

Reducing Deaths from Falls Overboard

NIOSH studies have found that a majority of deaths on commercial fishing vessels are a result of man overboard accidents.

The Coast Guard is encouraging crew to wear PFDs while working on the deck of commercial fishing vessels, even if the equipment is not Coast Guard approved.

There has been some concern from the commercial fishing industry that the Coast Guard will not allow excess or unapproved equipment aboard commercial fishing vessels.

Excess equipment even if it is non-approved equipment is allowed to be kept and used on board a commercial fishing vessels provided the vessel has the PFDs or immersion suits as required by the fishing vessel safety regulations. The following regulations and guidance support this interpretation.

- *The last sentence in [46 CFR 28.105\(b\)](#) states; “Equipment for personal use which is not required by this part need not be approved by the Commandant.”*
- [46 CFR 28.140 \(b\)](#) – states; “Each item of lifesaving equipment, **including unapproved equipment**, must be maintained and inspected in accordance with “
 - “(1) [Table 28.140](#)” (inspected, cleaned and repaired as necessary annually)
 - “(2) The servicing procedure under the subpart of this chapter applicable to the item/s approval; and”
 - *Subchapter Q does not establish a servicing criteria or interval but states that the manufacturer of the device will establish and label the item with the required servicing.*
 - (3) “The manufacturer’s guidelines.”
- A final reference is in [MOC Policy Letter 01-96](#) dated 07 February 1996: The subject of which is “Excess equipment found on uninspected commercial fishing industry vessels”
 - *Paragraph 2 states; “All safety and lifesaving equipment in excess of that required by 46 CFR 28, whether an approved type or not, carried onboard any commercial fishing industry vessel must be:*
 - (a) Maintained and inspected as required by regulation and in compliance with the manufacturer’s guidelines.”