



The Marine Assistance Industry Journal

A Quarterly Newsletter

Volume XXXIII- July 2018



REGISTRATION OPEN!
32ND C-PORT CONFERENCE AND
MEMBERSHIP MEETING
NOVEMBER 11- 12, 2018
WYNDHAM LAKE BUENA VISTA
ORLANDO, FL

The 32nd C-PORT Conference and Membership Meeting will be held November 11- November 12, 2018 at the Wyndham Lake Buena Vista, Orlando FL, located at the Disney Springs resort area.

The Conference opens Sunday afternoon with vendors and general sessions. That evening, join fellow marine assistance operators at our Welcome Reception with exhibitors and special guests included. Monday morning begins with regulatory updates and dynamic speakers. The C-PORT Awards Luncheon follows with the afternoon capped with the C-PORT Membership Meeting open to all C-PORT members. Monday evening is a night of celebration, at the C-PORT Awards Banquet and Gala. Please make your plans to attend this important event!

Registration materials including the hotel reservation link are at the C-PORT [website](#). Don't forget to check the Disney ticket options available to conference attendees!

United States Coast Guard Change of Command -



C-PORT was honored to be a guest at the U.S. Coast Guard Change of Command on Friday, June 1, 2018. Admiral Karl L. Schultz became the 26th Commandant, relieving Admiral Paul F. Zukunft. The day was rich in ceremony and tradition. President Donald Trump and Homeland Security Secretary Kirstjen Nielsen spoke of the many contributions and successful missions of the US Coast Guard under their leadership. Vice-President Mike Pence was also in attendance.

C-PORT had the opportunity to speak with Admiral Zukunft at the reception. We thanked him for his leadership and service and wished him well in his future endeavors. He told us spending time with his family in Hawaii was next on his

agenda. We congratulated Admiral Schultz and reminisced about a few of our past meetings. C-PORT appreciates our long standing partnership with the U.S. Coast Guard.

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Inland Navigation Rules (Change) -

(As stated in the USCG Bulletin): The purpose of this bulletin is to ensure that mariners and training providers are aware of changes to the Code of Federal Regulations, 33 CFR Subchapter E – Inland Navigation Rules. This change, advertised in the Federal Register, Volume 83, Number 16, on January 24, 2018, removed the word “danger” from rule 34:

- “Removal of the word ‘danger’ from this regulation, in addition to alignment with the 72 COLREGS, also alleviates potential ambiguity. The signal described in Rule 34(d) is specific to a vessel that does not clearly understand the intentions or actions of another vessel, or is in doubt if sufficient action is being taken to avoid collision. It is a signal of warning as the title of Rule 34 indicates: ‘Maneuvering and warning signals.’ Vessels may use this signal even when ‘danger’ is not present.”

Training providers should review current curricula containing training on the Navigation Rules and modify materials and examinations accordingly. These changes:

- Are not considered significant;
- Need not be submitted to the National Maritime Center (NMC) for approval;
- Must be recorded in accordance with 46 CFR 10.403; and,
- Will be reviewed at the next renewal.

Mariners should be aware of this change in order to remain current in their professional knowledge and in preparing to take required Coast Guard credentialing examinations. The updated Navigation Rules are located on the [Coast Guard Navigation Center Website](#).

Is your Automated Identification System ready?

(Excerpt from USCG Bulletin): During the month of June 2018, over 50 percent of towing vessels operating in U.S. waters transmitted incorrect AIS data, and an alarming number of these vessels did not accurately report their dimensions or broadcast a properly assigned MMSI number. Failure to accurately report a vessel’s dimension significantly increases the risk of collision, especially in congested waterways or during low visibility conditions. Knowing the location of the bow in addition to the overall length of the vessel and associated barges is crucial to help approaching vessels react and maneuver appropriately. This is especially important when visibility is limited. Subchapter M regulations bring numerous new requirements to the towing community. Vessel operators will be required to adhere to these new regulations in addition to the existing regulation for all AIS users, the AIS Carriage Requirement found in 33 CFR 164.46d(2). It requires vessel AIS to be maintained in effective operating conditions, which includes the broadcast of a properly assigned MMSI and all other AIS data fields.

AIS is a valuable navigation safety radio communication tool. However, its effectiveness is undermined by the broadcast of inaccurate, improper or outdated data. The deliberate broadcast of inaccurate AIS data may subject violators to monetary penalties by the Coast Guard, and operators may also be subject to significant penalties by the FCC for each violation of improper or inaccurate MMSI broadcast.

Commercial vessels over 65 feet in length and towing vessels over 26 feet in length and over 600 hp are required to carry an AIS Type A device.

The entire notice may be found by clicking this link: [Is your AIS ready?](#)

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A PFD that's Unwearable Makes an Emergency Situation Unbearable!

(As stated in the USCG Safety Alert): This safety alert raises awareness of a potentially dangerous circumstance involving Personal Flotation Devices (PFDs). During several inspections involving different vessels, Coast Guard personnel discovered a significant number (>100) of unwearable type 1 PFDs that would have presented a problem for users if needed in an emergency. Owners and operators are reminded that regulations require PFDs onboard vessels to be wearable and in serviceable condition.

Normally, when a wearer dons the type of PFD shown, a person grabs both sides of the vest to pull the sides apart and the waist band strap moves freely through a slit opening (see photographs 1 and 2). The user is then able to easily don the PFD by placing it over the head, passing the strap around the body, clipping the end onto the securing D-ring, and tightening the strap securely.

During recent PFD inspections, inspectors discovered that the securing strap was secured at its bitter end, and was also fused to the side of the PFD by what appeared to be the shell coating or color-matching material (see photographs 3 and 4). As a result, a user is unable to separate the halves of the PFD to open the gap and place over the head to wear.

Based on the number of problematic PFDs discovered, the Coast Guard is strongly recommending that owners and operators using this type of PFD inspect each one for this condition. If problematic PFDs are discovered, owners and operators are encouraged to report their findings to the Coast Guard Office of Design and Engineering Standards via email to: TypeApproval@uscg.mil. Please include the name of manufacturer, design number, lot numbers, and quantity of PFDs impacted. Also indicate if the coating had been touched up at any time, and the total number of similar unaffected PFDs onboard.

Note: The Coast Guard is deliberately not indicating the manufacturer's name until additional details and the scope of the potential problem are fully known. This Safety Alert is provided for informational purposes only and does not relieve any domestic or international safety, operational, or material requirements. (The USCG Safety Alert with pictures of the PFDs may be found by clicking this link: [USCG Safety Alert PFDs](#))

New CG-719 Series of Forms Implementation

(Notice from USCG): On March 31, 2018, the Office of Management and Budget (OMB) approved the new CG-719 series of forms which will replace all previous versions.

These new forms may be obtained electronically in a PDF fillable format at the Coast Guard's National Maritime Center (NMC) website <https://www.uscg.mil/nmc>. The Coast Guard will not stock the CG-719 series of forms in paper format. A transition period has been established which will provide mariners the flexibility to apply for a credential using both the old or new forms as they adapt to the new formats. The table below lists the form numbers impacted by OMB's recent approval and their implementation policy. After December 31, 2018, the NMC will no longer accept previous form versions.

Form Implementation Policy:

- CG-719B - Applications dated after September 1, 2018, must be submitted on the new form.
- CG-719K - Physicals signed by physician after September 1, 2018, must be on the new form.
- CG-719KE - Physicals signed by physician after September 1, 2018, must be on the new form.
- CG-719P - Drug tests collected and submitted after September 1, 2018, should use the new optional form.
- CG-719S - Sea Service commenced after September 1, 2018, should use the new optional form
- CG-719C - (If applicable) Disclosure Statement for Narcotics, DWI/DUI, and/or other Convictions should use the new optional form for any application packages submitted after September 1, 2018.

Professional Salvors Save Lives and Property-

Professional salvors have been providing lifesaving and property saving services for decades, with assistance to over 130,000 cases throughout the nation. C-PORT members are dedicated to providing prompt, professional assistance to all boaters, and to actively partner with the U.S. Coast Guard and local public agencies. Everyone has a stake in educating boaters to create a positive boating experience. Salvors remain transparent in communicating that some incidents are not routine towing situations at the time of service, as best as circumstances allow, without the need for additional legislation.

Protecting your business from over-regulation and harmful legislation has always been one of C-PORT's missions. With more states and local municipalities joining the fray, C-PORT must act on numerous fronts. We need your help! **[Protect Salvor's Rights!](#)** and your business! Your contribution will help C-PORT continue its mission of representation, protection, and defense of the marine assistance towing and salvage industry. Use the [Protect Salvor's Rights](#) link or visit the C-PORT website at www.cport.us to see how you can help!

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C-PORT Seeks Nominations for Prestigious Awards

C-PORT, Conference of Professional Operators for Response Towing, is seeking nominations for a number of prestigious awards to be presented at the 32nd C-PORT Conference and Membership Meeting being held on November 11-12, 2018.

AFRAS Lifesaving Award - C-PORT is pleased to announce that AFRAS (Association for Rescue at Sea) will continue its program to annually recognize a deserving member of C-PORT for their rescue efforts. The Association for Rescue at Sea (AFRAS) was formed in 1976 to foster traditional maritime search and rescue values through suitable recognition of deserving personnel, and to facilitate cooperation in search and rescue. The Award will be conferred on a C-PORT member individual or group of individuals who perform exceptional acts in attempting to save life in the maritime environment. Instances where the rescuer places their own life at risk will be given highest consideration. The Award may be given posthumously.

Nominations are to include a full description of the circumstances and events giving rise to the nomination and include such factors as:

- Location of the incident
- Prevailing weather conditions
- Skill displayed
- Determination to conduct the rescue operation
- Exceptional courage demonstrated
- Degree of risk involved

C-PORT Distinguished Service and Meritorious Service Awards - These awards honor C-PORT members who demonstrate the professional standards that our association promotes. These marine assistance professionals go above and beyond their dedication to providing service to the boating public through extraordinary and exemplary actions. Nominations are to include a full description of the circumstances and events giving rise to the nomination.

Nominations for all awards may be emailed to tcardone@cport.us or mailed directly to the C-PORT office at 3640-B3 North Federal Hwy #136, Lighthouse Point, FL 33064. Nominations may be sent at any time so long as they are received no later than September 20, 2018 to allow time for proper vetting.

C-PORT attended the Maritime Law Association (MLA) spring meeting held in New York City on May 2- May 3, 2018. Joe Frohnhoefer and Tina Cardone spoke at the MLA Salvage Committee meeting on May 2. Cardone briefed the committee on the Florida Salvage of Pleasure Vessels bill explaining how the bill was proposed, the journey through committees and passage in the Florida House, and C-PORT's current reprieve as it was not heard in the Florida Senate. Cardone spoke with a number of attorneys and legal professors who expressed an interest in this issue. With the help of Mike Black, maritime attorney from Miami, C-PORT hopes to have the MLA's backing moving forward to the next session.

Cardone and Frohnhoefer also attended a number of other committee meetings including Uniformity of U.S. Maritime Law, Recreational Boating, and Arbitration and ADR.

American Boating Congress (ABC), May 9- May 11, 2018 - Terry Hill, Joe Frohnhoefer, Jeff Dziedzic, Matt Wilson and Tina Cardone attended ABC held in Washington DC. With the Vessel Discharge bill stalled and the PSAPs provision also stalled in the Coast Guard Authorization Act, there was much to discuss. C-PORT met with a number of Senate and House representatives over the three days discussing the importance of securing an exemption from the Vessel Incidental Discharge Bill for our small commercial vessels and for passage of PSAP (Public Safety Answering Points) that would restate US Coast Guard's Federal preemption on maritime calls.

Great Lakes Towing/TowBoatU.S. St. Joseph hosted a BOSAR/CA (Boat Operator Search and Rescue for Commercial Assistance) class for 9 of its captains. The class included a home study portion completed by all captains prior to class day. In-person and on the water classes began on May 16 and finished with a comprehensive exam on May 18. C-PORT's NASBLA certified instructors, Terry Hill and Phil LeBlanc, taught the class, being sure all captains received the time and attention needed to be successful. If any commercial assistance company is interested in hosting a class for their own crew or want to open it to others, please contact Tina Cardone at tcardone@cport.us for details.



Owner Operator/ Maintenance and Cure

Would you have coverage for your medical bills and living expenses if you were injured in an accident stemming from your towing and salvage business? As an owner, you are unable to sue yourself and therefore not afforded Jones Act Coverage under your vessel liability policy. Maintenance and Cure is a way to help defer some of the medical expenses incurred after an accident as well as certain living expenses.

Maintenance is defined as financial compensation for daily living expenses (i.e. - rent, mortgage, utility bills, home owners insurance, property taxes and food). Items such as internet, phone, car payments and gas are not necessary household expenses and may not be paid for.

Cure affords reasonable and necessary medical, surgical, ambulance, hospital and professional nursing services. If death results from those injuries reasonable, funeral expenses are also included.

Maintenance & Cure is not included in all Hull Liability policies. If it is included, there most likely is a sub-limit and coverage may only be afforded up to one year from the date of the accident.

A better way to protect your personal assets and pay your medical expenses is to consider purchasing an Individual Disability policy or a Business Overhead Expense policy.

A properly designed disability policy can protect you from loss of income in the event you are unable to work for an extended period of time due to an illness, injury or an accident. This type of policy is basically intended to replace income during that time. Some estimates state that the average employee with a long-term disability will miss 2.5 years of work. If you have this coverage in place you will still be able to receive a check every month.

If you are a business owner with a company to run, that is where an Overhead Expense policy can help. This type of policy can keep your business running while you are recovering from your disability, injury or illness. This will cover expenses such as rent, utilities, employee salaries and much more. The premiums are tax-deductible and benefits received are reported as income. Although the benefits are taxable as income, the actual business expenses are deductible.

As a benefit of our C-PORT membership, Starkweather & Shepley will provide a free consultation and review of your current insurance program to ensure completeness of coverage. Please feel free to reach out to me directly.

Linda J. Wagner,
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Risk Management Training Courses are available on the C-PORT website, www.cport.us. The program C-PORT administers centers on these concepts:

- Risk: “possibility of loss or injury”
- Risk Management: “The identification, analysis, assessment, control, and avoidance, minimization, or elimination of unacceptable risks.

C-PORT is committed to encouraging its member’s growth and development through education and is dedicated to establishing standards for professionalism and good business practices throughout its membership. With the increase in accidents and economic pressures facing our industry, many companies have lost sight of the importance of training and proper risk management skills. Our mission is to provide our members with programs that will enable their growth and development into the future, while minimizing the impact of looming USCG regulation in response to Congressional directive and safety records.

Contact Tina Cardone at tcardone@cport.us or 954-261-2012 with any questions regarding this program.

Marine Assistance Company Operations Guideline, exclusively for C-PORT members. These guidelines promote safe operations and provide regulatory guidance. C-PORT members may obtain access to this document at the C-PORT website, www.cport.us or contact Tina Cardone at tcardone@cport.us or 954-261-2012.

Insurance Program for Marine Assistance Companies - Administered by Starkweather & Shepley Insurance Brokerage, Inc. - Designed for organizations dedicated to marine assistance and towing. This Program offers an extensive portfolio of quality insurance products and services to address a wide range of marine exposures. -800-788-8225; lwagner@starshep.com.

ACAPT- Accredited for Commercial Assistance and Professional Towing- C-PORT has developed the ACAPT program to recognize the professional who is willing to adhere to standards of service, training, and equipment.

With the growth of the marine assistance towing and salvage industry has come a strong need for assurances of towing industry professionalism and expertise. The boating public, US Coast Guard, and state and local public agencies are often unsure of the qualifications of vessels offering assistance, sometimes leading to a reluctance to accept private assistance, and to a negative image of the industry being portrayed in the press. The ACAPT distinction recognizes the professional who is willing to adhere to high standards of service, training, and equipment.

Visit the C-PORT website at www.cport.us or contact Tina Cardone at tcardone@cport.us or 954-261-2012 with any questions regarding this program.

BOSAR for Commercial Assistance- Created through the support of NASBLA’s BOAT program and the USCG Office of Boat Forces, is designed for the marine assistance operator, providing reinforcement of knowledge gained by virtue of their captain's license and experience. It also enhances their ability to work as a true partner with local agencies and the US Coast Guard. This course is open to any marine assistance company who wants to host the training. Instructors and course materials are provided by C-PORT. Contact Tina Cardone at tcardone@cport.us or 954-261-2012 if you have an interest in hosting a class.



C-PORT was founded in 1986 to act as a liaison between the marine assistance industry and public agencies and organizations involved with boating safety, marine assistance, marine salvage and other marine-related operations. Its mission is to represent, promote, protect, and defend its member companies through communication, relationship development, and education. Our members are dedicated to providing prompt, professional and timely assistance to all boaters and to actively partner and cooperate with local law enforcement and U.S. Coast Guard. They are professionals, dedicated to the growth and development of their respective businesses and committed to furthering the advancement of our waterways and the boating community. For more information, contact C-PORT at (954) 261-2012 or visit www.cport.us.
