

logo not found or type unknown

Coast Guard Terminates Charter After Vessel is Found Overloaded With Passengers

Crime / **Published On January 21, 2021 06:00 AM /**

Staff Consortium **January 21, 2021**

Image not found or type unknown



Law Enforcement boards the vessel 29-foot vessel Alternate Attitude just off Cruz Bay in St. John By. COAST GUARD

The Coast Guard terminated what is said was an illegal charter for the 29-foot small passenger vessel named "Alternate Attitude" on Sunday, just outside of Cruz Bay in St. John.

According to the release, issued Wednesday, during law enforcement patrol in the area, a Coast Guard Special Purpose Craft Law Enforcement team conducted a boarding of the Alternate Attitude and found the vessel was carrying 11 people onboard, including the vessel operator and 10 passengers for hire. The Alternate Attitude, reportedly operating as a charter voyage out of St. Thomas for Alliance Point Charters, may only carry up to six passengers, the Coast Guard said.

The Coast Guard boarding team cited the vessel operator with violation of 46 CFR 176.100(a) - Not having a valid Certificate of Inspection.

"The Coast Guard wants to ensure the safety of vessel operators, crew members and passengers when engaging on charters," said Lt. j.g. Lloyd Banks, Marine Safety Detachment St. Thomas assistant supervisor and senior investigating officer. "We want to support legal operations and assist non-compliant charters to come into compliance with applicable laws and regulations. Our ultimate goal is to facilitate commerce and prevent accidents at sea. We encourage vessel operators to reach out with their questions or concerns, so that we can further enable industry partnerships in conducting safe and legal charter operations."

Section 4105 of title 46, United States Code, provides an exception to the laws concerning Uninspected Passenger Vessel operations specifically for vessels in the U.S. Virgin Islands. In the USVI, vessels less than 79 feet in overall length may carry a maximum of 12 passengers only if the vessel complies with the requirements established by the United Kingdom (U.K.) Code of Practice for the Safety of Small Commercial Motor or Sailing Vessels commonly known as the Yellow Code (for motor vessels) or the Blue Code (for sailing vessels). If such a vessel does not comply with one of those codes, it may only carry a maximum of six passengers.

Owners and operators of illegal passenger vessels can face maximum civil penalties of \$60,000 or over for illegal passenger-for-hire-operations. Charters that violate a Captain of the Port Order can face over \$95,000. Some potential civil penalties for illegally operating a passenger vessel are:

- Up to \$4,888 for failure to provide a Coast Guard Certificate of Inspection for vessels carrying more than six passengers for hire.
- Up to \$16,687 for failure to produce a valid Certificate of Documentation for vessels over five net tons. (In lieu of a Certificate of Documentation, vessels over five net tons must have Virgin Islands Registration)
- Up to \$12,219 for failure to have been issued a valid Stability Letter prior to placing vessel in service with more than six passengers for hire.
- Up to \$95,881 for every day of failure to comply with a Captain of the Port Order.

Anyone wishing to report illegal passenger vessel operations in the U.S. Virgin Islands may contact the Marine Safety Detachment in St. Thomas at 340-776-3497 or Resident Inspection Office in St. Croix at 340-201-4099.