than 16 individuals on board primarily employed in the preparation of fish or
fish products; and,
(7) All fish processing vessels with re-
spect to those personnel primarily em-
ployed in the preparation of fish or fish
products or in a support position not
related to navigation.
(b) 46 U.S.C. 8702(b) requires that on
board vessels departing U.S. ports 75
percent of the crew in each department on
board is able to understand any order spo-
ken by the officers.
(c) The words able to understand any
order spoken by the officers relates to
any order to a member of the crew
when directing the performance of that
person’s duties and orders relating to
emergency situations such as used for
response to a fire or in using lifesaving
equipment. It is not expected that a
member of the deck department under-
stand terminology normally used only
in the engineroom or vice versa.
(d) Whenever information is pre-
sented to the Coast Guard that a vessel
fails to comply with the specified lan-
guage requirements the Coast Guard
investigates the allegation to deter-
mine its validity. In determining if an
allegation is factual, the Coast Guard
may require a demonstration by the of-
ficers and crew that appropriate orders
are understood. The demonstration will
require that orders be spoken to the in-
dividual members of the crew by the of-
ficers in the language ordinarily and
customarily used by the officers. The
orders must be spoken directly by the
officer to the crew member and not
through an interpreter. Signs, ges-
tures, or signals may not be used in the
test. The Coast Guard representative
will specify the orders to be given and
will include not only daily routine but
orders involving emergencies, either of
a departmental or of a general nature.
This test will be conducted, if possible,
at a time reasonably in advance of the
vessel’s departure, to avoid delays.
[CGD 81–659, 52 FR 38623, Oct. 16, 1987, as
amended by USCG–2006–24371, 74 FR 11262,
Mar. 16, 2009]
§ 15.812 Pilots.

(a) Except as specified in paragraph (f) of this section, the following vessels, not sailing on register, when underway on the navigable waters of the United States, must be under the direction and control of an individual qualified to serve as pilot under paragraph (b) or (c) of this section as appropriate:

(1) Coastwise seagoing vessels propelled by machinery and subject to inspection under 46 U.S.C. Chapter 33, and coastwise seagoing tank barges subject to inspection under 46 U.S.C. Chapter 37;

(2) Vessels that are not authorized by their Certificate of Inspection to proceed beyond the Boundary Line established in part 7 of this Chapter which are in excess of 1,600 gross tons, propelled by machinery, and subject to inspection under 46 U.S.C. chapter 33; and

(3) Vessels operating on the Great Lakes that are propelled by machinery and subject to inspection under 46 U.S.C. chapter 33, or are tank barges subject to inspection under 46 U.S.C. chapter 37.

(b) The following individuals may serve as a pilot for a vessel subject to paragraph (a) of this section, when underway on the navigable waters of the

(1) Mate (pilot) of towing vessels; or

(2) Mate of inspected self-propelled vessels greater than 200 GRT within any other restrictions on the officer's license or MMC, holding either—

(i) A completed Towing Officer's Assessment Record (TOAR) bearing the signature from a Designated Examiner and stating that the Examiner found the candidate proficient; or

(ii) A license or MMC with officer endorsement for towing vessels.

(c) An individual in charge of the navigation or maneuvering of a self-propelled, uninspected, documented, seagoing vessel of 200 gross tons or over must hold an appropriate license or MMC authorizing service as mate.

(d) Each person in charge of the navigation or maneuvering of a towing vessel of at least 8 meters (at least 26 feet) in length must satisfy the requirements of §15.805(a)(5) of this part or hold a license or MMC authorizing service as either—

(1) Mate (pilot) of towing vessels; or

(2) Mate of inspected self-propelled vessels greater than 200 GRT within any other restrictions on the officer's license or MMC, holding either—

(i) A completed Towing Officer's Assessment Record (TOAR) bearing the signature from a Designated Examiner and stating that the Examiner found the candidate proficient; or

(ii) A license or MMC with officer endorsement for towing vessels.

(e) The OCMI may increase the minimum number of mates indicated in paragraph (b) of this section where he or she determines that the vessel’s characteristics, route, or other operating conditions create special circumstances warranting an increase.

(f) The Commandant will consider reductions to the number of mates required by this section when special circumstances allowing a vessel to be safely operated can be demonstrated.