

Tips for Paying to Go on a Boat Ride

The vessel must be inspected by the Coast Guard to do the following (not all inclusive):

- Carry over six passengers (at least one for hire) with a crew provided (includes rentals)
- Bareboat charter (rental boat) for more than 12 guests of the charterer
- Charge as a platform for events, even at the pier, for more than six passengers

Charters include, but are not limited to: fishing, sightseeing tours, dinner/sunset cruises, and dockside parties. The person operating a vessel in commercial service must be a holder of a current Coast Guard Issued License to carry even one passenger for hire.



If you suspect illegal passenger vessel activity, you can assist the Coast Guard by providing the following information:

- A detailed description of the activity.
- Photographs of the activity.
- In addition, if you pay money for a vessel trip, be sure to request a receipt signed by the operator in exchange for payment.
- Reports can be made anonymously if desired, yet we encourage you to leave contact information so that additional details can be gathered, if needed.

If you are in doubt whether or not a vessel is operating legally, or if you have any other questions, contact the U.S. Coast Guard with your concerns at:

U.S. Coast Guard Sector Mobile

**24 Hour Command Center
(833) 662-8724**



DISCLAIMER. This guidance is not a substitute for applicable legal requirements, nor is it itself a rule. It is intended to provide guidance and is not intended to nor does it impose legally-binding requirements on any party.



Coast Guard Tips for a Safe Day on the Water



Don't let one day ruin your future!



USCG Sector Mobile
Prevention Department -
Investigation Division
1500 15th Street
Mobile, AL 36615

Understanding the facts of renting a boat

1) The agreement

A written or 'bareboat charter' agreement must exist and be signed by the Charterer and boat owner/rep.

2) You, the Charterer, become the owner "pro hac vice" of the vessel. Therefore, you are now responsible for:

- A. Insurance - You are financially responsible for damage, salvage, and liability claims for the vessel.
- B. Fines - If you are boarded by Law Enforcement, any deficiencies found and the fines associated are your responsibility.
- C. Crew Hiring - The Charterer must have the option of selecting and paying the crew. The vessel owner may provide a list qualifications for captains.
- D. Workmen's Compensation - If the crew you hire gets hurt on the vessel you rent (charter), you could be financially responsible for any claims.

3) Who pays?

The Charterer pays for:

- The captain & crew
- All food, fuel, & stores
- All port & pilotage fees
- Insurance costs covering liability not included in the owner's policy

4) You're fired!

The charterer may discharge, for cause, the master or any crew without approval from the vessel owner.

If I am a boat owner, what are the consequences if I am found to be operating my boat in violation of the regulations?

Consequences are numerous and severe:

- Maximum civil penalties up to \$11,100 for failure to have a valid Coast Guard credential in possession and available when vessel is carrying passenger(s) for hire will be sought in cases involving unlicensed operators
- Credentialed operators identified as operating in violation of applicable regulations will face enforcement action against their credential that could result in their credential being suspended or revoked
- The Coast Guard may submit leads to the Internal Revenue Service (IRS) for unreported income that could result in civil fines and criminal prosecution by the IRS
- The Coast Guard may also notify operators' banks and insurance companies which may change rates and coverage

A "**Passenger**" is anyone on a vessel (boat) other than the "crew". If they have given "consideration" for being aboard, they are "for hire". Passengers on bareboat charters are considered guests and cannot be passengers "for hire".

Consideration is anything that could be construed as being economically beneficial to the vessel owner. This includes past/future business, political favor, cash, etc..

A "**Bareboat Charter**" is a contractual agreement between the vessel owner and you, "the charterer, with no crew provided by the owner. The Charterer has complete command, control and possession of the vessel for the duration of the contract.

Renting versus being a Passenger:

Renting (Bareboat Charter)	Tour (Passenger)
Financially Responsible for vessel, passengers and crew	Just pay for your ticket and you are a passenger
Responsible for fines and upkeep of the vessel	Owner and master responsible for all things vessel related
Uninspected	If carrying more than 6 passengers, will be annually inspected by the Coast Guard .
Crew and master do not need to be licensed.	Master will be licensed by the Coast Guard and enrolled in a chemical (drug) testing program.

