



MARITIME SAFETY AND SECURITY BULLETIN 03-15

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**UNINSPECTED PASSENGER VESSEL OPERATIONS FOR VESSELS IN THE U. S.
VIRGIN ISLANDS**

Section 319 of the recently enacted "Howard Coble Coast Guard and Maritime Transportation Act of 2014" (Pub. L. No. 113-281 (S.2444); hereinafter "the Act") amended the law concerning Uninspected Passenger Vessel operations for vessels in the U.S. Virgin Islands. Under this amendment, vessels less than 24 meters (79 feet) in overall length may now have the option of carrying a maximum of twelve passengers, if the Coast Guard determines that the vessel complies with the requirements established by the United Kingdom (U.K.) Code of Practice for the Safety of Small Commercial Motor or Sailing Vessels (hereafter "Code(s)"), which is commonly known as the Yellow Code (for motor vessels) or the Blue Code (for sailing vessels).

While the Coast Guard is actively evaluating the Act to determine how best to fully implement it, the Coast Guard has determined that the Section 319 amendments to Uninspected Passenger Vessel laws are substantially self-implementing. Therefore, some U.S. Uninspected Passenger Vessels whose voyages originate from the U.S. Virgin Islands, upon meeting certain conditions, may now carry from 7 to 12 passengers within the U.S. Virgin Islands and on international voyages, but not to another U.S. port outside the U.S. Virgin Islands. As an owner or operator of a U.S. Uninspected Passenger Vessel operating from a port in the U.S. Virgin Islands, if you wish to carry between seven and twelve passengers, the following steps will be required pending the Coast Guard's further evaluation:

- 1) Your vessel must be in compliance with one of the Codes listed above;
- 2) To verify that compliance, your vessel must be examined by a Certifying Authority listed within one of the Codes (Blue or Yellow as appropriate); and
- 3) The operator must maintain a Small Commercial Vessel Certificate issued by a certifying authority under the Code and keep it on board.

Equipment requirements and frequency of examinations associated with these Codes differ from existing U.S. requirements for an Uninspected Passenger Vessel. The Coast Guard recommends that any owner or operator seeking to utilize either of these Codes become familiar with the requirements and frequency of inspections for the Code applicable to their vessel(s).

Vessel operators engaged on international voyages are reminded that they are required to hold a Merchant Mariner Credential with an officer endorsement as Master as required by Title 46 Code of Federal Regulations 15.805(a)(7). An endorsement as an Operator of Uninspected Passenger Vessels (OUPV) is not suitable for international voyages. Mariners with an endorsement as an OUPV may carry between seven and twelve passengers when operating an eligible Uninspected Passenger Vessel within the waters of the U.S. Virgin Islands, if the vessel is not on an international voyage.

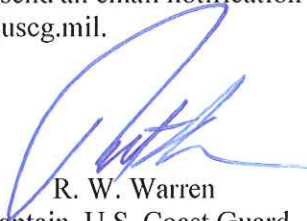
It is the responsibility of the vessel owner or operator to ensure their vessel is maintained and operated in compliance with all applicable U.S. laws. When carrying between seven and twelve passengers as an Uninspected Passenger Vessel in the U.S. Virgin Islands, vessel owners and operators must also ensure their vessel is in compliance with the appropriate Code (Blue or Yellow) and carry documentation attesting to an examination of compliance.

Vessel operators carrying more than six passengers may also choose to do so by meeting the requirements as an inspected Small Passenger Vessel in accordance with 46 CFR Subchapter T. The law and Coast Guard regulations have not otherwise changed. Vessels operating with six or fewer passengers are still required to meet Title 46 Code of Federal Regulations, Subchapter C, unless seeking certification under the Codes.

All owners or operators of U.S. Flagged Uninspected Passenger Vessels pursuing certification under this law are requested to notify the Coast Guard of their vessel name, hailing port, length, tonnage, approved passenger capacity, owner name and contact information once a certificate is issued by a Certifying Authority listed within one of the Codes.

For vessels operating in St. Thomas or St. John, please send an email notification to Marine Safety Detachment St. Thomas at: d07-dg-secsj-msd-st-thomas@uscg.mil.

For vessels operating in St. Croix, please send an email notification to Resident Inspection Office St. Croix at: d07-dg-SecSJ-RIO_St_Croix@uscg.mil.



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