§ 4.03–70 Tank vessel.

Tank vessel means a vessel that is constructed or adapted to carry, or that carries, oil, hazardous substances, marine pollutants, or noxious liquid substances, in bulk as cargo or cargo residue.


§ 4.03–75 Merchant mariner credential and credential.

The following definitions apply to this part:

Credential means any or all of the following:
(1) Merchant mariner’s document.
(2) Merchant mariner’s license.
(3) STCW endorsement.
(4) Certificate of registry.
(5) Merchant mariner credential.

Merchant mariner credential or MMC means the credential issued by the Coast Guard under 46 CFR part 10. It combines the individual merchant mariner’s document, license, and certificate of registry enumerated in 46 U.S.C. subtitle II part E as well as the STCW endorsement into a single credential that serves as the mariner’s qualification document, certificate of identification, and certificate of service.

[USCG–2006–24371, 74 FR 11214, Mar. 16, 2009]

Subpart 4.04—Notice of Potential Vessel Casualty

§ 4.04–1 Reports of potential vessel casualty.

A vessel owner, charterer, managing operator or agent shall immediately notify either of the following Coast Guard officers if there is reason to believe a vessel is lost or imperiled:

(a) The Coast Guard district rescue coordination center (RCC) cognizant over the area the vessel was last operating in; or

(b) The Coast Guard search and rescue authority nearest to where the vessel was last operating.

Reasons for belief that a vessel is in distress include, but are not limited to, lack of communication with or non-appearance of the vessel.

§ 4.04–3 Reports of lack of vessel communication.

The owner, charterer, managing operator or agent of a vessel that is required to report to the United States flag Merchant Vessel Location Filing System under the authority of section 212(A) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1122a), shall immediately notify the Coast Guard if more than 48 hours have passed since receiving communication from the vessel. This notification shall be given to the Coast Guard district RCC cognizant over the area the vessel was last operating in.

(Information collection requirements approved by the Office of Management and Budget under control number 1625–0048)


§ 4.04–5 Substance of reports.

The owner, charterer, managing operator or agent, notifying the Coast Guard under § 4.04–1 or § 4.04–3, shall:

(a) Provided the name and identification number of the vessel, the names of the individuals on board, and other information that may be requested by the Coast Guard (when providing the names of the individuals on board for a passenger vessel, the list of passengers need only meet the requirements of 46 U.S.C. 3502); and

(b) Submit written confirmation of that notice to the Coast Guard facility that the notice was given to within 24 hours.

(Information collection requirements approved by the Office of Management and Budget under control number 1625–0048)


Subpart 4.05—Notice of Marine Casualty and Voyage Records

§ 4.05–1 Notice of marine casualty.

(a) Immediately after the addressing of resultant safety concerns, the owner, agent, master, operator, or person in charge, shall notify the nearest
§ 4.05–2 Incidents involving foreign tank vessels.

(a) Within the navigable waters of the United States, its territories, or possessions. The marine casualty reporting and investigation criteria of this part apply to foreign tank vessels operating on the navigable waters of the United States, its territories, or possessions. A written marine casualty report must be submitted under § 4.05–10 of this chapter.

(b) Outside the U.S. navigable waters and within the Exclusive Economic Zone (EEZ). The owner, agent, master, operator, or person in charge of a foreign tank vessel involved in a marine casualty must report under procedures detailed in 33 CFR 151.15, immediately after addressing resultant safety concerns, whenever the marine casualty involves, or results in—

1. Material damage affecting the seaworthiness or efficiency of the vessel; or

2. An occurrence involving significant harm to the environment as a result of a discharge, or probable discharge, resulting from damage to the vessel or its equipment. The factors you must consider to determine whether a discharge is probable include, but are not limited to—

(i) Ship location and proximity to land or other navigational hazards;

(ii) Weather;

(iii) Tide current;

(iv) Sea state;

(v) Traffic density;

(vi) The nature of damage to the vessel; and

(vii) Failure or breakdown aboard the vessel, its machinery, or equipment.

§ 4.05–5 Substance of marine casualty notice.

The notice required in § 4.05–1 must include the name and official number of the vessel involved, the name of the