



## What is a Commercial Fishing Industry Vessel?

The Commercial Fishing Industry Vessel Safety Act of 1988 established safety equipment standards for fishing vessels, fish processing vessels, and fish tender vessels. These standards were codified in the United States Code (USC) Title 46, Chapter 45. In 1991, regulations were promulgated in Title 46 Code of Federal Regulations (CFR) Part 28 – Requirements for Commercial Fishing Industry Vessels.

In the regulations, commercial fishing industry vessel means a fishing vessel, fish tender vessel, or a fish processing vessel. Each type of vessel is further defined in the law and regulations.

**Fishing vessel** means a vessel that commercially engages in the catching, taking, or harvesting of fish or an activity that can reasonably be expected to result in the catching, taking, or harvesting of fish.



(And **Fish** means finfish, mollusks, crustaceans, and all other forms of marine animal and plant life, except marine mammals and birds.)

**Fishing processing vessel** means 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** means 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.

U.S. vessels engaged in commercial fishing must be federally-documented or state-numbered. A vessel of at least five net tons which engages in the fisheries on the navigable waters of the U.S. or in the Exclusive Economic Zone, must have a Certificate of Documentation from the U.S. Coast Guard bearing a valid endorsement appropriate for the activity in which it is engaged.

Fishing vessels less than five net tons must have a certificate of number issued by the issuing authority in the State in which the vessel is principally used.



The safety and survival equipment required on a vessel is determined by the area of operation, the size of the vessel, when the vessel was built (or was substantially altered or underwent a major conversion), and how many individuals are on board.

Fish processing vessels and Aleutian Trade Act vessels must be examined for compliance with the regulations at least once every two years and be issued a Certificate of Compliance. They may also have to obtain a certificate of class and a loadline certificate. Regular “fishing vessels” are not required by the Coast Guard to complete a safety examination, however, they are strongly encouraged to do so at the dock where no citations for deficiencies will be issued.

**Vessels that can be considered commercial fishing industry vessels and subject to the regulations.**

The requirements for commercial fishing industry vessels may be enforced on other vessels under certain circumstances. Small passenger vessels, uninspected charter passenger vessels, and even recreational vessels may possess a state or federal permit authorizing the catch, landing, and sale of certain species. When one of these type vessels sells their catch, they are clearly engaged in commercial fisheries operations.

When small passenger vessels are operating under their Certificate of Inspection (COI), that is carrying more than six passengers for hire, they are regulated under 46 CFR Parts 175-185. However, if they are fishing and selling their catch without passengers for hire on board (not operating under their COI), they can be subject to the requirements for commercial fishing industry vessels.



Uninspected charter passenger vessels (carrying six or fewer passengers for hire, or no passengers for hire) and recreational vessels that sell their catch can be subject to the requirements for commercial fishing vessels.

If you are unsure about the safety and survival equipment for your vessel, contact your local Coast Guard unit and request a no-fault dockside examination. For more safety information and to view other references visit our Web Site at [www.FishSafe.info](http://www.FishSafe.info).

