

## HR 2652

### Maritime Safety Act of 2009

**Congress:** 111 (2009–2011, Ended)

**Chamber:** House

**Policy Area:** Transportation and Public Works

**Introduced:** Jun 2, 2009

**Current Status:** Placed on the Union Calendar, Calendar No. 202.

**Latest Action:** Placed on the Union Calendar, Calendar No. 202. (Dec 3, 2009)

**Official Text:** <https://www.congress.gov/bill/111th-congress/house-bill/2652>

## Sponsor

**Name:** Rep. Oberstar, James L. [D-MN-8]

**Party:** Democratic • **State:** MN • **Chamber:** House

## Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Cummings, Elijah E. [D-MD-7]	D · MD		Jun 2, 2009
Rep. Larsen, Rick [D-WA-2]	D · WA		Jun 4, 2009
Rep. Delahunt, Bill [D-MA-10]	D · MA		Jul 13, 2009

## Committee Activity

Committee	Chamber	Activity	Date
Homeland Security Committee	House	Bills of Interest - Exchange of Letters	Sep 22, 2010
Transportation and Infrastructure Committee	House	Discharged from	Jun 4, 2009

## Subjects & Policy Tags

### Policy Area:

Transportation and Public Works

## Related Bills

Bill	Relationship	Last Action
111 HR 3619	Related bill	Oct 15, 2010: Became Public Law No: 111-281.
111 S 1124	Related bill	May 21, 2009: Read twice and referred to the Committee on Commerce, Science, and Transportation.

Maritime Safety Act of 2009 - (Sec. 2) Amends the American Fisheries Act to allow the owner of an eligible vessel, in order to improve vessel safety and operational efficiencies (including fuel efficiency), to rebuild or replace that vessel with a vessel documented with a fishery endorsement.

Authorizes the North Pacific Fishery Management Council to recommend for approval by the Secretary of Commerce conservation and management measures, including size limits and measures to control fishing capacity, to ensure that the effectiveness of fishery management plans of the Bering Sea and Aleutian Islands Management Area or the Gulf of Alaska is not diminished. Sets forth special rules, including rules pertaining to vessel size limits, certain catcher vessels, fishery endorsement limitations, and replacement vessels in the Gulf of Alaska.

(Sec. 3) Directs the Commandant of the Coast Guard to report to specified congressional committees on the efficacy of the Coast Guard's cold weather survival training.

(Sec. 4) Revises safety requirements for uninspected commercial fishing industry vessels.

Requires the Secretary to establish: (1) a Fishing Safety Training Grants Program; and (2) a Fishing Safety Research Grant Program.

Authorizes appropriations for both grant programs for FY2010-FY2014.

Renames the Commercial Fishing Industry Vessel Safety Advisory Committee as the Commercial Fishing Safety Advisory Committee. Revises requirements for its membership and increases the number of members from 17 to 18. Extends the Committee through FY2020.

Applies specified certification and operating requirements to fishing vessels and fish tender vessels as well as (under current law) fish processing vessels. Requires such vessels, after January 1, 2020, to comply with an alternate safety compliance program developed in cooperation with the commercial fishing industry and prescribed by the Secretary, if the vessel meets certain length and age requirements. Requires the Secretary to prescribe such a program by January 1, 2017.

(Sec. 5) Authorizes the Secretary of the department in which the Coast Guard is operating (Secretary) to prescribe regulations requiring a vessel owner or managing operator of a commercial vessel, or the employer of a seaman on that vessel, to maintain records of each individual engaged on the vessel on matters of engagement, discharge, and service for at least five years after the individual completes service on the vessel. Sets a civil penalty for violation of such regulations.

(Sec. 6) Repeals the exemption of operators of certain towing vessels from license requirements.

(Sec. 7) Requires U.S. vessels (except those on a voyage from the United States to Canada) that are subject to inspection to have an official logbook with specified entries.

(Sec. 8) Authorizes any individual authorized to: (1) enforce federal merchant marine law to remove a vessel's certificate for unsafe operation; (2) order the individual in charge of a vessel without a certificate on board to return the vessel to a mooring; and (3) direct an individual in charge of a vessel operated in an unsafe condition to take immediate steps necessary for the safety of individuals on board.

Requires the Secretary to establish vessel equipment standards based on performance using the best available technology economically achievable that is operationally practical.

(Sec. 9) Prohibits the Secretary from approving a survival craft as a safety device unless it ensures that no part of an individual is immersed in water. Grandfathers from this prohibition certain approved and serviceable survival crafts that do not meet such requirement.

(Sec. 10) Applies certain vessel management requirements to a passenger vessel or small passenger vessel that transports more passengers than a number prescribed by the Secretary based on the number of individuals on the vessel that could be killed or injured in a marine casualty.

(Sec. 11) Specifies additional acts related to marine safety for which a seaman may not be discharged or discriminated against, such as that the seaman testified in a maritime safety law enforcement proceeding or cooperated with a safety investigation. Replaces requirements for civil actions by a seaman alleging discharge or discrimination with requirements for administrative complaint.

(Sec. 12) Requires certain new U.S. Vessels with a construction contract date after enactment of this Act, or delivered after January 1, 2011, to comply with specified oil fuel tank protection standards.

(Sec. 13) Repeals the requirement of oaths for applicants for a merchant seaman license or certificate of registry and holders of merchant mariners' documents.

(Sec. 14) Allows eight-month advance renewals of merchant mariners' documents, merchant seamen's licenses, and merchant seaman certificates of registry.

(Sec. 15) Prohibits the Secretary from requiring the fingerprinting of an individual for the issuance or renewal of a license, a certificate of registry, or a merchant mariner's document if the individual was fingerprinted upon applying for a transportation security card.

(Sec. 16) Authorizes the Secretary to extend the duration of expiring licenses, certificates of registry, and merchant mariner documents for up to one year to enable the Coast Guard to eliminate an applications backlog.

(Sec. 17) Directs the Secretary to develop an interim clearance process for issuance of a merchant mariner document to enable a newly hired seaman to begin working on an offshore supply vessel or towing vessel, provided the seaman does not pose a safety and security risk.

(Sec. 18) Directs the Commandant of the Coast Guard to make a merchant mariner assistance report to specified congressional committees.

(Sec. 19) Revises tonnage and minimum number of licensed mate and engineer requirements for certain offshore supply vessels.

(Sec. 21) Directs the Secretary to promulgate regulations to require the installation, maintenance, and use of life preservers and other lifesaving devices for individuals on board uninspected vessels.

(Sec. 22) Directs the Secretary of Homeland Security, acting through the Coast Guard Commandant, to study and report to specified congressional committees on the use, safety, and performance of blended fuels in marine applications.

(Sec. 23) Extends the authorization of certain advisory committees through FY2020.

Revises membership requirements for and increases to 18 the number of members on the Towing Safety Advisory Committee.

Revises requirements for the Navigation Safety Advisory Council.

## **Actions Timeline**

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- **Dec 3, 2009:** Reported (Amended) by the Committee on Transportation. H. Rept. 111-351.
- **Dec 3, 2009:** Placed on the Union Calendar, Calendar No. 202.
- **Oct 23, 2009:** Provisions of measure incorporated in to Title VIII of H.R. 3619.
- **Jun 4, 2009:** Subcommittee on Coast Guard and Maritime Transportation Discharged.
- **Jun 4, 2009:** Committee Consideration and Mark-up Session Held.
- **Jun 4, 2009:** Ordered to be Reported (Amended) by Voice Vote.
- **Jun 3, 2009:** Referred to the Subcommittee on Coast Guard and Maritime Transportation.
- **Jun 2, 2009:** Introduced in House
- **Jun 2, 2009:** Referred to the House Committee on Transportation and Infrastructure.