

33 CFR § 96.240 - What functional requirements must a safety management system meet?

§ 96.240 What functional requirements must a safety management system meet?

The functional requirements of a safety management system must include -

- (a) A written statement from the responsible person stating the company's safety and environmental protection policy;
- (b) Instructions and procedures to provide direction for the safe operation of the vessel and protection of the environment in compliance with the applicable U.S. Code of Federal Regulations, and international conventions to which the U.S. is a party (SOLAS, MARPOL, etc.);
- (c) Documents showing the levels of authority and lines of communication between shoreside and shipboard personnel;
- (d) Procedures for reporting accidents, near accidents, and non-conformities with provisions of the company's and vessel's safety management system, and the ISM Code;
- (e) Procedures to prepare for and respond to emergency situations by shoreside and shipboard personnel;
- (f) Procedures for internal audits on the operation of the company and vessel(s) safety management system; and
- (g) Procedures and processes for management review of company internal audit reports and correction of non-conformities that are reported by these or other reports.

33 CFR § 96.210 - Who does this subpart apply to?

§ 96.210 Who does this subpart apply to?

(a) This subpart applies -

- (1) To a responsible person who owns or operates a U.S. vessel(s) engaged on a foreign voyage which meet the conditions of paragraph (a)(2) of this section;
- (2) To all U.S. vessels engaged on a foreign voyage that are -
 - (i) A vessel transporting more than 12 passengers; or

(ii) A tanker, a bulk freight vessel, a freight vessel or a self-propelled mobile offshore drilling unit (MODU) of 500 gross tons or more; and

(3) To all foreign vessels engaged on a foreign voyage, bound for ports or places under the jurisdiction of the U.S., and subject to Chapter IX of SOLAS.

(b) This subpart does not apply to -

(1) A barge;

(2) A recreational vessel not engaged in commercial service;

(3) A fishing vessel;

(4) A vessel operating only on the Great Lakes or its tributary and connecting waters; or

(5) A public vessel, which includes a U.S. vessel of the National Defense Reserve Fleet owned by the U.S. Maritime Administration and operated in non-commercial service.

(c) Any responsible person and their company who owns and operates a U.S. flag vessel(s) which does not meet the conditions of paragraph (a), may voluntarily meet the standards of this part and Chapter IX of SOLAS and have their safety management systems certificated.

(d) The compliance date for the requirements of this part are -

(1) On or after July 1, 1998, for -

(i) Vessels transporting more than 12 passengers engaged on a foreign voyage; or

(ii) Tankers, bulk freight vessels, or high speed freight vessels of at least 500 gross tons or more, engaged on a foreign voyage.

(2) On or after July 1, 2002, for other freight vessels and self-propelled mobile offshore drilling units (MODUs) of at least 500 gross tons or more, engaged on a foreign voyage.