

REPORT OF THE COAST GUARD – AWO SAFETY PARTNERSHIP
QUALITY ACTION TEAM
ON THE
SAFE MANAGEMENT OF CREW TRAVEL TIME

OCTOBER 24, 2008

Introduction and Background

At its February 21, 2007 meeting, the National Quality Steering Committee (QSC) of the Coast Guard-AWO Safety Partnership agreed to establish a Quality Action Team (QAT) on the Safe Management of Crew Travel Time in order to: 1) promote safe practices for managing crew travel time throughout the tugboat, towboat, and barge industry; and, 2) ensure clear and consistent industry understanding of current Coast Guard regulations and policies governing crewmember travel time.

In establishing the QAT, the National QSC was motivated by the fundamental goal of the Coast Guard-AWO Safety Partnership: to promote continuous improvement in tugboat, towboat, and barge industry safety. Throughout its 12-year history, the Partnership has given special focus to promoting crew endurance and safe performance amidst the challenges of a 24-hour-a-day, seven-day-a-week operating environment. In the aftermath of a high-profile Coast Guard civil penalty case in which a towing company was found to have violated federal statutes governing work hours and duty time because of travel time practices, the National QSC perceived a need to provide tugboat, towboat, and barge companies with clarification on current law, regulation, and Coast Guard policy governing travel time, work, and rest, and with recommended best practices for managing crew travel time safely and within the boundaries of current law and policy.¹

The QAT charter, which was signed in July 2007 by National QSC co-chairs RDML Brian Salerno, Coast Guard Assistant Commandant for Marine Safety, Security, and Stewardship (CG-5), and Tom Allegretti, AWO President and CEO, called on the team to undertake the following tasks:

1. Review current Coast Guard regulations and policies regarding crew travel time and identify any areas in which those regulations or policies may be unclear or of concern to industry;
2. Identify current industry practice for managing crew travel time throughout the tugboat, towboat and barge industry, with special attention to inland, coastal and harbor operations and any differences in industry practice based on geography or nature of operation;
3. Identify best practices for managing crew travel time in the various geographic and operational sectors of the tugboat, towboat and barge industry and provide clarification on practices that may raise questions under current Coast Guard regulations and policies; and,
4. Identify any other tasks that may be necessary to accomplish the objectives for which the QAT is established.

The QAT was chaired by CAPT Mike Karr, Chief of the Office of Vessel Activities at Coast Guard headquarters (CG-3PCV), and Craig Philip, President and CEO of Ingram Barge Company. QAT members included:

¹ The towing company involved in the case has appealed the Hearing Officer's ruling to the Commandant. The Commandant's final decision in the case is pending.

CAPT Tim Close, CCG D8
LT Allison Cox, CCG D8
George Foster, JB Marine Service
Cathy Hammond, Inland Marine Service
LCDR Benjamin Hawkins, CG-3PSE-1
Thomas (Scott) Kuhaneck, CG-3-PCV-1
Dick Lauer, Sause Bros.
LCDR Vivianne Louie, CG-3PSE-1
Tom McWhorter, Florida Marine Transporters
Mario Munoz, American Commercial Lines
Emmett Neal, Crouse Corporation
James "Goat" Patterson, Osage Marine Service
Tom Sullivan, K-Sea Transportation
Gregg Thauvette, The Great Lakes Group

Staff support to the QAT was provided by Jennifer Carpenter, Bob Clinton, and Angela Madden of the AWO staff. A copy of the QAT charter is attached to this report as Appendix A.

The QAT met on July 25 and September 6, 2007, and conducted significant research, analysis, and drafting work before and after these meetings.

Overview of Applicable Statutory and Regulatory Requirements
and Coast Guard Policy on Travel Time, Work, and Rest

The team began by reviewing background information provided by the Coast Guard on current law, regulation, and agency policy regarding travel time, work and rest and identifying industry questions and concerns. The goal of this step was to provide clarification to industry on applicable requirements as directed by the QAT charter, and to lay the foundation for the subsequent development of recommended best practices. The following table, supplied by the Coast Guard, provides an overview of applicable law, regulation, and current Coast Guard policy, along with answers to frequently-asked questions raised by QAT members.

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| Introduction | <p>The information in this table is the product of the Coast Guard-AWO Quality Action Team on the Safe Management of Crew Travel Time. The QAT was chartered to promote safe practices for managing crew travel time and to ensure clear and consistent understanding of regulations and policies governing crew travel time.</p> <p>While striving to ensure full compliance with the law, the QAT recognized that there is both a spirit and intent to the law and associated regulations and policies focused on casualty prevention and human factors. The human factors component is especially difficult to address through strict regulation. However, there are certain aspects that are within the company's control and certain aspects that are within the</p> |
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| | <p>mariner’s control. The Coast Guard’s Crew Endurance Management System (CEMS) is addressed at the end of this table and was designed to assist in addressing human factors on commercial vessels.</p> |
| <p>Law</p> | |
| <p>46 U.S.C. §8104(a)</p> | <p>Officer can take charge of deck watch only if the officer has been off duty for at least six hours within the 12 hours immediately before the time of leaving.</p> |
| <p><i>Question:</i></p> | <p><i>Does 8104(a) apply to all towing vessel operations, regardless of sector?</i></p> |
| <p><i>Answer:</i></p> | <p><i>Yes.</i></p> |
| <p><i>Question:</i></p> | <p><i>What is the “time of leaving” for purposes of 8104(a)?</i></p> |
| <p><i>Answer:</i></p> | <p><i>It is the time just before the vessel moves from a pier or anchorage, when the person in charge of the deck watch takes actions that will result in the movement of the vessel from the dock or anchorage.</i></p> |
| <p><i>Question:</i></p> | <p><i>How does 8104(a) apply to harbor tug operations in which a vessel operator goes home between jobs during a 12-hour shift?</i></p> |
| <p><i>Answer:</i></p> | <p><i>Since the operator may need to “leave” immediately after reporting to the harbor tug, the operator needs to be off duty for six hours within the 12 hours before reporting to the tug to begin work.</i></p> <p><i>Harbor tug crews that work 12-hour shifts are deemed to be on a continuous workday during their shift. Therefore, operators are considered to be working at all times during their shifts.</i></p> <ul style="list-style-type: none"> ▪ <i>8104(a) only applies at the beginning of the harbor tug shift.</i> ▪ <i>8104(h) covers the 12-hour day.</i> <ul style="list-style-type: none"> ▪ <i>What the employer allows the operator to do during the 12-hour shift does not raise questions unless the operator’s shift extends beyond 12 hours.</i> |
| <p><i>Question:</i></p> | <p><i>How does 8104(a) apply to harbor tug/ship assist operations in which a vessel operator works no more than 12 hours (in a continuous 24-hour period) per day during a multiple-day hitch and whose operation requires them to return to a dock or pier between ship assist jobs?</i></p> |
| <p><i>Answer:</i></p> | <p><i>8104(a) only applies at the beginning of the harbor tug operator’s multiple-day hitch.</i></p> |

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| 46 U.S.C. §8104(b) | On an oceangoing or coastwise vessel not more than 100 GRT, a licensed individual may not be required to work more than nine of 24 hours when in port, or more than 12 of 24 hours at sea except in an emergency when life or property are endangered. |
| 46 U.S.C. §8104(c) | Great Lakes and certain tributary waters. A licensed individual or seaman in the deck or engine department may not be required to work more than eight hours in one day or permitted to work more than 15 hours in any 24-hour period, or more than 36 hours in any 72-hour period, except in an emergency when life or property are endangered. |
| 46 U.S.C. §8104(d) | On merchant vessels of more than 100 GRT, when at sea, the licensed individuals, sailors, coal passers, fireman, oilers, and water tenders shall be divided into at least three watches. A licensed individual or seaman in the deck or engine department may not be required to work more than eight hours in one day. |
| 46 U.S.C. §8104(f) | Subsections (d) and (e) of this section do not limit the authority of the master or other officer when the crew is needed for (1) maneuvering, shifting, mooring, or unmooring the vessel; (2) performing work necessary for the safety of the vessel; (3) saving life on board another vessel in jeopardy; or, (4) performing fire, lifeboat, or other drills in port or at sea. |
| 46 U.S.C. §8104(g): | On a towing vessel engaged on a voyage of less than 600 miles, the licensed individuals and crewmembers (except coal passers, firemen, oilers and water tenders) may be divided, when at sea, into at least two watches. |
| <i>Question:</i> | <i>What is a “voyage” for the purposes of applying the 600-mile threshold in 8104(g) and implementing regulations?</i> |
| <i>Answer:</i> | <i>A “voyage” must be determined on a case-by-case basis. There is no statutory or regulatory definition for the term voyage.</i> <i>In general, a “voyage” can be construed to occur from one “port” to another and/or from the point of embarkation with a barge to a point or place where a portion of the barge’s cargo is discharged. A voyage could also include intermediate port visits en route to the final destination.</i> |
| 46 U.S.C. §8104(h) | On a vessel to which section 8904 of this title applies, an individual licensed to operate a towing vessel may not work for more than 12 hours in a consecutive 24-hour period except in an emergency. |

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| <p><i>Question:</i></p> <p><i>Answer:</i></p> | <p><i>For the purposes of 8104(h), is “a consecutive 24-hour period” calculated on a continuous basis (as opposed to a calendar day, for example)?</i></p> <p><i>The mariner’s workday is a “continuous” one. It is not a calendar day.</i></p> |
| <p>46 U.S.C. §8904(a)</p> | <p>A towing vessel that is at least 26 feet in length shall be operated by an individual licensed by the Secretary.</p> |
| <p>46 U.S.C. §8904(c)</p> | <p>The Secretary may prescribe by regulation maximum hours of service (including recording and recordkeeping of that service) of individuals engaged on a towing vessel at least 26 feet in length. <i>Note: As of February 2008, the Coast Guard has not initiated a rulemaking project to implement this provision.</i></p> |
| <p>Regulations</p> | |
| <p>46 CFR 15.705(a)</p> | <p>The establishment of adequate watches is the responsibility of the vessel’s master. “Watch” is the direct performance of vessel operations, whether deck or engine, where such operations would routinely be controlled and performed in a scheduled and fixed rotation.</p> |
| <p>46 CFR 15.705(b)</p> | <p>On a seagoing vessel of more than 100 GRT, licensed individuals, sailors, coal passers, firemen, oilers, and water tenders shall be divided into three watches.</p> |
| <p>46 CFR 15.705(c)</p> | <p>Subject to exceptions, 46 USC §8104(g) permits licensed individuals and crew members, when at sea, on towing vessels (except coal passers, firemen, oilers, and water tenders) to be divided into two watches on voyages of less than 600 miles.</p> |
| <p>46 CFR 15.705(d)</p> | <p>Subject to exceptions, §8104(h) permits licensed towing vessel operators to work not more than 12 hours in a consecutive 24-hour period except in an emergency. Coast Guard interpretation for towing vessels not subject to the Officers Competency Act means these vessels may use two-watch system regardless of voyage length.</p> |
| <p>STCW Regulations</p> <p>International Convention on Standards of Training, Certification and</p> | <p>The STCW regulations are found in 46 CFR Subpart J, beginning with Section 15.1101 and ending with Section 15.1111.</p> <p>The STCW regulations described below apply to vessels that operate beyond the Boundary Lines. These regulations do not apply to vessels that exclusively operate on inland waters.</p> |

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| <p>Watchkeeping for Seafarers (STCW), 1978</p> | <p>The Coast Guard describes Boundary Lines in 46 CFR 7.</p> <p>Personnel serving on towing vessels of less than 200 GRT and the owners and operators of towing vessels of less than 200 GRT are considered in compliance with the STCW when engaged on domestic voyages, as explained in 46 CFR 15.103(f).</p> <p>46 CFR 15.103(f): Personnel serving on the following vessels, and the owners and operators of these vessels, are in compliance with subpart J and are not subject to further obligation for the purposes of STCW, on account of the vessels' special operating conditions as small vessels engaged in domestic voyages:</p> <ul style="list-style-type: none">(1) Small passenger vessels subject to subchapter T or K of title 46 CFR.(2) Vessels of less than 200 GRT (other than passenger vessels subject to subchapter H of title 46 CFR). |
| <p>46 CFR 15.1109</p> | <p>Each master of a vessel that operates beyond the Boundary Line shall ensure observance of the principles concerning watchkeeping set out in STCW regulation VIII/2 and Section A-VIII/2 of the STCW Code.</p> |
| <p>46 CFR 15.1111</p> | <p>Defines rest to include, "... and is allowed to sleep without being interrupted."</p> <p>Each officer in charge of a navigational or engineering watch, on board any vessel that operates beyond the Boundary Line:</p> <ul style="list-style-type: none">(a) Shall receive a minimum of 10 hours rest in any 24-hour period;(b) The hours of rest may be divided into no more than two periods, of which one must be at least 6 hours in length;(c) Except in cases of emergency, drill or other overriding condition;(d) Ten hours may be reduced to six provided no reduction extends beyond two days and not less than 70 hours rest are provided in each 7-day period;(e) Rest cannot be devoted to other duties;(f) Watchstanders remain subject to 46 USC §8104; and(g) Watch schedules must be posted. |

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| <p>Coast Guard Policy and Guidance</p> | |
| <p>Marine Safety Manual (MSM) Vol. III, Chap. 24</p> | <p>Page 24-25, Duty Status. 8104(a) requires a minimum “off duty” (e.g. rest) period for officers assigned to take charge of the navigational watch when leaving or immediately after leaving port. The Coast Guard interprets "off duty" within this statute to mean: A continuous period of time that is available to the seaman for rest, during which no work is assigned.</p> |
| <p>Policy Letter 4-00, Rev. 1</p> | <p>Paragraph 5.a. The master must ensure that he/she and the crew are properly rested and complying with the law. Paragraph 5.b. Companies should ensure employees are informed of the law and educated regarding safety concerns of not getting adequate rest. Paragraph 5c. Similarly, the mariner is responsible for arriving at the vessel properly rested.</p> |
| <p>Policy Letter 4-00, Rev. 1 Definitions from the Policy Letter</p> | <p><i>Rest</i> means a period of time during which the person concerned is off duty, is not performing work, including administrative tasks such as chart corrections or preparation of port entry documents, and is allowed to sleep without interrupted. (Paragraph 2.c.)</p> <p><i>Travel time</i> to a vessel is considered to be neutral time as it is normally not considered to be “rest,” “off-duty,” or “work” time, but all relevant circumstances should be considered in evaluating whether a mariner complies with the applicable “rest” required by STCW or “off-duty” requirements specified in 46 U.S.C. 8104(a). (Paragraph 2.d.)</p> <p><i>Watch</i> is activity related to the direct performance of vessel operations, whether deck or engine, where such operations would routinely be controlled and performed in a scheduled and fixed rotation. The performance of maintenance or work necessary to the vessel’s safety operation on a daily basis does not in itself constitute the establishment of a watch. However, the latter does count towards the hours of work that can be required by an employer. (Paragraph 2.e.)</p> <p><i>Work</i> is any activity that is performed on behalf of a vessel, its crew, its cargo, or the vessel’s owner or operator. This includes standing watches, performing maintenance on the vessel or its appliances, unloading cargo, or performing administrative tasks, whether underway or at the dock. (Paragraph 2.f.)</p> <ul style="list-style-type: none"> • Policy letter 4-00, paragraph 2 notes that the definitions above for rest are used in situations where STCW applies. |

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| <p><i>Question:</i></p> <p><i>Answer:</i></p> | <p><i>What does “neutral time” mean as used in G-MOC Policy Letter 4-00, Revision 1?</i></p> <p><i>“Neutral time” is not “rest,” “work,” or “off-duty” time.</i></p> |
| <p><i>Question:</i></p> <p><i>Answer:</i></p> | <p><i>How does an operator account for commute time from home to the job site or dispatch location?</i></p> <p><i>Based on Policy Letter 4-00, Revision 1, the operator should not count this commute time (travel time) as off-duty time when determining compliance with 46 USC 8104(a).</i></p> <p><i>Though strictly speaking, commuting to one’s place of employment is off-duty time, the policy letter was written to provide guidance to improve crew alertness. The policy letter discourages counting travel time as off-duty time because travel time does not meet the definition of off-duty time explained in MSM. Vol. III, Chapter 24.</i></p> <p><i>With regard to 8104(h), time spent commuting from home to the job or dispatch location does not meet the definition of “work” in Policy Letter 4-00, Revision 1.</i></p> <p><i>Note that paragraph 5.c. of Policy Letter 4-00, Revision 1, states that the mariner is responsible for arriving at the vessel properly rested. Thus, post-casualty investigations may consider the mariner’s off-duty activity and rest in determining whether the mariner was properly rested.</i></p> |
| <p><i>Question:</i></p> <p><i>Answer:</i></p> | <p><i>In a fleeting operation where crew are dispatched from the main fleet to a downstream or upstream fleet, does travel between the two sites at the start of the work day count as part of the operator’s maximum of 12 work hours?</i></p> <p><i>Harbor tug crews that work 12-hour shifts are deemed to be on a continuous workday during their shift. Therefore, operators are considered to be working during their shifts.</i></p> <ul style="list-style-type: none">▪ <i>What the employer allows the operator to do during the 12-hour shift does not raise questions unless the operator’s shift extends beyond 12 hours.</i>▪ <i>Since being dispatched to a remote fleet and traveling to that fleet is an activity that is performed on behalf of a vessel or the vessel’s owner or operator, it is considered to be work and would count as part of the 12-hour shift.</i> |

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| <p><i>Question:</i></p> <p><i>Answer:</i></p> | <p><i>Is time spent riding in a crew van to be considered work time or on-duty time?</i></p> <p><i>With regard to complying with 46 USC 8104(a), the time spent riding in a crew van is not off-duty time as defined in Policy Letter 4-00, Revision 1, and therefore, the mariner should not take charge of the deck watch on a vessel when leaving or immediately after leaving port unless “the officer has been off duty for at least six hours within the 12 hours immediately before the time of leaving.”</i></p> <p><i>With regard to 46 USC 8104(h), the time spent riding in the crew van is similarly not considered to be work per the definitions in Policy Letter 4-00, Revision 1.</i></p> <ul style="list-style-type: none"><i>• Note that a towing company was issued a civil penalty for violating 46 USC 8104(h) when the Coast Guard concluded that the master was working based on the fact that he was paid and was driving a company van to the vessel for over seven hours. Though the policy letter identifies travel time as neutral time, the Coast Guard believes travel time clearly becomes work when a person is paid to drive a company vehicle to a place and at a time per direction of the company.</i><i>• Until the Commandant of the Coast Guard renders a final decision on the civil penalty appeal, the Coast Guard recommends that operators treat all similar circumstances as work when evaluating compliance with 46 USC 8104 (a) and (h).</i> |
| <p><i>Question:</i></p> <p><i>Answer:</i></p> | <p><i>Is there a “where” and a “when” component involved in determining whether a given activity constitutes “work?” (For example, if a vessel captain is normally expected to do routine paperwork during his watch in the pilothouse but chooses instead to do so in his stateroom during his off-watch period, does this count as work?)</i></p> <p><i>Policy Letter 4-00, Revision 1, paragraph 2.f. defines work as: “any activity that is performed on behalf of a vessel, its crew, its cargo or the vessel’s owner or operator. This includes standing watches, performing maintenance on the vessel or its appliances, unloading cargo, or performing administrative tasks, whether underway or at the dock.”</i></p> <p><i>What someone does during their off-watch period would have to be subjectively evaluated. If the task must get done during the off-watch time, then that time is not off-duty or rest and is considered as time spent doing work and must be considered as such in determining compliance with 46 USC 8104. Any job-related activity performed off watch voluntarily by a crewmember would have to be evaluated on a case-by-</i></p> |

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| | <p><i>case basis. The frequency of the work done off watch, the length of time spent doing the work, and whether or not the work was of an emergency nature would all be considered as factors.</i></p> |
| <p><i>Question:</i></p> <p><i>Answer:</i></p> | <p><i>What constitutes an interruption of rest or off-duty time? What about unexpected interruptions (e.g., Coast Guard security boarding, SIRE inspection, etc.) that break up planned crew rest periods?</i></p> <p><i>Safety examinations and security examinations and boardings conducted by the Coast Guard may interrupt off-duty time and do not compromise compliance with 46 USC 8104. This answer is based on the fact that the examinations and boardings are conducted for the safety of the vessel and therefore, the crew work is necessary for the safety of the vessel as described in 46 USC 8104(f)(2).</i></p> <p><i>Company-coordinated examinations, such as a SIRE inspection, should be scheduled such that they do not interrupt off-duty time.</i></p> |
| <p>Crew Endurance Management System (CEMS) Guide for Maritime Operations</p> | <p>The Crew Endurance Management System is a systematic process for managing risk factors that can lead to human error and performance degradation in the maritime work environment. It acknowledges that crew endurance is a function of many factors, including, but not limited to: sleep quality and duration, biological clock attunement, psychological state, working and living environment, diet and physical conditioning. CEMS helps operators identify these risk factors, understand how they affect the endurance of crews, and mitigate their impact on crew endurance.</p> <p>Within the context of the safe management of crew travel time, many different factors have the potential to affect crew endurance, including sleep quality, sleep duration and biological clock attunement. It is important to recognize that the impact of travel to and from a vessel may adversely impact the endurance of crewmembers. With this consideration, CEMS provides a means, based on scientific research and actual practice, for operators to minimize the risks by exercising control over the risk factors.</p> |

Review of Current Industry Practice for Managing Crew Travel Time

Consistent with the QAT charter, the team’s next step was to review the state of current industry practice for managing crew travel time. To accomplish this, QAT members provided information on practices currently employed by their companies, and AWO conducted a survey of members of its Interregion and Coastal Safety committees. Forty-seven committee members

representing a broad geographical and operational cross-section of the industry responded to the survey. Taken together, the survey results revealed a wide spectrum of industry awareness of the need to actively manage crew travel time – from very high to very low – and a similarly wide range of industry practice. The results of the survey are attached to this report as Appendix B.

Development of Proposed Best Practices

As directed by the QAT charter, the heart of the team’s task was the development of recommended best practices for managing crew travel time safely. The QAT defined a “best practice” as one that:

1. Is universally adoptable (or nearly so) by companies within a particular segment of the industry. (That is, it is not so dependent on a unique set of factors that its utility is limited to a very few companies. While a company-specific practice may be an excellent one, if it is not adoptable by others, it should not be presented as a “best practice” for emulation by other companies);
2. Complies with current law, regulation, and Coast Guard policy;
3. Takes into account the current state of knowledge about human physiological needs for rest, sleep, and safe performance (i.e., Crew Endurance Management principles);
4. Is easy to understand and practical to implement; and,
5. Is fully integrated within a company (that is, all levels of the organization – senior management, dispatch, operations, vessel masters, and vessel crewmembers – are effectively involved in its execution).

In developing its recommended best practices, the QAT took into account the information presented by the Coast Guard on current law, regulation, and agency policy; the results of its research into current industry practice for managing travel time; and previous work products produced by the AWO safety committees, including *Crew Travel Time Guidelines* prepared by the Crew Alertness Subcommittee of the Interregion Safety Committee in August 2004 (updated in June 2007) and *Strategies for Improving Shore based Tankerman Alertness* published by the Tankerman Alertness Working Group of the Interregion and Coastal Safety committees in December 2005. The QAT also conducted research into governmental requirements regarding travel time in other modes of transportation, in order to determine whether the practices of other modes might offer models worth emulating. (The results of the QAT’s research on requirements for other modes are attached as Appendix C to this report.)

The QAT made two overarching recommendations with respect to the safe management of crew travel time:

1. Managing crew travel time safely and complying with applicable law, regulation, and Coast Guard policy concerning travel time, work, and rest requires **active management on a continuous basis**. There is no single, one-size-fits-all solution that will ensure safe

operations and consistent compliance with law, regulation and policy across all segments of the industry. The various factors impacting safety and compliance must be considered together, not in isolation.

2. Managing crew travel time effectively requires attention to three areas: **training** for vessel and shoreside personnel, crew **scheduling and dispatch**, and **transportation and logistics**. The QAT grouped its recommended best practices into these three areas.

Best Practices for Training

- Educate vessel crewmembers and shoreside personnel, up to and including senior management, on:
 - Sleep, fitness, and wellness/human performance issues (i.e., Crew Endurance Management principles);
 - Applicable law, regulation, and Coast Guard policy on work, rest, and travel time, and the responsibility of individuals within the company for compliance; and,
 - Company policy regarding work, rest, and travel time, including the responsibilities of individuals within the company for adherence to that policy. (Examples: Vessel crewmembers should be educated in company expectations for off-duty behavior prior to reporting for work. Vessel masters should be educated in how to respond if a crewmember arrives at the vessel in a state that raises questions about his or her fitness for duty. Dispatch personnel should be educated on the importance of sensitivity to rest and compliance issues when notifying crewmembers of schedule changes.)
- Training should be provided at the start of employment, with refresher training on an annual basis.

Best Practices for Crew Dispatch and Scheduling

- Adopt practices that minimize travel time and distance to the vessel.
 - Example: Establish pre-designated dispatch points to which crewmembers are responsible for reporting. Allow crewmembers to report to the dispatch point for company-provided transportation to the vessel or report directly to the vessel, whichever is more convenient to their home.
- If travel time to the vessel exceeds six hours, ensure that it is followed by a rest period before a crewmember assumes the watch.
- Provide appropriate locations for crewmembers to rest when needed after extended travel. (Options include a bunkhouse, hotel, or the vessel itself, as long as crewmembers have an opportunity to lie down in a dark, quiet environment and get needed rest.)
 - Allow crewmembers to report to the designated location the night before a morning crew change and provide accommodations for overnight rest.
- Provide a predictable return-to-work schedule and maximum advance notice of schedule changes.

- Be aware that there may be tension between the goals of promoting predictability and minimizing travel time and distance. (For example, while having a set crew change day supports the goal of predictability, it may require that crewmembers travel a longer time or distance to the vessel.) While there is no one-size-fits-all solution to resolve this tension, companies need to actively manage it to arrive at the best solution in any particular circumstance.
- Take into account crewmember circadian rhythms when providing notice of unexpected schedule changes. (For example, don't wake a crewmember with an 0400 phone call to inform him or her that a scheduled 0800 sailing has been delayed to 1200.)
- Time crew change to take into account crewmember circadian rhythms and avoid requiring travel in the middle of the night or very early morning.
- Ensure communication and coordination between crew dispatch and barge/boat dispatch to avoid inconsistencies that increase travel time or distance.
- Establish a policy, and communicate it actively, that a crewmember who feels fatigued should not take the watch until he/she gets adequate rest.

Best Practices for Transportation and Logistics

- In choosing among alternative transportation modes to a vessel (e.g., company-provided vehicle, personal car, flight, etc.), take into account travel distance and time and such factors as convenience, arrival time, and fatigue implications of the various options.
- Make travel to the vessel as comfortable as possible, considering such factors as number and type of seats, number of passengers allowed in a single vehicle, etc.
- If using a crew van, provide a dedicated driver (two drivers in the case of an extended trip). This could be a professional driver or a crewmember who will not be assuming the watch upon arrival at the vessel.
- Provide accommodations for crewmembers to rest after disembarkation from the vessel before beginning their travel home.
- If a vessel crewmember is asked to drive a company vehicle back from the vessel to a designated location at the end of a hitch, choose a crewmember who has been off watch prior to the vessel's arrival.

Conclusion

The QAT submits this report and recommendations for consideration and acceptance by the Coast Guard-AWO Safety Partnership National QSC at its February 27, 2008 meeting. The QAT recommends that the National QSC approve this report and encourage its widespread distribution throughout the tugboat, towboat, and barge industry as a means of promoting safe management of crew travel time throughout the industry.²

² The QAT report and recommendations were unanimously approved by the Coast Guard-AWO National Quality Steering Committee on February 27, 2008. An additional question and answer was added to the report with the approval of the National QSC on October 24, 2008.

Appendix A

Coast Guard-AWO Safety Partnership
Quality Action Team Charter

on

Safe Management of Crew Travel Time

July 17, 2007

Objective

The Quality Action Team (QAT) on Safe Management of Crew Travel Time is established by the National Quality Steering Committee (QSC) of the Coast Guard-AWO Safety Partnership in order to: 1) promote safe practices for managing crew travel time throughout the tugboat, towboat, and barge industry; and, 2) ensure clear and consistent industry understanding of current Coast Guard regulations and policies governing crewmember travel time.

Tasks

To accomplish these objectives, the QAT on Safe Management of Crew Travel Time will:

1. Review current Coast Guard regulations and policies regarding crew travel time and identify any areas in which those regulations or policies may be unclear or of concern to industry;
2. Identify current industry practice for managing crew travel time throughout the tugboat, towboat, and barge industry, with special attention to inland, coastal, and harbor operations and any differences in industry practice based on geography or nature of operation;
3. Identify best practices for managing crew travel time in the various geographic and operational sectors of the tugboat, towboat, and barge industry and provide clarification on practices that may raise questions under current Coast Guard regulations and policies; and,
4. Identify any other tasks that may be necessary to accomplish the objectives for which the QAT is established.

Exemption from the Federal Advisory Committee Act

The QAT is intended to be exempt from coverage by the Federal Advisory Committee Act (FACA) and is established and will be operated as a non-FACA committee. Specifically:

- The Coast Guard will not in any way manage or control AWO's selection of persons or groups to represent AWO in the QAT;

- In carrying out the tasks of the QAT, QAT members will set their own agenda, which will not be determined or controlled by the Coast Guard;
- The Coast Guard will not fund the participation of AWO or AWO's representatives in the QAT; and,
- The parties do not expect and the Coast Guard does not solicit consensus advice or recommendations from the QAT.

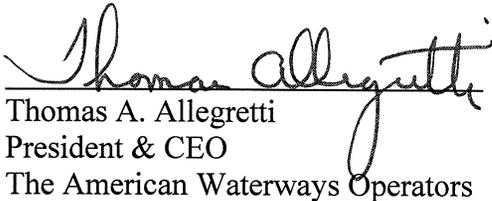
Members

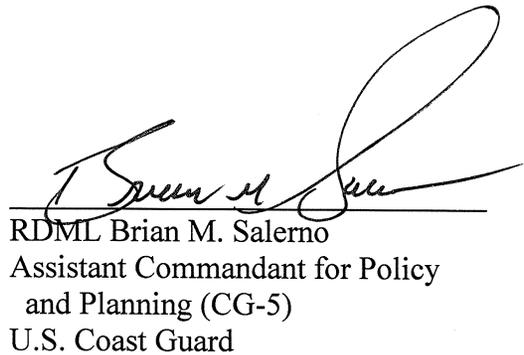
QAT members will include:

- Team Leaders: CAPT Mike Karr, CG-3PCV
Craig Philip, Ingram Barge Company
- Team Members: George Foster, JB Marine Service
Cathy Hammond, Inland Marine Service
Dick Lauer, Sause Bros.
Tom McWhorter, Florida Marine Transporters
Mario Munoz, American Commercial Lines
James "Goat" Patterson, Osage Marine Service
Tom Sullivan, K-Sea Transportation
Gregg Thauvette, The Great Lakes Group
CAPT Tim Close (CCG D8)
LCDR Vivianne Louie (CG-3PSE-1)
Thomas (Scott) Kuhaneck (CG-3PCV-1)
- Staff Support: Jennifer Carpenter, AWO
Angela Madden, AWO

Time Frame

The QAT will hold its initial meeting on July 25, 2007 and provide an interim report to the National QSC at its August 1, 2007 meeting. The QAT will provide a final report to the National QSC by October 31, 2007.


Thomas A. Allegretti
President & CEO
The American Waterways Operators


RDML Brian M. Salerno
Assistant Commandant for Policy
and Planning (CG-5)
U.S. Coast Guard

Appendix B

**AWO Safety Committee Responses to Travel Time Survey
8/29/2007**

| What are your company's current practices for managing crew travel time? | When extended travel time becomes necessary what mitigating actions does your company take? | What issues concerning travel time confuse or concern you? | Do you have any specific comments or concerns on the issue of crew travel at your company? | Operating area (Optional) |
|--|--|---|--|---------------------------|
| Our company does not have a crew travel time policy. At our regional operations, crew members are personally responsible for arriving at a crew change well rested. The maximum commute time to work is approximately 3 hours. Typically, the travel time is less than one hour. If a crew member arrives to work fatigued, he/she is responsible and should notify the master. When transported in a company vehicle, generally not longer than 2 hours, crew members are compensated but are not considered on duty. | At some remote locations one rotating crew goes on duty during crew change-outs. During a crew change, the rotating crew goes aboard to allow the incoming crew a rest day. On the AquaTrain that runs from Whittier, Alaska to Prince Rupert, Canada one to two crew members change out at a time. Often, the vessel will double crew those billets to allow the incoming crew member to rest. At our International Operation, ACTC, crews changes occur as far as the Middle East. Travel time is often greater than 24 hours. | None | None | No Response |
| Identify distance to travel Identify number of drivers Try to minimize the number of crew changes | Provide extra drivers Arrange travel time to crew's needs (sleep upon arrival @ vessel) Allow crewmember's to get rooms to rest | None. Most crew changes are 4 hrs or less from Cape. Most crew members live close to Cape. | Each crew change has it's own problems. Look at each crew change separately | Inland |
| At our River Operation, travel time to a vessel down river is overtime. As a result, crew changes down river are infrequent. | Risk is mitigated by allowing the crew members to rest overnight in a hotel. This is not a standard policy but standard practice | None | None | No Response |
| Try to have ongoing crews use fastest, most direct route to vessel and arrive earliest possible | If travel includes overnight then crewmembers use the hotel to rest | I am concerned about additional time and aggravation caused by travel restrictions on crew changes | | |
| Travel time is based on the Estimated Time of Arrival (ETA) to the dock. Usually we fly our crewmembers before 1200 on the day of crewup. | We make contact with our Travel Department and they make the necessary adjustments to the crewmember's flight | Sometimes in San Juan it's hard to get our crewmembers in and out in a timely manner. This is due to the fact that San Juan's last departure is around 1600 | No Response | Coastal |

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|--|--|---|--|----------------------------------|
| <p>Current practices include a homeport system where individuals typically report to the office then travel to their respective vessel. If crew members look fatigued, comment about being tired or ask for assistance, we provide a driver to transport them to the boat. The traffic department (barge dispatchers) closely watches crew change dates and attempts to keep the vessels in the homeport area, thus minimizing crew change travel. Crewmembers may come in the night before crew change and stay on a spare vessel moored at the dock or landing. In the absence of a spare vessel the employee may stay at a hotel (his/her expense) or in his/her vehicle.</p> | <p>At the crewmember's discretion, he may stop and rest either traveling to the boat or returning from the boat. Meal and room expenses are reimbursed to the employee. Additionally, in the past we have attempted to hire locally to minimize long distance driving to homeport areas.</p> | <p>Our policy is that a crewmember report "well rested" and "ready to go to work." Obviously, we have no control over the individual's behavior prior to arriving at the homeport or the vessel. Even if we provide facilities for the employee to sleep the night before crew change or the individual lives in the "homeport" area, there is no control over his/her activity the night before crew change. There are several distinct travel issues of concern: a. Driving from home to the homeport location, b. Driving from the homeport location to the vessel, c. Driving directly from home to the vessel, d. Driving long distances and arriving shortly before it's time to go on watch, e. Crew travel or office travel with just a single person traveling by himself/herself whether during the daylight or dark, and f. On-coming crewmembers driving off-going crewmembers personal vehicles to minimize travel for the off-going member.</p> | <p>We have noted our major concerns above. Most often multiple crewmembers are traveling to the vessel for crew change and utilize a company furnished van. Having multiple individuals present in the vehicle tends to increase the level of driver attentiveness. This is certainly no guarantee, but conversation and someone else looking where they are going often does help</p> | <p>Inland</p> |

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|--|--|--|---|---------------------------|
| <p>Depending on vessel assignment, associates may operate/ride in vans or use other modes of publicly accessible transportation (rental auto, air, and bus) from residence or "homeport". Travel plans and arrangements are made and confirmed with the Crew Dispatch Dept. Some geographical considerations are made with regard to associates' places of residence and the waterways on which they primarily operate vessels. This can, in many cases reduce the travel time for crew changes.</p> | <p>We have a policy that applies to Associates who find it necessary to travel in a motor vehicle more than eight hours from their "homeport." those crewmembers are approved to stay overnight in approved places of lodging and continue the remaining portion of their trip to a vessel the next morning.</p> | <p>There is confusion about how "on duty" time is defined; this is concerning. A primary concern is that we have an associate board a vessel just in time to take the watch after extended travel to reach the vessel. Another serious concern is how we comply with the referenced statutes addressing work/hour limitations on crew change days;(46 USC 8104(a))in particular.</p> | <p>We have communicated to our wheelhouse associates that, if at any time, they feel they are too tired to continue the operation of their vessel, they have the discretion to hold up until the next watch pilot comes on duty to continue the voyage. Crew Dispatch attempts to minimize long trips to vessels, by whatever mode of transportation.</p> | <p>Inland</p> |
| <p>1. Flexibility of 2 to 3 days before or after scheduled date of crew change. 2. If both parties involved live in same area, we allow crew change at nearest point. 3. Provide offer of hotel room at Greenville prior to boarding vessel.</p> | <p>1. Provide meals and hotel rooms to crew members in order to be rested upon boarding the vessel. 2. we pay a travel day when an overnight stay is required.</p> | <p>None at this time.</p> | <p>The Towing Industry should encourage the boat stores and other facilities that make regular crew changes to upgrade crew waiting area's to be more relaxing to crews waiting due to channel or traffic delays.</p> | <p>Inland</p> |

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|--|--|--|--|----------------------------------|
| Our schedule is 26-34 days. We try to crew change at St. Louis, Wickliffe or Memphis when the boat travels through one of those locations. | We will run vans, rental cars and fly crew members to and from the boat. | Long Van rides | We have purchased a new van with captains seats in it to make the crew less tired when traveling. | Inland |
| To date it doesn't effect us due to the nature and amount of hours we work. | We will have to take a better look at distance our employees have to drive, and possibly rearrange our schedule and positions. | My biggest concern is how will this effect us as dinner bucket operators. | None at this time. | Harbor |
| Crews are to relieve between 0800 and 1200 when possible. Individuals are tasked with arriving in a rested state. | The oncoming crew will be provided hotel rooms and relieve the following morning. | When do you start and stop counting the time as "travel time" When the individual: leaves the house, arrives at the airport, how do layovers and delays count, etc Once an individual arrives and the vessel is not available to board does travel time end? | Future regulations in this area. | No Response |
| We crew change every Tuesday. The crews meet in Mobile and then head out to the boats. We work a 14/7 schedule and rarely have the whole crew going and coming at the same time. On some occasions we have driver to take the crew to the boat, but most of the time the crew going drives themselves and the returning crew does the same. 95% of our crew changes are less than 5 hours from the office. On the rare occasions where we have an extented crew change, the crew going to the boat has gotten a motel room and then made relief early on the next day. | We normally leave it to the discretion of the Captain/Pilot that is driving to the boat to make that call of wheather to get a motel room or go on to the boat. Rarely do we have an extended crew change. | With the proposed change in regulations and counting travel time as a part of the 12 hour watch, it makes for a great deal of concern with compliance with the laws. | I feel that we have done a good job managing this issue. Of course we are concerned that our practices may need to be changed/modified to better comply with regulations. With these changes, what cost will be addeed to us and our industry as well as an inconvenience. | Inland |

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|--|---|--|---|----------------------------------|
| We travel from our Marine Division office at Cape Girardeau, Missouri. From this point our crews use company furnished crew vans to travel to the vessel and the crew getting off the boat will drive the crew vans back to Cape. | We try to time our crew changes so the pilot getting on the boat does Not have to go straight on watch. | none | no | Inland |
| Company operates On A 12 Hours On 12 Hours Off Shift 5 Day Schedule | N/A | N/A | N/A | Harbor |
| Right now we drive 6 hours or less. Anydriving time over 6 hours we fly either corporate or commercial. | We fly. | None | None | Inland |
| Our company only has two tugs. Crews get to the boats either on their own or in a crew van and/or crewboat. No crew van is driven by a crew member. For our one inland tug, the crews are local and just drive a short distance to the boat. For our ocean going tug which tends a manned barge, the crews typically travel to the tug offshore in a crewboat. | Managed on a case-by-case basis. | None, although we will be certainly interested in the outcome of the appeal to the Commandant. | No. | Inland/Coastal |

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|---|---|---|--|----------------------------------|
| 1. We do not ask captains to drive crew vans--the other men do, which is due to our twelve-hour rule management. 2. We have a bunkroom for those who travel from home any distance. | We plan accordingly so that crew rest can be considered. | How USCG can rule against Magnolia when its own policy spelled out the rules. | No, we manage it well. | Harbor |
| We consider travel time as work time. | If it appears that we will violate the twelve hour rule, taking into consideration we count travel time as work time, we will have the employee travel the day before they are needed and have them stay in a hotel overnight. | None. | Our longest travel time is generally 2 hours including check in time at the airport due to our operating area and generally involves only 1 or 2 crew members. | Coastal |
| Entire crew changes at same time every 28 days. Only time individual crew change is allowed is for emergency or medical situations. | For crew members living in areas that require extended travel time to office we provide motel lodging prior to crew change. Each crew manages driver of van so crew members going on watch have time to rest. If problems arise prolonging crew change, wheelhouse and crew are informed to hold up vessel until adequately rested. | No | No | Inland |

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|--|---|--|--|----------------------------------|
| <p>The majority of our crew changes begin at 07:00 in the morning and the crew members are on their boat by 12:00 in most cases. If the vessel is in a location that is over 6 hours or more away we will in most circumstances fly the crews to and from the closest airports utilizing various forms of transportation to get to the vessel. Once the distance and timing is figured into the travel period, a determination is then made to either stop the crew and house in a hotel or time permitting travel on to the vessel.</p> | <p>If extended travel past 12 hours is necessary we will house the crew in a company facility or hotel prior to getting on or off the vessel.</p> | <p>1. Employeess actually resting when providing accommodations. 2. Hours counted getting to crew change hub. 3. Ensuring that crews getting on the vessel get adequate rest prior to going on watch. 4. Rest value of employee driving versus riding.</p> | <p>Hours awake prior to employee traveling to their crew change hub.</p> | <p>Inland</p> |
| <p>On-coming crew report to the office and travel to the boat by company vehicle. When it makes sense an on-coming crew member can make arrangements through the crew dispatcher to report directly to the boat. On-coming crew share driving responsibility and when it is deemed appropriate a driver is provided. At all times wheelmen have the authority to tie off and sleep when they feel it is unsafe to move the vessel.</p> | <p>When crew changes involve long distances the on-coming crew are instructed to get necessary rest before moving the boat.</p> | <p>It is very difficult to adhere to the letter of the 12 hr. rule for wheelmen when making crew changes.</p> | <p>All wheelmen should be given the absolute authority and responsibility to determine when it is safe to move the vessel.</p> | <p>Inland</p> |

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|---|--|---|---|----------------------------------|
| <p>We strive to have all crew changes completed by early afternoon. We use crew drivers and will position crew if necessary the night before a crew change. We also do not crew change beyond certain geographic areas, ie Memphis, Quad cities</p> | <p>We will fly crew and also put crew in a motel if necessary.</p> | <p>Cost is a big concern. Another concern is that a company cannot control what someone does on their time off. It is hard to know if the person is well rested the day of travel. Typically, someday or another the employer is held responsible.</p> | <p>One major concern is a three watch system.</p> | <p>Inland</p> |
| <p>For oncoming licensed crewmembers, our company has recommended that they take into consideration their travel time from home to the office and from the office to the boat. Should this put them into a less-than-favorable situation as far as their 12-hour day goes, we have recommended that they arrive in town a day early and spend the night in a hotel.</p> | <p>(What's the point of reference for extended?)Extended travel time (as far as we perceive it) has never been an issue as our boats are generally less than four hours' driving time from our office.</p> | <p>That the prevailing winds in this issue tend to put more of the onus on the companies than on individual responsibility. Granted, the equipment products are the companies' responsibility, but operating under the authority of one's license is an individual responsibility. At what point in our nation's history did employers become liable for every action of an employee?</p> | <p>We are building a new operations center. Specifically due to this issue, we had planned to include crew rooms in the new facility. However, building codes and hotel/motel regulations made the endeavor economically unrealistic.</p> | <p>Inland</p> |

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|--|--|--|---|----------------------------------|
| <p>Crew meets at company dock 8am and most cases joins the vessel at company dock. If travel to vessel required (max case Corpus Christi 5 hours), company truck is used / driven to vessel by on comming crew / returned by off signers. Non changing crew will 'dog the watch' (spilt the watch for on comming crew) to allow joiners to get rest.</p> | <p>Non changing crew will 'dog the watch' (spilt the watch for on comming crew) to allow joiners to get rest. Crew members are aware of thier schedule and plan accordingly.</p> | <p>What legal authority does a Company have to manage a crew members time when he has not joined his vessel and not on duty. Privicy and personnel liberty issues.</p> | <p>The longest distance a crew member travels is 3.5 hours. Crew members know their schedule and are able to manage rest / travel to work. I don't belive crew members travel time to work can be managed by a company especialy when other employees (truck dirves, dock workers, etc.) travel time is not managed. Privacy and invididual responsibility issues here.</p> | <p>Inland</p> |

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|--|--|---|--|----------------------------------|
| <p>If pilots live more than 50 miles from office, we pay 48.5 cents per mile (verified by Mapquest) AFTER completion of "hitch", and after submission of signed company form. They may use this money to fly, rent car, bus, or pay for their own gas in personal vehicle, as they see fit.</p> | <p>Not sure I understand the question.</p> | <p>None?</p> | <p>We do only offer this at this time for pilots, not deckhands. Several who travel distances have commented but have not threatened to quit over the issue.</p> | <p>Inland</p> |
| <p>Our company primarily operates in the Delaware River, with occasional trips to the Delaware Bay & Upper Chesapeake Bay. Managing crew travel time is not an issue as all of our crewman reside within a couple of hours driving time from their crew change locations. The vast majority of crewman are less than 1 hour from their crew change location.</p> | <p>Not applicable.</p> | <p>None</p> | <p>No comments or concerns on the issue of crew travel at our company.</p> | <p>Inland</p> |
| <p>We currently do not manage travel time, they arrange their own transportation.</p> | <p>We take care of additional expenses when needed.</p> | <p>We do not have any issues at the moment.</p> | <p>No</p> | <p>Inland</p> |

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|---|--|--|---|----------------------------------|
| <p>Travel arrangements are made from our office and provided to the crew member. When an individual flies, his responsibility is to get himself to the closest major regional airport. Our responsibility picks up at the airport and takes him to the destination airport closet to where the crew change will happen.</p> | <p>When extenuating circumstances enter into the "insanity" coordination, specifically individual late getting to airport, altercation with security, missed flight, ate flight, weather delay, missed connection, mechanical breakdown, cab took longer than expected, grid lock, etc.etc.etc. We will put the individual in hotel.</p> | <p>Our procedures have been in place for quite some time and are established at the time an individual is hired. The key here is coordination with everyone and to be able to adjust for changes and there will absolutely be changes.</p> | <p>Our employees live in 14 different states, Mexico, Thailand, Philippines and Honduras. Coordinating travel is a full time position. It is in our best interest to maintain each crewman of our vessels alert and ready to respond to a normal work load and possible emergencies. By regulating travel days a hardship may be placed on the individual as well as the company. Government regulation will not make this any easier or safer.</p> | <p>Coastal</p> |

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|---|--|--|---|----------------------------------|
| <p>We provide driver and transportation for all crew members to and from the vessel. We allow only less than 1 hour travel for Crew member who drive themselves to the vessel.</p> | <p>Under no conditions do they drive themselves to vessels. They must go in a provided company vehicles.</p> | <p>Having been a pilot for 25 years I feel the fatigue factor and immediately going on watch arriving at the vessel are my main concern. Proper rest cannot be accomplished by most transportation methods used today. Innovation needs to be employed to remedy these issues.</p> | <p>I feel transportation issues are looked at carefully and at some point the implementation of a vehicle that provides for sleeping racks can be used to provide appropriate rest for traveling crews.</p> | <p>Inland</p> |
| <p>We provide a driver from the company to the vessel. We try to have employees from one area of the US ride the same vessels. If a longer trip is necessary then there is a bunk room at the office.</p> | <p>We provide a driver. Plane flights if necessary. Travel one day earlier.</p> | <p>Actual NON WORK time during travel.</p> | | <p>Inland</p> |

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|--|--|---|---|----------------------------------|
| <p>We operate in a small area (less than 120 miles) and our office is almost dead center. Also 4 of our 6 boats are lunch-bucket boats and do not have live aboard pilots. Crews for the live aboard boats meet at our office and we transport them and their gear to the boat. Crews for the lunch-bucket boats commute directly from their homes (typically 30 minutes or less).</p> | <p>This circumstance has never arisen.</p> | <p>Does the commute for lunch-bucket crews commuting 30 minutes or less from their home count as part of their 12 hour watch in the eyes of USCG? Does the total time involved from home to boat count against the rest requirement and does it count as part of their watch standing time?</p> | <p>See #3.</p> | <p>Harbor</p> |
| <p>We utilize a company driver, allowing personnel en route to and from vessels the opportunity to rest. Under normal circumstances, personnel do not go right onto watch when arriving at the vessels.</p> | <p>If the drive is of an extended time, crew members may be used to relieve the normal driver in the interest in overall safety.</p> | <p>If they are being transported to and from the vessels, this should be considered rest time, unless the vessel personnel are actually driving the vehicle. I have concerns that the USCG may provide regulations which are excessive and beyond the control of operators.</p> | | <p>No Response</p> |
| <p>Crew members are paid from the time they depart their homeport.</p> | <p>We may pay for a food and lodging for an overnight stay prior to boarding the vessel.</p> | <p>A company's legal rights as far as managing an employees rest management prior to showing up for work.</p> | | <p>Coastal</p> |

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|--|---|--|---|----------------------------------|
| <p>Practices vary dependent on reporting location and distance to the vessel. For trips over 200 miles we generally use professional drivers. Crew vans have been equipped with individual seats that adjust for sleeping. We attempt to start traveling so that crew members arrive just before their off watch so that they have 6 hours rest before starting a watch.</p> | <p>We have sleeping accommodations available and encourage employees to report by 5 p.m. the night before they leave for the boat. We use professional drivers and time the travel to arrive just before the off watch as stated above. We are also using air travel more regularly for our longest commutes.</p> | <p>We do have concerns about the USCG potentially defining travel time as work time in regard to the 12-hour rule. We feel that our procedures provide safe, reliable and comfortable transportation regardless of the distance, but even with perfect timing (boarding the vessel at the beginning of an off watch period) a captain or pilot traveling 7 or more hours will exceed the 12 hour rule on his first watch aboard.</p> | <p>Nothing beyond those stated above.</p> | <p>Inland</p> |
| <p>Our company supplies a van and driver to transport crews for crew changes which are within a 250 mile radius of our homeport. Air travel is used for all crew changes in excess of 250 miles.</p> | <p>Air travel and overnight lodging expenses are paid by the company.</p> | <p>Is crew travel time considered part of employees' 12 hr day for USCG licensed personnel falling under the "12 hr rule" for wheelhouse watches?</p> | <p>Yes, clarification of USCG's position on regs for crew travel time.</p> | <p>Coastal</p> |

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|---|--|---|---|---------------------------|
| Crews travel together in a van. | We operate mostly local, but when necessary I have put crews up in a motel or delayed sailing if a crew showed up tired after a long travel delay. | Traveling in a van, does travel time count for the driver only or everyone in the van?? | We have crew vans fitted out with reclining "captains chairs". We ask crewmen to drive or navigate during normal watch hours and sleep or relax in the captains chairs in the back during off watch hours when they are traveling to and from the tugs. | Coastal |
| All work is local...crew does not travel except as a commuter. | N/A | As they apply to me, none. | There are no issues. | Harbor |
| Crew reports to the office at 7:30 a.m. The company van driven by the company driver takes them to the vessel. | No extended travel time. | None | None | Inland |
| Crew travel is included in watch standing times crews maintain watch standing scheduel while in transit to job. | Send crew a day early | none | no | Coastal |
| Most of our crew changes happen within a 100 mile radius of our office. | We move up the meeting time by 4 hrs. and use multiple drivers. | If we have extended driving time we will check into a motel on the way back. | None. | Inland |

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|--|--|--|---|----------------------------------|
| <p>In most cases crew members live within 1/2 hour of the vessels. Those that live 2 to 3 hours away normally get on the vessels the afternoon before their watch.</p> | <p>Extended travel is not an issue for our vessels, as they are fleet boats and remain in the same location. If a vessel is out of the fleet, for some reason, we will supply transportation from the fleet to the vessel.</p> | <p>My concern is the courts interpretation of "in the scope of employment". When does it end, and does it continue when crewmembers are driving to and from home?</p> | <p>None, other than the comment in item # 3 above.</p> | |
| <p>All crew changes are with-in a 6-7 hour time going and the same back. We do experience a 12 hour one way once in a while and we have two drivers for these. We hire an outside service for all crew changes. We contact all persons involved in a timely manner and suggest to thoes that come from 5-6 hours to office to get a room the night before C/C.</p> | <p>We have two drivers from service that we hire. We also have instructed persons to stop and get a hotel in some cases.</p> | <p>Concerns are that persons coming from home a long way should get a room so that they are fully rested at time of crew change. Also, logistics of getting persons to the vessel so that they are off watch and do not have to go straight to work after they have been in the crew van for 6-7 hours. This is also concerning for persons coming in from vessels, that drive home a long way after working some and being in a crew van 6-7 hours.</p> | <p>For persons going home a long distance after coming in from a vessel, they want to get on home. They will travel even if they are really tired and you can't hold them up to rest.</p> | <p>Inland</p> |

| What are your company's current practices for managing crew travel time? | When extended travel time becomes necessary what mitigating actions does your company take? | What issues concerning travel time confuse or concern you? | Do you have any specific comments or concerns on the issue of crew travel at your company? | Operating area (Optional) |
|--|--|---|---|----------------------------------|
| <p>Our crews are driven to their vessels by management in company-owned vehicles. Occasionally, a crewmember is flown to his destination and either picked up by office management or transported by taxi to the vessel.</p> | <p>If a crew change location is more than 6 hours away, the crew is expected to help drive and are compensated with an additional 1/4 day's pay.</p> | <p>I hate it when they don't show up!</p> | <p>Our crews appreciate not having to drive themselves to their vessels and then turning around and having to pull a 6-hour watch. This gives them the chance to catch up on rest--many of them have to drive several hours to get to our office. It also gives management exposure to vessel operations and keeps the crews on their toes--knowing the office is coming out to the vessel helps to motivate vessel upkeep.</p> | <p>Inland</p> |

| What are your company's current practices for managing crew travel time? | When extended travel time becomes necessary what mitigating actions does your company take? | What issues concerning travel time confuse or concern you? | Do you have any specific comments or concerns on the issue of crew travel at your company? | Operating area (Optional) |
|---|--|---|---|----------------------------------|
| In our small operation, we schedule crew changes and watch changes so that the officer being relieved finishes a scheduled watch to prevent another crewmember from going beyond 12 hours. | When necessary, we will have the third pilot stay aboard the vessel until the balance of the crew has received sufficient rest. | If travel time is considered time worked I wonder how we would handle a local pilot working twelve hour shifts? I.E. if we know he commutes an hour each way to the office, would he be restricted to a ten hour shift? | N/A | Inland |
| Most of our crew changes occur within an hours drive from our office and the majority of our crewmembers live in the surrounding area so this is not a big problem for us, but, we do provide drivers for all crew changes and if auto travel exceeds 6 hours we will travel by air to minimize travel time | All our vessels work a 2 for 1 schedule so we never change more than 50% of the crew so we ask that crew members alter watch schedules so the crew boarding the vessel can rest before reporting for watch | None | No | Inland |
| We only have unmanned barges therefore this survey will not apply to our company | We only have unmanned barges therefore this survey will not apply to our company | We only have unmanned barges therefore this survey will not apply to our company | We only have unmanned barges therefore this survey will not apply to our company | Inland |
| We fly crew to the vessel and then give one or two days orientation, depending on the vessel and flight schedules, then we fly the relieved crewmember out. | We keep the crewmember who is going on vacation onboard for an extra day | I have none | We find that keeping the crewmember who is going on leave onboard for an extra 12 to 48 hours after the new crewmember has boarded resolves any fatigue issues. | Coastal |

Appendix C

Travel Time/Hours of Service Requirements for Other Modes of Transportation

Federal Motor Carrier Safety Administration

- Driving time means all time spent at the driving controls of a commercial motor vehicle in operation. (49 CFR 395.2)
- On-duty time means all time from the time a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibilities for performing work. (49 CFR 395.2) On-duty time includes:
 - All time at plant, terminal, facility, etc. waiting to be dispatched;
 - All time inspecting, servicing or conditioning any commercial motor vehicle at any time;
 - All driving time;
 - All time, other than driving time, in or upon any commercial vehicle except time spent resting in a sleeper berth;
 - All time loading or unloading, supervising or assisting in the loading/unloading;
 - All time repairing, obtaining assistance or remaining in attendance upon a disabled vehicle;
 - All time spent traveling to and from a drug testing location;
 - Performing any compensated work for a person who is not a carrier; and,
 - Performing any other work in the capacity, employ, or service of a motor carrier.
- Drivers may drive up to 11 hours in a 14-hour “on-duty” window after they come on duty following 10 or more consecutive hours off duty. (49 CFR 395.5(a)(1))
- The 14-hour on-duty window may not be extended with off-duty time for meals and fuel stops, etc. (FMCSA)
- Drivers may not drive after 60/70 hours on duty in 7/8 consecutive days.
 - A driver may restart a 7/8 consecutive day period after taking 34 or more consecutive hours off duty. (FMCSA Website)
- Commercial Motor Vehicle (CMV) drivers using a sleeper berth must take at least 8 consecutive hours in the sleeper berth, plus 2 consecutive hours either in the sleeper berth, off duty, or any combination of the two. (FMCSA Website)
- When a CMV driver is traveling, but not driving or assuming any other responsibilities, such time must be counted as on duty for the entire period unless the driver is afforded 10 consecutive hours off-duty when arriving at the destination in which case the driver is considered off-duty for the entire time. (FMCSA Website)
- When a passenger-carrying driver is traveling but not driving, such time must be counted as on-duty time for the entire period unless the driver is afforded 8 consecutive hours off-duty when arriving at the destination. (FMCSA Website)

Federal Railroad Administration

*Unless otherwise noted, information was obtained from Mr. Steve Brundrett of Canal Barge Company.

- Operating crews can work 12 consecutive hours after they come on duty following 10 or more hours of rest.
- If operating crews work less than 12 hours (11 hours 59 minutes), they are only required to get 8 hours of rest.
- Duty tours may be extended by interim periods of 4 or more hours of release. (49 CFR 228.7(a)(3))
- During emergencies, operating crews may be required to work up to an additional 4 hours (16 hours total).
- “Limbo time” describes the period of time when a train operating crew’s hours of service have expired, but the crew has not yet arrived at their point of final release.
- Limbo time accrues from the time the train is stopped, until the crew arrives at the final release point and includes time spent in transportation.
- During limbo time, crews are required to stay awake, alert, and be able to respond to any situation.
- Limbo time is neither on duty or off duty and it may be paid time for the crew.
- “Deadhead time” is time spent in transportation to or from a train.
- Deadhead time during transportation to a train is on-duty time. (49 CFR 228.7(a)(4))
- Deadhead time during transportation from a stopped train is neither on-duty nor off-duty. (49 CFR 228.7(a)(5))
- HR 2095 attempts to eliminate “limbo time.”

Federal Aviation Administration

- A flight crewmember is not considered to be assigned flight time in excess of flight time limitations if the flight to which he/she was assigned normally terminates within the limitation, but due to circumstances beyond control, are not at the time of departure expected to reach the destination within the planned flight time. (14 CFR 135.263(d))
- Time spent in transportation (not local in nature) to or from an airport is not considered rest time (14 CFR 135.263 (c)).
- Total scheduled flight time cannot exceed: (14 CFR 135.265(a))
 - 1200 hours in any calendar year.
 - 120 hours in any calendar month.
 - 34 hours in any 7 consecutive days.
 - 8 hours during any 24 consecutive hours for a flight crew of one pilot.
 - 8 hours between required rest periods for a flight crew of two pilots.

- No flight time during the 24 consecutive hours preceding the scheduled completion of any flight segment without a scheduled rest period during that 24 hours of at least: (14 CFR 135.265(b))
 - 9 consecutive hours of rest for less than 8 hours of scheduled flight time.
 - 10 consecutive hours of rest for 8 or more but less than 9 hours of scheduled flight time.
 - 11 consecutive hours of rest for 9 or more hours of scheduled flight time.
- If a pilot's rest is less than 9 hours during the 24-hour period, the next rest period must be lengthened to provide the appropriate compensatory rest. (14 CFR 136.265(c))
- Most airlines consider "duty time" to consist of 1 hour prior to departure and 15 minutes after arrival at destination or the time the pilot is released from duty, whichever is later. (Airline Pilots Association)