

# Federal Requirements



For  
Commercial  
Fishing Industry  
Vessels



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Commandant (CG-543-3)  
Office of Vessel Activities  
Fishing Vessel Safety Division  
2100 Second Street, S.W,  
Room 1116.  
Washington, DC 20593  
(202) 372-1251

[www.fishsafe.info](http://www.fishsafe.info)

or

<http://homeport.uscg.mil>

(Domestic Vessels > Uninspected Vessels > Commercial  
Fishing Vessels)

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CWO Ken Boyer

**FEDERAL REQUIREMENTS  
FOR  
COMMERCIAL FISHING  
INDUSTRY VESSELS**

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## **GENERAL INFORMATION**

This pamphlet contains information on Federal requirements for fishing industry vessels. Owners/operators may be required to comply with additional regulations specific to the state in which the vessel is registered or operated. Contact your local authorities to ensure compliance with state laws.

Requirements in this pamphlet are followed by cites from the Code of Federal Regulations (CFR). This pamphlet summarizes the regulations as applicable to most vessels. It is not intended to be all-inclusive. Additional details on specific requirements can be found in the CFR, available at your local library or government bookstore, or contact the Fishing Vessel Safety Coordinator in your area (see the list at the back of this pamphlet). If the CFR is not available from these sources, it can be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, or by calling (202) 512-1800. Title 46 CFR Part 28 can be downloaded at: [http://www.access.gpo.gov/nara/cfr/waisidx\\_08/46cfr28\\_08.html](http://www.access.gpo.gov/nara/cfr/waisidx_08/46cfr28_08.html)

### **What is the "Commercial Fishing Industry Vessel Safety Act (CFIVSA) of 1988"?**

The law passed by Congress requiring the Coast Guard to issue regulations for safety equipment standards and operating procedures on fishing, fish tender, and fish processing vessels, and increase casualty reporting requirements.

### **Why are these regulations necessary?**

To implement the requirements of the CFIVSA of 1988 and to make the commercial fishing industry a safer place to work.

### **Who does this affect?**

These regulations apply to all U.S. uninspected commercial fishing, fish tender, and fish processing vessels, whether documented or state registered. Compliance with specific regulations may be based upon:

- Type and length of vessel
- Area of operation
- Seasonal conditions
- Number of people on board
- Whether the vessel is documented or state registered
- The date the vessel was constructed or converted

**Will my fishing industry vessel be boarded at-sea by Coast Guard Officers?**

Boardings of fishing industry vessels occur throughout the country on a random basis for enforcement of fisheries regulations. Lifesaving equipment is generally checked at the same time. A dockside safety examination and receipt of a safety decal may allow for an abbreviated equipment check.

**Will an at-sea boarding delay or disrupt my fishing operations?**

Not necessarily. Efforts are made to keep the at-sea boarding as brief as possible, however delays may be encountered. You can assist by becoming familiar with the safety requirements and by being prepared and cooperative during the boarding.

**If deficiencies are found during an at-sea boarding, what will happen?**

A violation report may be issued which could lead to a civil penalty assessment. If a violation report is issued, the owner/operator may provide a written defense and/or provide evidence that the deficiencies have been corrected.

**Is it possible for my vessel to be prohibited from operating, ie. have my voyage terminated for unsafe operations?**

If the boarding officer determines that an especially hazardous condition exists, the vessel voyage could be terminated. The regulations identify eleven items that may be grounds for voyage termination: (46 CFR Part 28.65)

1. Insufficient or unserviceable survival gear (such as PFDs, immersion suits, survival craft, etc.)
2. No operable EPIRB or radio (when required)
3. Inadequate fire fighting equipment
4. Excessive volatile fuel/vapors in bilges
5. Instability resulting from overloading, improper loading, or lack of freeboard
6. Inoperable bilge system (when required)
7. Intoxication of operator (.04% BAC)
8. Lack of adequate operable navigations lights during periods of reduced visibility
9. Watertight closures missing or inoperable (when required)
10. Flooding or uncontrolled leakage in any space
11. A missing or expired Certificate of Class for a fish processing vessel (when required)

**Is there an examination program available to the fishing industry?**

Voluntary dockside examinations are available for commercial fishing industry vessels. These free examinations include a thorough check of all the safety equipment required on that particular vessel. The examination will be conducted by qualified Coast Guard personnel, or a third party organization accepted and designated by the Coast Guard (contact your local Coast Guard District Fishing Vessel Safety Coordinator for additional information). The presence of a valid examination decal may reduce your chances of being boarded or reduce the time spent on safety and equipment checks during an at-sea boarding.

The dockside examination is designed to educate the fishing public and to ensure vessel safety. There is no penalty for not passing the exam, however, a work list will be provided to the owner/operator identifying deficiencies and items that need to be corrected for the vessel to be in full compliance with all applicable Coast Guard regulations. If the exam is passed, a safety decal is issued to the vessel that indicates compliance with the regulations.

**Will the voluntary dockside examination disrupt or delay my fishing operations?**

The dockside examination is conducted at your request and at a time mutually agreed upon by all parties. There should be no delay or disruption of fishing operations. You can actually save time and money by "investing time" in the voluntary dockside examination. Identified deficiencies can then be corrected before you get underway and become subject to a law enforcement boarding where a violation report could be issued if you are not in compliance with all the safety equipment requirements.

**Who do I contact for more information?**

Questions may be answered by contacting your Coast Guard District Fishing Vessel Safety Coordinator. A listing of these coordinators is provided at the back of this pamphlet.

## DEFINITIONS

**Boundary Lines** – lines that in general follow the trend of the seaward high water shorelines and cross entrances to small bays, inlets and rivers. Refer to 46 CFR Part 7 for specific descriptions, particularly where they may deviate from above.

**Coastal Waters** –

- U.S. waters of the Great Lakes,
- territorial seas of the United States, or
- waters directly connected to the Great Lakes and territorial seas where any entrance exceeds two nautical miles between opposite shorelines to the first point where the largest distance between shorelines narrows to two miles.

**Cold Water** – waters where the monthly mean low water temperature is normally 59°F/15°C or colder.

**Fish Processing Vessel** – a vessel that commercially prepares fish or fish products other than by gutting, decapitating, gilling, skinning, shucking, icing, freezing, or brine chilling.

**Fish Tender Vessel** – a vessel that commercially supplies, stores, refrigerates, or transports fish, fish products, or materials directly related to fishing or the preparation of fish to or from a fishing, fish processing, or fish tender vessel or a fish processing facility.

**High Seas** – waters beyond the Territorial Sea (generally beyond three miles of the coast).

**Length** – length listed on a vessel's Certificate of Documentation or Certificate of Number except where otherwise specifically noted to be the overall length.

**Territorial Seas** – water within the belt three nautical miles wide measured off the coast of the United States and the Territorial Sea Baseline.

**Warm Water** – waters where the monthly mean low water temperature is normally more than 59°F/15°C.

(For a more complete list of definitions that apply to requirements for commercial fishing industry vessels, refer to 46 CFR part 28.50.)

# REQUIREMENTS FOR ALL COMMERCIAL FISHING INDUSTRY VESSELS

## PERSONAL FLOTATION DEVICES (PFDs) AND IMMERSION SUITS

- 46 CFR 28.105 – General Requirements
- 46 CFR 28.110 – Number and Stowage
- 46 CFR 28.135 – Markings
- 46 CFR 28.140 – Maintenance
- 46 CFR 25.25 – Life Preservers and Other Lifesaving Equipment

There must be at least one Coast Guard approved device of the proper size for each person on board the vessel (see table below). Immersion suits (also known as "Exposure or Survival Suits") must be of a type approved under sub-part 160.171.

All devices must have 62 square inches of retroreflective tape (31 square inches on the front and 31 square inches on the back and the same on the inside if the device is reversible). The retroreflective tape on immersion suits must be placed so that the tape can be seen if the wearer is in a floating position.

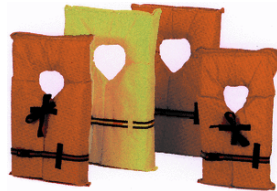
When vessels operate on ocean, coastwise, and Great Lakes voyages, a serviceable Coast Guard approved PFD light (see sub-part 161.012) must be attached to the front shoulder area of the required device.

AREA OF OPERATION	VSL TYPE	DEVICE
Seaward of the Boundary Line, north of 32°N, or south of 32°S, and Lake Superior	Documented	Immersion Suit/Exposure Suit
Coastal Waters on the West Coast of the U.S. north of Pt. Reyes, CA; Beyond coastal waters, cold waters; and Lake Superior	All	Immersion Suit/Exposure Suit
All other waters (includes all Great Lakes except Lake Superior)	40 feet or more in length	Type I, Type V Hybrid, or Immersion Suit/Exposure Suit



AREA OF OPERATION	VSL TYPE	DEVICE
All other waters (includes all Great Lakes except Lake Superior)	Less than 40 feet in length	Type I, II, and III, Type V Hybrid, or Immersion Suit/Exposure Suit

TYPE I PFD



TYPE II PFD

TYPE III PFD



IMMERSION SUIT  
(aka exposure suit or survival suit)

## **THROWABLE FLOTATION DEVICES**

46 CFR 28.115 – General Requirements

46 CFR 28.135 – Markings

A Coast Guard approved throwable flotation device (ring life buoy or buoyant cushion) must be carried on board, as specified in the following:

<b>VESSEL LENGTH</b>	<b>DEVICE REQUIRED</b>
Less than 16 feet	None
16 feet to less than 26 feet	1 throwable cushion, or 1 orange 24-inch ring life buoy with 60 feet of line *
26 feet to less than 65 feet	1 orange 24-inch ring life buoy with 60 feet of line*
65 feet or more	3 orange 24-inch ring life buoys, at least one device must have 90 feet of line

\* Vessels less than 65 feet may use an approved white 20-inch or larger ring life buoy if it is in serviceable condition and if it was installed on board before September 15, 1991.

A commercial "Lifesling™", Coast Guard approved Type IV may be substituted for a ring life buoy, if the vessel has a 10' high lifting point above the deck and there is 150' of line attached.



TYPE IV PFD

## **SURVIVAL CRAFT**

- 46 CFR 28.120 – General Requirements
- 46 CFR 28.125 – Stowage
- 46 CFR 28.130 – Equipment
- 46 CFR 28.135 – Markings
- 46 CFR 28.140 – Maintenance

Commercial fishing industry vessels are required to carry Coast Guard approved survival craft of sufficient capacity to accommodate the total number of individuals on board as determined by the tables starting on page 10.

## **EXCEPTIONS**

Vessels less than 36 feet in length with 3 or fewer people on board operating within 12 miles of the coastline are not required to carry a survival craft.

Vessels 36 feet or more in length with 3 or fewer people on board operating within 12 miles of the coastline may substitute a Coast Guard approved Buoyant Apparatus for the required survival craft.

Vessels less than 36 feet in length which meet the flotation provisions of 33 CFR Part 183 and operating within 12 miles of the coastline are not required to carry a survival craft.

An auxiliary craft, which is ***integral to and necessary for*** normal fishing operations, may be substituted for a survival craft (except for an inflatable liferaft) if it is readily accessible during an emergency and is capable of safely holding all persons on board. (Loading may not exceed the rated capacity of the craft.)

NOTE: Careful review of the tables and notes found in the regulations is recommended to ensure compliance.



INFLATABLE LIFERAFT

**SURVIVAL CRAFT FOR ALL DOCUMENTED  
VESSELS WITH ANY NUMBER OF INDIVIDUALS  
ON BOARD, AND FOR UNDOCUMENTED VESSELS  
WITH MORE THAN 16 INDIVIDUALS ON BOARD**

46 CFR 28.120 (a) and (c)

	<b>VESSEL AREA</b>	<b>TYPE</b>	<b>REQUIREMENT</b>
	Beyond 50 miles of the coastline	All	Inflatable Liferaft with SOLAS A Pack
	Between 20-50 miles of coastline	All	Inflatable Liferaft with SOLAS B Pack
<b>C O L D  W A T E R S</b>	Beyond Boundary Line, between 12-20 miles of coastline	All	Inflatable Liferaft with Coastal Pack
	Beyond Boundary Line, within 12 miles of coastline; Inside the Boundary Line; or lakes, bays, sounds, or rivers	36 feet or more in length	Inflatable Buoyant Apparatus <sup>1</sup>
	Beyond Boundary Line, within 12 miles of coastline; Inside the Boundary Line; or lakes, bays, sounds, or rivers	Less than 36 feet in length	Buoyant Apparatus <sup>2</sup>

	<b>VESSEL AREA</b>	<b>TYPE</b>	<b>REQUIREMENT</b>
<b>W A R M  W A T E R S</b>	Beyond 50 miles of the coastline	All	Inflatable Liferaft with SOLAS A Pack
	Between 20-50 miles of coastline	All	Inflatable Liferaft with Coastal Pack
	Beyond Boundary Line, within 20 miles of coastline	All	Life Float <sup>1,2</sup>
	Inside Boundary Line; or lakes, bays, sounds, or rivers	All	None

	<b>VESSEL AREA</b>	<b>TYPE</b>	<b>REQUIREMENT</b>
<b>G R E A T  L A K E S</b>	Great Lakes, cold waters	36 feet or more	Inflatable Buoyant Apparatus <sup>1</sup>
	Great Lakes, cold waters	Less than 36 feet	Buoyant Apparatus <sup>2</sup>
	Great Lakes, beyond 3 miles of coastline, warm waters	All	Buoyant Apparatus <sup>2</sup>
	Great Lakes, within 3 miles of coastline, warm waters	All	None

**SURVIVAL CRAFT FOR UNDOCUMENTED VESSELS WITH NOT MORE THAN 16 INDIVIDUALS ON BOARD**

46 CFR 28.120 (b)

	<b>VESSEL AREA</b>	<b>TYPE</b>	<b>REQUIREMENT</b>
<b>C O L D  W A T E R S</b>	Beyond 20 miles of the coastline; or Beyond the Boundary Line, between 12-20 miles of coastline	All	Inflatable Buoyant Apparatus
	Beyond Boundary Line, within 12 miles of coastline; Inside the Boundary Line; or lakes, bays, sounds, or rivers	36 feet or more in length	Buoyant Apparatus <sup>2</sup>
	Beyond Boundary Line, within 12 miles of coastline; Inside the Boundary Line; or lakes, bays, sounds, or rivers	Less than 36 feet in length	Buoyant Apparatus <sup>2</sup>

	VESSEL AREA	TYPE	REQUIREMENT
<b>W A R M</b>	Beyond 20 miles of the coastline	All	Inflatable Buoyant Apparatus
	Beyond Boundary Line, within 20 miles of coastline	All	Life Float <sup>1,2</sup>
	Inside Boundary Line; or lakes, bays, sounds, or rivers	All	None

	VESSEL AREA	TYPE	REQUIREMENT
<b>G R E A T L A K E S</b>	Great Lakes, cold waters	36 feet or more	Buoyant Apparatus <sup>1,2</sup>
	Great Lakes, beyond 3 miles of coastline, warm waters	All	Buoyant Apparatus <sup>1,2</sup>
	Great Lakes, within 3 miles of coastline, warm waters	All	None

<sup>1</sup> A Coast Guard approved Buoyant Apparatus may be substituted provided the vessel operates within 12 miles of the coastline with three or fewer people on board.

<sup>2</sup> A vessel less than 36 feet which operates within 12 miles of the coastline with three or fewer people on board is not required to carry a survival craft.

The SOLAS A Pack is equivalent to a formerly approved Ocean Service Pack and the SOLAS B Pack is equivalent to a formerly approved Limited Service Pack.

A non-Coast Guard approved survival craft installed on board a vessel before September 15, 1991, may continue to be used if it is of the same type required, is outfitted with the required equipment pack, and is serviced annually by a Coast Guard approved service center.

A Coast Guard approved Lifeboat may be substituted for any survival craft, provided it is installed and equipped in accordance with 46 CFR 199.

The hierarchy of survival craft in descending order is Lifeboat, Inflatable Liferaft with SOLAS A Pack, Inflatable Liferaft with SOLAS B Pack, Inflatable Liferaft with Coastal Service Pack, Inflatable Buoyant Apparatus, Life Float, Buoyant Apparatus. A survival craft higher in the hierarchy may be substituted for any survival craft required in the preceding tables.

### **STOWAGE OF SURVIVAL CRAFT**

46 CFR 28.125

Inflatable Liferrafts that are required to be equipped with a SOLAS A or B equipment pack must be stowed so as to float free and automatically inflate in the event the vessel sinks.

All survival craft (Inflatable Liferrafts, Inflatable Buoyant Apparatus, and any auxiliary craft used in their place) must be readily accessible for launching or be stowed to float free if the vessel sinks.

A hydrostatic release unit used in a float free arrangement must have a Coast Guard approval number starting with 160.062. A float free link may be used with a Buoyant Apparatus or a Life Float and must be certified to meet 46 CFR, subpart 160.073.



### **SURVIVAL CRAFT EQUIPMENT**

46 CFR 28.130

Each Inflatable Liferaft must have one of the following equipment packs, and be marked on its container: Coastal Service, SOLAS B Pack, or SOLAS A Pack.

Each Life Float and Buoyant Apparatus must be fitted with a lifeline, pendants, a painter, and a floating electric water light that has a Coast Guard approval number starting with 161.010.

**LIFESAVING EQUIPMENT MARKING**

46 CFR 28.135

Lifesaving equipment must be marked as follows:

<b>ITEM</b>	<b>MARKING</b>	<b>TYPE OF RETRO- REFLECTIVE MATERIAL *</b>
PFD (Type I, II, III, or wearable Type V); Immersion suit	Vessel Name, or Name of Owner of the device, or Name of Person to whom it is assigned	<b>I or II</b>
Ring Life Buoy	Vessel Name	<b>II</b>
Life Float, Buoyant Apparatus, or Auxiliary Craft	Vessel Name	<b>II</b>
EPIRB	Vessel Name	<b>II</b>

\* **Type I**– Material used on flexible and rigid surfaces, except rigid surfaces that are continuously exposed

\* **Type II** – Weather resistant material used on continuously exposed rigid surfaces

The material used for retroreflective markings must have a Coast Guard approval starting with 164.018.

An Inflatable Liferaft or Inflatable Buoyant Apparatus needs no marking other than that provided by the manufacturer or servicing facility.



## **OPERATIONAL READINESS, MAINTENANCE, AND INSPECTION OF LIFESAVING EQUIPMENT**

46 CFR 28.140  
46 CFR 25.26-50

The vessel master must ensure that all lifesaving equipment is in good working order, ready for immediate use, and readily accessible before the vessel leaves port and when operating.

<b>ITEM</b>	<b>INTERVAL</b>
Inflatable wearable PFD (Type V commercial hybrid)	Service Annually <sup>1</sup>
Other PFDs and Immersion Suits	Inspect, Clean, and Repair as Necessary <sup>2</sup>
Buoyant Apparatus and Life Floats	Inspect, Clean, and Repair as Necessary <sup>2</sup>
Inflatable Liferrafts and Inflatable Buoyant Apparatus	Service Annually <sup>3,4</sup>
Hydrostatic Release (Mechanical)	Service Annually <sup>3</sup>
Hydrostatic Release (Disposable)	Replace On or Before Expiration Date
EPIRB	Test Monthly <sup>2</sup>
Dated Batteries and Other Dated Items	Replace On or Before Expiration Date
Undated Batteries	Replace Annually
Water-Activated Batteries	Replace On or Before Expiration Date, Whenever Used, or Exposed to Water

<sup>1</sup> *Must be serviced according to manufacturer's guidelines.*

<sup>2</sup> *May be carried out by the master or Knowledgeable Individual.*

<sup>3</sup> *Must be serviced at a facility approved by the Coast Guard.*

<sup>4</sup> *A new Inflatable Liferaft or Inflatable Buoyant Apparatus has two years from date of first packing before having to be serviced; annually thereafter.*

An **Escape Route** from a space where an individual may be employed or an accommodation space must not be obstructed.

## **DISTRESS SIGNALS**

46 CFR 28.145

### **AREA**

Oceans, over 50 miles from the coastline

Oceans, 3-50 miles from the coastline; or more than 3 miles from the coastline on the Great Lakes

Coastal waters, excluding Great Lakes; or within 3 miles of the coastline on the Great Lakes

### **DEVICES REQUIRED**

3 parachute flares (160.136)  
6 hand flares (160.121)  
3 smoke signals (160.122)

3 parachute flares  
(160.136 or 160.036)  
6 hand flares  
(160.121 or 160.021)  
3 smoke signals  
(160.122, 160.022 or 160.037)

Night: one S.O.S. electric light  
(161.013) *and*  
Day: one flag (160.072) or  
3 approved smoke signals, *or*  
3 approved flares for both day  
and night



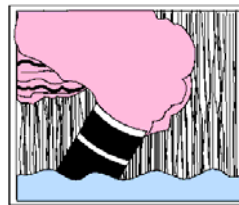
**RED FLARE**  
(hand-held/day & night)



**PARACHUTE FLARE**  
(day & night)



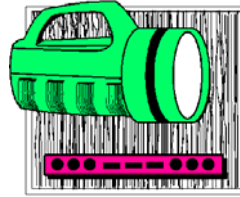
**ORANGE SMOKE SIGNAL**  
(hand-held/day only)



**FLOATING ORANGE SMOKE SIGNAL**  
(day only)



**ORANGE FLAG**  
(day only)



**ELECTRIC DISTRESS SIGNALS**  
(night only)

**EMERGENCY POSITION INDICATING RADIO BEACON (EPIRB)**

46 CFR 28.150  
46 CFR 25.26

Vessels operating on the high seas (beyond the 3-mile territorial sea line) are required to carry a 406 MHz EPIRB, Category I (float-free, automatically activated) or Category II (manually activated), as follows:

<b>VESSEL TYPE</b>	<b>EPIRB REQUIRED</b>
36 feet or more in length	406MHz Category I
36 feet or more in length with flotation *	406MHz Category I <i>or</i> 406MHz Category II
Less than 36 feet in length	406MHz Category II

\* To qualify, a Builder's Certification is required stating vessel is constructed with sufficient inherently buoyant material to keep the flooded vessel afloat.

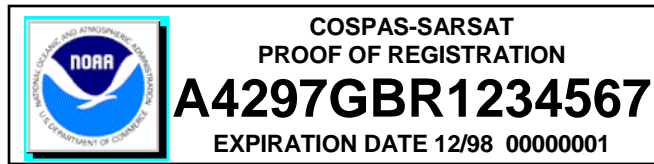


**EPIRBs**



The EPIRB must be tested when it is installed and at least once every month. The master is responsible for ensuring that the EPIRB is tested as required.

**All 406 MHz EPIRBs must be registered with NOAA** (National Oceanic and Atmospheric Administration). There is no fee for registration. Contact the Fishing Vessel Safety Coordinator in your area for a registration form, or it can be completed on-line at [www.beaconregistration.noaa.gov](http://www.beaconregistration.noaa.gov).



Note: Personal Locator Beacons do not satisfy the requirement to carry an EPIRB on board.

### **FIRE EXTINGUISHING EQUIPMENT**

- 46 CFR 25.30 – Fire Extinguishing Equipment
- 46 CFR 28.155 – Excess Fire Detection and Protection Equipment
- 46 CFR 28.160 – Portable Fire Extinguishers

Vessels must carry Coast Guard approved fire extinguishers. The **minimum** number are specified in the following tables. Additional fire detection and protection equipment may be installed if it does not endanger the vessel or individuals on board in any way. Excess extinguishers do not have to be Coast Guard approved but must be listed and labeled by an independent nationally-recognized testing laboratory and must also meet an appropriate industry standard for design, installation, testing, and maintenance.



Vessels less than 26 feet in length propelled by outboard motors are not required to carry fire extinguishers if their construction will not permit the entrapment of explosive or flammable gases or vapors.

### VESSELS LESS THAN 65 FEET IN LENGTH

Length (feet)	No fixed fire extinguishing system in machinery space	Fixed fire extinguishing system in machinery space
Less than 16	1 B-I	0
16 to less than 26	1 B-I	0
26 to less than 40	2 B-I	1 B-I
40 to less than 65	3 B-I	2 B-I

\* One B-II extinguisher may be substituted for two B-I extinguishers.

### VESSELS 65 FEET OR MORE IN LENGTH

(must comply with these fire extinguisher requirements)

Space)	Type	Quantity/Location
Safety areas, communicating corridors	A-II	1 in each main corridor not more than 150 feet apart (OK in stairways)
Pilothouse	C-I	2 in vicinity of the exit
Service spaces, galleys	B-II <i>or</i> C-II	1 per 2,500 sq. feet or fraction thereof, suitable for hazards involved
Paint lockers	B-II	1 outside the space in vicinity of the exit
Accessible baggage and storerooms	A-II	1 per 2,500 sq. feet or fraction thereof, in vicinity of the exits, either inside or outside the space
Works shops and similar spaces	A-II	1 outside the space in vicinity of the exit
Internal combustion propelling machinery	B-II	1 for each 1,000 BHP or fraction thereof; not less than 2 or more than 6
Electric propulsion motors or generator unit of open type	C-II	1 for each propulsion motor generator unit
Auxiliary spaces	B-II	1 outside the space in vicinity of the exit
Internal combustion machinery	B-II	1 outside the space in vicinity of the exit
Electric emergency motors or generators	C-II	1 outside the space in vicinity of the exit

**VESSELS 65 FEET OR MORE IN LENGTH**

(minimum number of B-II fire extinguishers required)

<b>Gross Tonnage</b>		
<b>Over</b>	<b>Less than</b>	<b>Minimum Number</b>
0	50	1
50	100	2
100	500	3
500	1,000	6
1,000	Unlimited	8

\* Vessels over 300 gross tons are also required to be fitted with either a B-III semi-portable or a fixed fire extinguishing system in the machinery space.

**CASUALTIES AND INJURIES**

- 46 CFR 28.80 – Report of Casualty
- 46 CFR 28.90 – Report of Injury
- 46 CFR 28.165 – Injury Placard

Vessels must post in a highly visible location accessible to the crew, a placard (at least 5 by 7 inches) which reads:

**NOTICE**

**Report All Injuries**

United States law, 46 United States Code 10603, requires each seaman on a fishing vessel, fish processing vessel, or fish tender vessel to notify the master or individual in charge of the vessel or other agent of the employer regarding any illness, disability, or injury suffered by the seaman when in service to the vessel not later than seven days after the date on which the illness, disability, or injury arose.

The person who receives any injury report may be required to notify the Coast Guard or the vessel’s insurance company.

If any of the following incidents occur, the owner, agent, master, operator, or person in charge, shall notify the nearest Coast Guard Marine Safety Office, Coast Guard Marine Inspection Office, or Coast Guard Group Office whenever a vessel is in a marine casualty (as per 46 CFR 4.05-1) consisting in:

- grounding, or collision with a bridge;
- loss of main propulsion or primary steering;
- loss of life;
- injury that requires professional medical treatment, beyond first aid, and that renders the individual unfit to perform duties on board the vessel;
- any property damage over \$25,000; or
- any occurrence which affects vessel seaworthiness (such as fire, flooding, or the failure or damage to fixed fire extinguishing systems, lifesaving equipment, auxiliary power generating equipment, or bilge pumping systems).

In addition to the incidents listed above, the following must be reported by the master or other vessel representative to the underwriter of primary insurance for the vessel or the Marine Index Bureau or another organization accepted by the Coast Guard:

- particulars about the vessel, owner, and operator;
- particulars about the casualty and vessel operations;
- extent of damage to the vessel, or loss of the vessel;
- any injury which incapacitates an individual for more than 72 hours; and/or
- damage to or by a vessel, its cargo, apparel or gear, except for fishing gear while not on board a vessel, or that impairs the seaworthiness of the vessel, or that is initially estimated at \$2,500 or more.

### **LOAD LINE REQUIREMENT**

46 USC 5101  
46 CFR 28.895  
46 CFR Subchapter E

Commercial fishing industry vessels are generally exempt from load line requirements. However, fish processing and fish tender vessels 79 feet or greater may be required to comply with the load line requirements. Contact the District Fishing Vessel Safety Coordinator in your area for further information, or refer to 46 CFR Subchapter E and 46 USC Chapter 51.

## **RULES OF THE ROAD**

33 CFR 88.05  
46 CFR 28.225(b)

Vessels 12 meters (39.4 feet ) or more in overall length that operate shoreward of the COLREGS Demarcation Lines must have a copy of the Inland Navigation Rules on board. In some areas, like Alaska, there are no waters shoreward of the Demarcation Line and this does not apply.

## **POLLUTION PREVENTION**

33 CFR 151.55-.59  
33 CFR 155.450

Vessels 26 feet or more in overall length must post an oil pollution placard and a garbage placard.

Vessels 40 feet or more in overall length, which operate on an ocean voyage (beyond the territorial sea), must have a written solid waste management plan which describes procedures for collecting, processing, storing, and discharging garbage and designates a person in charge of carrying out the plan.

Vessels 400 gross tons and over must also maintain a garbage log.

## **MARINE SANITATION DEVICE**

33 CFR Part 159.7

All vessels with installed toilet facilities must have an operable Coast Guard certified Marine Sanitation Device (MSD) or a holding tank. If a "y" valve is installed with a holding tank, it must be secured to direct the flow into the holding tank while the vessel operates on U.S. navigable waters.

## **OPERATION OF A VESSEL WHILE INTOXICATED**

33 CFR Part 95

No vessel may be operated by an intoxicated "individual" (defined as any crewmember, pilot or watchstander on any commercial vessel). An individual operating a commercial vessel is considered intoxicated at a blood alcohol concentration (B.A.C.) of .04 or more, or the effect of the intoxicant consumed is easily observed by the individual's general appearance or behavior



## **DRUG-TESTING REQUIREMENTS**

46 CFR Parts 4 & 16

Any vessel required to carry Coast Guard licensed or documented crew must comply with the random, pre-employment, and periodic marine employment testing requirements.

If a "serious marine incident" (see definition 46 CFR 4.03-2) occurs, every person directly involved must be tested for evidence of alcohol (within 2 hours) and dangerous drugs (within 32 hours) regardless of whether they are licensed or documented crew. Most commercial fishing vessels will need to carry a DOT-approved alcohol testing device onboard.

## **OFFICERS' COMPETENCY CERTIFICATES CONVENTION 1936**

46 CFR 15.701

Masters, mates, and engineers on vessels of 200 gross tons or more that operate beyond the Boundary Line must have the appropriate Coast Guard license.

**ADDITIONAL REQUIREMENTS FOR  
DOCUMENTED VESSELS THAT  
OPERATE BEYOND THE BOUNDARY  
LINE OR WITH MORE THAN 16 PEOPLE  
ON BOARD, OR FOR FISH TENDER  
VESSELS ENGAGED IN THE  
ALEUTIAN TRADE**

**FIREMAN’S OUTFITS AND SELF-CONTAINED  
BREATHING APPARATUS (SCBA)**

46 CFR 28.205

Vessels with more than 49 people on board must carry at least two fireman’s outfits, stowed in widely separated locations. Each fireman’s outfit must consist of an SCBA with lifeline attached, one flashlight, a rigid helmet, boots, gloves, protective clothing, and one fire ax.

Any vessel equipped with refrigeration units using ammonia must be equipped with at least two SCBAs.

SCBAs must be approved by MSHA and NIOSH, have a minimum 30-minute air supply, have a full facepiece, and have at least one spare air bottle.

**FIRST AID EQUIPMENT AND TRAINING**

46 CFR 28.210

Each vessel must carry a complete first aid manual and a medicine chest of a size suitable for the number of people on board. The items must be kept in a readily accessible location.

A vessel with more than two people on board must have at least one person certified in first aid and one person certified in CPR as outlined below: (a person certified in both first aid and CPR may be counted for both requirements)

3 to 16 people on board	1 person certified in first aid and 1 person certified in CPR
17 to 49 people on board	2 people certified in first aid and 2 people certified in CPR
50 or more people on board	4 people certified in first aid and 4 people certified in CPR

## **GUARDS FOR EXPOSED HAZARDS**

46 CFR 28.215

Suitable hand covers, guards, or railing must be installed in way of machinery which could cause injury to personnel, such as gearing, chain or belt drives, and rotating shafting. This is not meant to restrict necessary access to fishing equipment such as winches, drums, or gurdies. Internal combustion engine exhaust pipes within reach of personnel must be insulated or otherwise guarded to prevent burns.

## **NAVIGATION INFORMATION**

46 CFR 28.225

Vessels are required to carry navigational information that covers the area in which they will operate or the area to be transited as follows:

- Currently corrected **charts** of appropriate scale for safe navigation; and
- Currently corrected copy, or applicable extract, of:  
**U.S. Coast Pilot**  
**Coast Guard Light List**  
**Tide Tables**  
**Tidal Current Tables**

## **COMPASS**

46 CFR 28.230

Vessels must be equipped with an operable magnetic steering compass with a compass deviation table at the operating station.

## **ANCHORS AND RADAR REFLECTORS**

46 CFR 28.235

Vessels must be equipped with anchor(s) and chain(s), cable, or rope, appropriate for the vessel and the waters of the intended voyage.

Nonmetallic hull vessels must be equipped with a radar reflector unless the vessel rigging provides a radar signature from a distance of 6 miles.

## GENERAL ALARM SYSTEM

46 CFR 28.240

A general alarm system is required when any accommodation space or work space is not adjacent to the operating station. The system must have a contact-maker at the operating station and must be capable of notifying an individual in any accommodation space or work space where they may normally be employed. In noisy work spaces, a flashing red light must also be installed.

Each general alarm bell and flashing red light must be identified with red lettering at least 1/2 inch high as follows:

**ATTENTION  
GENERAL ALARM – WHEN ALARM  
SOUNDS GO TO YOUR STATION.**

The general alarm system must be tested prior to getting underway and at least once each week while underway.

A public address system may be used instead of a general alarm system if it complies with the above and can be activated from the operating station.

## COMMUNICATION EQUIPMENT

46 CFR 28.245, 28.375

33 CFR 26.03

47 CFR 80



Vessels must be equipped as follows:

### OPERATING AREA

0 to 20 miles  
(from coastline)  
more than 20 miles  
(from coastline)  
more than 100 miles  
(from coastline)

### COMMS EQUIPMENT

VHF 156-162 MHz band  
VHF 156-162 *and* 2-4 MHz band  
Radiotelephone transceivers  
VHF 156-162 *and* 2-27.5 MHz band  
Radiotelephone transceivers

A vessel operating in waters contiguous to Alaska where no public coast station or U.S. Coast Guard station is within range of the 156-162 or 2-4 MHz bands, must be equipped with a radiotelephone transceiver operating within the 2-27.5 MHz band.

A radiotelephone transceiver operating on the 4-20 MHz band, installed before September 15, 1991, may continue to be used by vessels operating beyond 100 miles of the coastline or in waters contiguous to Alaska.

A single radio transceiver which meets the above requirements, or a cellular telephone or satellite communication system servicing the area in which the vessel operates is acceptable to meet the above requirements.

The principle operating position of communication equipment must be at the vessel's operating station. The equipment must be installed to ensure safe operation, to facilitate repair, and to protect it from physical damage and heavy weather.

All communication equipment must be provided with an emergency source of power capable of powering the equipment continuously for at least 3 hours.

**Note:** Communication equipment must comply with the technical standards and operating requirements issued by the FCC. When using radio communication equipment, each vessel must have a Ship Radio Station License issued by the FCC, as set forth in 47 CFR part 80.

## **HIGH WATER ALARMS**

46 CFR 28.250

Vessel 36 feet or more in length must be equipped with high water level alarms—both visual and audible—at the operating station. The alarms must indicate high water levels in each of the following normally unmanned spaces:

- A space with a through-hull fitting below the deepest load waterline, such as the lazarette;
- Machinery space bilge, bilge well, shaft alley bilge, or other space subject to flooding from sea water piping within the space; and
- A space with a non-watertight closure, such as those with a non-watertight hatch on the main deck.

## **BILGE SYSTEMS**

46 CFR 28.255

Vessels must be equipped with a bilge pump and bilge piping capable of draining any watertight compartment, other than tanks and small buoyancy compartments, under all service conditions. Engine rooms must be fitted with more than one suction line.

If a portable bilge pump is used to meet this requirement, a suitable suction hose and discharge hose must be provided. The suction hose must be able to reach the bilges of all watertight compartments it must serve and the discharge hose must ensure overboard discharge. A portable pump must be capable of dewatering each space at a rate of at least 2-inches of water depth per minute.

Each bilge suction line and dewatering system suction must be fitted with a suitable strainer to prevent clogging of the line.

For larger vessels and those vessels that have fish sorting or processing spaces where water is used, refer to the specific requirements found in 46 CFR 28.255.

## **ELECTRONIC POSITION FIXING DEVICES**

46 CFR 28.260

Vessels 79 feet or more in length must be equipped with an electronic position fixing device (such as SAT NAV, GPS, LORAN, OMEGA, or RDF) capable of providing accurate fixes for the area in which the vessel operates.

## **EMERGENCY INSTRUCTIONS**

46 CFR 28.265

Emergency instructions must be posted in conspicuous locations accessible to the crew.

On vessels operating with less than 4 individuals on board, the emergency instructions may be kept readily available as an alternative to posting.

Emergency instructions for rough weather procedures, crossing hazardous bars, flooding, anchoring the vessel, an individual overboard, and fighting a fire may be kept readily available as an alternative to posting.

Emergency instructions that must be posted include:

- Survival craft embarkation stations and craft to which each person is assigned;
- Fire and emergency signal, and abandon ship signal;
- If provided, immersion suit location(s) and illustrated instructions on the method for donning the suits;
- Procedures for making distress calls;
- Each person's responsibility during an emergency; and
- Any other emergency or special evolution procedure not otherwise kept readily available as an alternative.

### **INSTRUCTION, DRILLS, AND SAFETY ORIENTATION**

46 CFR 28.270

Drills must be conducted and instruction must be given to each individual on board the vessel at least once each month.

Contingencies that must be covered include:

- Abandoning the vessel;
- Fighting a fire in different locations on the vessel;
- Recovering an individual from the water;
- Minimizing the effects of unintentional flooding;
- Launching survival craft and recovering lifeboats;
- Donning immersion suits and other wearable PFDs;
- Donning a fireman's outfit and SCBAs, if equipped;
- Making distress calls and using visual distress signals;
- Activating the general alarm; and
- Reporting inoperative alarms, fire detection systems.

Drills must be conducted on board the vessel as if there were an actual emergency with participation by all individuals on board. Emergency equipment must be used, alarm and detection systems must be tested, and immersion suits and protective clothing must be donned (if so equipped.) Only an individual trained in the proper procedures for conducting the activity may conduct drills or provide instruction.

Viewing videotapes, followed by a discussion led by a person familiar with the contingencies listed above, will satisfy the instruction requirement, but not the hands-on drills.

Prior to operating the vessel, the master must ensure a safety orientation is provided to anyone who has not received the required instruction or participated in the drills. This safety orientation must explain the emergency instructions required by 46 CFR 28.265 and cover the contingencies listed above.

## **VESSELS BUILT OR WHICH UNDERGO A MAJOR CONVERSION COMPLETED ON OR AFTER SEPTEMBER 15, 1991, AND THAT OPERATE WITH MORE THAN 16 INDIVIDUALS ON BOARD**

These vessels must meet additional requirements for lifesaving and signaling equipment, fire extinguishing and detection systems, galley hoods, fuel systems, ventilation of enclosed spaces, electrical systems, structural fire protection, means of escape, radar and depth sounding devices, hydraulic equipment, and rails and lifelines. Applicability and specific requirements can be found in 46 CFR Part 28, Subpart D.

## **STABILITY REQUIREMENTS FOR CERTAIN VESSELS**

Each vessel 79 feet or more in length that is not required to be issued a load line, must meet certain stability requirements if:

- its keel was laid or was at a similar stage of construction or had a major conversion started on or after Sept. 15, 1991;
- its fishing or processing equipment was altered for the purpose of catching, landing, or processing fish in a manner different than previously accomplished on the vessel; or
- it was substantially altered on or after Sept. 15, 1991.

See 46 CFR, Part 28, Subpart E for specific requirements.

## **FISH PROCESSING VESSELS**

Uninspected fish processing vessels must be examined at least once every two years by the ABS, a similarly qualified organization, or a surveyor of an accepted organization. Any fish processing vessel built or converted after July 27, 1990, must be classed by ABS, or a similarly qualified organization. See 46 CFR, Part 28, Subpart F for specific requirements.

## **ALEUTIAN TRADE ACT VESSELS**

A vessel engaged in Aleutian Trade may have to comply with additional requirements or undergo periodic inspection based on the vessel size, when it was entered into service, or if it undergoes a major conversion. See 46 CFR, Part 28, Subpart G for applicability and specific requirements.



## OTHER APPLICABLE FEDERAL LAWS AND REGULATIONS

Cite	Requirements
46 CFR 25	BACKFIRE FLAME CONTROL – Gasoline engines, except outboard motors, are required to have backfire flame control.  VENTILATION – Certain spaces are required to have a means for removal of flammable gases.
46 CFR 26	SIGNAL LIGHT – Vessels over 150 gross tons on an international voyage must have a signal light.
46 CFR 67-69	DOCUMENTATION – Commercial fishing vessels measuring 5 net tons and over must be documented, display name, hailing port and official number.
47 CFR 80	FCC SHIP RADIO STATION LICENSE – A current license must be onboard any vessel: (1) required by any regulation to carry radio-communicating equipment (not including EPIRBs); (2) carrying single side band, <u>or</u> (3) which communicates with a foreign coast station.  RADIOTELEPHONES – Vessels of more than 300 gross tons have certain additional radiotelephone requirements.
33 CFR 26	RADIOTELEPHONES – All power driven vessels 20 meters (65 feet) or more must comply with radiotelephone requirements.
33 CFR 81	NAVIGATION LIGHTS AND SOUND PRODUCING DEVICES – Vessels must comply with specific light, shape, and sound signal requirements. If less than 12 meters (39.3 ft) in overall length must have an efficient sound signal. See the Inland and International Rules for the requirements to carry a bell and whistle.

- 33 CFR 138 FINANCIAL RESPONSIBILITY – The Federal Water Pollution Control Act applies to all fishing vessels 300 gross tons or more using U.S. ports. A Certificate of Financial Responsibility must be on board.
- 33 CFR 155 OIL CARRIAGE – Certain vessels are prohibited from carrying oil in the forepeak tank or forward of the collision bulkhead.
- 33 CFR 156 OIL TRANSFER PROCEDURES – There are requirements for oil transfer procedures and piping tests for vessel with a capacity of 250 or more barrels of oil (10,500 gallons).
- 33 CFR 173 NUMBERING – Except for certain vessels exempted, self-propelled vessels of less than 5 net tons must be numbered.
- 46 USC 8103 CITIZENSHIP – The master, chief engineer, radio officer, or officer in charge of a deck watch or engineering watch on documented vessels must be a U.S. citizen (see USC for exceptions).
- 46 USC 10601 FISHING AGREEMENT – A written fishing agreement is required with each seaman employed on vessels of 20 gross tons or more.
- 46 USC 10602 SEAMEN RIGHTS – Seamen have rights to recover wages and shares of proceeds under 46 USC 10601 Fishing Agreement.

### **SEXUAL ABUSE ACT OF 1986**

If any member of the crew is a victim of a sexual offense, that person should immediately report the incident to the master. It is then the responsibility of the master to report to the Coast Guard any complaints of sexual offenses including aggravated sexual abuse, sexual abuse, sexual abuse of a minor or ward, and sexual contact (46 USC 10104.)

### **FISHERIES PERMITS**

As may be required by the National Marine Fisheries Service (NMFS) and the applicable state agency that regulates fishing.

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## **COAST GUARD FISHING VESSEL SAFETY COORDINATORS**

U.S. Coast Guard Headquarters  
Fishing Vessel Safety Program Managers  
(202) 372-1251

Dockside Safety Examinations can be requested through our web site ([www.fishsafe.info](http://www.fishsafe.info)) or by contacting one of the following offices.

Commander (Prevention)  
**Coast Guard Atlantic Area**  
431 Crawford Street  
Portsmouth, VA 23704-5004  
Telephone: (757) 398-7787

Commander (Prevention)  
**First Coast Guard District**  
408 Atlantic Avenue  
Boston, MA 02210-3350  
Telephone: (617) 223-8440 / 8315

Commander (Prevention)  
**Fifth Coast Guard District**  
431 Crawford Street  
Portsmouth, VA 23704-5004  
Telephone: (757) 398-6554

Commander (Prevention)  
**Seventh Coast Guard District**  
909 S.E. First Avenue  
Miami, FL 33131-3050  
Telephone: (305) 415-6868

Commander (Prevention)  
**Eighth Coast Guard District**  
501 Magazine Street, Room 1328  
New Orleans, LA 70130-3396  
Telephone: (504) 671-2154

Commander (Prevention)  
**Ninth Coast Guard District**  
1240 East 9<sup>th</sup> Street  
Cleveland, OH 44199-2060  
Telephone: (216) 902-6045

Commander (Prevention)  
**Coast Guard Pacific Area**  
Coast Guard Island  
Alameda, CA 94501-5100  
Telephone: (510) 437-5847

Commander (Prevention)  
**Eleventh Coast Guard District**  
Coast Guard Island, Building 50-8  
Alameda, CA 94501-5100  
Telephone: (510) 437-5931

Commander (Prevention)  
**Thirteenth Coast Guard District**  
915 Second Avenue, Suite 3506  
Seattle, WA 98174-1067  
Telephone: (206) 220-7226

Commander (Prevention)  
**Fourteenth Coast Guard District**  
300 Ala Moana Boulevard, 9<sup>th</sup> Floor  
Honolulu, HI 98650-4982  
Telephone: (808) 535-3415

Commander (Prevention)  
**Seventeenth Coast Guard District**  
P.O. Box 25517  
Juneau, AK 99802-5517  
Telephone: (907) 463-2810 / 2823



**NOTES:**

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