

116TH CONGRESS  
1ST SESSION

# S. 1031

To implement recommendations related to the safety of amphibious passenger vessels, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

APRIL 4, 2019

Mr. HAWLEY introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To implement recommendations related to the safety of amphibious passenger vessels, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Duck Boat Safety En-  
5 hancement Act of 2019”.

6 **SEC. 2. SAFETY REQUIREMENTS FOR AMPHIBIOUS PAS-**  
7 **SENGER VESSELS.**

8 (a) REMAINING AFLOAT AND UPRIGHT IN THE  
9 EVENT OF FLOODING.—

1           (1) REGULATIONS REQUIRED.—Not later than  
2       180 days after the date of the enactment of this Act,  
3       the Commandant of the Coast Guard shall prescribe  
4       in regulations that operators of amphibious pas-  
5       senger vessels provide reserve buoyancy for such ves-  
6       sels through passive means, including watertight  
7       compartmentalization, built-in flotation, or such  
8       other means as the Commandant shall specify in the  
9       regulations, in order to ensure that such vessels re-  
10      main afloat and upright in the event of flooding, in-  
11      cluding when carrying a full complement of pas-  
12      sengers and crew.

13          (2) INTERIM REQUIREMENTS.—Commencing as  
14      of the date the regulations required by paragraph  
15      (1) are prescribed, the Commandant of the Coast  
16      Guard shall require that operators of amphibious  
17      passenger vessels that are not in compliance with  
18      the requirements in the regulations do the following:

19              (A) Remove the canopies of such vessels  
20              for waterborne operations, or install in such  
21              vessels a Coast Guard-approved canopy that  
22              does not restrict either horizontal or vertical es-  
23              cape by passengers in the event of flooding or  
24              sinking.

1 (B) If the canopy is removed from any  
2 such vessel pursuant to subparagraph (A), re-  
3 quire that all passengers don a Coast Guard  
4 type-approved personal flotation device before  
5 the onset of waterborne operations of such ves-  
6 sel.

7 (C) Reengineer such vessels to perma-  
8 nently close all unnecessary access plugs and to  
9 reduce all through-hull penetrations to the min-  
10 imum number and size necessary for operation.

11 (D) Install in such vessels independently  
12 powered electric bilge pumps that are capable of  
13 dewatering such vessels at the volume of the  
14 largest remaining penetration in order to sup-  
15 plement either an operable Higgins pump or a  
16 dewatering pump of equivalent or greater ca-  
17 pacity.

18 (E) Install in such vessels not fewer than  
19 four independently powered bilge alarms.

20 (F) Inspect any such vessel in water after  
21 each time a through-hull penetration of such  
22 vessel has been removed or uncovered.

23 (G) Verify the watertight integrity of any  
24 such vessel in the water at the outset of each  
25 waterborne departure of such vessel.

(3) PROHIBITION ON OPERATION OF NON-COMPLIANT VESSELS.—The following amphibious passenger vessels may not operate on United States waterways:

(A) Commencing as of the date the regulations required by paragraph (1) are prescribed, any amphibious passenger vessel whose configuration or operation does not comply with the requirements in paragraph (2).

(B) Commencing as of the date specified by the Commandant of the Coast Guard pursuant to subsection (d), any amphibious passenger vessel whose configuration or operation does not comply with the requirements in the regulations under paragraph (1).

(b) SEVERE WEATHER EMERGENCY PREPAREDNESS.—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall prescribe in regulations—

(1) the limiting environmental conditions, such as weather, in which amphibious passenger vessels may safely operate, and a requirement that such limiting conditions be described in the certificate of inspection of each amphibious passenger vessel;

1           (2) that an operator of an amphibious pas-  
2           senger vessel—

3                   (A) check the National Weather Service  
4           forecast before getting underway and periodi-  
5           cally while underway; and

6                   (B) in the case of a watch or warning  
7           issued for wind speeds exceeding the wind speed  
8           equivalent used to certify the stability of an am-  
9           phibious passenger vessel, proceed to the near-  
10          est harbor or safe refuge; and

11          (3) that an amphibious passenger vessel cer-  
12          tified to operate on partially protected waters have  
13          a weather monitor radio receiver at the operator sta-  
14          tion that may be automatically activated by the  
15          warning alarm device of the National Weather Serv-  
16          ice.

17          (c) ADDITIONAL SAFETY MEASURES.—Not later  
18          than 180 days after the date of the enactment of this Act,  
19          the Commandant of the Coast Guard shall prescribe in  
20          regulations that—

21                   (1) operators of amphibious passenger vessels  
22          inform passengers that seat belts may not be worn  
23          during waterborne operations; and

1           (2) before the commencement of waterborne op-  
2           erations, a crew member visually check that each  
3           passenger has unbuckled his or her seatbelt.

4           (d) DEADLINE FOR COMPLIANCE.—The regulations  
5           required by subsections (a) through (c) shall require com-  
6           pliance with the requirements in the regulations by opera-  
7           tors of amphibious passenger vessels by such date, not  
8           later than 2 years after the date of the enactment of this  
9           Act, as the Commandant shall specify in the regulations.

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