

Coast Guard, DHS

§ 10.213

Coast Guard may consider the following factors, as applicable, in assessing the applicant's suitability to hold an MMC. This list is intended as a guide for the Coast Guard. The Coast Guard may consider other factors appropriate to a particular applicant, such as:

- (1) Proof of completion of an accredited alcohol or drug abuse rehabilitation program;
- (2) Active membership in a rehabilitation or counseling group, such as Alcoholics Anonymous or Narcotics Anonymous;
- (3) Character references from persons who can attest to the applicant's sobriety, reliability, and suitability for employment in the merchant marine including parole or probation officers;
- (4) Steady employment; and
- (5) Successful completion of all conditions of parole or probation.

[USCG-2006-24371, 74 FR 11216, Mar. 16, 2009, as amended by USCG-2006-24371, 74 FR 39218, Aug. 6, 2009; USCG-2004-17914, 78 FR 77889, Dec. 24, 2013; USCG-2014-0688, 79 FR 58275, Sept. 29, 2014]

§ 10.213 National Driver Register.

(a) No MMC will be issued as an original or reissued with a new expiration date, and no new officer endorsement will be issued, unless the applicant consents to a check of the NDR for offenses described in section 205(a)(3)(A)

or (B) of the NDR Act (i.e., operation of a motor vehicle while under the influence of, or impaired by, alcohol or a controlled substance; and any traffic violations arising in connection with a fatal traffic accident, reckless driving, or racing on the highways).

(b) The Coast Guard will not consider NDR-listed civil convictions that are more than 3 years old from the date of request unless that information relates to a current suspension or revocation of the applicant's license to operate a motor vehicle. The Coast Guard may determine minimum and maximum assessment periods for NDR-listed criminal convictions using table 10.213(c) of this section. An applicant conducting simultaneous MMC transactions is subject to only one NDR check.

(c) The guidelines in table 1 to paragraph (c) will be used by the Coast Guard in evaluating applicants who have drug or alcohol related NDR-listed convictions. Non-drug or alcohol related NDR-listed convictions will be evaluated by the Coast Guard under table 1 to §10.211 of this part as applicable. The Coast Guard may consider non-drug or alcohol related NDR-listed convictions that are more than 3 years old from the date of the request when the information relates to a current suspension or revocation of the applicant's license to operate a motor vehicle.

TABLE 1 TO § 10.213(c)—GUIDELINES FOR EVALUATING APPLICANTS FOR MMCs WHO HAVE NDR MOTOR VEHICLE CONVICTIONS INVOLVING DANGEROUS DRUGS OR ALCOHOL ¹

Number of convictions	Date of conviction	Assessment period
1	Less than 1 year	1 year from date of conviction.
1	More than 1, less than 3 years.	Application will be processed, unless suspension, or revocation ² is still in effect. Applicant will be advised that additional conviction(s) may jeopardize merchant mariner credentials.
1	More than 3 years old	Application will be processed.
2 or more	Any less than 3 years old	1 year since last conviction and at least 3 years from 2nd most recent conviction, unless suspension or revocation is still in effect.
2 or more	All more than 3 years old	Application will be processed unless suspension or revocation is still in effect.

¹ Any applicant who has ever been the user of, or addicted to the use of, a dangerous drug must meet the requirements of paragraph (f) of this section.

² Suspension or revocation, when referred to in table 10.213, means a State suspension or revocation of a motor vehicle operator's license.

(d) Any application may be denied if information from the NDR check leads the Coast Guard to determine that the applicant cannot be entrusted with the duties and responsibilities of the en-

dorsement for which the application is made. If an application is denied, the Coast Guard will notify the applicant in writing of the reason(s) for denial

§ 10.214

and advise the applicant that the appeal procedures in subpart 1.03 of part 1 of this chapter apply. No examination will be given pending decision on appeal.

(e) Before denying an application because of information received from the NDR, the Coast Guard will make the information available to the applicant for review and written comment. The applicant may submit records from the applicable State concerning driving record and convictions to the Coast Guard processing the application. The Coast Guard will hold an application with NDR-listed convictions pending the completion of the evaluation and delivery by the individual of the underlying State records.

(f) If an applicant has one or more alcohol or dangerous drug-related criminal or NDR-listed convictions, if the applicant has ever been the user of, or addicted to the use of, a dangerous drug, or if the applicant applies before the minimum assessment period for his or her conviction has elapsed, the Coast Guard may consider the following factors, as applicable, in assessing the applicant's suitability to hold an MMC. This list is intended as a guide for the Coast Guard. The Coast Guard may consider other factors which it judges appropriate to a particular applicant, such as—

- (1) Proof of completion of an accredited alcohol or drug abuse rehabilitation program;
- (2) Active membership in a rehabilitation or counseling group, such as Alcoholics Anonymous or Narcotics Anonymous;
- (3) Character references from persons who can attest to the applicant's sobriety, reliability, and suitability for em-

46 CFR Ch. I (10–1–14 Edition)

ployment in the merchant marine, including parole or probation officers;

(4) Steady employment; and

(5) Successful completion of all conditions of parole or probation.

[USCG-2004-17914, 78 FR 77889, Dec. 24, 2013]

§ 10.214 Security Check.

Until April 15, 2009, the Coast Guard may conduct a security check on an applicant for an MMC, utilizing the criminal record review discussed in § 10.211 of this part.

§ 10.217 Merchant mariner credential application and examination locations.

(a) Applicants for an MMC may apply to any of the Regional Examination Centers (RECs) or any other location designated by the Coast Guard. Applicants may contact the National Maritime Center at 100 Forbes Drive, Martinsburg, WV 25404, by telephone 1-888-427-5662 or 304-433-3400, or by email at IASKNMC@uscg.mil. A list of locations approved for application submittal is available through the Coast Guard Web site at <http://www.uscg.mil/nmc>.

(b) *Exam Locations.* (1) Coast Guard units abroad may conduct exams for ratings at locations other than the RECs, but are not prepared to conduct practical examinations.

(2) The Coast Guard may designate additional exam facilities/locations to provide services to applicants for MMCs.

[USCG-2004-17914, 78 FR 77890, Dec. 24, 2013]

§ 10.219 Fees.

(a) Use table 1 to § 10.219(a) to calculate the mandatory fees for MMCs and associated endorsements.

TABLE 1 TO § 10.219(a)—FEES

If you apply for	And you need		
	Evaluation then the fee is . . .	Examination then the fee is . . .	Issuance then the fee is . . .
MMC with officer endorsement:			
Original:			
Upper level ¹	\$100	\$110	\$45
Lower level ²	100	95	45
Renewal	50	45	45
Raise of grade	100	45	45
Modification or removal of limitation or scope	50	45	45
Radio officer endorsement:			
Original	50	45	45
Renewal	50	n/a	45