

**Supporting Statement
for
Small Passenger Vessels – Title 46 CFR
Subchapters K and T**

[as modified by USCG-2021-0306; RIN 1625-AC69]

OMB No.: 1625-0057
COLLECTION INSTRUMENTS: CG-841, CG-854, CG-948, CG-949, CG-5256

A. Justification

1. Circumstances that make the collection of information necessary.

Under the authority of the Secretary found in 46 U.S. Code (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.

The statutory authority is 46 U.S.C. 3305, 3306 and 3502.

2. Purpose of the information collection.

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. Consideration of the 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— <https://www.uscg.mil/Units/Organization>. For information on submitting information to the CG MSC, go to this [LINK](#). We estimate that 99% of the reporting requirements can be done electronically. At this time, we estimate that 50% 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 to small businesses if involved.

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 to the Federal Program if the collection were conducted less frequently.

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

7. Special collection circumstances.

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

8. Consultation.

The Coast Guard published on December 27, 2021, an Interim Rule (IR) entitled "Fire Safety of Small Passenger Vessels" (SPV-FS) [USCG-2021-0306; RIN 1625-AC69; 86 FR 73160]. The rulemaking—

- is the first step to implementing the statutorily mandated requirements for fire safety on certain covered small passenger vessels. This statutory mandate is in response to the fire and loss of life on the dive boat CONCEPTION off the coast of California on September 2, 2019. This interim rule adds additional fire safety requirements for small passenger vessels, including fire detection and suppression systems, avenues of escape, egress drills, crew firefighting training, watchmen monitoring devices, and the handling of flammable items such as rechargeable batteries.

The IR 180-day comment period closes on June 27, 2022.

9. Provide any payments or gifts to respondents.

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

10. Describe any assurances of confidentiality provided to respondents.

There are no assurances of confidentiality provided to the respondents for this information collection. This information collection request is covered by the Marine Information for Safety and Law Enforcement (MISLE) Privacy Impact Assessment (PIA) and System of Records Notice (SORN). Links to the MISLE PIA and SORN are provided below:

- https://www.dhs.gov/sites/default/files/publications/privacy_pia_uscg_misle.pdf
- <http://edocket.access.gpo.gov/2009/E9-14906.htm>

11. Additional justification for any questions of a sensitive nature.

There are no questions of sensitive language.

12. Estimate of annual hour and cost burden to respondents.

- The estimated number of annual respondents is 6,343.
- The estimated number of annual responses is 35,406.
- The estimated hour burden is 406,113 hours.
- The estimated cost burden is \$26,369,543.

The assumptions of time, frequency, percent of population, and performing personnel, on which the annual hour and cost burdens of this Collection of Information are based, are detailed in Appendix A. Using these assumptions, and the Marine Information for Safety and Law Enforcement (MISLE) database, the Coast Guard estimated the annual average amount of responses and respondents due to

reporting requirements under 46 CFR Subchapters K and T. These estimates are outlined in Appendix B.

Beyond reporting, many of the requirements of this Collection of Information also address recordkeeping, which contributes largely to the hour and cost burdens attributable to information requirements. The annual industry reporting and recordkeeping hour and cost burdens are outlined by section in Appendix C, and summarized in the aggregate in Appendix D.

13. Total annualized capital and start-up costs.

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

14. Estimate of annualized cost to the Federal Government.

The estimated annual Federal Government cost is \$2,240,708. The annualized cost is detailed by section in Appendix E and summarized in Appendix F.

15. Reasons for changes in burden.

The change in burden is a PROGRAM CHANGE due to the SPV-FS IR (1625-AC69) The reporting and recordkeeping requirements, and methodology for calculating burden, remain unchanged.

16. Plans for tabulation, statistical analysis, and publication.

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

17. Approval for not explaining the expiration date for OMB approval.

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.