



U.S. Coast Guard Sector Baltimore

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MARITIME SAFETY & SECURITY BULLETIN 32-09

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Drug Testing Requirements for Charter Vessels

46 CFR Parts 4 and 16, 49 CFR Part 40, 33 CFR 95

The Coast Guard is strongly reminding the Charter Vessel Industry of their duties and obligations to meet federal drug testing regulations. Requirements for marine employers to have drug testing programs have been in effect since November 21, 1988. These requirements are applicable to all US flagged vessels in commercial service, regardless of vessel size or capacities, including what are commonly known as Six Pack Charter Vessels. The rule requires chemical testing of all crewmembers working in safety-sensitive positions whether or not those crewmembers possess merchant mariner credentials. The consequences for failing to comply with these requirements can be substantial and may involve the loss of a license or document, loss of a vessel or civil penalties at a rate of \$5,500 per day per violation.

The rule applies to all commercial service vessels required to be operated by a US Coast Guard issued licensed individual, onboard any US flagged inspected and uninspected vessel on any route, commercial fishing vessels 200 GT or greater, and towing vessels 26 feet in length or longer. All crewmembers responsible for the safe operation and navigation of the vessel or those responsible for the safe handling of passengers in the event of an emergency must be tested.

Pre-employment drug testing is required prior to a person being placed in a safety sensitive position. Crewmembers are also subject to random drug testing at a minimum rate of 50% annually. Drug testing must also take place following a Serious Marine Incident. In these cases, anyone involved with the incident must be tested for evidence of drug and alcohol use. Additionally, testing may take place when a supervisor has reasonable cause of drug and alcohol use. Drug Testing may also occur periodically when a USCG credentialed individual submits an original merchant mariner credential application, a reissuance, upgrade or endorsement. See the attachment for additional information.

Detailed information about the Coast Guard's Drug and Alcohol Program and responsibilities of Marine employers is available online at <http://marineinvestigations.us> >Drug and Alcohol Program. Questions regarding testing requirements may be directed to your Coast Guard District Drug and Alcohol Program Inspector or the Headquarters Drug and Alcohol Program Manger, Mr. Robert Schoening at 202.372.1033 or Robert.C.Schoneing@uscg.mil

A handwritten signature in black ink, appearing to read "Kelly M. Post".

KELLY M. POST
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