



Summary of Minimum Federal Reporting Requirement for Pilots

On July 21 2015, the Coast Guard published Navigation and Vessel Inspection Circular No. 01-15 (NVIC 01-15), which provides “policy interpretation” for marine casualty reporting. NVIC 01-15, which applies to casualty reporting for all segments of the marine industry, also amplifies ALCOAST 681/09, a 2009 Coast Guard guidance document on the “minimum federal reporting requirements for pilots.”

NVIC 01-15 and ALCOAST 681/09 make clear that: (1) under federal regulations, a pilot engaged in pilotage duties can be both a “person directing the movement of the vessel (PDMV)” and, while operating in a Vessel Traffic System (VTS) Area, a “VTS User”; (2) the minimum federal reporting requirements for pilots are governed by two regulations, 33 CFR §161.12 (d) and 33 CFR §164.53(b); and (3) Coast Guard form 2692 “shall not be required as the reporting medium from the pilot.”

Below is a concise summary of the minimum federal reporting requirements for pilots.

1. **Non-Operating Equipment.** Per 33 CFR § 164.53(b), a PDMV must “report or cause to be reported” if “the vessel’s automatic identification system (AIS) radar, radio navigation receivers, gyrocompass, echo depth sounding device, or primary steering gear stops operating properly.” This report should be made to the nearest Coast Guard Captain of the Port, District Commander or, if participating in a VTS area, to the VTS center. **NOTE:** NVIC 01/15 emphasizes that pilots “are not required to conduct a detailed inspection or investigation of a ship’s navigation equipment to determine if the equipment is properly installed and fully operational...[but]...pilots shall report, or cause to be reported, non-operating navigation equipment discovered during the normal course of their duties.”

2. **Reporting While in a “VTS Area”.** Per 33 CFR § 161.12(d), as soon as practicable, a VTS User shall notify the VTS of any of the following:

- A **marine casualty** as defined in 46 CFR § 4.05-1 (i.e., serious injury or loss of life, collision, allision, grounding, fire, flooding, major vessel damage);
- Involvement in the **ramming** of a fixed or floating object;
- A **pollution incident** as defined in 33 CFR §151.15;
- A defect or **discrepancy in an aid to navigation**;
- A **hazardous condition** as defined in 33 CFR §160.204 (“any condition that may adversely affect (1) the safety of any vessel, bridge, structure, or shore area or (2) the environmental quality of any port, harbor, or navigable waterway of the United States. It may - but need not - involve collision, allision, fire, explosion, grounding, leaking, damage injury or illness of a person aboard, or manning-shortage”);
- **Improper operation of vessel navigation equipment** required by 33 CFR Part 164;
- **Incident on a ship involving hazardous materials** for which a report is required by 49 CFR §176.48; and
- A **hazardous vessel operating condition** (e.g., any condition related to a vessel’s ability to safely navigate or maneuver) as defined in 33 CFR §161.2.