

116TH CONGRESS  
1ST SESSION

# S. 3042

To amend title 46, United States Code, to require the Secretary of the department in which the Coast Guard is operating to prescribe additional regulations to secure the safety of individuals and property on board certain small passenger vessels, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 12, 2019

Mrs. FEINSTEIN 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 amend title 46, United States Code, to require the Secretary of the department in which the Coast Guard is operating to prescribe additional regulations to secure the safety of individuals and property on board certain small 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 “Small Passenger Vessel  
5 Safety Act of 2019”.

1 **SEC. 2. REGULATIONS FOR COVERED SMALL PASSENGER**  
 2 **VESSELS.**

3 Section 3306 of title 46, United States Code, is  
 4 amended—

5 (1) in subsection (a)—

6 (A) in the matter preceding paragraph (1),  
 7 by inserting “, including covered small pas-  
 8 senger vessels (as defined in subsection (n)(5))”  
 9 after “vessels subject to inspection”; and

10 (B) in paragraph (5), by inserting before  
 11 the period at the end “, including rechargeable  
 12 devices utilized for personal or commercial elec-  
 13 tronic equipment”; and

14 (2) by adding at the end the following:

15 “(n) **ADDITIONAL REGULATIONS FOR COVERED**  
 16 **SMALL PASSENGER VESSELS.**—

17 “(1) **IN GENERAL.**—The Secretary shall pre-  
 18 scribe additional regulations to secure the safety of  
 19 individuals and property on board covered small pas-  
 20 senger vessels.

21 “(2) **COMPREHENSIVE REVIEW.**—The regula-  
 22 tions prescribed under paragraph (1) shall include  
 23 the provision of a comprehensive review of all re-  
 24 quirements for covered small passenger vessels, in-  
 25 cluding calculations, with respect to fire detection,

1 protection, and suppression systems on board such  
2 vessels.

3 “(3) REQUIREMENTS.—The regulations pre-  
4 scribed under paragraph (1) shall include each of  
5 the following requirements for covered small pas-  
6 senger vessels:

7 “(A) Requirements for the addition of  
8 interconnected fire detection, protection, and  
9 suppression equipment, including fire extin-  
10 guishers, in all areas on board such vessels to  
11 which passengers have access, including dining  
12 areas, sleeping quarters, and lounges.

13 “(B) Requirements to increase fire detec-  
14 tion, protection, and suppression systems on  
15 board such vessels in unmanned areas with ma-  
16 chinery or areas with other potential heat  
17 sources.

18 “(C) Requirements for fire detection, sup-  
19 pression, and control in all areas on board such  
20 vessels to which passengers have access, includ-  
21 ing dining areas, sleeping quarters, and  
22 lounges.

23 “(D) Requirements for all such vessels to  
24 have not less than 2 avenues of escape from all  
25 general areas accessible to passengers. Such

1 avenues of escape shall be located so that if one  
 2 avenue is not available another avenue may be  
 3 available.

4 “(E) Requirements, including increased  
 5 standards, for marine firefighting training pro-  
 6 grams with respect to such vessels to improve  
 7 crewmember training and proficiency. Such pro-  
 8 grams shall—

9 “(i) include training regarding ship-  
 10 board marine firefighting operations; and

11 “(ii) be reviewed and maintained by a  
 12 third party contractor approved by the  
 13 Commandant.

14 “(F) Requirements for handling, storage,  
 15 and operation of flammable items, such as lith-  
 16 ium ion batteries, on board such vessels.

17 “(4) INTERIM POLICIES.—To the maximum ex-  
 18 tent practicable, the Secretary shall implement in-  
 19 terim policies to, prior to the issuance by the Sec-  
 20 retary of final regulations prescribed under para-  
 21 graph (1), apply the requirements under paragraph  
 22 (3) to covered small passenger vessels.

23 “(5) DEFINITION OF COVERED SMALL PAS-  
 24 Senger VESSEL.—In this subsection, the term ‘cov-  
 25 ered small passenger vessel’—

1           “(A) means a small passenger vessel  
2           that—

3                   “(i) is less than 100 gross tons as  
4                   measured under section 14502 of this title,  
5                   or an alternate tonnage measured under  
6                   section 14302 of this title as prescribed by  
7                   the Secretary under section 14104 of this  
8                   title; and

9                   “(ii) is carrying—

10                           “(I) for overnight domestic voy-  
11                           ages, not more than 49 passengers;  
12                           and

13                           “(II) for all other voyages, not  
14                           more than 150 passengers; and

15                   “(B) includes any wooden vessel con-  
16                   structed prior to March 11, 1996, that carries  
17                   passengers on overnight domestic voyages.”.

18 **SEC. 3. SAFETY MANAGEMENT SYSTEM TO INCLUDE ALL**  
19 **SMALL PASSENGER VESSELS.**

20           Title 46, United States Code, is amended—

21                   (1) in section 3202(b)—

22                           (A) by redesignating paragraphs (1) and  
23                           (2) as subparagraphs (A) and (B), respectively,  
24                   and indenting appropriately;

1 (B) by striking “This chapter” and insert-  
2 ing the following:

3 “(1) IN GENERAL.—This chapter;”; and

4 (C) by adding at the end the following:

5 “(2) SAFETY MANAGEMENT SYSTEM.—Notwith-  
6 standing any other provision in this chapter, includ-  
7 ing paragraph (1)(B), the regulations issued under  
8 section 3203, including the safety management sys-  
9 tem established by such regulations, shall apply to  
10 all small passenger vessels.”; and

11 (2) in section 3203(a), by inserting “(including,  
12 for purposes of this section, all small passenger ves-  
13 sels)” after “vessels to which this chapter applies”.

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