

Coast Guard, DHS

§ 104.300

MARSEC Levels 1 and 2 measures, as an alternative to the identification checks and passenger screening requirements in §104.265(f)(4) and (h)(1), ensure that random armed security patrols are conducted, which need not consist of vessel personnel.

[USCG-2003-14749, 68 FR 39302, July 1, 2003, as amended at 68 FR 60514, Oct. 22, 2003; USCG-2008-0179, 73 FR 35009, June 19, 2008]

§ 104.295 Additional requirements—cruise ships.

(a) At all MARSEC Levels, the owner or operator of a cruise ship must ensure the following:

(1) Screen all persons, baggage, and personal effects for dangerous substances and devices;

(2) Check the identification of all persons seeking to board the vessel; this check includes confirming the reason for boarding by examining joining instructions, passenger tickets, boarding passes, government identification or visitor badges, or work orders;

(3) Perform security patrols; and

(4) Search selected areas prior to embarking passengers and prior to sailing.

(b) At MARSEC Level 3, the owner or operator of a cruise ship must ensure that security briefs to passengers about the specific threat are provided.

§ 104.297 Additional requirements—vessels on international voyages.

(a) An owner or operator of a U.S. flag vessel, which is subject to the International Convention for Safety of Life at Sea, 1974, (SOLAS), must be in compliance with the applicable requirements of SOLAS Chapter XI-1, SOLAS Chapter XI-2 and the ISPS Code, part A (Incorporated by reference, see §101.115 of this subchapter).

(b) Owners or operators of U.S. flag vessels that are required to comply with SOLAS, must ensure an International Ship Security Certificate (ISSC) as provided in 46 CFR §2.01-25 is obtained for the vessel. This certificate must be issued by the Coast Guard.

(c) Owners or operators of vessels that require an ISSC in paragraph (b) of this section must request an inspection in writing, at least 30 days prior to the desired inspection date to the Officer in Charge, Marine Inspection for the Marine Inspection Office or Sector

Office of the port where the vessel will be inspected to verify compliance with this part and applicable SOLAS requirements. The inspection must be completed and the initial ISSC must be issued on or before July 1, 2004.

[USCG-2003-14749, 68 FR 39302, July 1, 2003, as amended at 68 FR 60515, Oct. 22, 2003; USCG-2006-25556, 72 FR 36328, July 2, 2007]

Subpart C—Vessel Security Assessment (VSA)

§ 104.300 General.

(a) The Vessel Security Assessment (VSA) is a written document that is based on the collection of background information and the completion and analysis of an on-scene survey.

(b) A single VSA may be performed and applied to more than one vessel to the extent that they share physical characteristics and operations.

(c) Third parties may be used in any aspect of the VSA if they have the appropriate skills and if the Company Security Officer (CSO) reviews and accepts their work.

(d) Those involved in a VSA should be able to draw upon expert assistance in the following areas:

(1) Knowledge of current security threats and patterns;

(2) Recognition and detection of dangerous substances and devices;

(3) Recognition of characteristics and behavioral patterns of persons who are likely to threaten security;

(4) Techniques used to circumvent security measures;

(5) Methods used to cause a security incident;

(6) Effects of dangerous substances and devices on vessel structures and equipment;

(7) Vessel security requirements;

(8) Vessel-to-vessel activity and vessel-to-facility interface business practices;

(9) Contingency planning, emergency preparedness and response;

(10) Physical security requirements;

(11) Radio and telecommunications systems, including computer systems and networks;

(12) Marine engineering; and