

**Supporting Statement  
for  
Small Passenger Vessels - Title 46 CFR  
Subchapters K and T  
[as modified by USCG-2007-0030; RIN 1625-AB20]**

**A. Justification**

1. Circumstances that make the collection necessary.

Under the authority of the Secretary found in 46 U.S.C. 3305 and 3306, the Coast Guard must prescribe necessary regulations and conduct inspections of small passenger vessels to secure the safety of individuals and property on board. The regulations must address the design, construction, alteration, repair, and operation of these vessels, including requirements for lifesaving equipment, firefighting equipment, inspections, and tests. Based upon this mandate, the information requirements in the regulations are necessary to verify that tests, drills, and training is conducted by vessel personnel to ensure proper reaction when emergencies do occur.

The passenger and crew list requirements are based on the requirements of 46 U.S.C. 3502 as well as recommendations from National Transportation Safety Board and Coast Guard casualty investigations involving small passenger vessels.

This information collection supports the following strategic goals:

Department of Homeland Security

- Protection
- Prevention

Coast Guard

- Safety
- Protection of the Natural Resources

Marine Safety, Security and Stewardship Directorate (CG-5)

- Safety: Eliminate deaths, injuries, and property damage associated with commercial maritime operations.
- Human and Natural Environment: Eliminate environmental damage associated with maritime transportation and operations on and around the nation's waterways.

2. How, by whom, and for what purpose the information is to be used.

The information requirements such as logging or otherwise documenting crew training, drills, and safety equipment testing provide inspectors with a means to verify compliance with requirements for proper safety equipment operation and crew emergency preparedness.

3. Use of improved technology.

Information may be submitted in writing or electronically via e-mail, to the CG Officer in Charge, Marine Inspection (OCMI) at the local Sector Office, or the CG Marine Safety Center (MSC). Contact info for CG OCMI's can be found at- <http://www.uscg.mil/top/units/>. For information on

submitting information to the CG MSC, go to— <https://homeport.uscg.mil/msc> > CONTACT US > MAIL ADDRESS, TELEPHONE CONTACTS, AND E-COMMERCE INFO. We estimate that 99% of the reporting requirements can be done electronically. At this time, we estimate that 10% of responses are collected electronically.

4. Efforts to identify duplication.

There are no other agencies with similar requirements for small passenger vessels.

5. Methods used to minimize burden on small businesses or other small entities.

Most of small passenger vessels inspected under Subchapter T (T-boats) are owned and operated by small businesses. The Coast Guard has taken steps to provide these business owners with flexibility and options to comply with certain requirements. Though the Coast Guard establishes a deadline to conduct inspection for certification, a T-boat owner is able to submit an Application for Inspection well in advance of this deadline so that the inspection may be completed at a more convenient time. The requirements for voyage plans and passenger counts permit the vessel owner to communicate the required information verbally or in writing to place at the vessel's normal berthing location or with the vessel's owner, managing operator, or representative. The information must only be provided to the Government upon request.

6. Consequences of less frequent collection.

Reducing the frequency of collection would hinder or degrade the administration of the small passenger vessel inspection program.

7. Explain any special circumstances that would cause the information collection to be conducted in a manner inconsistent with the guidelines.

This information collection is conducted in manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. Solicitation of comments and consultation with persons outside the agency.

The Coast Guard published on August 20, 2008, a Notice of Proposed Rulemaking (NPRM) entitled "Passenger Weight and Inspected Vessel Stability Requirements" (Pax Wt) [USCG-2007-0030; RIN 1625-AB20; 73 FR 49244]. The rulemaking proposed—

- to amend regulations governing the stability of passenger vessels and the maximum number of passengers that may safely be permitted on board a vessel. The average American weighs significantly more than

the assumed average weight per person utilized in current regulations, and the maximum number of persons permitted on a vessel is determined by several factors, including an assumed average weight for each passenger. Updating regulations to more accurately reflect today's average weight per person will maintain intended safety levels by taking this weight increase into account.

The Coast Guard received no collection of information-related comments to the NPRM.

On December 14, 2010, the Pax Wt Final Rule was published (75 FR 78064).

9. Payments or gifts to respondents.

The Coast Guard does not provide payments or gifts to respondents in exchange for a benefit sought.

10. Assurances of confidentiality.

There are no assurances of confidentiality provided to the respondents for this information collection.

11. Questions of a sensitive nature.

There are no questions of sensitive language.

12. Estimate of the burden hours and cost of the collection of information.

The annual industry reporting and recordkeeping burdens and costs are outlined in detail in Appendix 1, and summed in the following table. The number of respondents and recordkeepers for each reporting or posting requirement was estimated by using data captured from Marine Information for Safety and Law Enforcement (MISLE), and queries to Coast Guard District Offices. MISLE is a computerized system that contains details on all Coast Guard inspected vessels. The hours per response and annual hours per recordkeeper were estimated based upon the experiences of Coast Guard personnel.

TOTAL RECURRING INDUSTRY HOUR AND COST BURDEN

	Recurring Hour	Recurring Cost	FR Hour	FR Cost	Total Hour	TOTAL Cost
Recordkeeping	82,252	\$5,075,600	0	\$ --	82,252	\$5,075,600
Reporting	8,318	\$507,419	0	\$ --	8,318	\$507,419
Recordkeeping and Reporting	288,909	\$288,909	305	\$11,590	289,214	\$17,635,027
<b>Totals</b>	<b>379,479</b>	<b>\$23,206,456</b>	<b>305</b>	<b>\$11,590</b>	<b>379,784</b>	<b>\$23,218,046</b>

The Final Rule "Passenger Weight and Inspected Vessel Stability

Requirements" changes the assumed passenger weight for stability calculations purposes. This would require many small passenger vessel owners/operators to resubmit stability burden. We estimate this additional burden to be 305 hours. Using a labor rate of \$38/hour, the additional cost is estimated to be \$11,590.

The grand total hour and cost burden is therefore the sum of the recurring burden and the one-time burden, for a total of 379,784 hours and cost of \$23,218,046.

13. Estimate of annualized capital and start-up costs.

There are no capital, start-up or maintenance costs associated with this information collection.

14. Annualized cost to the Federal Government.

The cost to the Federal Government results largely from man-hours reviewing reports from industry. Material costs are essentially nil, having been estimated in the past to amount to 1 to 3 percent of the total cost, based on similar reporting requirements. The details of the hour burden and cost to the Federal Government are detailed in Appendix 2 and summed in the following table.

TOTAL RECURRING GOVERNMENT HOUR AND COST BURDEN

	Recurring Hour	Recurring Cost	FR Hour	FR Cost	Total Hour	Total Cost
Recordkeeping	5	\$229	0	\$ - -	5	\$229
Reporting	7,947	\$389,424	0	\$ - -	7,947	\$389,424
Recordkeeping and Reporting	28,168	\$1,380,251	140	\$9,380	28,308	\$1,389,630
<b>Totals</b>	<b>36,120</b>	<b>\$1,769,903</b>	<b>140</b>	<b>\$9,380</b>	<b>36,260</b>	<b>\$1,779,283</b>

The one-time increase in burden described in Block 12 would create and additional governmental burden of 140 hours. Using a labor rate of \$67/hour, the increased cost burden would be \$9,380.

The grand total hour and cost burden to the government is the sum of the recurring burden and the one-time burden, for a total of 36,260 hours and a cost of \$1,779,283.

15. Reasons for changes.

The change in burden (i.e., increase) is a PROGRAM CHANGE by the Final Rule "Passenger Weight and Inspected Vessel Stability Requirements" (RIN 1625-AB20)(Docket No. USCG-2007-0300) (increase in responses (+3,669) and burden hours (+305)). The Coast Guard amended its regulations governing the stability of passenger vessels and the maximum number of passengers that may safely be permitted on board a vessel. The average American weighs significantly more than the assumed average weight per person utilized in prior regulations, and the maximum number of persons permitted on a vessel

is determined by several factors, including an assumed average weight for each passenger. The updated regulations more accurately reflect today's average weight per person, maintaining intended safety levels by taking this weight increase into account. Amending the regulations governing the stability of passenger vessels results in a certain vessels re-posting updated stability information. The re-posting of the updated stability letters results in an increase in burden.

16. Collection of information whose results will be published.

The Coast Guard does not intend to employ the use of statistics or the publication thereof for this information collection.

17. Inappropriate display of OMB approval expiration date.

The Coast Guard will display the expiration date for OMB approval of this information collection.

18. Exception to the certification statement.

The Coast Guard does not request an exception to the certification of this information collection.

**B. Collections of Information Employing Statistical Methods.**

This information collection does not employ statistical methods.