



# The Marine Assistance Industry Journal

A Quarterly Newsletter - Volume 48- November 2022

## *Chairman's Address*



Recently, a longtime member of our industry announced his retirement. For me, it was both happy and sad news. On one hand, I was happy that he could take his leave, and enjoy the fruits of his hard-earned labor. On the other, I was saddened to realize that I might no longer have the opportunity to rely on the benefit of his moderate demeanor and trusted advice.

One of my early memories of conferences is of him inviting me to sit with him at the hotel bar, asking my opinion on various matters, and making me feel like one of the guys. That simple conversation was one of many that put me on the path to where I am today as a member of this little club.

I've spoken of the concept of mentorship many times, and you can expect to hear of it again. With companies changing hands at an increasing rate, I expect it to become more important with each passing year. Much of what we do and how we do it has been gained through the mistakes and successes of those who largely invented our industry, and the methods we employ to do our jobs.

So, why am I bringing this up? I have a request. I'm asking you to be a mentor. I'm asking you to participate in our Mentor Program; to invite someone new to sit beside you at the bar at the next conference; to reach out and get to know the new people in your area. Sharing the mistakes you made can help them avoid the same mis-steps, and the root of your successes can help them be more successful.

That retiring member didn't have to befriend me years ago, but in doing so, he helped to ensure that our industry would continue to move forward and flourish well past his own departure.

Fair winds and following seas,

Phil LeBlanc  
C-PORT Chairman

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**REGISTRATION OPEN!**  
**36th C-PORT Conference and Membership Meeting**  
**January 16 - January 18, 2023**  
**Hotel Monteleone**  
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*TowBoatU.S. Conference immediately follows!*

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We are posting this USCG Marine Safety Advisory again due to increased instances of mariners unknowingly ingesting THC products being marketed as CBD or hemp. Many may have seen placards or cocktail menus noting the availability of delta-8, typically manufactured from hemp. While delta-8 is a naturally occurring substance in hemp, that natural amount is extremely low, and chemicals are used to convert other cannabinoids in hemp to delta-8. Delta-8 cocktails, while non-alcoholic, may result in a positive THC drug test or worse. To read more about delta-8, the FDA has issued this notice: [5 Things to Know about Delta-8](#)



**UNITED STATES COAST GUARD**  
U.S. Department of Homeland Security

## **MARINE SAFETY ADVISORY**

**Inspections and Compliance Directorate**

February 10, 2020  
Washington, DC

Safety Advisory 01-20

### **Potential for Positive Drug Test Result from Use of Hemp-Plant Products**

This Marine Safety Advisory is to ensure that mariners, marine employers, and sponsoring organizations are aware that some products marketed as hemp or cannabidiol (CBD) may contain enough tetrahydrocannabinol (THC) to cause a positive drug test. In accordance with 46 CFR 16.201(c), an individual who fails a chemical test for dangerous drugs must be removed from duties directly affecting the safe operation of the vessel, and is subject to suspension and revocation proceedings against his or her credential under 46 CFR part 5. Use of hemp or CBD products is not accepted as an affirmative defense (acceptable excuse) against a THC-positive drug test result. For these reasons, mariners wishing to avoid a positive THC drug test result should exercise extreme caution when considering the use of any hemp or CBD product because such use could result in the loss of their merchant mariner credential and immediate removal from safety sensitive duties aboard a vessel. This warning applies to hemp and CBD products in any form, including those that are taken by mouth and those that are applied to the skin.

THC is the primary psychoactive component of the Cannabis sativa plant. Hemp and marijuana are different strains of the Cannabis sativa plant and both contain varying concentrations of THC and CBD. THC is considered a dangerous drug because it produces an intoxicating effect on the user and poses safety-risks to vessel operations. The U.S. Coast Guard prohibits THC use by mariners because of its known debilitating effects, and all U.S. Coast Guard-required drug tests screen mariners for use of THC.

Recent changes to Federal and State laws have resulted in a surge in the availability of over-the-counter hemp products and CBD products throughout the United States. Hemp products and CBD products are marketed to the general public in several forms such as food and medicinal products, dietary supplements, oils, cosmetics, and hair products. In some cases, product manufacturers market these products as low in THC, or THC-free. Mariners should be aware that over-the-counter hemp products and CBD products have not been approved as medications by the U.S. Food and Drug Administration (FDA) and are not regulated by the FDA. Therefore, users lack federal assurances of their ingredients, THC-content, quality, effectiveness, or safe use. As a result, mariners using these products put themselves at risk of having a THC-positive drug test result.

It remains unacceptable for any U.S Coast Guard credentialed mariner or other safety-sensitive worker working aboard a vessel that is subject to U.S Coast Guard drug testing regulations to use THC. Claimed use of hemp products or CBD products is not an acceptable defense for a THC-positive drug test result.

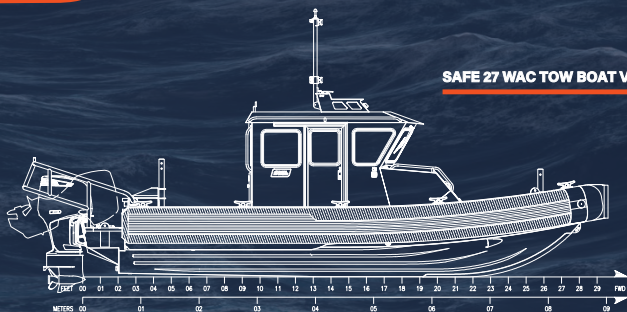
To learn more about the risks of hemp and CBD products visit the FDA website at <https://www.fda.gov/consumers/consumer-updates/what-you-need-know-and-what-were-working-find-out-about-products-containing-cannabis-or-cannabis>.

This Safety Advisory was developed by the U.S. Coast Guard Office of Investigations and Analysis. Questions or comments should be sent to: [DAPI@uscg.mil](mailto:DAPI@uscg.mil).

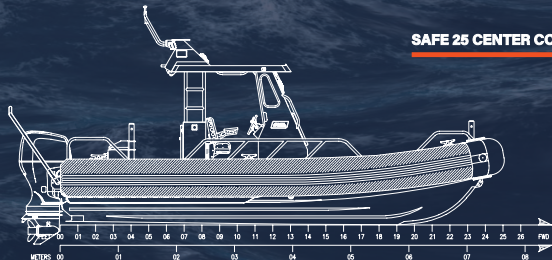




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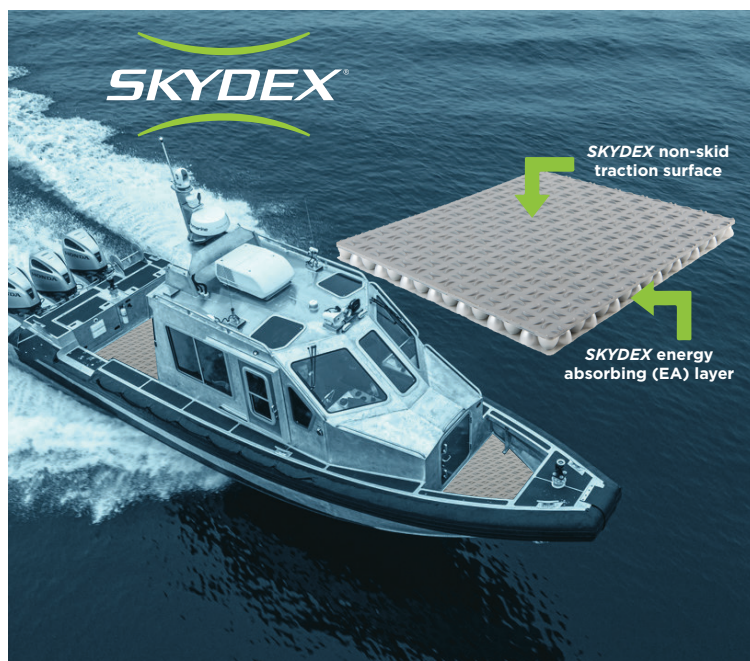


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Having trouble finding red and yellow public safety lights? Doug Sanders, ComMar Sales, will help you. Lopolight makes a whole host of lights including strobing red and yellow lights. He needs the length of vessel and how they are mounted so he can quote the proper lights.

*Doug Sanders*

*ComMar Sales*

*New Orleans, La*

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*doug@commar.com*

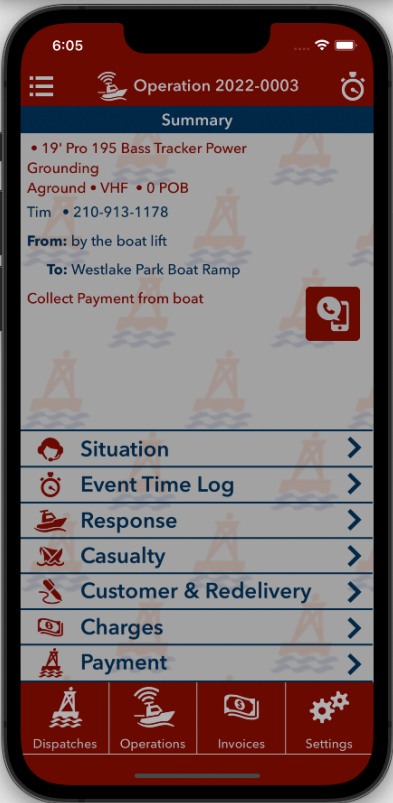
*The US Coast Guard has undertaken the* task of digitizing the merchant credentialing process. Mariner records has been a paper-based process with files kept in hard copy form. Over the past couple of years, NMC has undertaken the task of digitizing all records, the first step in streamlining the process. The mariner credentialing program (MCP) transformation began with that step and is moving to an online interface to initiate, track, and complete credential renewals, new application, upgrades, etc. NMERPAC is tasked with providing industry input to USCG as they take on this massive IT conversion. C-PORT is part of this subcommittee and welcomes this opportunity to provide input on this new system. This program is in its beginning stages and C-PORT will keep our members apprised.

**Medical Certificates** - The medical certificate must be valid for the mariner to operate under the authority of their credential. There are circumstances that may have a medical certificate with a different renewal date than the MMC.

What happens if a mariner undergoes a medical procedure after a MedCert renewal? Is the mariner obligated to report the event to NMC? According to the USCG, if the mariner has a medical waiver, the waiver letter may specify that the mariner is required to report changes in medical status as a condition of the waiver. If this is the case, then the mariner should notify the NMC about the procedure in a timely manner. If the mariner does not have a medical waiver, then they do not have to report the procedure to the NMC until their next medical certificate application.

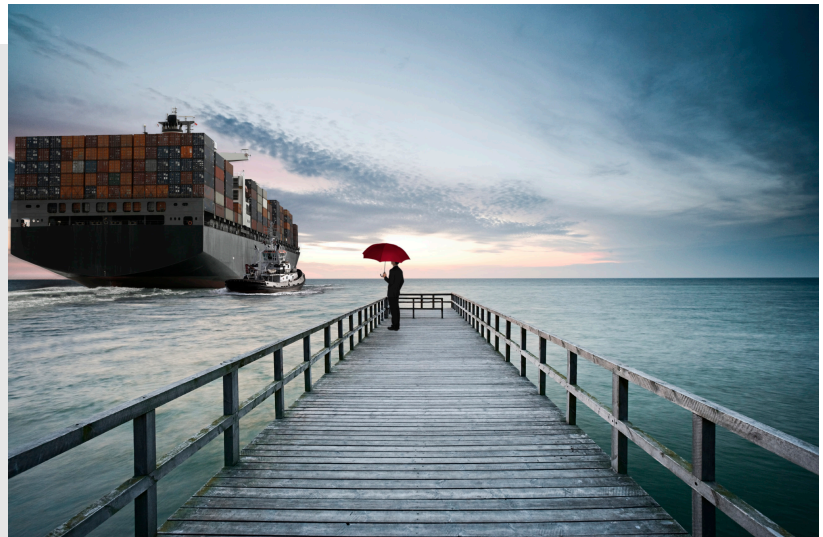
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## Do You Need Commercial Auto Insurance?

*Linda J. Wagner, AVP & Marine Program Manager*

### Are you using your personal vehicle for business purposes?

Are you using your personal vehicle for business purposes? Do you have the name of your business on the side of your truck or car? Are you borrowing or renting a vehicle to assist in your business operations? Are your employees using their own vehicles for company business?

If you answered "yes" to any of these questions, you need a Commercial Auto Policy. A Personal Auto Policy will cover an individual driving their vehicle for personal use, while a Commercial Auto Policy covers an entire business and the various subsequent exposures. Instances that would require a vehicle to be added to a Commercial Auto policy would be if the name of a business appears on the side or it is used in tasks related to the business owner's operations. Examples of this could be conducting a service or operation (i.e., towing a non-owned boat) or something as simple as going to the bank or post office on behalf of the business. Coverage would likely be excluded from a Personal Auto Policy if a claim should arise from a similar event. Be sure to review your Personal Auto policy for various exclusions thoroughly.

To protect your business from your employees using their own vehicles, you need to have Hired & Non-Owned Auto Liability as part of your Commercial Auto policy. This

coverage would protect your business if an employee gets into an accident and your business is held responsible or sued for various damages. You may be shaking your head, asking why or how this is possible if they're driving their personal vehicle. The key principle involved is called "vicarious liability." As a business owner, based on the employer-employee relationship, you are responsible for your employee's negligence. It is important to note, however, the employee's negligence must occur within the scope of their job function. Hired & Non-Owned Auto coverage would also be applicable for vehicles rented or borrowed in the service of your business.

In the unfortunate event of an automobile accident involving your employee while on company business, their personal auto insurance will only provide coverage for the employee, and the claim may exceed their limits of insurance. The excess could then be passed on to the company.

Please be aware that a vehicle must be registered in the business's name in order to be added to a Commercial Auto Policy.

**For further information or assistance please contact:**



**Linda J. Wagner**

Assistant Vice President, Marine Program Manager  
lwagner@starshep.com • 401.531.0137

**Call our main office toll free at 800.854.4625 or visit us at [starshep.com](http://starshep.com)**



## 36th C-PORT Conference and Membership Meeting Announcements~

### Vendor notices:

**30% off Mustang Survival gear at the Wing Inflatables booth:**

*C-PORT attendees receive a special event discount* on Mustang Survival gear that's being sold at the show. Don't miss out on great deals and be sure to stop by the Wing Inflatables booth. This 30% discount is only valid during C-PORT for attendees of the event.

Be sure to stop by all of the vendor booths for special promotions and give-aways!

Silver Ships	Wing Inflatable	ComMar Sales
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**Hotel Room Block Closing!** The C-PORT room block at Hotel Monteleone is almost sold out! The special rate for attendees will end when the block sells out or on December 14, 2022. Don't wait! Book today. Call the hotel directly at 504-523-3341 or go to the C-PORT conference webpage for more information: [C-PORT Conference Page](#).

**Conference Registration is open!** C-PORT asks that attendees submit their registrations soon as deadlines are fast approaching.

### On the agenda:

- The Evolution of the Marine Assistance Towing & Salvage Industry: How did our industry start? What challenges did we face and what are those challenges today? What opportunities are on the horizon?
- USCG SAR Policy and Unity of Command; Communication and Training: Sit down with our USCG partners. What's new with Coast Guard initiatives? What changes are happening that may affect your business?
- C-PORT Business Meeting and Membership Meeting: Did you know C-PORT monitors legislative and regulatory bodies, responds to proposed regulatory rules, while actively advocating for our members? Find out what we've been doing on your behalf and let your voice be heard.
- Fatigue- Risk Management: How do regulations affect our schedules and response? What are the effects of a fatigued crew on your business? Learn how to manage the 24/7.
- Salvage Day!:
  - It starts with a salvage demonstration!
  - Do you know the distinction between wreck removal and salvage? Listen to admiralty attorney John Fulweiler explain the differences.
  - How do you present your salvage claim?
- Social networking time: Exchange ideas, reconnect and newly connect with fellows in the industry, and visit vendors in a casual, fun setting. Food and open bar included!

All conference information may be found on the [C-PORT website](#) or by calling Tina at 954-261-2012 or email [tcardone@cport.us](mailto:tcardone@cport.us). C-PORT is always looking for sponsors and exhibitors, and there is still time to join us in New Orleans in January!



***Risk Management Training Courses*** are available on the C-PORT website, <https://cport.us>. The program 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 providing 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](mailto:tcardone@cport.us) or 954-261-2012 with any questions regarding this program. Captain and crew special pricing is available.

***Marine Assistance Company Operations Guideline***, exclusively for C-PORT company members. These guidelines promote safe operations and provide regulatory guidance. C-PORT company members may obtain access to this document at the C-PORT website, <https://cport.us> or contact Tina Cardone at [tcardone@cport.us](mailto: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](http://lwagner@starshep.com).

***ACAPT- Accredited for Commercial Assistance and Professional Towing***- The ACAPT program provides best practices guidance for the marine assistance towing and salvage industry. Participants are highlighted as having taken the initiative to meet or exceed their own company qualifications against industry best practice criteria and government regulations. Visit the C-PORT website at <https://cport.us> or contact Tina Cardone at [tcardone@cport.us](mailto: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](mailto:tcardone@cport.us) or 954-261-2012 if you have an interest in hosting a class.




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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 <https://cport.us>.

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C-PORT (Conference of Professional Operators for Response Towing)  
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*C-PORT is a 501(c)(6) organization.*