Thursday, March 26, 2020

All vessels calling on US ports are now required to report crew and passenger illnesses to the Captain of the Port (COTP) and the Centers for Disease Control and Prevention (CDC) immediately, or 15 days prior to arriving in a US port.

The US Coast Guard (USCG) has deemed the illness of a person on board a vessel that may adversely affect the safety of the vessel or port facility a “hazardous condition” pursuant to 33 CFR 160.216. Illnesses must be reported immediately to the Captain of the Port and the CDC. Additional guidance and reporting requirements can be found here: MSIB Number 02-20 (Change 3), issued on March 16, 2020.

The USCG issued MSIB Number 06-20 on Vessel Reporting Requirements for Illness or Death, which sets forth the definition for an ill person on board a vessel, including a fever of 100.4°F or greater that has persisted for more than 48 hours. Illnesses on board a vessel must be reported to both the Coast Guard and the CDC, immediately. Masters who fail to do so are subject to Coast Guard enforcement action, including civil penalties, vessel detentions, and criminal liability.

If a crewmember exhibits symptoms consistent with COVID-19 or other flu-like illnesses, it must be reported to the COTP.

Vessels destined for a US port are required to report to the CDC any sick or deceased
crew 15 days prior to arrival.

Commercial vessels that have been in the affected countries within the past 14 days, with no sick crewmembers, will be permitted to enter the US and conduct normal operations, with restrictions. Those countries include Iran, China, European states within the Schengen Area, and the United Kingdom and Ireland. Crewmembers will be required to remain aboard the vessel except to conduct specific activities directly related to vessel cargo or provisioning operations. Crewmembers with a transit and/or crewmember visa may be permitted to disembark provided they are cleared by Customs and Border Protection (CBP) and, if applicable, CDC. All persons that have been in or through an affected country may be subject to CDC screening prior to disembarking in a US port.

All industry stakeholders should review and be familiar with Section 5310 — Procedures for Vessel Quarantine and Isolation, and Section 5320 — Procedures for Security Segregation of Vessels, in their Area Maritime Security Plan. The CDC has issued specific guidance for quarantine recommendations on ships.

Maritime facility operators are not permitted to impede a seafarer from embarkation/disembarkation. That authority rests solely with the CBP, Coast Guard, or CDC. Facility operators should contact the local CBP, the Coast Guard, or the CDC to request specific restrictions on crewmembers’ access. The USCG issued specific guidance to port and facility operators in MSIB Number 07-20 to ensure the safety and security of workers, ports, and facilities.

The COTP for Sector New Orleans has issued COVID-19 Vessel Precautions on cleaning in advance of a pilot boarding a vessel and precautions to take while a pilot is on board. Sector New Orleans has instituted additional Reporting Requirements for Vessels with China as one of their Last 5 Ports of Call.

The Lone Star Harbor Safety Committee released “best practices” for ships transiting the Houston Ship Channel. The American Waterways Operators developed a COVID-19 Contingency Planning Guide for Towing Vessel and Barge Operators.

Guidance from local and federal authorities is changing daily in response to COVID-19. We will continue to monitor these issues and provide updates. You can find additional resources at the following links:

Marine Safety Information Bulletins

USCG — Sectors Map (for specific COTP guidance by sector)

CDC — Instructions for Reporting Deaths and Illnesses

CDC — Travel Guidance

Department of State — Travel Advisories

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