

111TH CONGRESS
1ST SESSION

H. R. 2652

To amend title 46, United States Code, to improve vessel safety, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 2, 2009

Mr. OBERSTAR (for himself and Mr. CUMMINGS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 46, United States Code, to improve vessel safety, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Maritime Safety Act
5 of 2009”.

6 **SEC. 2. VESSEL SIZE LIMITS.**

7 (a) LENGTH, TONNAGE, AND HORSEPOWER.—Sec-
8 tion 12113(d)(2) of title 46, United States Code, is
9 amended—

1 (1) by inserting “and” after the semicolon at
2 the end of subparagraph (A)(i);

3 (2) by striking “and” at the end of subpara-
4 graph (A)(ii);

5 (3) by striking subparagraph (A)(iii);

6 (4) by striking the period at the end of sub-
7 paragraph (B) and inserting “; or”; and

8 (5) by inserting at the end the following:

9 “(C) the vessel is either a rebuilt vessel or
10 a replacement vessel under section 208(g) of
11 the American Fisheries Act (title II of division
12 C of Public Law 105–277; 112 Stat. 2681–
13 627) and is eligible for a fishery endorsement
14 under this section.”.

15 (b) CONFORMING AMENDMENTS.—

16 (1) VESSEL REBUILDING AND REPLACE-
17 MENT.—Section 208(g) of the American Fisheries
18 Act (title II of division C of Public Law 105–277;
19 112 Stat. 2681–627) is amended to read as follows:

20 “(g) VESSEL REBUILDING AND REPLACEMENT.—

21 “(1) IN GENERAL.—

22 “(A) REBUILD OR REPLACE.—Notwith-
23 standing any limitation to the contrary on re-
24 placing, rebuilding, or lengthening vessels or
25 transferring permits or licenses to a replace-

1 ment vessel contained in sections 679.2 and
2 679.4 of title 50, Code of Federal Regulations,
3 as in effect on the date of enactment of the
4 Maritime Safety Act of 2009 and except as pro-
5 vided in paragraph (4), the owner of a vessel el-
6 igible under subsection (a), (b), (c), (d), or (e)
7 (other than paragraph (21)), in order to im-
8 prove vessel safety and operational efficiencies
9 (including fuel efficiency), may rebuild or re-
10 place that vessel (including fuel efficiency) with
11 a vessel documented with a fishery endorsement
12 under section 12113 of title 46, United States
13 Code.

14 “(B) SAME REQUIREMENTS.—The rebuilt
15 or replacement vessel shall be eligible in the
16 same manner and subject to the same restric-
17 tions and limitations under such subsection as
18 the vessel being rebuilt or replaced.

19 “(C) TRANSFER OF PERMITS AND LI-
20 CENSES.—Each fishing permit and license held
21 by the owner of a vessel or vessels to be rebuilt
22 or replaced under subparagraph (A) shall be
23 transferred to the rebuilt or replacement vessel.

24 “(2) RECOMMENDATIONS OF NORTH PACIFIC
25 FISHERY MANAGEMENT COUNCIL.—The North Pa-

1 cific Fishery Management Council may recommend
2 for approval by the Secretary such conservation and
3 management measures, including size limits and
4 measures to control fishing capacity, in accordance
5 with the Magnuson-Stevens Act as it considers nec-
6 essary to ensure that this subsection does not dimin-
7 ish the effectiveness of fishery management plans of
8 the Bering Sea and Aleutian Islands Management
9 Area or the Gulf of Alaska.

10 “(3) SPECIAL RULE FOR REPLACEMENT OF
11 CERTAIN VESSELS.—

12 “(A) IN GENERAL.—Notwithstanding the
13 requirements of subsections (b)(2), (c)(1), and
14 (c)(2) of section 12113 of title 46, United
15 States Code, a vessel that is eligible under sub-
16 section (a), (b), (c), (d), or (e) (other than
17 paragraph (21)) and that qualifies to be docu-
18 mented with a fishery endorsement pursuant to
19 section 203(g) or 213(g) may be replaced with
20 a replacement vessel under paragraph (1) if the
21 vessel that is replaced is validly documented
22 with a fishery endorsement pursuant to section
23 203(g) or 213(g) before the replacement vessel
24 is documented with a fishery endorsement

1 under section 12113 of title 46, United States
2 Code.

3 “(B) APPLICABILITY.—A replacement ves-
4 sel under subparagraph (A) and its owner and
5 mortgagee are subject to the same limitations
6 under section 203(g) or 213(g) that are appli-
7 cable to the vessel that has been replaced and
8 its owner and mortgagee.

9 “(4) SPECIAL RULES FOR CERTAIN CATCHER
10 VESSELS.—

11 “(A) IN GENERAL.—A replacement for a
12 covered vessel described in subparagraph (B) is
13 prohibited from harvesting fish in any fishery
14 (except for the Pacific whiting fishery) managed
15 under the authority of any Regional Fishery
16 Management Council (other than the North Pa-
17 cific Fishery Management Council) established
18 under section 302(a) of the Magnuson-Stevens
19 Act.

20 “(B) COVERED VESSELS.—A covered ves-
21 sel referred to in subparagraph (A) is—

22 “(i) a vessel eligible under subsection
23 (a), (b), or (c) that is replaced under para-
24 graph (1); or

1 “(ii) a vessel eligible under subsection
2 (a), (b), or (c) that is rebuilt to increase
3 its registered length, gross tonnage, or
4 shaft horsepower.

5 “(5) LIMITATION ON FISHERY ENDORSE-
6 MENTS.—Any vessel that is replaced under this sub-
7 section shall thereafter not be eligible for a fishery
8 endorsement under section 12113 of title 46, United
9 States Code, unless that vessel is also a replacement
10 vessel described in paragraph (1).

11 “(6) GULF OF ALASKA LIMITATION.—Notwith-
12 standing paragraph (1), the Secretary shall prohibit
13 from participation in the groundfish fisheries of the
14 Gulf of Alaska any vessel that is rebuilt or replaced
15 under this subsection and that exceeds the maximum
16 length overall specified on the license that authorizes
17 fishing for groundfish pursuant to the license limita-
18 tion program under part 679 of title 50, Code of
19 Federal Regulations, as in effect on the date of en-
20 actment of the Maritime Safety Act of 2009.

21 “(7) AUTHORITY OF PACIFIC COUNCIL.—Noth-
22 ing in this section shall be construed to diminish or
23 otherwise affect the authority of the Pacific Council
24 to recommend to the Secretary conservation and
25 management measures to protect fisheries under its

1 jurisdiction (including the Pacific whiting fishery)
2 and participants in such fisheries from adverse im-
3 pacts caused by this Act.”.

4 (2) EXEMPTION OF CERTAIN VESSELS.—Sec-
5 tion 203(g) of the American Fisheries Act (title II
6 of division C of Public Law 105–277; 112 Stat.
7 2681–620) is amended—

8 (A) by inserting “and” after “(United
9 States official number 651041)”;

10 (B) by striking “, NORTHERN TRAV-
11 ELER (United States official number 635986),
12 and NORTHERN VOYAGER (United States
13 official number 637398) (or a replacement ves-
14 sel for the NORTHERN VOYAGER that com-
15 plies with paragraphs (2), (5), and (6) of sec-
16 tion 208(g) of this Act)”;

17 (C) by striking “, in the case of the
18 NORTHERN” and all that follows through
19 “PHOENIX.”.

20 (3) FISHERY COOPERATIVE EXIT PROVI-
21 SIONS.—Section 210(b) of the American Fisheries
22 Act (title II of division C of Public Law 105–277;
23 112 Stat. 2681–629) is amended—

1 (A) by moving the matter beginning with
2 “the Secretary shall” in paragraph (1) 2 ems to
3 the right; and

4 (B) by adding at the end the following:

5 “(7) FISHERY COOPERATIVE EXIT PROVI-
6 SIONS.—

7 “(A) FISHING ALLOWANCE DETERMINA-
8 TION.—For purposes of determining the aggre-
9 gate percentage of directed fishing allowances
10 under paragraph (1), when a catcher vessel is
11 removed from the directed pollock fishery, the
12 fishery allowance for pollock for the vessel being
13 removed—

14 “(i) shall be based on the catch his-
15 tory determination for the vessel made
16 pursuant to section 679.62 of title 50,
17 Code of Federal Regulations, as in effect
18 on the date of enactment of the Maritime
19 Safety Act of 2009; and

20 “(ii) shall be assigned, for all pur-
21 poses under this title, in the manner speci-
22 fied by the owner of the vessel being re-
23 moved to any other catcher vessel or
24 among other catcher vessels participating
25 in the fishery cooperative if such vessel or

1 vessels remain in the fishery cooperative
2 for at least one year after the date on
3 which the vessel being removed leaves the
4 directed pollock fishery.

5 “(B) ELIGIBILITY FOR FISHERY ENDORSE-
6 MENT.—Except as provided in subparagraph
7 (C), a vessel that is removed pursuant to this
8 paragraph shall be permanently ineligible for a
9 fishery endorsement, and any claim (including
10 relating to catch history) associated with such
11 vessel that could qualify any owner of such ves-
12 sel for any permit to participate in any fishery
13 within the exclusive economic zone of the
14 United States shall be extinguished, unless such
15 removed vessel is thereafter designated to re-
16 place a vessel to be removed pursuant to this
17 paragraph.

18 “(C) LIMITATIONS ON STATUTORY CON-
19 STRUCTION.—Nothing in this paragraph shall
20 be construed—

21 “(i) to make the vessels AJ (United
22 States official number 905625), DONA
23 MARTITA (United States official number
24 651751), NORDIC EXPLORER (United
25 States official number 678234), and

1 PROVIDIAN (United States official num-
2 ber 1062183) ineligible for a fishery en-
3 dorsement or any permit necessary to par-
4 ticipate in any fishery under the authority
5 of the New England Fishery Management
6 Council or the Mid-Atlantic Fishery Man-
7 agement Council established, respectively,
8 under subparagraphs (A) and (B) of sec-
9 tion 302(a)(1) of the Magnuson-Stevens
10 Act; or

11 “(ii) to allow the vessels referred to in
12 clause (i) to participate in any fishery
13 under the authority of the Councils re-
14 ferred to in clause (i) in any manner that
15 is not consistent with the fishery manage-
16 ment plan for the fishery developed by the
17 Councils under section 303 of the Magnu-
18 son-Stevens Act.”.

19 **SEC. 3. COLD WEATHER SURVIVAL TRAINING.**

20 (a) REPORT.—The Commandant of the Coast Guard
21 shall report to the Committee on Transportation and In-
22 frastructure of the House of Representatives and the Com-
23 mittee on Commerce, Science, and Transportation of the
24 Senate on the efficacy of cold weather survival training
25 conducted by the Coast Guard in Coast Guard District

1 17 over the preceding 5 years. The report shall include
2 plans for conducting such training in fiscal years 2010
3 through 2013.

4 (b) AUTHORIZATION OF APPROPRIATIONS FOR
5 TRAINING.—There are authorized to be appropriated to
6 the Secretary of Homeland Security \$150,000 to carry out
7 cold weather survival training in Coast Guard District 17.

8 **SEC. 4. FISHING VESSEL SAFETY.**

9 (a) SAFETY STANDARDS.—Section 4502 of title 46,
10 United States Code, is amended—

11 (1) in subsection (a), by—

12 (A) striking paragraphs (6) and (7) and
13 inserting the following:

14 “(6) other equipment required to minimize the
15 risk of injury to the crew during vessel operations,
16 if the Secretary determines that a risk of serious in-
17 jury exists that can be eliminated or mitigated by
18 that equipment; and”;

19 (B) redesignating paragraph (8) as para-
20 graph (7);

21 (2) in subsection (b)—

22 (A) in paragraph (1) in the matter pre-
23 ceding subparagraph (A), by striking “docu-
24 mented”;

1 (B) in paragraph (1)(A), by striking “the
2 Boundary Line” and inserting “3 nautical miles
3 from the baseline from which the territorial sea
4 of the United States is measured or beyond 3
5 nautical miles from the coastline of the Great
6 Lakes”;

7 (C) in paragraph (2)(B), by striking “life-
8 boats or liferafts” and inserting “a survival
9 craft that ensures that no part of an individual
10 is immersed in water”;

11 (D) in paragraph (2)(D), by inserting
12 “marine” before “radio”;

13 (E) in paragraph (2)(E), by striking
14 “radar reflectors, nautical charts, and anchors”
15 and inserting “nautical charts, and publica-
16 tions”;

17 (F) in paragraph (2)(F), by striking “, in-
18 cluding medicine chests” and inserting “and
19 medical supplies sufficient for the size and area
20 of operation of the vessel” and

21 (G) by amending paragraph (2)(G) to read
22 as follows:

23 “(G) ground tackle sufficient for the vessel.”;

24 (3) by amending subsection (f) to read as fol-
25 lows:

1 “(f) To ensure compliance with the requirements of
2 this chapter, the Secretary—

3 “(1) shall require the individual in charge of a
4 vessel described in subsection (b) to keep a record
5 of equipment maintenance, and required instruction
6 and drills; and

7 “(2) shall examine at dockside a vessel de-
8 scribed in subsection (b) at least once every 2 years,
9 and shall issue a certificate of compliance to a vessel
10 meeting the requirements of this chapter.”; and

11 (4) by adding at the end the following:

12 “(g)(1) The individual in charge of a vessel described
13 in subsection (b) must pass a training program approved
14 by the Secretary that meets the requirements in para-
15 graph (2) of this subsection and hold a valid certificate
16 issued under that program.

17 “(2) The training program shall—

18 “(A) be based on professional knowledge and
19 skill obtained through sea service and hands-on
20 training, including training in seamanship, stability,
21 collision prevention, navigation, fire fighting and
22 prevention, damage control, personal survival, emer-
23 gency medical care, emergency drills, and weather;

24 “(B) require an individual to demonstrate abil-
25 ity to communicate in an emergency situation and

1 understand information found in navigation publica-
2 tions;

3 “(C) recognize and give credit for recent past
4 experience in fishing vessel operation; and

5 “(D) provide for issuance of a certificate to an
6 individual that has successfully completed the pro-
7 gram.

8 “(3) The Secretary shall prescribe regulations imple-
9 menting this subsection. The regulations shall require that
10 individuals who are issued a certificate under paragraph
11 (2)(D) must complete refresher training at least once
12 every 5 years as a condition of maintaining the validity
13 of the certificate.

14 “(4) The Secretary shall establish a publicly acces-
15 sible electronic database listing the names of individuals
16 who have participated in and received a certificate con-
17 firming successful completion of a training program ap-
18 proved by the Secretary under this section.

19 “(h) A vessel to which this chapter applies shall be
20 constructed in a manner that provides a level of safety
21 equivalent to the minimum safety standards the Secretary
22 may establish for recreational vessels under section
23 4302, if—

24 “(1) subsection (b) of this section applies to the
25 vessel;

1 “(2) the vessel is less than 50 feet overall in
2 length; and

3 “(3) the vessel is built after January 1, 2010.

4 “(i)(1) The Secretary shall establish a Fishing Safety
5 Training Grants Program to provide funding to munici-
6 palities, port authorities, other appropriate public entities,
7 not-for-profit organizations, and other qualified persons
8 that provide commercial fishing safety training—

9 “(A) to conduct fishing vessel safety training
10 for vessel operators and crewmembers that—

11 “(i) in the case of vessel operators, meets
12 the requirements of subsection (g); and

13 “(ii) in the case of crewmembers, meets
14 the requirements of subsection (g)(2)(A), such
15 requirements of subsection (g)(2)(B) as are ap-
16 propriate for crewmembers, and the require-
17 ments of subsections (g)(2)(D), (g)(3), and
18 (g)(4); and

19 “(B) for purchase of safety equipment and
20 training aids for use in those fishing vessel safety
21 training programs.

22 “(2) The Secretary shall award grants under this
23 subsection on a competitive basis.

1 “(3) The Federal share of the cost of any activity
2 carried out with a grant under this subsection shall not
3 exceed 75 percent.

4 “(4) There is authorized to be appropriated
5 \$3,000,000 for each of fiscal years 2010 through 2014
6 for grants under this subsection.

7 “(j)(1) The Secretary shall establish a Fishing Safety
8 Research Grant Program to provide funding to individuals
9 in academia, members of non-profit organizations and
10 businesses involved in fishing and maritime matters, and
11 other persons with expertise in fishing safety, to conduct
12 research on methods of improving the safety of the com-
13 mercial fishing industry, including vessel design, emer-
14 gency and survival equipment, enhancement of vessel mon-
15 itoring systems, communications devices, de-icing tech-
16 nology, and severe weather detection.

17 “(2) The Secretary shall award grants under this
18 subsection on a competitive basis.

19 “(3) The Federal share of the cost of any activity
20 carried out with a grant under this subsection shall not
21 exceed 75 percent.

22 “(4) There is authorized to be appropriated
23 \$3,000,000 for each fiscal years 2010 through 2014 for
24 activities under this subsection.”.

1 (b) CONFORMING AMENDMENT.—Section 4506(b) of
2 title 46, United States Code, is repealed.

3 (c) ADVISORY COMMITTEE.—

4 (1) CHANGE OF NAME.—Section 4508 of title
5 46, United States Code, is amended—

6 (A) by striking the section heading and in-
7 serting the following:

8 **“§ 4508. Commercial Fishing Safety Advisory Com-
9 mittee”;**

10 and

11 (B) in subsection (a) by striking “Industry
12 Vessel”.

13 (2) MEMBERSHIP REQUIREMENTS.—Section
14 4508(b)(1) of that title is amended—

15 (A) by striking “seventeen” and inserting
16 “eighteen”;

17 (B) in subparagraph (A)—

18 (i) in the matter preceding clause (i),
19 by striking “from the commercial fishing
20 industry who—” and inserting “who shall
21 represent the commercial fishing industry
22 and who—”; and

23 (ii) in clause (ii), by striking “an
24 uninspected” and inserting “a”;

1 (C) by striking subparagraph (B) and in-
2 serting the following:

3 “(B) three members who shall represent the
4 general public, including, whenever possible—

5 “(i) an independent expert or consultant in
6 maritime safety;

7 “(ii) a marine surveyor who provides serv-
8 ices to vessels to which this chapter applies; and

9 “(iii) a person familiar with issues affect-
10 ing fishing communities and families of fisher-
11 men;”; and

12 (D) in subparagraph (C)—

13 (i) in the matter preceding clause (i),
14 by striking “representing each of—” and
15 inserting “each of whom shall represent—
16 ”;

17 (ii) in clause (i), by striking “or ma-
18 rine surveyors;” and inserting “and marine
19 engineers;”;

20 (iii) in clause (iii), by striking “and”
21 after the semicolon at the end;

22 (iv) in clause (iv), by striking the pe-
23 riod at the end and inserting “; and”; and

24 (v) by adding at the end the following
25 new clause:

1 “(v) owners of vessels to which this
2 chapter applies.”.

3 (3) TERMINATION.—Section 4508(e)(1) of that
4 title is amended by striking “September 30, 2010.”
5 and inserting “September 30, 2020.”.

6 (4) CLERICAL AMENDMENT.—The table of sec-
7 tion at the beginning of chapter 45 of title 46,
8 United States Code, is amended by striking the item
9 relating to such section and inserting the following:

“4508. Commercial Fishing Safety Advisory Committee.”.

10 (d) LOADLINES FOR VESSELS 79 FEET OR GREATER
11 IN LENGTH.—Section 5102(b)(3) of title 46, United
12 States Code, is amended by inserting after “vessel” the
13 following “, unless the vessel is built or undergoes a major
14 conversion completed after July 1, 2010”.

15 (e) CLASSING OF VESSELS.—

16 (1) IN GENERAL.—Section 4503 of title 46,
17 United States Code, is amended—

18 (A) by striking the section heading and in-
19 serting the following:

20 “§ 4503. **Fishing, fish tender, and fish processing ves-**
21 **sel certification**”;

22 (B) in subsection (a) by striking “fish
23 processing”; and

24 (C) by adding at the end the following:

1 “(c) This section applies to a vessel to which section
2 4502(b) of this title applies that is at least 50 feet overall
3 in length and—

4 “(1) is built after July 1, 2010; or

5 “(2) undergoes a major conversion completed
6 after that date.

7 “(d)(1) After January 1, 2020, a fishing vessel, fish
8 processing vessel, or fish tender vessel to which section
9 4502(b) of this title applies shall comply with an alternate
10 safety compliance program that is developed in coopera-
11 tion with the commercial fishing industry and prescribed
12 by the Secretary, if the vessel—

13 “(A) is at least 50 feet overall in length;

14 “(B) is built before July 1, 2010; and

15 “(C) is 25 years of age or older.

16 “(2) Alternative safety compliance programs may be
17 developed for purposes of paragraph (1) for specific re-
18 gions and fisheries.

19 “(3) A fishing vessel, fish processing vessel, or fish
20 tender vessel to which section 4502(b) of this title applies
21 that was classed before July 1, 2010, shall—

22 “(A) remain subject to the requirements of a
23 classification society approved by the Secretary; and

24 “(B) have on board a certificate from that soci-
25 ety.”.

1 (2) CLERICAL AMENDMENT.—The table of sec-
2 tion at the beginning of chapter 45 of title 46,
3 United States Code, is amended by striking the item
4 relating to such section and inserting the following:

“4503. Fishing, fish tender, and fish processing vessel certification.”.

5 (f) ALTERNATIVE SAFETY COMPLIANCE PROGRAM.—
6 No later than January 1, 2017, the Secretary of the de-
7 partment in which the Coast Guard is operating shall pre-
8 scribe an alternative safety compliance program referred
9 to in section 4503(d) of the title 46, United States Code,
10 as amended by this section.

11 **SEC. 5. MARINER RECORDS.**

12 Section 7502 of title 46, United States Code, is
13 amended—

14 (1) by inserting “(a)” before “The”;

15 (2) by striking “computerized records” and in-
16 serting “records, including electronic records,”; and

17 (3) by adding at the end the following:

18 “(b) The Secretary may prescribe regulations requir-
19 ing a vessel owner or managing operator of a commercial
20 vessel, or the employer of a seaman on that vessel, to
21 maintain records of each individual engaged on the vessel
22 on matters of engagement, discharge, and service for not
23 less than 5 years after the date of the completion of the
24 service of that individual on the vessel. The regulations
25 may require that a vessel owner, managing operator, or

1 employer shall make these records available to the indi-
 2 vidual and the Coast Guard on request.

3 “(c) A person violating this section, or a regulation
 4 prescribed under this section, is liable to the United States
 5 Government for a civil penalty of not more than \$5,000.”.

6 **SEC. 6. DELETION OF EXEMPTION OF LICENSE REQUIRE-**
 7 **MENT FOR OPERATORS OF CERTAIN TOWING**
 8 **VESSELS.**

9 Section 8905 of title 46, United States Code, is
 10 amended—

11 (1) by striking subsection (b); and

12 (2) by redesignating subsection (c) as sub-
 13 section (b).

14 **SEC. 7. LOG BOOKS.**

15 (a) IN GENERAL.—Chapter 113 of title 46, United
 16 States Code, is amended by adding at the end the fol-
 17 lowing:

18 **“§ 11304. Additional logbook and entry requirements**

19 “(a) A vessel of the United States that is subject to
 20 inspection under section 3301 of this title, except a vessel
 21 on a voyage from a port in the United States to a port
 22 in Canada, shall have an official logbook, which shall be
 23 kept available for review by the Secretary on request.

24 “(b) The log book required by subsection (a) shall
 25 include the following entries:

1 “(1) The time when each seaman and each offi-
2 cer assumed or relieved the watch.

3 “(2) The number of hours in service to the ves-
4 sels of each seaman and each officer.

5 “(3) An account of each accident, illness, and
6 injury that occurs during each watch.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
8 at the beginning of such chapter is amended by adding
9 at the end the following:

 “11304. Additional logbook and entry requirements.”.

10 **SEC. 8. SAFE OPERATIONS AND EQUIPMENT STANDARDS.**

11 (a) IN GENERAL.—Chapter 21 of title 46, United
12 States Code, is amended by adding at the end the fol-
13 lowing new sections:

14 **“§ 2116. Termination for unsafe operation**

15 “An individual authorized to enforce this title—

16 “(1) may remove a certificate required by this
17 title from a vessel that is operating in a condition
18 that does not comply with the provisions of the cer-
19 tificate;

20 “(2) may order the individual in charge of a
21 vessel that is operating that does not have on board
22 the certificate required by this title to return the
23 vessel to a mooring and to remain there until the
24 vessel is in compliance with this title; and

1 “(3) may direct the individual in charge of a
2 vessel to which this title applies to immediately take
3 reasonable steps necessary for the safety of individ-
4 uals on board the vessel if the official observes the
5 vessel being operated in an unsafe condition that the
6 official believes creates an especially hazardous con-
7 dition, including ordering the individual in charge to
8 return the vessel to a mooring and to remain there
9 until the situation creating the hazard is corrected
10 or ended.

11 **“§ 2117. Establishment of equipment standards**

12 “(a) In establishing standards for approved equip-
13 ment required on vessels subject to part B of this title,
14 the Secretary shall establish standards that are—

15 “(1) based on performance using the best avail-
16 able technology that is economically achievable; and

17 “(2) operationally practical.

18 “(b) Using the standards established under sub-
19 section (a), the Secretary may also certify lifesaving equip-
20 ment that is not required to be carried on vessels subject
21 to part B of this title to ensure that such equipment is
22 suitable for its intended purpose.

23 “(c) At least once every 10 years the Secretary shall
24 review and revise the standards established under sub-

1 section (a) to ensure that the standards meet the require-
2 ments of this section.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of that title is amended by adding at the
5 end the following:

“2116. Termination for unsafe operation.

“2117. Establishment of equipment standards.”.

6 **SEC. 9. APPROVAL OF SURVIVAL CRAFT.**

7 (a) IN GENERAL.—Chapter 31 of title 46, United
8 States Code, is amended by adding at the end the fol-
9 lowing new section:

10 **“§ 3104. Survival craft**

11 “(a) Except as provided in subsection (b), the Sec-
12 retary may not approve a survival craft as a safety device
13 for purposes of this part, unless the craft ensures that
14 no part of an individual is immersed in water.

15 “(b) The Secretary may authorize a survival craft
16 that does not provide protection described in subsection
17 (a) to remain in service until not later than January 1,
18 2015, if—

19 “(1) it was approved by the Secretary before
20 January 1, 2010; and

21 “(2) it is in serviceable condition.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of that title is amended by adding at the
3 end the following:

“3104. Survival craft.”.

4 **SEC. 10. SAFETY MANAGEMENT.**

5 (a) VESSELS TO WHICH REQUIREMENTS APPLY.—
6 Section 3202 of title 46, United States Code, is amend-
7 ed—

8 (1) in subsection (a) by striking the heading
9 and inserting “FOREIGN VOYAGES AND FOREIGN
10 VESSELS.—”;

11 (2) by redesignating subsections (b) and (c) as
12 subsections (c) and (d), respectively;

13 (3) by inserting after subsection (a) the fol-
14 lowing:

15 “(b) OTHER PASSENGER VESSELS.—This chapter
16 applies to a vessel that is—

17 “(1) a passenger vessel or small passenger ves-
18 sel; and

19 “(2) is transporting more passengers than a
20 number prescribed by the Secretary based on the
21 number of individuals on the vessel that could be
22 killed or injured in a marine casualty.”;

23 (4) in subsection (d), as so redesignated, by
24 striking “subsection (b)” and inserting “subsection
25 (c)”;

1 (5) in subsection (d)(4), as so redesignated, by
2 inserting “that is not described in subsection (b) of
3 this section” after “waters”.

4 (b) SAFETY MANAGEMENT SYSTEM.—Section 3203
5 of title 46, United States Code, is amended by adding at
6 the end the following new subsection:

7 “(c) In prescribing regulations for passenger vessels
8 and small passenger vessels, the Secretary shall con-
9 sider—

10 “(1) the characteristics, methods of operation,
11 and nature of the service of these vessels; and

12 “(2) with respect to vessels that are ferries, the
13 sizes of the ferry systems within which the vessels
14 operate.”.

15 **SEC. 11. PROTECTION AGAINST DISCRIMINATION.**

16 (a) IN GENERAL.—Section 2114 of title 46, United
17 States Code, is amended—

18 (1) in subsection (a)(1)(A), by striking “or”
19 after the semicolon;

20 (2) in subsection (a)(1)(B), by striking the pe-
21 riod at the end and inserting a semicolon;

22 (3) by adding at the end of subsection (a)(1)
23 the following new subparagraphs:

1 “(C) the seaman testified in a proceeding
2 brought to enforce a maritime safety law or regula-
3 tion prescribed under that law;

4 “(D) the seaman notified, or attempted to no-
5 tify, the vessel owner or the Secretary of a work-re-
6 lated personal injury or work-related illness of a sea-
7 man;

8 “(E) the seaman cooperated with a safety in-
9 vestigation by the Secretary or the National Trans-
10 portation Safety Board;

11 “(F) the seaman furnished information to the
12 Secretary, the National Transportation Safety
13 Board, or any other public official as to the facts re-
14 lating to any marine casualty resulting in injury or
15 death to an individual or damage to property occur-
16 ring in connection with vessel transportation; or

17 “(G) the seaman accurately reported hours of
18 duty under this part.”; and

19 (4) by amending subsection (b) to read as fol-
20 lows:

21 “(b) A seaman alleging discharge or discrimination
22 in violation of subsection (a) of this section, or another
23 person at the seaman’s request, may file a complaint with
24 respect to such allegation in the same manner as a com-
25 plaint may be filed under subsection (b) of section 31105

1 of title 49. Such complaint shall be subject to the proce-
2 dures, requirements, and rights described in that section,
3 including with respect to the right to file an objection, the
4 right of a person to file for a petition for review under
5 subsection (c) of that section, and the requirement to
6 bring a civil action under subsection (d) of that section.”.

7 (b) EXISTING ACTIONS.—This section shall not affect
8 the application of section 2114(b) of title 46, United
9 States Code, as in effect before the date of enactment of
10 this Act, to an action filed under that section before that
11 date.

12 **SEC. 12. OIL FUEL TANK PROTECTION.**

13 Section 3306 of title 46, United States Code, is
14 amended by adding at the end the following new sub-
15 section:

16 “(k)(1) Each vessel of the United States that is con-
17 structed under a contract entered into after the date of
18 enactment of the Maritime Safety Act of 2009, or that
19 is delivered after January 1, 2011, with an aggregate ca-
20 pacity of 600 cubic meters or more of oil fuel, shall comply
21 with the requirements of Regulation 12A under Annex I
22 to the Protocol of 1978 relating to the International Con-
23 vention for the Prevention of Pollution from Ships, 1973,
24 entitled ‘Oil Fuel Tank Protection.’

1 “(2) The Secretary may prescribe regulations to
2 apply the requirements described in Regulation 12A to
3 vessels described in paragraph (1) that are not otherwise
4 subject to that convention. Any such regulation shall be
5 considered to be an interpretive rule for the purposes of
6 section 553 of title 5.

7 “(3) In this subsection the term ‘oil fuel’ means any
8 oil used as fuel in connection with the propulsion and aux-
9 iliary machinery of the vessel in which such oil is carried.”.

10 **SEC. 13. OATHS.**

11 Sections 7105 and 7305 of title 46, United States
12 Code, and the items relating to such sections in the anal-
13 ysis for chapters 71 and 73 of such title, are repealed.

14 **SEC. 14. DURATION OF CREDENTIALS.**

15 (a) **MERCHANT MARINER’S DOCUMENTS.**—Section
16 7302(f) of title 46, United States Code, is amended to
17 read as follows:

18 “(f) **PERIODS OF VALIDITY AND RENEWAL OF MER-**
19 **CHANT MARINERS’ DOCUMENTS.**—

20 “(1) **IN GENERAL.**—Except as provided in sub-
21 section (g), a merchant mariner’s document issued
22 under this chapter is valid for a 5-year period and
23 may be renewed for additional 5-year periods.

24 “(2) **ADVANCE RENEWALS.**—A renewed mer-
25 chant mariner’s document may be issued under this

1 chapter up to 8 months in advance but is not effective
2 until the date that the previously issued merchant
3 mariner's document expires or until the completion
4 of any active suspension or revocation of that
5 previously issued merchant mariner's document,
6 whichever is later.”.

7 (b) DURATION OF LICENSES.—Section 7106 of such
8 title is amended to read as follows:

9 **“§ 7106. Duration of licenses**

10 “(a) IN GENERAL.—A license issued under this part
11 is valid for a 5-year period and may be renewed for additional
12 5-year periods; except that the validity of a license
13 issued to a radio officer is conditioned on the continuous
14 possession by the holder of a first-class or second-class radiotelegraph
15 operator license issued by the Federal Communications
16 Commission.

17 “(b) ADVANCE RENEWALS.—A renewed license
18 issued under this part may be issued up to 8 months in
19 advance but is not effective until the date that the previously
20 issued license expires or until the completion of
21 any active suspension or revocation of that previously
22 issued merchant mariner's document, whichever is later.”.

23 (c) CERTIFICATES OF REGISTRY.—Section 7107 of
24 such title is amended to read as follows:

1 **“§ 7107. Duration of certificates of registry**

2 “(a) IN GENERAL.—A certificate of registry issued
3 under this part is valid for a 5-year period and may be
4 renewed for additional 5-year periods; except that the va-
5 lidity of a certificate issued to a medical doctor or profes-
6 sional nurse is conditioned on the continuous possession
7 by the holder of a license as a medical doctor or registered
8 nurse, respectively, issued by a State.

9 “(b) ADVANCE RENEWALS.—A renewed certificate of
10 registry issued under this part may be issued up to 8
11 months in advance but is not effective until the date that
12 the previously issued certificate of registry expires or until
13 the completion of any active suspension or revocation of
14 that previously issued merchant mariner’s document,
15 whichever is later.”.

16 **SEC. 15. FINGERPRINTING.**

17 (a) MERCHANT MARINER LICENSES AND DOCU-
18 MENTS.—Chapter 75 of title 46, United States Code, is
19 amended by adding at the end the following:

20 **“§ 7507. Fingerprinting**

21 “The Secretary of the Department in which the Coast
22 Guard is operating may not require an individual to be
23 fingerprinted for the issuance or renewal of a license, a
24 certificate of registry, or a merchant mariner’s document
25 under chapter 71 or 73 if the individual was fingerprinted

1 when the individual applied for a transportation security
2 card under section 70105.”.

3 (b) CLERICAL AMENDMENT.—The analysis for such
4 chapter is amended by adding at the end the following:
“7507. Fingerprinting.”.

5 **SEC. 16. AUTHORIZATION TO EXTEND THE DURATION OF**
6 **LICENSES, CERTIFICATES OF REGISTRY, AND**
7 **MERCHANT MARINERS’ DOCUMENTS.**

8 (a) MERCHANT MARINER LICENSES AND DOCU-
9 MENTS.—Chapter 75 of title 46, United States Code, as
10 amended by section 15(a) of this Act, is further amended
11 by adding at the end the following:

12 **“§ 7508. Authority to extend the duration of licenses,**
13 **certificates of registry, and merchant**
14 **mariner documents**

15 “(a) LICENSES AND CERTIFICATES OF REGISTRY.—
16 Notwithstanding sections 7106 and 7107, the Secretary
17 of the department in which the Coast Guard is operating
18 may—

19 “(1) extend for not more than one year an ex-
20 piring license or certificate of registry issued for an
21 individual under chapter 71 if the Secretary deter-
22 mines that the extension is required to enable the
23 Coast Guard to eliminate a backlog in processing ap-
24 plications for those licenses or certificates of registry

1 or in response to a national emergency or natural
2 disaster, as deemed necessary by the Secretary; or

3 “(2) issue for not more than five years an ex-
4 piring license or certificate of registry issued for an
5 individual under chapter 71 for the exclusive pur-
6 pose of aligning the expiration date of such license
7 or certificate of registry with the expiration date of
8 a merchant mariner’s document.

9 “(b) MERCHANT MARINER DOCUMENTS.—Notwith-
10 standing section 7302(g), the Secretary may—

11 “(1) extend for not more than one year an ex-
12 piring merchant mariner’s document issued for an
13 individual under chapter 71 if the Secretary deter-
14 mines that the extension is required to enable the
15 Coast Guard to eliminate a backlog in processing ap-
16 plications for those licenses or certificates of registry
17 or in response to a national emergency or natural
18 disaster, as deemed necessary by the Secretary; or

19 “(2) issue for not more than five years an ex-
20 piring merchant mariner’s document issued for an
21 individual under chapter 71 for the exclusive pur-
22 pose of aligning the expiration date of such mer-
23 chant mariner’s document with the expiration date
24 of a merchant mariner’s document.

1 “(c) MANNER OF EXTENSION.—Any extensions
2 granted under this section may be granted to individual
3 seamen or a specifically identified group of seamen.”.

4 (b) CLERICAL AMENDMENT.—The analysis for such
5 chapter, as amended by section 15(b), is further amended
6 by adding at the end the following:

“7508. Authority to extend the duration of licenses, certificates of registry, and
merchant mariner documents.”.

7 **SEC. 17. MERCHANT MARINER DOCUMENTATION.**

8 (a) INTERIM CLEARANCE PROCESS.—Not later than
9 180 days after the date of enactment of this Act, the Sec-
10 retary of the department in which the Coast Guard is op-
11 erating shall develop an interim clearance process for
12 issuance of a merchant mariner document to enable a
13 newly hired seaman to begin working on an offshore sup-
14 ply vessel or towing vessel if the Secretary makes an initial
15 determination that the seaman does not pose a safety and
16 security risk.

17 (b) CONTENTS OF PROCESS.—The process under
18 subsection (a) shall include a check against the consoli-
19 dated and integrated terrorist watch list maintained by the
20 Federal Government, review of the seaman’s criminal
21 record, and review of the results of testing the seaman
22 for use of a dangerous drug (as defined in section 2101
23 of title 46, United States Code) in violation of law or Fed-
24 eral regulation.

1 **SEC. 18. MERCHANT MARINER ASSISTANCE REPORT.**

2 Not later than 180 days after the date of enactment
3 of this Act, the Commandant of the Coast Guard shall
4 submit to the Committee on Transportation and Infra-
5 structure of the House of Representatives and the Com-
6 mittee on Commerce, Science, and Transportation of the
7 Senate a report regarding the feasibility of—

8 (1) expanding the streamlined evaluation proc-
9 ess program that was affiliated with the Houston
10 Regional Examination Center of the Coast Guard to
11 all processing centers of the Coast Guard nation-
12 wide;

13 (2) including proposals to simplify the applica-
14 tion process for a license as an officer, staff officer,
15 or operator and for a merchant mariner's document
16 to help eliminate errors by merchant mariners when
17 completing the application form (CG-719B), includ-
18 ing instructions attached to the application form and
19 a modified application form for renewals with ques-
20 tions pertaining only to the period of time since the
21 previous application;

22 (3) providing notice to an applicant of the sta-
23 tus of the pending application, including a process to
24 allow the applicant to check on the status of the ap-
25 plication by electronic means; and

1 (4) ensuring that all information collected with
2 respect to applications for new or renewed licenses,
3 merchant mariner documents, and certificates of
4 registry is retained in a secure electronic format.

5 **SEC. 19. PILOT REQUIRED.**

6 Section 8502(g) of title 46, United States Code, is
7 amended—

8 (1) in paragraph (1), by inserting “and Buz-
9 zards Bay, Massachusetts” before “, if any,”; and

10 (2) by adding at the end the following:

11 “(3) In any area of Buzzards Bay, Massachu-
12 setts, where a single-hull tanker or tank vessel car-
13 rying 5,000 or more barrels of oil or other haz-
14 ardous material is required to be under the direction
15 and control of a pilot, the pilot may not be a mem-
16 ber of the crew of that vessel, and shall be a pilot
17 licensed—

18 “(A) by the State of Massachusetts who is
19 operating under a Federal first class pilot’s li-
20 cense; or

21 “(B) under section 7101 of this title who
22 has made at least 20 round trips on a vessel as
23 a quartermaster, wheelsman, able seaman, or
24 apprentice pilot, or in an equivalent capacity,
25 including—

1 “(i) at least 1 round trip through
2 Buzzards Bay in the preceding 12-month
3 period; and

4 “(ii) if the vessel will be navigating in
5 periods of darkness in an area of Buzzards
6 Bay where a vessel is required by regula-
7 tion to have a pilot, at least 5 round trips
8 through Buzzards Bay during periods of
9 darkness.”.

10 **SEC. 20. OFFSHORE SUPPLY VESSELS.**

11 (a) DEFINITION.—Section 2101(19) of title 46,
12 United States Code, is amended by striking “of more than
13 15 gross tons but less than 500 gross tons as measured
14 under section 14502 of this title, or an alternate tonnage
15 measured under section 14302 of this title as prescribed
16 by the Secretary under section 14104 of this title”.

17 (b) EXEMPTION.—Section 5209(b)(1) of the Oceans
18 Act of 1992 (Public Law 102–587; 46 U.S.C. 2101 note)
19 is amended by inserting before the period at the end the
20 following: “of less than 500 gross tons as measured under
21 section 14502, or an alternate tonnage measured under
22 section 14302 of this title as prescribed by the Secretary
23 under section 14104 of this title.”.

24 (c) REMOVAL OF TONNAGE LIMITS.—

1 (1) ABLE SEAMEN-OFFSHORE SUPPLY VES-
2 SELS.—Section 7310 of title 46, United States
3 Code, is amended by striking “of less than 500 gross
4 tons as measured under section 14502 of this title,
5 or an alternate tonnage measured under section
6 14302 of this title as prescribed by the Secretary
7 under section 14104 of this title”.

8 (2) SCALE OF EMPLOYMENT: ABLE SEAMEN.—
9 Section 7312(d) of title 46, United States Code, is
10 amended by striking “of less than 500 gross tons as
11 measured under section 14502 of this title, or an al-
12 ternate tonnage measured under section 14302 of
13 this title as prescribed by the Secretary under sec-
14 tion 14104 of this title”.

15 (d) WATCHES.—Section 8104 of title 46, United
16 States Code, is amended—

17 (1) in subsection (g), by inserting after “off-
18 shore supply vessel” the following: “of less than 500
19 gross tons as measured under section 14502 of this
20 title, or less than 6,000 gross tons as measured
21 under section 14302 of this title as prescribed by the
22 Secretary under section 14104 of this title,”;

23 (2) in subsection (d), by inserting “(1)” after
24 “(d)”, and by adding at the end the following:

1 “(2) Paragraph (1) does not apply to an offshore sup-
2 ply vessel of at least 6,000 gross tons as measured under
3 section 14302 of this title if the individuals engaged on
4 the vessel are in compliance with hours of service require-
5 ments (including recording and record-keeping of that
6 service) prescribed by the Secretary.”; and

7 (3) in subsection (e), by striking “subsection
8 (d)” and inserting “subsection (d)(1)”.

9 (e) MINIMUM NUMBER OF LICENSED INDIVID-
10 UALS.—Section 8301(b) of title 46, United States Code,
11 is amended to read as follows:

12 “(b)(1) An offshore supply vessel of less than 6,000
13 gross tons, as measured under section 14302 of this title,
14 on a voyage of less than 600 miles shall have at least one
15 licensed mate. Such a vessel on a voyage of 600 miles or
16 more shall have two licensed mates.

17 “(2) An offshore supply vessel of more than 200
18 gross tons as measured under section 14502 of this title,
19 or an alternate tonnage measured under section 14302 of
20 this title as prescribed by the Secretary under section
21 14104 of this title, may not be operated without a licensed
22 engineer.

23 “(3) An offshore supply vessel shall have at least one
24 mate. Additional mates on an offshore supply vessel of at
25 least 6,000 gross tons as measured under section 14302

1 of this title shall be prescribe in accordance with hours
2 of service requirements (including recording and record-
3 keeping of that service) prescribed by the Secretary.”.

4 (f) REGULATIONS.—

5 (1) IN GENERAL.—The Secretary of the depart-
6 ment in which the Coast Guard is operating shall
7 promulgate regulations to implement the amend-
8 ments enacted by this section and chapter 37 of title
9 46, United States Code, for offshore supply vessels
10 of at least 6,000 gross tons, before January 1, 2010.

11 (2) INTERIM FINAL RULE AUTHORITY.—The
12 Secretary shall issue an interim final rule as a tem-
13 porary regulation implementing this section (includ-
14 ing the amendments made by this section), and
15 chapter 37 of title 46, United States Code, for off-
16 shore supply vessels of at least 6,000 gross tons, as
17 soon as practicable after the date of enactment of
18 this section, without regard to the provisions of
19 chapter 5 of title 5, United States Code. All regula-
20 tions prescribed under the authority of this para-
21 graph that are not earlier superseded by final regu-
22 lations shall expire not later than 1 year after the
23 date of enactment of this Act.

24 (3) INITIATION OF RULEMAKING.—The Sec-
25 retary may initiate a rulemaking to implement this

1 section (including the amendments made by this sec-
2 tion), and chapter 37 of title 46, United States
3 Code, for offshore supply vessels of at least 6,000
4 gross tons, as soon as practicable after the date of
5 enactment of this section. The final rule issued pur-
6 suant to that rulemaking may supersede the interim
7 final rule promulgated under this subsection.

8 (4) INTERIM PERIOD.—After the date of enact-
9 ment of this Act and prior to the effective date of
10 the regulations promulgated to implement the
11 amendments enacted by this section under para-
12 graph (2), and notwithstanding the tonnage limits of
13 applicable regulations promulgated prior to the date
14 of enactment of this Act, the Secretary may—

15 (A) issue a certificate of inspection under
16 section 3309 of title 46, United States Code, to
17 an offshore supply vessel of at least 500 gross
18 tons as measured under section 14502 of title
19 46, United States Code, or of at least 6,000
20 gross tons as measured under section 14302 of
21 title 46, United States Code, if the Secretary
22 determines that such vessel’s arrangements,
23 equipment, classification, and certifications pro-
24 vide for the safe carriage of individuals in addi-
25 tion to the crew and oil and hazardous sub-

1 stances, taking into consideration the character-
2 istics of offshore supply vessels, their methods
3 of operation, and their service in support of ex-
4 ploration, exploitation, or production of offshore
5 mineral or energy resources;

6 (B) for the purpose of enforcing chapter
7 37 of title 46, United States Code, use tank
8 vessel standards for offshore supply vessels of
9 at least 6,000 gross tons after considering the
10 characteristics, methods of operation, and na-
11 ture of the service of the vessel; and

12 (C) authorize a master, mate, or engineer
13 whom the Secretary decides possesses the expe-
14 rience on an offshore supply vessel under 6,000
15 gross tons to serve on an offshore supply vessel
16 over at least 6,000 gross tons.

17 **SEC. 21. ASSOCIATED EQUIPMENT.**

18 Section 2101(1)(B) of title 46, United States Code,
19 is amended by inserting “with the exception of emergency
20 locator beacons,” before “does”.

21 **SEC. 22. LIFESAVING DEVICES ON UNINSPECTED VESSELS.**

22 Section 4102(b) of 46, United States Code, is amend-
23 ed to read as follows:

24 “(b) The Secretary shall prescribe regulations requir-
25 ing the installation, maintenance, and use of life pre-

1 servers and other lifesaving devices for individuals on
2 board uninspected vessels.”.

3 **SEC. 23. STUDY OF BLENDED FUELS IN MARINE APPLICA-**
4 **TION.**

5 (a) SURVEY.—

6 (1) IN GENERAL.—Not later than 180 days
7 after the date of enactment of this Act, the Sec-
8 retary of Homeland Security, acting through the
9 Commandant of the Coast Guard, shall submit a
10 survey of published data and reports, pertaining to
11 the use, safety, and performance of blended fuels in
12 marine applications, to the Committee on Transpor-
13 tation and Infrastructure of the House of Represent-
14 atives and the Committees on Commerce, Science,
15 and Transportation of the Senate.

16 (2) INCLUDED INFORMATION.—To the extent
17 possible, the survey required in subsection (a), shall
18 include data and reports on—

19 (A) the impact of blended fuel on the oper-
20 ation, durability, and performance of rec-
21 reational and commercial marine engines, ves-
22 sels, and marine engine and vessel components
23 and associated equipment;

24 (B) the safety impacts of blended fuels on
25 consumers that own and operate recreational

1 and commercial marine engines and marine en-
2 gine components and associated equipment; and

3 (C) to the extent available, fires and explo-
4 sions on board vessels propelled by engines
5 using blended fuels.

6 (b) STUDY.—

7 (1) IN GENERAL.—Not later than 36 months
8 after the date of enactment of this Act, the Sec-
9 retary, acting through the Commandant, shall con-
10 duct a comprehensive study on the use, safety, and
11 performance of blended fuels in marine applications.
12 The Secretary is authorized to conduct such study in
13 conjunction with—

14 (A) any other Federal agency;

15 (B) any State government or agency;

16 (C) any local government or agency, in-
17 cluding local police and fire departments; and

18 (D) any private entity, including engine
19 and vessel manufacturers.

20 (2) EVALUATION.—The study shall include an
21 evaluation of—

22 (A) the impact of blended fuel on the oper-
23 ation, durability and performance of rec-
24 reational and commercial marine engines, ves-

1 sels, and marine engine and vessel components
2 and associated equipment;

3 (B) the safety impacts of blended fuels on
4 consumers that own and operate recreational
5 and commercial marine engines and marine en-
6 gine components and associated equipment; and

7 (C) fires and explosions on board vessels
8 propelled by engines using blended fuels.

9 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
10 authorized to be appropriated to the Secretary of Home-
11 land Security to carry out the survey and study under this
12 section \$1,000,000.

13 **SEC. 24. RENEWAL OF ADVISORY COMMITTEES.**

14 (a) GREAT LAKES PILOTAGE ADVISORY COM-
15 MITTEE.—Section 9307(f)(1) of title 46, United States
16 Code, is amended by striking “September 30, 2010.” and
17 inserting “September 30, 2020.”.

18 (b) NATIONAL BOATING SAFETY ADVISORY COUN-
19 CIL.—Section 13110 of title 46, United States Code, is
20 amended—

21 (1) in subsection (d), by deleting the first sen-
22 tence; and

23 (2) in subsection (e), by striking “September
24 30, 2010.” and inserting “September 30, 2020.”.

1 (c) HOUSTON-GALVESTON NAVIGATION SAFETY AD-
2 VISORY COMMITTEE.—Section 18(h) of the Coast Guard
3 Authorization Act of 1991 (Public Law 102–241 as
4 amended by Public Law 104–324) is amended by striking
5 “September 30, 2010.” and inserting “September 30,
6 2020.”.

7 (d) LOWER MISSISSIPPI RIVER WATERWAY SAFETY
8 ADVISORY COMMITTEE.—Section 19 of the Coast Guard
9 Authorization Act of 1991 (Public Law 102–241) is
10 amended—

11 (1) in subsection (b)—

12 (A) in the matter preceding paragraph (1),
13 by striking “twenty-four” and inserting “twen-
14 ty-five”; and

15 (B) by adding at the end the following new
16 paragraph:

17 “(12) One member representing the Associated
18 Federal Pilots and Docking Masters of Louisiana.”;

19 and

20 (2) in subsection (g), by striking “September
21 30, 2010.” and inserting “September 30, 2020.”.

22 (e) TOWING SAFETY ADVISORY COMMITTEE.—The
23 Act to Establish a Towing Safety Advisory Committee in
24 the Department of Transportation (33 U.S.C. 1231a) is
25 amended—

1 (1) by striking subsection (a) and inserting the
2 following:

3 “(a) There is established a Towing Safety Advisory
4 Committee (hereinafter referred to as the ‘Committee’).
5 The Committee shall consist of eighteen members with
6 particular expertise, knowledge, and experience regarding
7 shallow-draft inland and coastal waterway navigation and
8 towing safety as follows:

9 “(1) Seven members representing the barge and
10 towing industry, reflecting a regional geographic bal-
11 ance.

12 “(2) One member representing the offshore
13 mineral and oil supply vessel industry.

14 “(3) One member representing holders of active
15 licensed Masters or Pilots of towing vessels with ex-
16 perience on the Western Rivers and the Gulf Intra-
17 coastal Waterway.

18 “(4) One member representing the holders of
19 active licensed Masters of towing vessels in offshore
20 service.

21 “(5) One member representing Masters who are
22 active ship-docking or harbor towing vessel.

23 “(6) One member representing licensed or unli-
24 censed towing vessel engineers with formal training
25 and experience.

1 “(7) Two members representing each of the fol-
2 lowing groups:

3 “(A) Port districts, authorities, or terminal
4 operators.

5 “(B) Shippers (of whom at least one shall
6 be engaged in the shipment of oil or hazardous
7 materials by barge).

8 “(8) Two members representing the general
9 public.”; and

10 (2) in subsection (e), by striking “September
11 30, 2010.” and inserting “September 30, 2020.”.

12 (f) NAVIGATION SAFETY ADVISORY COUNCIL.—Sec-
13 tion 5 of the Inland Navigational Rules Act of 1980 (33
14 U.S.C. 2073) is amended—

15 (1) by striking subsections (a) and (b) and in-
16 serting the following:

17 “(a) ESTABLISHMENT OF COUNCIL.—

18 “(1) IN GENERAL.—The Secretary of the de-
19 partment in which the Coast Guard is operating
20 shall establish a Navigation Safety Advisory Council
21 (hereinafter referred to as the ‘Council’), consisting
22 of not more than 21 members. All members shall
23 have expertise in Inland and International vessel
24 navigation Rules of the Road, aids to maritime navi-
25 gation, maritime law, vessel safety, port safety, or

1 commercial diving safety. Upon appointment, all
2 non-Federal members shall be designated as rep-
3 resentative members to represent the viewpoints and
4 interests of one of the following groups or organiza-
5 tions:

6 “(A) Commercial vessel owners or opera-
7 tors.

8 “(B) Professional mariners.

9 “(C) Recreational boaters.

10 “(D) The recreational boating industry.

11 “(E) State agencies responsible for vessel
12 or port safety.

13 “(F) The Maritime Law Association.

14 “(2) PANELS.—Additional persons may be ap-
15 pointed to panels of the Council to assist the Council
16 in performance of its functions.

17 “(3) NOMINATIONS.—The Secretary, through
18 the Coast Guard Commandant, shall not less often
19 than once a year publish a notice in the Federal
20 Register soliciting nominations for membership on
21 the Council.

22 “(b) FUNCTIONS.—The Council shall advise, consult
23 with, and make recommendations to the Secretary,
24 through the Coast Guard Commandant, on matters relat-
25 ing to maritime collisions, rammings, groundings, Inland

1 Rules of the Road, International Rules of the Road, navi-
2 gation regulations and equipment, routing measures, ma-
3 rine information, diving safety, and aids to navigation sys-
4 tems. Any advice and recommendations made by the
5 Council to the Secretary shall reflect the independent
6 judgment of the Council on the matter concerned. The
7 Council shall meet at the call of the Coast Guard Com-
8 mandant, but in any event not less than twice during each
9 calendar year. All proceedings of the Council shall be pub-
10 lic, and a record of the proceedings shall be made available
11 for public inspection.”; and

12 (2) in subsection (d), by striking “September
13 30, 2010.” and inserting “September 30, 2020.”.

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