

## Coast Guard, DHS

## § 15.810

than 16 individuals on board primarily employed in the preparation of fish or fish products; and,

(7) All fish processing vessels with respect to those personnel primarily employed 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 spoken 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 understand terminology normally used only in the engineroom or vice versa.

(d) Whenever information is presented to the Coast Guard that a vessel fails to comply with the specified language requirements the Coast Guard investigates the allegation to determine its validity. In determining if an allegation is factual, the Coast Guard may require a demonstration by the officers and crew that appropriate orders are understood. The demonstration will require that orders be spoken to the individual members of the crew by the officers 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, gestures, 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 81-059, 52 FR 38652, Oct. 16, 1987, as amended by USCG-2006-24371, 74 FR 11262, Mar. 16, 2009]

### Subpart G—Computations

#### § 15.801 General.

The OCMI will determine the specific manning levels for vessels required to

have certificates of inspection by part B of subtitle II of title 46 U.S.C. The masters or individuals in command of all vessels, whether required to be inspected under 46 U.S.C. 3301 or not, are responsible for properly manning vessels in accordance with the applicable laws, regulations, and international conventions.

[CGD 81-059, 54 FR 149, Jan. 4, 1989]

#### § 15.805 Master.

(a) There must be an individual holding an appropriate license as or a valid MMC with endorsement as master in command of each of the following vessels:

(1) Every self-propelled, seagoing documented vessel of 200 gross tons and over.

(2) Every self-propelled inspected vessel.

(3) Every inspected passenger vessel.

(4) Every inspected small passenger vessel.

(5) Every towing vessel of at least 8 meters (at least 26 feet) or more in length must be under the command of a master of towing vessels, or a mariner holding a license or MMC endorsed as master of inspected, self-propelled vessels greater than 200 gross register tons (GRT) holding either—

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

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

(6) Every uninspected passenger vessel of at least 100 gross tons.

(b) Every vessel documented under the laws of the United States, other than a vessel with only a recreational endorsement, must be under the command of a U.S. citizen.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended by CGD 81-059, 54 FR 149, Jan. 4, 1989; USCG-1999-6216, 64 FR 53223, Oct. 1, 1999; USCG-1999-6224, 64 FR 63235, Nov. 19, 1999; 66 FR 20944, Apr. 26, 2001; USCG-1999-5040, 67 FR 34767, May 15, 2002; USCG-2006-24371, 74 FR 11261, Mar. 16, 2009]

#### § 15.810 Mates.

(a) The OCMI determines the minimum number of mates required for the safe operation of inspected vessels.

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(b) The minimum number of mariners holding a license or MMC officer endorsement as mate required to be carried on every inspected, self-propelled, seagoing and Great Lakes vessel, and every inspected, seagoing, passenger vessel must not be less than the following, except when reductions are authorized under paragraph (e) of this section:

(1) Vessels of 1000 gross tons or more (except MODUs)—three mates (except when on a voyage of less than 400 miles from port of departure to port of final destination—two mates).

(2) MODUs of 1000 gross tons or more:

(i) Three mates when on a voyage of more than 72 hours.

(ii) Two mates when on a voyage of more than 16 but not more than 72 hours.

(iii) One mate when on a voyage of not more than 16 hours.

(3) Vessels of 100 or more gross tons but less than 1000 gross tons—two mates (except vessels of at least 100 but less than 200 gross tons on voyages which do not exceed 24 hours in duration—one mate).

(4) All offshore supply vessels of 100 gross tons or more—two mates (except when on a voyage of less than 600 miles—one mate). A voyage includes the accrued distance from port of departure to port of arrival and does not include stops at offshore points.

(5) All vessels of less than 100 gross tons—one mate (except vessels on voyages not exceeding 12 hours in duration may, if the OCMI determines it to be safe, be operated without mates).

(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.

[CGD 81-059, 52 FR 38652, Oct. 16, 1987, as amended by CGD 81-059, 54 FR 149, Jan. 4, 1989; CGD 81-059a, 55 FR 14805, Apr. 18, 1990; USCG-1999-6224, 64 FR 63235, Nov. 19, 1999; 66 FR 20944, Apr. 26, 2001; 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