

SMALL PASSENGER VESSEL REGULATORY REFERENCE GUIDE 1989 TO 1997

The purpose of this guide is to provide interested individuals with insight into the rulemaking process. This guide is a composite of all preambles published as part of the Coast Guard's 12-year revision of the small passenger vessel regulations. The preamble contains the history, intent, and thought processes behind the regulations. Unfortunately, the preambles are not codified in the Code of Federal Regulations when final rules are published. As a result, much of the knowledge behind the creation or revision to a regulation is lost both to the industry and the Coast Guard. As the Coast Guard moves more toward regulations with options and adopted industry standards, there are more opportunities for the acceptance of equivalencies and alternatives that may benefit the vessel owner or operator and still provide the same level of safety on the vessel. Since regulations typically lag technological advancements, knowing the intent of a regulation is in many cases just as important as the regulation itself.

In addition, this guide contains the 1995 edition of Subchapter T, hereafter referred to as "Old T". Originally written in 1958, Subchapter T had been without a major revision since 1963.

Disclaimer

The author of this reference guide has made every attempt to maintain the integrity and content of the preambles as published in the *Federal Register*. Corrections to the preambles made through the *Federal Register* have been incorporated into this document for the convenience of the reader. Corrections are indicated as underlined text. Where differences exist in the language contained in this reference guide and the preambles or correction notices as published in the *Federal Register*, the *Federal Register* document takes precedence.

Creation of the “T/K Manual”

The concept of this manual was proposed to the Passenger Vessel Association Board of Directors by Captain Al Circeo, PVA Past President and Emeritus Chairman of the PVA Regulatory Issues Committee. The Board approved the proposal at their February, 1998 meeting in Nashville, TN.

The principal person responsible for compiling the information contained in this manual is Lieutenant Commander Eric P. Christensen, U. S. Coast Guard. LCDR Christensen accomplished this task as part of the Coast Guard’s Merchant Marine Industry Training Program with the Passenger Vessel Association. Administrative support was provided by Mrs. Dagmar Ortman of the PVA staff.

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Tips For Using This Guide

1. The Small Passenger Vessel Regulatory Reference Guide is broken down into 10 sections. The sections are generally arranged by similar topics such as Old T, background and history, general comments, comments to specific cites, etc.
2. Each topic includes a chronological account of its introduction and/or revision. Many topics were first discussed in the 1989 NPRM; however, some topics were not addressed until the 1997 Final Rule.
3. An index of topics discussed during the rulemaking is located in Section VII. More cite-specific references can be found in the indices of Subchapters K and T in Section VIII.
4. Once you have located a cite in Subchapter K or T, go to Section IV and trace the introduction and/or revision process. Section IV is in the same number order as the regulations and is grouped by part (Part 114 and 175 General Provisions, etc.). This is done so that comments addressing issues pre-Subchapter K can be easily researched. Notations have been made where comments only address Subchapter K or Subchapter T issues.
5. Section V contains comments and revisions to Subchapter S (Subdivision and Stability). Use the index in Section VII for looking up topics discussed under this section.
6. A Derivation Table is contained in the back of Section VI. The derivation table allows you to see not only where Old T requirements have crossed over into New T and K, but also where some of the new requirements came from. Many policies and regulations from other subchapters were incorporated into Subchapters K and T during the rulemaking process.
7. Section IX contains a list of policy letters from Coast Guard Headquarters and the Marine Safety Center that: interpret regulations, allow departures from the regulation and state the equivalent level of safety, and provide guidance on “other standards approved by the Commandant”. The Passenger Vessel Association will update this section for current members and registered owners of this reference guide as necessary.
8. Section X contains local Coast Guard policy letters from your local Officer in Charge Marine Inspection or Chief, Inspections Department. This section is yours to maintain. The local OCMI have the authority to grant special consideration for issues pertaining to a specific vessel or the local operating area. If the local OCMI or CID is going to grant a departure from the regulations, GET IT IN WRITING.

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