

## PASSENGER 'FOR HIRE' VESSELS

If passengers are allowed onboard for monetary contribution, economic benefit or a donation as a condition of carriage to any person having an interest in the vessel is considered a commercial operation (passenger for hire).

## Chartering a vessel?

For more information with regard to vessel operations, and detailed information on federal requirements for uninspected operations and licensing please contact US Coast Guard Sector San Diego. Contact the local marinas for more information regarding state and local requirements.



**UNITED STATES COAST GUARD**

46 US Code (USC) 2101



### A few examples of a passenger for hire vessel:

1. Passengers buy tickets to ride a powerboat.
2. You rent your moored vessel as a bed & breakfast.
3. You rent your entire vessel for a party while the vessel is underway.
4. Requiring fuel, food and/or beverage as a mandatory contribution for a fishing trip.



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## U.S. PASSENGER VESSEL OPERATIONS

This pamphlet is intended to assist the public in avoiding illegal passenger carriage and is a general guide for vessels operating on federal navigable waters. It is not intended to be definitive in assessing legal status. Always consult a USCG marine safety professional or admiralty lawyer.

## FAQS

### 1 Bareboat charters (Reference: Navigation and Vessel Inspection Circular No. 7-94)

Charter (bareboat) Operation: A valid (bareboat) Charter is an agreement where the charter has use of the vessel for a period of time and is considered the owner. A charterer takes on the legal obligations, is responsible for the crew, passengers carried, and others.

Elements of a valid bareboat charter may include:

- 1)The charterer must have the option of selecting & paying crew, although the owner may require general levels of proficiency for the crew that is retained based on federal statutes;
- 2) The master/crew are paid by the charterer;
- 3)All food, fuel and stores are provided by the charterer;
- 4) Insurance is obtained by the charterer;
- 5) The charterer is responsible for the safe navigation of the
- 6) A platform for events that does not involve consideration, even when moored at the pier; and
- 7) The vessel is surveyed upon return to the owner.

### 2 Small Passenger Vessel

A SPV has been issued a Certificate of Inspection (COI) from USCG defining passenger capacity, safety equipment, manning requirements, and a navigation route.

### 3 Uninspected Passenger Vessel

Operators must possess the appropriate credential issued by the USCG, vessel registration issued by the Coast Guard or by the state, and complies with required safety equipment. Passenger limits are 6 for vessels less than 100 gross tons and 12 for vessels more than 100 gross tons.



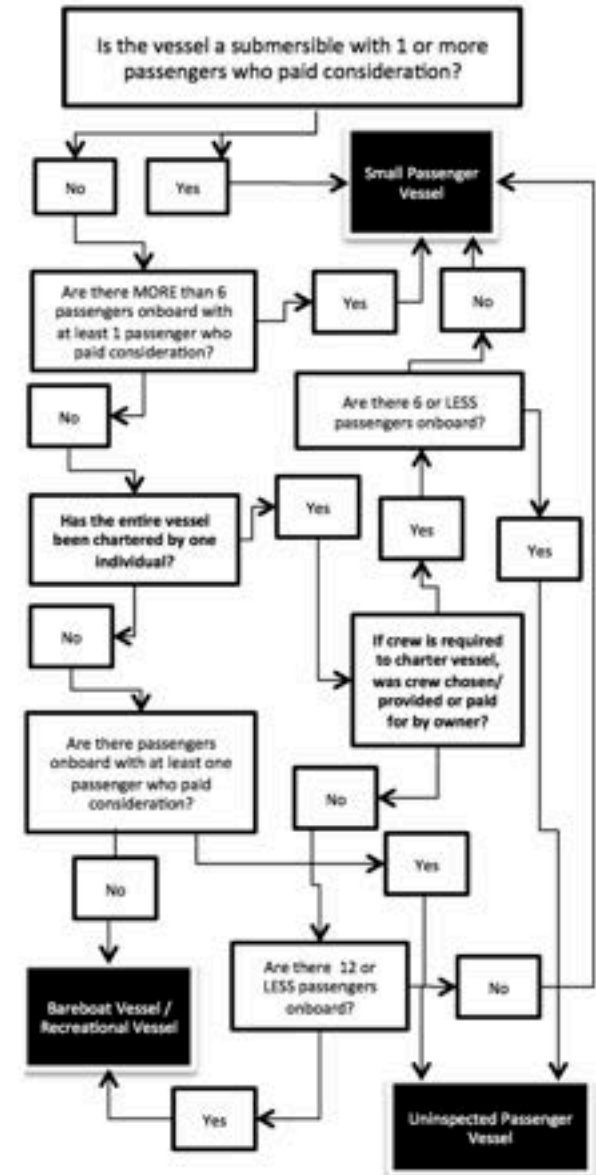
### 4 Recreational Vessel

A recreational vessel is manufactured and operated for pleasure with no one onboard who provided money or any type of economic benefit (this is NOT a passenger for hire operation).

### 5 Required Documentation

- Recreational Vessel: Certificate of Documentation or State Registration.
- Small Passenger Vessel: USCG Licensed Master, Certificate of Documentation or Certificate of Inspection.
- Uninspected Passenger Vessel: Certificate of Documentation or State Registration, USCG Licensed Master/ Mate, or Uninspected Passenger Operator Credential.
- Bareboat Charter Vessel: Certificate of Documentation or State Registration, Bareboat Agreement, USCG Licensed Master or Uninspected Passenger Operator Credential (if required).

## Legal operations for vessels under 100 GT



Note: If you are unsure, please contact your local Coast Guard office