

U.S. Department of
Homeland Security


United States
Coast Guard



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United States Coast Guard

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CVC Policy Letter 18-03
February 21, 2018

From: 
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COMDT (CG-5PC)

To: Distribution

Subj: UNINSPECTED PASSENGER VESSEL (UPV) SAFETY PROGRAM
MANAGEMENT; USCG AUXILIARY UPV EXAMINER AUGMENTATION

Ref: (a) UPV Examination Program, LANT/PACAREAINST 16710.2
(b) USCG Uninspected Passenger Vessel Examiner (UPV)
Performance Qualification Standard (PQS)
(c) USCG Auxiliary Manual, COMDINST M16790.1 (series)
(d) USCG Auxiliary Operations Policy Manual M16798.3 (series)

1. PURPOSE. The purpose of this letter is to provide guidance to: District Commercial Vessel Safety Coordinators; Officers-In-Charge, Marine Inspection (OCMIs)/Sector Commanders; unit Uninspected Passenger Vessel (UPV) Examiners; and Coast Guard Auxiliary members responsible for management of and/or participation in the UPV Program. In particular, this letter details expectations, requirements, and responsibilities for Coast Guard Auxiliary UPV Examiner training, qualification, documentation, funding, and support.
2. DIRECTIVES AFFECTED. None.
3. BACKGROUND. All Auxiliary commercial vessel programs are authorized by the Commandant of the Coast Guard and administered by Coast Guard Headquarters. The Auxiliary Prevention Directorate provides operational administration and review of approved Auxiliary commercial vessel programs on behalf of the Coast Guard but may not make modifications to the programs.
 - a. Current guidance for the UPV program is provided in reference (a). Reference (a) promulgates the official UPV booklet, *Requirements for Uninspected Passenger Vessels* (Revised: March 2016), as well as the official examination form. No other booklet or form for Auxiliary is authorized.
 - b. The Auxiliary Prevention Directorate, under direction of Coast Guard Headquarters, maintains reference (b). No other workbook is authorized.
 - c. All Auxiliary commercial vessel programs are Sector specific. Individual Sector Commanders may add requirements for Auxiliary UPV Examiners. These requirements

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shall be in writing, with copies provided to the UPV examiners, trainees, and the USCGAUX Prevention Directorate.

- d. All UPV Letters of Designation (LOD) shall be signed by the Sector Commander (or his/her representative) and are valid only for that Sector. A separate LOD is required if moving to another Sector, or if exams will be done in two (or more) Sectors
- e. Only Auxiliary members holding a current and valid Sector UPV Letter of Designation may issue UPV decals upon successful completion of an examination.
- f. All UPV examinations shall be entered into MISLE in a timely manner, preferably 30 days or less.
- g. Only the approved examination form found in reference (a) will be scanned into MISLE. Local forms are not authorized.
- h. Auxiliary UPV examiners are not authorized to audit Chemical Testing Programs used by UPV owner/operators, though they may assist appropriately qualified Coast Guard personnel in such audits.
- i. Auxiliary UPV examiners are not authorized to provide specific advice concerning Chemical Testing consortia or to provide any information that could be construed as legal advice or counsel. Sector Designated Drug and Alcohol Program Coordinators are available to owner/operators if questions or problems arise.
- j. UPVs may also be involved in commercial fishing activities. If UPV operators sell any catch, they are considered a commercial fishing vessel (CFV) and must meet all CFV requirements in addition to the requirements for a UPV. Vessels compliant with both UPV and CFV requirements will display two separate decals by appropriately qualified Auxiliarists.

Note: Properly trained and qualified Coast Guard Auxiliary personnel are authorized to conduct both voluntary and mandatory dockside safety exams on UPVs with the vessel owner's consent. Members of the Coast Guard Auxiliary serve as a reliable and creditable source of observation, evaluation, and recommendation but shall not engage in law enforcement activities or the appearance of such.

- 4. DISCUSSION. This Policy Letter outlines the requirements for Auxiliary augmentation in and their responsibilities to the UPV program. This Policy Letter is not intended to limit Auxiliary support to performing dockside safety exams and outreach duties. Members of the Coast Guard Auxiliary may, under the direction of the host OCMI, lend support in other areas deemed appropriate by references (b) and (c).
 - a. Due to the high level of professional knowledge and responsibility associated with the UPV Examiner qualification, stringent standards must be met to attain and retain this status. For the purposes of this policy letter, an "Examiner" is an individual who is

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responsible for physically going aboard a vessel and conducting a safety examination to determine if the vessel is in full compliance with all applicable regulations. If the vessel is found not in compliance, the Examiner will note the deficiencies and issue a work-list to the owner/operator, and provide a copy to the Sector. The owner/operator of the vessel must make the necessary corrections as outlined in the work-list before a UPV safety decal can be issued for the vessel.

- b. Training for Auxiliary Examiners may be accomplished in the field through on-the-job training (OJT) and on-the-job qualification (OJQ). These efforts can be coordinated through the District and Sector Commercial Vessel Coordinators, host OCMI/Sector Commander, and local marine inspectors. Training and performance qualification standards (PQS) and Sector requirements must be met by an Auxiliarist to qualify as an UPV Examiner in accordance with reference (b) and this policy letter. The Auxiliarist must receive a Letter of Designation (LOD) as a UPV Examiner from the host OCMI prior to conducting dockside safety examinations independently. Minimum annual job performance standards may be required to retain certification/designation as a qualified Examiner by the host OCMI.
- c. It is essential that all examinations or other contacts with UPVs by Auxiliarists are properly documented in MISLE. It is the Auxiliary member's responsibility to also ensure that all examinations and hours dedicated to UPV program activities are recorded in AUXDATA. The effectiveness of Auxiliary augmentation can then be measured utilizing information from both databases.
- d. Auxiliary UPV Examiners must notify the cognizant OCMI when they are performing UPV examinations. Auxiliarists conducting UPV outreach activities, dockside safety examinations, and attending unit approved training are entitled to reimbursement for travel and out-of-pocket expenses with prior written approval as provided in 14 USC 831. A member of the Auxiliary assigned to such duty, while traveling and on temporary duty pursuant to regulations issued by the Secretary, should be paid actual necessary traveling expenses, including per diem allowance, in conformity with Joint Travel Regulations in lieu of subsistence. Auxiliarists must be in receipt of orders from the host OCMI prior to performing these activities, to ensure eligibility for reimbursement of expenses and for legal protection purposes. This also applies to Auxiliarists who are in a training status and not yet qualified. Auxiliarists in the UPV program are required to submit claims for reimbursement, as may be applicable to the Sector in a timely manner (preferably 30 days or less). Sectors are obligated to process appropriate travel claims in a timely manner as well. No-cost orders may be acceptable for members performing duties in their immediate locality; "assignment to duty" may also be used.
- e. While performing outreach or conducting safety exams for the UPV Program, Auxiliarists may wear clothing that displays a USCGAUX logo, Auxiliary uniforms in

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accordance with sections 10.A.1. and 10.A.2. of reference (d), or other work type clothing issued or prescribed by the host OCMI or District Coordinator.

5. IMPLEMENTATION.

- a. Prospective Auxiliary UPV Examiners must undergo a qualification process outlined by the District Coordinator and host OCMI to evaluate their ability to perform the duties associated with the position. Auxiliarists capable of performing the duties required of a UPV Examiner may be selected to participate in the program as UPV trainees.
 - (1) The screening interview should cover the program mission, physical requirements, prerequisites, time each member is expected to contribute, and travel and training requirements of a certified/designated UPV Examiner.
 - (2) The prospective UPV Examiner should be queried to determine: understanding of the UPV program; ability to relate to industry personnel; experience working independently; ability to work under variable environmental conditions; ability to communicate effectively; ability to work with Coast Guard personnel; and dedication and reliability. At a minimum one or more qualified Auxiliary UPV Examiner(s) should be members of the screening interview team.
- b. UPV trainees shall complete the necessary training and UPV Performance Qualification Standards (PQS) in order to qualify and receive a designation to perform those duties.
 - (1) A candidate must complete at least 40 hours with qualified Examiners visiting the docks and uninspected passenger vessels, reviewing UPV regulations, studying Program job aids, witnessing and assisting with dockside safety examination, observing MISLE data retrieval and entry, and complete the UPV PQS.
 - (2) Assignment of a mentor will be determined by the host OCMI.
 - (3) Upon successful completion of a training program and meeting the UPV PQS requirements, the Auxiliarist will be required to successfully pass an oral qualification board. The format of each board will be at the discretion of the host OCMI. The candidate is expected to stand before a qualification board within one year of entering the UPV program. A qualification board should be assembled at the earliest opportunity after a candidate has completed training and OJQ requirements.
 - i. If the candidate does not stand before a qualification board within one year, or fails to pass the evaluation, the host OCMI must decide either to extend the OJQ time frame or discontinue the candidate's involvement in the program.

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Documentation of the OCMI's action will be forwarded to the District Coordinator and the Auxiliary Division Chief-Commercial Vessel Activities.

- ii. If the candidate passes the qualification board evaluation, a recommendation will be forwarded to the host OCMI/Sector Commander that the candidate be designated a qualified UPV Examiner.
- (4) A Letter of Designation (LOD) as a qualified UPV Examiner will be issued by the Sector to the Auxiliary member upon successful completion of all the requirements for UPV training and qualification. The LOD will include:
- i. Competency level, such as the extent of UPV examination activities that may be conducted, or the types of vessels on which examinations may be conducted; and
 - ii. Requirements to maintain qualification/certification, such as annual training, minimum vessel safety employment hours, and minimum number of examinations per calendar year. This is both a Sector and Auxiliarist responsibility to ensure compliance with the requirements set forth.
- (a) The original LOD will be sent to the individual, along with the completed PQS and supporting documentation. It is the responsibility of the qualified Auxiliary member to forward a copy of their LOD to the Auxiliary Branch Chief-Commercial Vessels for their District, District Staff Officer Marine Safety (DSO-MS), and Division Chief-Commercial Vessel Activities. The host OCMI/Sector Commander will forward a copy of the LOD to the District Uninspected Passenger Vessel Safety Coordinator and DIRAUX.
 - (b) A UPV Examiner's LOD can be revoked at any time by the District Commercial Vessel Coordinator or host OCMI for failure to comply with any of the requirements as outlined in this Policy Letter.
 - (c) UPVs must fulfill the requirements outlined in their LOD in order to maintain their status as a qualified Examiner. Augmenting personnel shall also attend annual refresher training provided or sponsored by the District Commercial Vessel Coordinator, host OCMI, or local Examiners. The annual refresher training should address regulations and policies directly associated with the UPV program.

Should special circumstances arise that prevents a UPV Examiner from completing the required annual training or minimum number of examinations (i.e. - medical conditions, family issues, etc.), the host OCMI will evaluate the

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circumstances. The circumstances must be documented and considered during the evaluation for continuing certification.

- c. UPV Examiners who do not complete the requirements as outlined by this Policy Letter will have their LOD suspended or revoked and may be subject to removal from the UPV program.

Auxiliary members who fail to meet the requirements to maintain their UPV qualification, but still wish to participate in the UPV safety program, may be placed in a probationary status and issued a conditional LOD for up to one year at the discretion of the host OCMI.

- (1) A conditional LOD should require the member meet the annual training and minimum number of examinations for the current year and any other requirements as determined by the OCMI. Special circumstances should be taken into considerations when listing the requirements in the conditional LOD.
- (2) If the member fails to meet the training and performance time requirements during the probationary period, the host OCMI shall ensure that:
 - i. There is proper documentation stating the requirements that were not met by the member and whether the member will be retained in or removed from the program;
 - ii. All active and pending orders for the Auxiliary member are cancelled and he/she is prohibited from conducting any further dockside activities and/or examinations;
 - iii. The Auxiliary member is notified in writing that he/she is no longer qualified as a UPV Examiner. This notification is to advise the member that he/she is prohibited from performing any UPV program activities for the Sector. An appeal may be submitted, but the host OCMI/Sector Commander's decision will be final; and
 - iv. A copy of the documentation is forwarded to the District Commercial Vessel Coordinator, and the Auxiliary Branch Chief-Vessel Activities for their District, District Staff Officer Marine Safety (DSO-MS), Division Chief-Commercial Vessel Activities, and DIRAUX. The DIRAUX will be responsible for removing the member's qualification designation in AUXDATA.
- (3) If an Auxiliary member who has had his/her LOD revoked, or has been removed from the UPV safety program, wishes to re-apply and be considered as a candidate again for exam activities at the same or a different unit, and subsequently is accepted, the

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member can be required to complete the training and qualification process again to the satisfaction of the host OCMI.

(4) Whenever an Auxiliary UPV Examiner has his/her membership suspended to any extent or is subject of Auxiliary administrative disciplinary action, the appropriate OCMI and District Commercial Vessel Coordinator must be notified of such action by the DIRAUX or District Commodore.

6. ACTION. District Commanders and local OCMI's shall ensure these guidelines are followed in the oversight of Coast Guard Auxiliary members involved in the UPV program.

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Dist: COMDT (CG-BSX)
CG LANTAREA (Ap)
CG PACAREA (Pp)
All CGD (dpi), (dpa)
All CG OCMI's/Sectors, MSFOs, MSUs, and MSDs
CG Auxiliary: DIR-P, DVC-PV, BC-PV, DSO-MS, ANACO-RP