



PROPOSED TOWING VESSEL INSPECTION PROGRAM

FACT SHEET

The U.S. Coast Guard has released a notice of proposed rulemaking that would establish a historic new inspection program for towing vessels, including a requirement for a safety management system, as recommended by the National Transportation Safety Board (NTSB). The American Waterways Operators (AWO) hails this historic action as it will increase safety, security and environmental stewardship throughout the tugboat, towboat and barge industry.

BACKGROUND

In 2003, AWO took the unprecedented step of requesting that the Commandant of the Coast Guard ask Congress for the authority to establish a new inspection regime unique to towing vessels. This authority was granted in the Coast Guard and Maritime Transportation Act of 2004.

Since 2004, AWO has worked closely with the Coast Guard through the Towing Safety Advisory Committee (TSAC) to craft a 21st century approach to towing vessel

inspection, one that focuses on the biggest cause of towing vessel casualties: human error.

AWO SAFETY LEADERSHIP

AWO members have a long history of safety leadership in the industry, demonstrated through the AWO Responsible Carrier Program (RCP), a safety and environmental protection program with which all AWO members must be in audited compliance as a condition of membership.

Since the adoption of the AWO RCP, the industry has made great strides in enhancing safety, achieving a significant reduction in crew fatalities, oil spills, and vessel casualties. However, AWO believed that industry safety would benefit even further from the establishment of a Coast Guard inspection program, including a requirement that all towing vessels implement a safety management system.

In September 2000, as part of the *m/v Anne Holly* accident investigation, the NTSB recommended that the Coast Guard require domestic

towing companies to develop and implement a safety management system.

GOVERNMENT-INDUSTRY COOPERATIVE APPROACH

While this new inspection program is a historic change, it is also an outgrowth of years of cooperative work by AWO and the Coast Guard to improve maritime safety and environmental protection, including the innovative Towing Vessel Bridging Program, under which more than 3000 towing vessels have already undergone voluntary Coast Guard examinations to verify their compliance with safety and environmental stewardship requirements. Through the Coast Guard-AWO Safety Partnership, established in 1995, government and industry have worked together to tackle the most pressing safety problems in the towing industry.

FEATURES OF THE PROPOSED TOWING VESSEL INSPECTION PROGRAM

The proposed regulations were developed with

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extensive input from the congressionally established Towing Safety Advisory Committee. Some of the features of the proposed regulations include:

- Establishing a new subchapter of the Code of Federal Regulations containing comprehensive new standards to ensure the safety of all aspects of towing vessel operations, from vessel equipment to human factors. The new 46 CFR Subchapter M would establish standards for vessel operations, mariner health and safety, lifesaving, firefighting, machinery and electrical systems, and vessel construction and arrangements.
- Requiring towing companies to implement a Towing Safety Management System (TSMS), as recommended by the NTSB. Companies that choose not to implement a TSMS would undergo annual Coast Guard inspections of their towing vessels.
- Allowing for Coast Guard acceptance of safety management systems other than the International Safety Management Code to meet the TSMS requirements. This would allow AWO to review the Responsible Carrier Program against the requirements for a Coast Guard-accepted TSMS, make any changes needed, and submit the RCP to the Coast Guard for acceptance as a TSMS.
- Using Coast Guard-approved third parties to verify compliance with the new requirements, enabling the Coast Guard to better target its resources on those companies and vessels whose operations warrant closer scrutiny.
- Exempting from coverage vessels less than 26 feet, unless moving a barge carrying dangerous or hazardous materials; vessels used for assistance towing; work boats operating exclusively within a work site; seagoing towing vessels over 300 GRT; and vessels inspected under other subchapters that may perform occasional towing. Vessels in the first three categories would be addressed in a subsequent rulemaking.

This is a complex rulemaking and AWO will continue to participate actively in the regulatory process, providing detailed and specific comments to refine the proposed regulations and ensure that they achieve their promise: helping to make the industry safer as it reliably carries the nation's cargo, thus benefiting America's economy, environment and quality of life. 🌊

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