Coast Guard, DHS


(a) Except for a casualty which is required to be reported to the Coast Guard on Form CG 2922 in accordance with part 4 of this chapter, the owner, agent, operator, master, or individual related to commercial fishing industry vessels;

(c) Whose surveyors are familiar with the operations and equipment on board commercial fishing industry vessels;

(d) Whose only interest in the fishing industry is in ensuring the safety of commercial fishing industry vessels and surveying commercial fishing industry vessels;

(e) That has grievance procedures;

(f) That has procedures for accepting and terminating membership of an individual, including minimum professional qualifications for surveyors;

(g) That maintains a roster of present and past accepted members and surveyors; and

(h) That has an Apprentice/Associate program for surveyors.

§ 28.76 Similarly qualified organizations.

An organization desiring to be designated by the Commandant as a similarly qualified organization must request such designation in writing. As a minimum the organization must verify that it—

(a) Publishes standards for vessel design and construction which are as widely available as and which are of similar content to the standards published by the ABS;

(b) Performs periodic surveys in a wide range of localities during and after construction to ensure compliance with published standards, including drydock examinations, in a manner similar to the ABS;

(c) Issues certificates testifying to compliance with the published standards;

(d) Has as its primary concern the survey and classification of vessels;

(e) Has no interest in owning or operating fishing, fish processing, or fish tender vessels; and

(f) Maintains records of surveys and makes such records available to the Coast Guard upon request in a manner similar to the ABS.

§ 28.73 Accepted organizations.

An organization desiring to be designated by the Commandant as an accepted organization must request such designation in writing. As a minimum the organization must verify that it is an organization—

(a) With a Code of Ethics;

(b) Whose surveyors are familiar with the requirements of this chapter related to commercial fishing industry vessels;

(c) Whose surveyors are familiar with the operations and equipment on board commercial fishing industry vessels;

(d) Whose only interest in the fishing industry is in ensuring the safety of commercial fishing industry vessels and surveying commercial fishing industry vessels;

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§ 28.70 Approved equipment and material.

(a) Equipment and material that is required by this subchapter to be approved or of an approved type, must have been manufactured and approved in accordance with the design and testing requirements in Subchapter Q of this chapter or as otherwise specified by the Commandant.

(b) A listing of current and formerly approved equipment and materials may be found on the internet at: http://cgmix.uscg.mil/equipment. Each OCMI may be contacted for information concerning approved equipment.


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Each individual employed on a commercial fishing industry vessel must notify the master, individual in charge of the vessel, or other agent of the employer of each illness, disability, or injury suffered while in service to the vessel not later than seven days after the date on which the illness, disability, or injury arose.

(a) Each individual employed on a commercial fishing industry vessel must notify the master, individual in charge of the vessel, or other agent of the employer of each illness, disability, or injury suffered while in service to the vessel not later than seven days after the date on which the illness, disability, or injury arose.

(b) Each underwriter of primary insurance for a commercial fishing industry vessel must submit a report of each casualty involving that vessel to an organization listed in paragraph (d) of this section within 90 days of receiving notice of the casualty and whenever it pays a claim resulting from the casualty. Initial reports must be in accordance with paragraph (c) of this section. Subsequent reports must contain sufficient information to identify the casualty and any new or corrected casualty data.

(c) Each report of casualty must include the following information:

(1) The name and address of the vessel owner and vessel operator, if different than the vessel owner;

(2) The name and address of the underwriter of primary insurance for the vessel;

(3) The name, registry number, call sign, gross tonnage, year of build, length, and hull material of the vessel;

(4) The date, location, primary cause, and nature of the casualty;

(5) The specific fishery, intended catch, and length of fishery opening when applicable;

(6) The date that the casualty was reported to the underwriter of primary insurance for the vessel, or to an organization acceptable to the Commandant;

(7) The activity of the vessel at the time of the casualty;

(8) The weather conditions at the time of the casualty, if the weather caused or contributed to the cause of the casualty;

(9) The damages to or by the vessel, its apparel, gear, or cargo;

(10) The monetary amounts paid for damages;

(11) The name, birth date, social security number, address, job title, length of disability, activity at the time of injury, type of injury, and medical treatment required for each individual incapacitated for more than 72 hours, or deceased as a result of the casualty;

(12) The name, registry number, and call sign of every other vessel involved in the casualty; and

(13) The monetary amount paid for an injury or a death.

(d) A casualty to a commercial fishing industry vessel must be reported to an organization that has knowledge and experience in the collection and processing of statistical insurance data and that has been accepted by the Commandant to receive and process casualty data under this part. The Commandant has accepted for this purpose:

(1) Marine Index Bureau (a division of ISO Claim Search), Floor 22-8, 445 Washington Boulevard, Jersey City, NJ, 07310–1686.

(2) [Reserved]

Note: The Coast Guard intends to treat information collected under this section from underwriters of primary insurance as exempt from disclosure under the Freedom of Information Act because it is commercial and financial information which, if disclosed, would likely be cause substantial harm to the competitive position of the underwriter.