maintain the vessel's main or auxiliary equipment or systems. Operation includes:

- (a) Determining the vessel's position, piloting, directing the vessel along a desired track line, keeping account of the vessel's progress through the water, ordering or executing changes in course, rudder position, or speed, and maintaining a lookout;
- (b) Controlling, operating, monitoring, maintaining, or testing: the vessel's propulsion and steering systems; electric power generators; bilge, ballast, fire, and cargo pumps; deck machinery including winches, windlasses, and lifting equipment; lifesaving equipment and appliances; firefighting systems and equipment; and navigation and communication equipment; and
- (c) Mooring, anchoring, and line handling; loading or discharging of cargo or fuel; assembling or disassembling of tows; and maintaining the vessel's stability and watertight integrity.

Example: If someone, paid by the master or owner of the vessel, picks up a line during docking they have just engaged in duties related to the safe operation of the vessel and must be in the employer's drug program.

At this point you need to review and understand your company's policy relative to drugs and alcohol ...

If you have any questions you should direct them to your company's Designated Employer Representative (DER) (an employee of the company who is responsible for keeping the company's drug program in compliance with all regulations).

Any crewmember required by law or regulation to hold a license issued by the Coast Guard in order to perform their duties on the vessel as well as any crew members engaged or employed onboard a vessel required to be operated by a licensed individual, that has duties or responsibilities that directly affect the safe operation of the vessel or are assigned duties of warning, mustering, assembling, assisting, or controlling movement of passengers during emergencies must be in the employer's drug program.

Overview of the drug program 59

Sample

Educational

Assistance







What records must Employer keep? 49 CFR 40.333 #29

Subpart P - Confidentiality and Release of Information

(a) As an employer, you must keep the following records for the following periods of time:

For each employee, for the entire period of their employment.....

- 1) Their Pre-Employment chain of custody form (CCF) or waiver
- 2) The drug test result *or* letter from the MRO

(<u>M</u>edical <u>R</u>eview <u>O</u>fficer-doctor)

3) Proof of attending an EAP (*Educational Assistance Program*)

Your company must have a Written Policy for the pieces of the drug program

All records must be available to DOT or USCG within 48 hours





Additional UPV Requirements

This form is simply an example provided to the marine employer to try and assist them with compliance. No one is certifying the accuracy or completeness of these forms with the constantly changing regulatory environment.

Drug & Alcohol Company Policy for

company name	
Crew must conform to 46 CFR parts 4, 5, & 16; and they must adhere to the policies set forth. A defined to be the licensed master/operator or employee aboard a passenger-carrying vessel who sensitive duties.	
(Some examples of safety sensitive duties include navigation, lookouts, handling of anchor or doc	k lines, & steering)
Examples of crewmembers that must be in a drug program:	
On Un-inspected passenger carrying vessels: (6 pack vessels)	
1) Any person who might perform a safety sensitive duty aboard the vessels.	
On Inspected passenger carrying vessels:	
1) Any person the USCG Certificate of Inspection (COI) requires to be aboard.	
Failure to comply with this policy will result in the employee being prohibited from doing safety sensi vessel(s).	tivity duties aboard our
Our Medical Review Officer is:	_, MRO
The Company's Designated Employer Representative:	, DER
will be responsible for oversight of the Drug Program for our company:	
1) Seeing that the drug program complies with 46 CFR parts 4, 5, 16 & 49 CFR par	t 40 & 33 CFR Part 95
2) Maintains a CREW ROSTER of licensed and unlicensed people who can pe	rform Safety Sensitive

- 2) Maintains a CREW ROSTER of licensed and unlicensed people who can perform Safety Sensitive Duties aboard our vessel(s) and insuring that they will comply with all parts of 46 CFR 4, 5,& 16 & 49 CFR part 40 & 33 CFR Part 95.
- 3) The DER will remove from the CREW ROSTER anyone who:
 - a) Requests to be removed from the CREW ROSTER in writing, or
 - b) Has a drug test verified by the MRO to be positive, or
 - c) Refuses to have a drug test when he/she is selected, or
 - d) Fails to complete the Educational Assistance Program.

The DER will be responsible for the mandatory Employee Assistance Program required of all crewmembers in our company performing Safety Sensitive Duties.

- (a) <u>EAP education program</u>: Each EAP education program must include at least the following elements: display and distribution of informational material; display and distribution of a community service hot-line telephone number for crewmember assistance, and display and distribution of the Company Policy regarding drug and alcohol use in the workplace.
- (b) <u>EAP training program</u>: An EAP training program must be conducted for the employer's crewmembers and supervisory personnel. The training program must include at least the following elements: the effects and consequences of drug and alcohol use on personal health, safety, and work environment; the manifestations and behavioral cues that may indicate drug and alcohol use and abuse; and documentation of training given to crewmembers and the employer's supervisory personnel. Supervisory personnel must receive at least 60 minutes of training.

Drug testing shall be conducted in accordance with USCG Rules & Regulations. Specifically, individuals will be tested for the presence of controlled substances (marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP) and alcohol) and will be subject to pre-employment, reasonable cause, periodic, random, and post accident drug testing. Such individuals must TEST NEGATIVE for the presence of controlled substances

Sample Company Policy





Drug & Alcohol Testing ~ Drug Test Records Retention:

Pre-employment test *or* letter & proof of attending a 1 hr EAP – <u>all the time the person is employed</u>

Background check for all new hires – <u>3 years</u>

Positive test results (CCF & MRO) - <u>5 years</u>

Negative or Cancelled Drug Test results (CCF & MRO) - 1 year

Must have available: copy of the <u>Annual USCG MIS</u> report - 1 <u>year</u> (Companies with under 10 employers only for 3 years) /

Company policy / DER / Display to crew the Help line Phone #s

If a background check indicates a positive test, you cannot employ that individual until a SAP releases him and a return to duty test is done. SUGGESTION: Negative Post Accident test results should be kept till employer is sure no litigation will happen.



Additional UPV Requirements

Each company must ratain this agreement



This form is simply an example provided to the marine employer to try and assist them with compliance. No one is certifying the accuracy or completeness of these forms with the constantly changing regulatory environment.

Agreement between employers for sharing of crew members

Date:	
print employee's name request of my current D.E.R. of	to inform the
D.E.R. ofOther employer	of any and all of my drug test results and other drug testing
nformation such as proof of EAP completion for th	ne specified period from to
date	employee's signature
Current Company	
[the DER of
the DER listed below, in writing within 2 immediately for a positive drug test or dr	at testing, along with <u>proof of EAP compliance</u> . I will inform 24 hours of any and all of his/her drug test results and rug testing violation,. If this employee becomes not ng the above specified time period I will inform the DER
DER:	signature
Company Address Phone:	ratact number
Other Company	the DER of
employee. I understand that I will act as named D.E.R. for the time period stated	entinue to act as the primary employer for the above named the employee's supervisor and I will work with the above above. All costs associated with the drug testing for this esting) will be the responsibility of primary employer.
DER:	
printed name	signature
Company Address Phone: 24 hour con	ratact number

Sample Crew Swapping Contract





What records must Employer keep? 49 CFR 40.333

(2) You must keep records for three years of information obtained from previous employers under 49 CFR 40.25 concerning drug and alcohol test results of employees for previous 2 year.

Drug & Alcohol Background checks

<u>Can they produce any required records</u> <u>You do not need to see everything</u>

Employer must have a <u>Company Policy</u> that covers how they will comply with the drug program requirements. Everyone must have either a Pre-Employment test or letter Employers must have a employee who is a <u>DER</u> (Designated Employer Representative) who oversees the drug program (*could be the owner/operator*), and

A MRO (medical Review Officer) name & address

(both the DER & the MRO's name/ addr/ phone # must be on Employer's CCF)

Latest <u>Annual MIS</u> report to the USCG and <u>Help Line Information</u> for crew members **Documentation of attending an EAP** & Background checks





What records must Employer keep? 49 CFR 40.333

- (d) A service agent may maintain these records for you. However, you must ensure that you can produce these records at your principal place of business in the time required by the DOT agency. For example, as a UPV operator, when an USCG inspector requests your records, you must ensure that you can provide them within two business days.
- (e) If you store records electronically, where permitted by this part, you must ensure that the records are easily accessible, legible, and formatted and stored in an organized manner. If electronic records do not meet these criteria, you must convert them to printed documentation in a rapid and readily auditable manner, at the request of DOT agency personnel.

[65 FR 79526, Dec. 19, 2000, as amended at 66 FR 41955, Aug. 9, 2001]





Additional UPV Requirements



Commandant United States Coast Guard 2100 Second Street, S.W. Washington, DC 20593-0001 Staff Symbol: G-MOA-1 Fhone: (202) 267-1430

CHEMICAL TESTING PROGRAM COMPLIANCE AUDIT

Name/Official Num	ber of Vsl: Audit Date:
(Note: If you have	more vessels than can fit, attach a separate sheet.)
Marine Employer:	Consortium:
Address	Lab:
DER Name:	Collection Site:
I. GENERAL	PROGRAM REVIEW
	w program in place (Y/N) Acceptable proof of five-panel testing (Y/N)
the second secon	us free determination before returning to work (Y/N/NA)
	of Records maintained: (Y/N)
	Test Records kept for 5 years (Y/N) All non-negative reports to Coast Guard (Y/N)
	es for 1 year (Y/N)
	DYMENT TESTING 46 CFR 16.210/ 49 CFR 40.25
Result/e	exemptions received prior to work in a safety sensitive position (Y/N)
	ntation kept for entire employment period (Y/N)
	ting background checks completed (49 CFR part 40.25) (Y/N)
	ESTING - 46 CFR 16 230
	rate greater than or equal to 50% annually (Y/N) Statistically based method (Y/N)
	spread equally throughout the year (Y/N) All required personnel in testing pool (Y/N)
	MARINE INCIDENT TESTING - 46 CFR 16.240 or 46 CFR 4.06
	ments made for post-casualty testing (Y/N) Drug/ slochol testing devices or board (Y/N)
	BLE CAUSE TESTING - 46 CFR 16.250/33 CFR 95
201	ments made for testing as required (Y/N)
_	JIREMENTS - 46 CFR 16.401
	g Items Displayed: EAP (Y/N) Policy/ Statement (Y/N) Hotline Number (Y/N)
	mbers properly trained before assuming safety sensitive position (Y/N)
	or(s) received 1 hour EAP training (Y/N)
10001000	r has Substance Abuse Professional (SAP) name and contact information (Y/N)
	AISSION 46 CFR 16.500
	ubmitted by March 15 (Y/N)
	latest MIS form, or Consortium letter slating report filed for employer (Y/N)
	TIUM INFORMATION (IF APPLICABLE)46 CFR 16
	Contract or Proof of Enrollment in Consortium (Y/N) Covered employees list (Y/N)
	um has received a Letter of Regulatory Compliance (LORC) (Y/N)
Based on the results 46 CFR Parts 4 and 1	of a USCG audit on, your chemical testing program IS/IS NOT found in compliance with 16 , 49 CFR 40 and 33 CFR 95. If found not in full compliance you have days to resolve the above our chemical testing program.
ACKNOWLEDGE	D BY: TITLE/POSITIONSUCCESSED SET
NAME OF INSPEC	CTOR: UNIT/COMMAND

Drug and Alcohol Program USCG Audit From





Additional UPV Requirements

I. GENERAL PROGRAM REVIEW Audit Item	Yes	No	N/A
Campany program in place	res	.40	1977
Certificate of carellment in a C/TPA managed program	_	_	-
Evidence of self-managed program - (contracts with service providers)	_		
Acceptable proof of five-panel testing			
Chain-of-custody forms present (Should have the word "Federal" in the top line going across the form)			
MRC drug free determination before returning to work			
If no positive or non-negative tests, will not be present; If positive tests, is there a determination?			
Name of qualified MRO			
Positive Test Records kept for 5 years			
For any positives, check previous MIS reports going back five years, then ask to see positive test results	_		
Negatives for I year	_		
For negatives, check test results for past year, there should be at least one random for each company per year			-
II. PRE-EMPLOYMENT TESTING 46 CFR 16.210/ 49 CFR 40.25 Result/exemptions received prior to work in safety sensitive position			
Check date of pre-employment drug tests against start date on ship's log	-		
Documentation kept for one year from date of test and date of placement into safety-sensitive position	-	-	-
Randomly check some crevenembers history of employment files	-		
Drug testing background cocks completed	_		
Records of compliance with 40.25 should be in each employee personnel file			
Check for individual signature for release of information			
III. RANDOM TESTING – 46 CFR 16.230			
Testing rate greater than or equal to 50% annually			
Count number of tests completed against number of employees			
Statistically based method			
What type of selection is used, computer random program, muricer table generator, etc.?			
Testing spread equally throughout the year			
Check test dates and numbers to ensure spread evenly. No concentration of test dates, etc.			
All required personnel in testing pool Verification that all personnel are in testing pool.			
Does CTPA perform that service?	-		
IV. SERIOUS MARINE INCIDENT TESTING - 46 CFR 16,240 or 46 CFR 4.06			
Arrangements made for post-casualty testing			
Does the employer know what to do fire this testing?	-		
Is there point of contact for the C/TPA?	1		
Drug/ alcohol testing devices onboard			
Kits should be on board and secure from casual use			
Are there sufficient number of kits on board?			
V. REASONABLE CAUSE TESTING – 46 CFR 16,250/33 CFR 95			
Arrangements made for testing as required			
Marine employer should have protocol to have this testing done.			
VI. EAP REQUIREMENTS - 46 CFR 16.401 and 49 CFR 40, subpart O			
The following items are to be displayed			
EAF informational material			
Policy/Statement Hotling Number			
Crewmembers properly trained before assuming safety sensitive position	-		
Documentation of compliance prior to starting safety-sensitive functions?	-	_	
Supervisor(s) received 1 hour EAP training			-
Compliance documentation of completion for each supervisor (required one time for each supervisor)	-		
Employer has Substance Abuse Professional (SAP) name and contact information	1		
Evidence this contact information is passed out with each drug test violation?			
VII. MIS SUBMISSION 46 CFR 16,500			
Report submitted by March 15			
Copy of latest MIS form, or Consortium letter stating report filed for employer			
VIII. CONSORTIUM INFORMATION (IF APPLICABLE)46 CFR 16			
Copy of Contract or Proof of Enrollment in Consortium			
Covered employees list available	1		
NOTES:			$\overline{}$

continued

Drug and Alcohol Program USCG Audit From

Additional UPV Requirements #29

Questions for the Crew

- 1. Who is the Designated Employer Representative (DER)?
 - Ans: My company/vessel DER is Mr. John Doe. The DER is the person that selects/receives random drug test notifications and informs crew.
- 2. What is the company's drug policy?
 - Ans: Company has a policy regarding drug and alcohol use in the workplace.
- 3. Are you enrolled in a random drug testing program?
 - Ans: Yes. All crewmembers must be enrolled in a random testing program and should know that they are enrolled.
- 4. Where can you access Employee Assistance Program (EAP) information and hotline numbers?
 - Ans: EAP information and hotline numbers could be posted on the vessel or were given to me at a 1 hr training seminar on XXXXX presented by XXXXXX.
- 5. Who do you call/where do you go for Serious Marine Incident (SMI) Testing?

 Ans: In the event of an SMI I call 1-800-XXXX. EVERYONE should know who to call and/or where to go for SMI testing.
- 6. Have you received EAP training?
 - Ans: Yes. Each crewmember has received and can document having attended an EAP Training Program. This training consisted of material on effects & consequences of drug & alcohol use on your health, safety, and work environment, along with indicators of drug & alcohol abuse.





Additional UPV Requirements #29

Questions for the Master

- 1. Are alcohol testing devices kept onboard?
 - Ans: Alcohol testing devices kept onboard if not within 2 hours of a test facility.
- 2. What are the time requirements for drug and alcohol testing following a SMI? Ans: 2 Hours for alcohol testing and 32 hours for drug testing following a SMI.
- 3. What is the company's drug and alcohol policy?
 - Ans: Company- has a policy regarding drug and alcohol use in the workplace.
- 4. Have you received 60 minutes of EAP training?
 - Ans: Yes. All supervisors (*captains*) must receive and have documented 60 minutes of an EAP Training Program.
- 5. Where can crew & you access Employee Assistance Program (EAP) information and hotline numbers?
 - Ans: EAP Education Program information and hotline numbers could be posted on the vessel or know when & who did the EAP Education Program.





Additional UPV Requirements #29

Documents Required On-Board or Produce within 48 hours

- 1. Company policy/program
- 2. EAP education information and hotline number (unless posted at dock office)
- 3. Certificate of enrollment in a Random Drug program with a list of covered crewmembers
- Phone number/address for 24 SMI testing facility if not carrying alcohol testing devices aboard
- 5. Documentation of supervisor (60 minutes) and crew EAP Education & Training Program.
- 6. Copy of MIS report (if applicable)

What to Know about your Consortium

- 1. Do they file Management Information System (MIS) report for you?
- 2. Do they have a hotline or information on 24 hour Serious Marine Incident (SMI) testing?
- 3. Does Consortium provide Employee Assistance Program (EAP) training and documentation?
- 4. Does Consortium select 50% of your company or 50% of all the crewmembers enrolled in the consortium?



Additional UPV Requirements #29

<u> PRUG & ALCOH</u>	<u>OL PROGRAM CHECKLIST </u>	Items 1 thru 7 must be Yes to issue a	Decal	
Examination Ite	ems	Applicable Regs.	Yes	No
· · · · · · · · · · · · · · · · · · ·	pers know who the Designated presentative (DER) is?	49 CFR 40.3		
2). Is there a com	pany's policy?	46 CFR 16.401		
•	bers receive, or are they aware of, rug Policy (<i>Company Policy</i>)? • <i>Program</i>)	46 CFR 16.401		
4). Were Hotline Nor posted in a con (<i>EAP Education</i>	•	46 CFR 16.401		
5). Has superviso awareness trainin (<i>EAP Training Pi</i>	· · · · · · · · · · · · · · · · · · ·	46 CFR 16.401		
•	members pre-employment tested nanother DOT Regulated employer?	46 CFR 16.210		
and alcohol testin Serious Marine In	edge of where to go or how to get drug g accomplished in the event of a cident (SMI) ? cohol: 32hr testing for drugs)	46 CFR 4.06		





Additional UPV Requirements #29

PROGRAM INFORMATION

Name of Consortium/TPA: or		
Self —Run Program'		
SMI Testing Facility		
Must Test Drugs & Alcohol		
24hr SMI Testing Facility:		
Self —Run Program"		
Drug & Alcohol Program Com	pliant?	
☐ Program Compliant		Program Not Compliant
items correc	cted on-scene	Full Audit Recommended

46CFR 16.401 Employee Assistance Program (EAP).

The employer shall provide an Employee Assistance Program (EAP) for all crewmembers. The employer may establish the EAP as a part of its internal personnel services or the employer may contract with an entity that will provide EAP services to a crewmember. Each EAP must include education and training on drug use for crewmembers and the employer's supervisory personnel as provided below:

- (a) <u>EAP education program</u>: Each EAP education program must include at least the following elements: display and distribution of informational material; display and distribution of a community service hot-line telephone number for crewmember assistance, and display and distribution of the employer's policy regarding drug and alcohol use in the workplace.
- (b) <u>EAP training program</u>: An EAP training program must be conducted for the employer's crewmembers and supervisory personnel. The training program must include at least the following elements: the effects and consequences of drug and alcohol use on personal health, safety, and work environment; the manifestations and behavioral cues that may indicate drug and alcohol use and abuse; and documentation of training given to crewmembers and the employer's supervisory personnel. Supervisory personnel must 72 receive at least 60 minutes of training.

UPV Examiner Training Additional UPV Requirements Marine Casualty Reporting! USCG 2692 #30

- 1) Unintended grounding, or bridge allision;
- 2) Intended grounding, or bridge allision causing a hazard to navigation, the environment, safety of a vessel, or creates #3 through # 8 below;
- 3) Loss of main propulsion, primary steering, or any associated component or control system that reduces the maneuverability of the vessel;
- 4) An occurrence materially and adversely affecting the vessel's seaworthiness or fitness for service or route;
- 5) Loss of Life;
- 6) Injuries requiring professional medical treatment (treatment beyond first aid), and, for persons engaged or employed aboard, renders them unfit to perform routine duties;
- 7) Occurrence causing property damage in excess of \$25,000;
- 8) An occurrence involving significant harm to the environment as defined in 46 CFR 4.03-65 (a report pursuant to 33 CFR 153.203, 40 CFR 117.21, or 40 CFR 302.6.

Allision is a violent striking (such as in a collision) with a fixed object. This is in contrast with "vessel contact" with a fixed object such say would be made with bridge fenders in the ordinary course of say a tug and barge passing under a bridge.





Additional UPV Requirements

#30

Serious Marine Incident includes the following events involving a UPV in commercial service:

A marine casualty or accident required to be reported to the USCG using the **USCG 2692B** form that results in:

- one or more deaths,
- ♦ injury requiring professional medical treatment and, for a crewmember, that renders the person unfit to perform his or her routine duties,
- ◆ damage to property in excess of \$100,000,
- **♦** actual or constructive total loss of any vessel subject to inspection, or

CONTINUED...

Contact #: SECTOR COMMAND -(508) 457-4321 if in doubt



Additional UPV Requirements

#30

<u>Serious Marine Incident</u> includes the following events involving a UPV in commercial service: continuation

- ♦ actual of constructive total loss of any self-propelled vessel, not subject to inspection, of 100 gross tons or more,
- ♦ a discharge of oil of <u>10,000 gallons</u> or more into U.S. navigable waters;
- ♦ a discharge of a reportable quantity of a <u>hazardous substance</u> into U.S. Navigable waters or a release of a reportable quantity of a hazardous substance into the environment of the United States.

46 CFR 4.03-2, 46 CFR 4.05-10

*CG-2692 must also be submitted in writing with an original signature.

Employer must fill out a USCG 2692B (04-06) form along with a USCG 2692 form used for a Marine Incident



UPV Examiner Training Additional UPV Requirements



Safety Instructions & Orientation #31

Safety Orientation

Applies to all UPVs.

Prior to getting underway, operators of UPVs must ensure public announcements, placards, or both are provided to passengers that address the following topics:

- ♦ Stowage locations of life preservers;
- ♦ Proper method of donning and adjusting life preservers carried aboard the vessel;
- ♦ The type and location of all lifesaving devices carried on the vessel;
- ♦ The location of the Emergency Check-off List (described in the next slide).
 46 CFR 26.03.1

Additional UPV Requirements



ROUGH WEATHER AT SEA OR CROSSING HAZARDOUS BARS

- a. Keep all weather tight and watertight doors, hatches and airports closed to prevent taking water aboard.
- b. Keep bilges dry to prevent loss of stability.
- c. Keep passengers seated and evenly distributed.
- d. Ensure all passengers are wearing life preservers in conditions of very rough seas or if about to cross a bar under hazardous conditions.
- e. Initiate an International Distress call and a call to the Coast Guard if assistance is needed (if radiotelephone equipped).

PERSON OVERBOARD

- a. Throw ring buoy overboard, as close to the victim as possible.
- b. Post lookout to keep the victim in sight.
- c. Have a crewmember, wearing a life preserver and lifeline, standing by ready to jump into the water to assist the victim back aboard.
- d. Initiate an International Distress call and a call to the Coast Guard if assistance is needed (if radiotelephone equipped).
- e. Continue the search until after radiotelephone consultation with the Coast Guard, if at all possible.

FIRE AT SEA

- a. Cutoff air supply to the fire by closing hatches, ports, doors and ventilators, etc.
- b. Discharge portable extinguishers at the base of the flames or flammable liquid or grease fires or apply water to fires in combustible solids.
- c. If the fire is in machinery spaces, shut off the fuel supply and ventilation and discharge any installed fixed fire fighting systems.
- d. Maneuver the vessel to minimize the effect of wind on the fire.
- e. Initiate an International Distress call and a call to the Coast Guard if assistance is needed (if radiotelephone equipped).
- f. Move passengers away from the fire and have them don life preservers.



UPV Examiner Training Additional UPV Requirements



Safety Instructions & Orientation #30

Passenger Counts

All UPVs shall keep a correct count of all passengers received and delivered from day to day. Specifically, the master, owner, charterer, managing operator, or person in charge of the vessel is responsible for ensuring that this is done. 46 USC 3502.

Try to get the information stored ashore

Try to have a method so that in the case of an emergency, the USCG can obtain this data to help Search & Rescue operations.



UPV Examiner Training Additional UPV Requirements Charts and Nautical Publications



#32

As appropriate for the intended voyage, all vessels must carry adequate and up-to-date:

- * At least 1 paper Chart(s) of appropriate scale to make safe navigation possible;
- * "U.S. Coast Pilot" or similar publication;

http://www.nauticalcharts.noaa.gov/nsd/cpdownload.htm

Current Coast Guard light list;

http://www.navcen.uscg.gov/pubs/LightLists/LightLists.htm

Latest Local Notice to Mariners

http://www.navcen.uscg.gov/?pageName=InmMain

- * Tide tables; http://www.saltwatertides.com/pickpred.html
- * Current tables, or a river current publication issued by the U.S. Army Corps of Engineers, or a river authority



UPV Examiner Training Additional UPV Requirements



Marine Casualty Reporting ~ USCG 2692

Uninspected Vessels: Reports of Injury for OSHA

Chao v. Mallard Bay Drilling, Inc., 534 U.S. 235, 2002 AMC 305 (2002), held that OSHA regulations apply to uninspected vessels operating in territorial waters. Herman v. Tidewater Pacific, Inc., 160 F.3d 1239, 1999 AMC 236 (9th Cir. 1998), held that Coast Guard regulations relative to reporting injuries and death do not supersede OSHA regulations applicable to working conditions and to record keeping of illness and injury applicable to workers within a state apply to seamen on uninspected vessels. Thus, under 29 U.S.C. §§ 657(c)(2), 673(a) and 1904.4, an employer must maintain a detailed log supplementary to any reports of injury required by the Coast Guard of any injury or illness involving medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job of any employee in state territorial waters. (ex: Log Book)



Other Reporting

- Reporting Incidents of Sexual Harassment
- 46 U.S.C. § 10104 requires the master of any documented vessel to report any complaints of sexual offenses to the Coast Guard. Sexual offenses are defined in 18 U.S.C. § 2241. The penalty for knowingly failing to make a required report is a fine of not more than \$5000.00.

New Regs Coming from EPA

• <u>s</u>mall <u>V</u>essel <u>G</u>eneral <u>P</u>ermit (sVGP)

- The sVGP is for commercial vessels under 79 ft. (NPRM)
- It will go into effect December 2013
 (assuming everything stays the same as it is now)
- It is applicable to all UPV vessels & therefore it will become a UVP requirements for issue of the UPV decal in 2014
- The sVGP (PARI) Form is filled out by the owner/operator and it requires quarterly inspections by the owner to be done
- The sVGP (PARI) Form <u>PERMIT</u> is required to be aboard the vessel at all times and the quarterly inspections (*done by the owner*) must be up to date
- The sVGP (PARI) form PERMIT does not need to be filed with anyone, just kept aboard the vessel.

<u>s</u>mall <u>V</u>essel <u>G</u>eneral <u>P</u>ermit (sVGP)



Proposed Small Vessel General Permit (sVGP)

8. APPENDIX A – PERMIT AUTHORIZATION AND RECORD OF INSPECTION (PARI) FORM

Small Vessel General Permit (sVGP) Authorization and Record of Inspection (PARI) Form				
I. Vessel Owner/Operator Information				
Vessel Owner/Operator Phone				
	Email Address:			
II. Vessel Information				
Vessel Name Vessel Type				
Vessel Identifier		□ Registered number/operating number □ IMO number		
III Owner/Operator Acknowledgement				
By signing this form, I acknowledge that I have read and am familiar with the sVGP and that I am implementing all permit requirements contained in the sVGP.				
IV Certification Information				
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine				
and imprisonment for knowing violations. (Signature and Date)				
V. Quarterly Inspections by Year				
A. 2014	1 st Qtr Inspection Completed:	2 nd Qtr Inspection Completed:	3 rd Qtr Inspection Completed: □	4 th Qtr Inspection Completed:
Date Initial Here	/	/	//	//
I certify that I have completed all of my quarterly inspections for 2014 in accordance with Part 3.2 of the sVGP (Signature and Date)				
B. 2015	1 st Qtr Inspection Completed: □	2 nd Qtr Inspection Completed: □	3 rd Qtr Inspection Completed: □	4 th Qtr Inspection Completed:
Date Initial Here	//	/	/	/
I certify that I have completed all of my quarterly inspections for 2015 in accordance with Part 3.2 of the sVGP (Signature and Date)				
C. 2016	1st Qtr Inspection	2 nd Qtr Inspection	3 rd Qtr Inspection	4th Qtr Inspection

Completed:





Federal Law or Regulations do not require the following items.

However, these items will contribute significantly to the safety of the passengers and crew of an Uninspected Passenger Vessel if these are followed.

Safety Training Program

A UPV should have a safety-training program for all crew members on emergency procedures and safety equipment use. This program ought to include record keeping showing that drills and training are conducted regularly. The following emergency situations should be covered by the training and drills program;

- **♦** Fire
- ◆ Flooding
- ♦ Man overboard
- ♦ Abandon Ship
- ◆ Emergency / Distress Communications (MAYDAY)
- ♦ CPR and First Aid

* * DCS Connect Radio to GPS & Get MMSI #

Bilge Pump and Alarm

A UPV should have a properly installed bilge pump and bilge alarm. Note: Some vessels are designed without a bilge, or have suitable reserve buoyancy to float the vessel in a totally swamped condition, and will not need the bilge pump and alarm.

REMEMBER the UPV EXAM is an <u>Educational Opportunity</u> to make the <u>UPV Operators</u> aware of the current regulations and requirements for operating a UPV. You are their resource person.

If in doubt, tell them you will get back to them with that piece of information.



UPV Instructor Training



To be certified as an Auxiliary UPV Instructor You must meet these minimum elements:

- 1. Be a Vessel Examiner
- 2. Be a UPV Examiner
- 3. Be a active member of the UPV Exam Program for the proceeding year
- 4. Have taught a local Training Course for UPV examiners under the supervision of a UPV Instructor
- 5. Demonstrate their competence to mentor UPV examiners to a Program Director



UPV Program Director Training



You must be able to demonstrate the following:

- 1. How to enter reports into MISLE
- 2. Know how to determine if examinations have be entered into MISLE
- 3. Have a way to track UPV exams for examiners reporting to him/her
- 4. Procure list OPEN CASES and have a plan to resolve them
- 5. Know the paper & reporting flow of information





What should you do now?

- 1) Become familiar with looking up CFRs & USC
- 2) Review all this material a couple of times
- 3) Participate in <u>at least</u> three UPV Exams
- 4) Have an Oral Board ~ questioning by a panel of USCG and/or Program- Directors or Instructors
- 5) Be the Lead Examiner in <u>at least</u> one UPV Exam with a Program Director or Program Instructor
- 6) When the Senior Program Director is satisfied with the candidate's competence You Made it!