



# Marine Safety Information Bulletin

Commander  
U.S. Coast Guard Fourteenth District  
PJKK Federal Building  
300 Ala Moana Boulevard Ste. 9-121  
Honolulu, HI 96850-4982

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Date: October 2, 2015  
Contact: Charles Medicott  
Phone: (808) 535-3417  
E-Mail: [charles.j.medlicott@uscg.mil](mailto:charles.j.medlicott@uscg.mil)

## Class Exemption for Commercial Fishing Vessels Under 36 Feet in Length Operating In the Fourteenth Coast Guard District

The Coast Guard Authorization Act of 2014 directs all Commercial Fishing Vessels operating beyond three nautical miles (NM) to complete a safety compliance examination and obtain a Commercial Fishing Vessel (CFV) Safety Decal or Certificate of Compliance by October 15, 2015. In accordance with Title 46 Code of Federal Regulations (CFR) Part 28.60, a class exemption from the requirements of 46 CFR 28 Subpart C<sup>1</sup> and the Survival Craft and Emergency Position Indicating Radio Beacon (EPIRB) requirements of 46 CFR 28 Subpart B has been approved by the U.S. Coast Guard Fourteenth District Commander and is hereby established for certain vessels. Applicability, equipment requirements, examination requirements, and recommendations are detailed below, and a checklist is enclosed. Good cause exists for granting this exemption, and the safety of qualifying vessels and those on board will not be adversely affected.

### APPLICABILITY OF EXEMPTION:

- a. This exemption applies to U.S.-flagged CFVs that are:
  - less than 36 feet in length;
  - operate less than 15 NM from shore; and
  - operate with four or less people onboard.
- b. CFVs subject to this exemption operating more than 15 NM from shore must:
  - be accompanied by at least one other CFV in compliance with this class exemption;
  - remain within line of sight of each other at all times; and
  - maintain radio communications with each other at all times.
- c. Unaccompanied vessels subject to this exemption that operate more than 15 NM from shore may lose the exemption granted herein.

### ALTERNATE EQUIPMENT REQUIREMENTS UNDER THE EXEMPTION

- a. In order to take advantage of the EPIRB and Survival Craft exemptions, each CFV must be equipped with a Personal Locator Beacon (PLB) with internal GPS. The PLB must be securely attached to a personal flotation device (PFD) worn by the Captain or crew member; if attached to the inside pocket, the PFD must be clearly marked as containing a PLB and readily available at all times. In no instance may the PLB impede or interfere with the donning of the PFD.

<sup>1</sup> 46 CFR 28 Subpart C currently applies to documented vessels that operate beyond the boundary lines or with more than 16 people on board but will apply to all commercial fishing vessels fishing beyond three miles effective October 15, 2015.

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- b. The PLB must be currently registered with the National Oceanic and Atmospheric Administration. The registration must include the vessel's name and official number or HI state registration number of the CFV; proof of registration must be maintained on board at all times.
- c. The master or operator must conduct a safety orientation with crewmembers prior to each voyage, including the location and operation of the PLB.
- d. Each vessel must maintain on-board, operable radio equipment capable of communicating with shore stations or with other vessels in the vicinity. This radio must be tested prior to each voyage.

#### EXAMINATION REQUIREMENTS

- a. Each CFV must successfully complete a Coast Guard Dockside examination and receive a CFV Safety Decal or Certificate of Compliance every two years.
- b. Each CFV must comply with all safety requirements set forth in 46 CFR Part 28, Subpart B, and the emergency instructions, training, and drill requirements found in 46 CFR 28.265 and 46 CFR 28.270, respectively, as indicated in enclosure.
- c. Coast Guard dockside examiners will issue this Marine Safety Information Bulletin (MSIB) D14-01-15 to each qualifying CFV that completes a dockside exam. Each CFV must carry this MSIB or a legible copy on board at all times and make it available to Coast Guard personnel upon request.

#### OPERATIONAL RECOMMENDATIONS

- a. Each CFV should file a voyage plan with a family member or other responsible party in advance of every trip.

This class exemption will be evaluated annually by the Fourteenth District CFV Safety Coordinator to ensure there are no adverse impacts on the safety of the fleet, and the exemption furthers the intent of increasing compliance with fishing vessel safety regulations. If it is determined that the exemption is not meeting this intent or that safety has been compromised, the exemption will be cancelled or modified.

If you have any questions or concerns regarding this safety exemption, feel free to contact Mr. Charlie Medicott at 808-535-3417.





**U.S. Coast Guard Fourteenth District  
Commercial Fishing Vessel Safety Examination Checklist  
For Vessels Less Than 36 Feet in Length; Four or Less Persons on Board (POB); and  
Inside 15 Nautical Miles (NM)**

<b>Vessel Name:</b>		<b>Number:</b>	
<b>BRIDGE &amp; DOCUMENTS</b> <i>33 CFR 173</i>			
<b>Registration/Markings</b> <i>46 CFR 28.165</i>	Original on board	<input type="checkbox"/> YES	<input type="checkbox"/> NO <input type="checkbox"/> N/A
	Current	<input type="checkbox"/> YES	<input type="checkbox"/> NO <input type="checkbox"/> N/A
	Vessel's number on both sides of forward part of hull	<input type="checkbox"/> YES	<input type="checkbox"/> NO <input type="checkbox"/> N/A
	Contrasting color	<input type="checkbox"/> YES	<input type="checkbox"/> NO <input type="checkbox"/> N/A
<b>Injury Placard (All Vessels)</b> <i>33 USC 1602 33 USC 2020 72 COLREGS</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A		
<b>Navigation Lights</b> <i>33 USC 1602 33 USC 2020 72 COLREGS</i>	Required during darkness and/or in or near areas of restricted visibility (fog)	<input type="checkbox"/> YES	<input type="checkbox"/> NO <input type="checkbox"/> N/A
	Side Lights (112.5)	<input type="checkbox"/> YES	<input type="checkbox"/> NO <input type="checkbox"/> N/A
	All around white light or masthead (225 and starlight 135)	<input type="checkbox"/> YES	<input type="checkbox"/> NO <input type="checkbox"/> N/A
	Fishing lights Red over White (360) 1 meter apart, required on all fishing vessels except TROLLERS. Trawlers use green over white.	<input type="checkbox"/> YES	<input type="checkbox"/> NO <input type="checkbox"/> N/A
<b>Dayshapes: Required fishing dayshape</b> <i>33 USC 1602 33 USC 2020 72 COLREGS</i>	Two black cones apex to apex. Not required on TROLLERS	<input type="checkbox"/> YES	<input type="checkbox"/> NO <input type="checkbox"/> N/A
<b>Sound Producing Devices</b>	Vessels < 12m: Means of making an efficient sound signal	<input type="checkbox"/> YES	<input type="checkbox"/> NO <input type="checkbox"/> N/A

<b>LIFESAVING</b>					
<i>46 CFR 28.110; 46 CFR 28.135; 46 CFR 28.140</i>					
<b>Personal Flotation Devices (PFDs)</b> <i>46 CFR 28.115</i> <i>46 CFR 28.135</i>	Immersion Suit or Life jacket, one for each person on board.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	Marked with name and retro-reflective tape	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	Properly maintained in good working order and in good shape	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	Stowed readily accessible	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	Personal Marker Light attached	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	Coast Guard approved	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	Batteries replaced annually (for alkaline) or expiration date (others)	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
<b>Ring Life Buoys</b> <i>46 CFR 28.120</i> <i>46 CFR 28.125</i> <i>46 CFR 28.130</i> <i>46 CFR 28.140</i>	Less than 16 feet: None required	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	16 to less than 26 feet: 1 cushion (Type IV PFD) or ring life buoy	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
		Marking with name and retro-reflective tape.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
		Ring buoy is required to have 60 feet of line attached.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
		Stowed readily accessible in good working condition.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Life Sling in lieu of Ring Life Buoy is acceptable.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A		
<b>Survival Craft: Exemption Issued</b> <i>46 CFR 28.145</i> <i>46 CFR 28.140</i>	Required an Inflatable Buoyant Apparatus	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	Stowed in a readily accessible location or float-free arrangement.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	Properly serviced and maintained.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
<b>Visual Distress Signals</b> <i>46 CFR 28.150</i> <i>46 CFR 25.26</i> <i>46 CFR 28.135</i> <i>47 CFR 80</i> <i>46 CFR 28.140</i>	3 Parachute Flares (#160.136 or .036)	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	6 Handheld Flares (#160.121 or .021)	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	3 Smoke Signals (#160.122 or .022 or .037)	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
<b>Emergency Position Indicating Radio Beacon (EPIRB): GPS PLB may be used in lieu of an EPIRB</b>	Category I Automatically Activated/Float-Free 406 MHz EPIRB or	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	Category II Manually Activated 406 MHz EPIRB	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	Battery not expired	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	Current Registration with NOAA	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	Hydrostatic Release not expired	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	Unit marked with vessel's name	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	

<b>ENGINE ROOM/MISCELLANEOUS</b> <i>46 CFR 28.155; 46 CFR 28.160; 46 CFR 25.30</i>					
<b>Portable Fire Extinguishing Equipment</b>	Required One B-1 Fire Extinguisher on board <26 feet	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	26 feet to <40 Two B-1 Fire Extinguishers on board.	Approved by U.S.C.G., U.L. or F.M.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
		Good Condition/Pressure gauge OK or weighed and tagged if no gauge.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
		Mounted properly in approved bracket.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
<b>Flame Arrestor (gas power)</b> <i>46 CFR 25.35</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A				
	Approved	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	Good condition	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
<b>Ventilation (gas power)</b> <i>46 CFR 25.40</i>	Adequate/Working ventilation to engine compartment	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
<b>Marine Sanitation Device: Required only if there is an INSTALLED toilet.</b> <i>33 CFR 159.7</i>	Type III: Holding tank to prevent overboard discharge	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	Overboard valve must be secured.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
<b>Excess Safety Equipment (Policy)</b>	Any safety equipment (PFDs, EPIRBs, Survival Craft, Fire Extinguishers, Visual Distress Signals) that is in excess than what is required on board must meet one of the following:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
		Serviced and properly maintained in good working order	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
		Marked "For Training Only" and kept separate from serviceable items, or	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
		Removed from the vessel.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
<b>Communication Capability with other vessels or a shore station</b> <i>Exemption Requirement</i>	<b>VHF</b>	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	<b>VHF Handheld</b>	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
	<b>CB Radio</b>	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	