



AMENDMENT NO. _____

Calendar No. _____

Purpose: To make improvements to the bill.

IN THE SENATE OF THE UNITED STATES—116th Cong., 2d Sess.

S. 1031

To implement recommendations related to the safety of amphibious passenger vessels, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by _____

Viz:

1 Beginning on page 1, strike line 8 and all that follows
2 through page 5, line 20, and insert the following:

3 (a) SAFETY IMPROVEMENTS.—

4 (1) BUOYANCY REQUIREMENTS.—Not later
5 than 1 year after the date of completion of a Coast
6 Guard contracted assessment by the National Acad-
7 emies of Sciences, Engineering, and Medicine of the
8 technical feasibility, practicality, and safety benefits
9 of providing reserve buoyancy through passive means
10 on amphibious passenger vessels, the Secretary of
11 the department in which the Coast Guard is oper-
12 ating may initiate a rulemaking to prescribe in regu-
13 lations that operators of amphibious passenger ves-

1 sels provide reserve buoyancy for such vessels
2 through passive means, including watertight
3 compartmentalization, built-in flotation, or such
4 other means as the Secretary may specify in the reg-
5 ulations, in order to ensure that such vessels remain
6 afloat and upright in the event of flooding, including
7 when carrying a full complement of passengers and
8 crew.

9 (2) INTERIM REQUIREMENTS.—Not later than
10 90 days after the date of enactment of this Act, the
11 Secretary of the department in which the Coast
12 Guard is operating shall implement interim safety
13 policies or other measures to require that operators
14 of amphibious passenger vessels operating in waters
15 of the United States comply with the following:

16 (A) Remove the canopies of such vessels
17 for waterborne operations, or install in such
18 vessels a canopy that does not restrict either
19 horizontal or vertical escape by passengers in
20 the event of flooding or sinking.

21 (B) If the canopy is removed from such
22 vessel pursuant to subparagraph (A), require
23 that all passengers don a Coast Guard type-ap-
24 proved personal flotation device before the onset
25 of waterborne operations of such vessel.

1 (C) Install in such vessels at least one
2 independently powered electric bilge pump that
3 is capable of dewatering such vessels at the vol-
4 ume of the largest remaining penetration in
5 order to supplement the vessel's existing bilge
6 pump required under section 182.520 of title
7 46, Code of Federal Regulations (or a successor
8 regulation).

9 (D) Verify the watertight integrity of such
10 vessel in the water at the outset of each water-
11 borne departure of such vessel.

12 (b) REGULATIONS REQUIRED.—Not later than 2
13 years after the date of enactment of this Act, the Sec-
14 retary of the department in which the Coast Guard is op-
15 erating shall initiate a rulemaking for amphibious pas-
16 senger vessels operating in waters of the United States.
17 The regulations shall include, at a minimum, the fol-
18 lowing:

19 (1) SEVERE WEATHER EMERGENCY PREPARED-
20 NESS.—Requirements that an operator of an am-
21 phibious passenger vessel—

22 (A) check and notate in the vessel's log-
23 book the National Weather Service forecast be-
24 fore getting underway and periodically while
25 underway;

1 (B) in the case of a watch or warning
2 issued for wind speeds exceeding the wind speed
3 equivalent used to certify the stability of an am-
4 phibious passenger vessel, proceed to the near-
5 est harbor or safe refuge; and

6 (C) maintain and monitor a weather mon-
7 itor radio receiver at the operator station that
8 may be automatically activated by the warning
9 alarm device of the National Weather Service.

10 (2) PASSENGER SAFETY.—Requirements—

11 (A) concerning whether personal flotation
12 devices should be required for the duration of
13 an amphibious passenger vessel's waterborne
14 transit, which shall be considered and deter-
15 mined by the Secretary;

16 (B) that operators of amphibious pas-
17 senger vessels inform passengers that seat belts
18 may not be worn during waterborne operations;

19 (C) that before the commencement of wa-
20 terborne operations, a crew member visually
21 check that each passenger has unbuckled the
22 passenger's seatbelt; and

23 (D) that operators or crew maintain a log
24 recording the actions described in subpara-
25 graphs (B) and (C).

1 (3) TRAINING.—Requirement for annual train-
2 ing for operators and crew of amphibious passengers
3 vessels, including—

4 (A) training for personal flotation and seat
5 belt requirements, verifying the integrity of the
6 vessel at the onset of each waterborne depar-
7 ture, identification of weather hazards, and use
8 of National Weather Service resources prior to
9 operation; and

10 (B) training for crewmembers to respond
11 to emergency situations, including flooding, en-
12 gine compartment fires, man overboard situa-
13 tions, and in water emergency egress proce-
14 dures.

15 (4) RECOMMENDATIONS FROM REPORTS.—Re-
16 quirements to address recommendations from the
17 following reports, as practicable and to the extent
18 that such recommendations are under the jurisdic-
19 tion of the Coast Guard:

20 (A) The National Transportation Safety
21 Board’s Safety Recommendation Reports on the
22 Amphibious Passenger Vessel incidents in Table
23 Rock, Missouri, Hot Springs, Arkansas, and Se-
24 attle, Washington.

1 (B) The Coast Guard's Marine Investiga-
2 tion Board reports on the Stretch Duck 7
3 sinkings at Table Rock, Missouri, and the Miss
4 Majestic sinking near Hot Springs, Arkansas.

5 (5) INTERIM REQUIREMENTS.—The interim re-
6 quirements described in subsection (a)(2), as appro-
7 priate.

8 (c) PROHIBITION ON OPERATION OF NONCOMPLIANT
9 VESSELS.—Commencing as of the date specified by the
10 Secretary of the department in which the Coast Guard is
11 operating pursuant to subsection (d), any amphibious pas-
12 senger vessel whose configuration or operation does not
13 comply with the requirements under subsection (a)(2) (or
14 subsection (a)(1), if prescribed) may not operate in waters
15 of the United States.

16 (d) DEADLINE FOR COMPLIANCE.—The regulations
17 and interim requirements described in subsections (a) and
18 (b) shall require compliance with the requirements in the
19 regulations not later than 2 years after the date of the
20 enactment of this Act, as the Secretary of the department
21 in which the Coast Guard is operating may specify in the
22 regulations.

23 (e) REPORT.—Not later than 180 days after the pro-
24 mulgation of the regulations required under subsection
25 (a), the Commandant of the Coast Guard shall provide

1 a report to the Committee on Commerce, Science, and
2 Transportation of the Senate and the Committee on
3 Transportation and Infrastructure of the House of Rep-
4 resentatives regarding the status of the implementation of
5 the requirements included in such regulations.