

116TH CONGRESS
1ST SESSION

S. 1031

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

IN THE SENATE OF THE UNITED STATES

APRIL 4, 2019

Mr. HAWLEY introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Duck Boat Safety En-
5 hancement Act of 2019”.

6 **SEC. 2. SAFETY REQUIREMENTS FOR AMPHIBIOUS PAS-**
7 **SENGER VESSELS.**

8 (a) REMAINING AFLOAT AND UPRIGHT IN THE
9 EVENT OF FLOODING.—

1 (1) REGULATIONS REQUIRED.—Not later than
2 180 days after the date of the enactment of this Act,
3 the Commandant of the Coast Guard shall prescribe
4 in regulations that operators of amphibious pas-
5 senger vessels provide reserve buoyancy for such ves-
6 sels through passive means, including watertight
7 compartmentalization, built-in flotation, or such
8 other means as the Commandant shall specify in the
9 regulations, in order to ensure that such vessels re-
10 main afloat and upright in the event of flooding, in-
11 cluding when carrying a full complement of pas-
12 sengers and crew.

13 (2) INTERIM REQUIREMENTS.—Commencing as
14 of the date the regulations required by paragraph
15 (1) are prescribed, the Commandant of the Coast
16 Guard shall require that operators of amphibious
17 passenger vessels that are not in compliance with
18 the requirements in the regulations do the following:

19 (A) Remove the canopies of such vessels
20 for waterborne operations, or install in such
21 vessels a Coast Guard-approved canopy that
22 does not restrict either horizontal or vertical es-
23 cape by passengers in the event of flooding or
24 sinking.

1 (B) If the canopy is removed from any
2 such vessel pursuant to subparagraph (A), re-
3 quire that all passengers don a Coast Guard
4 type-approved personal flotation device before
5 the onset of waterborne operations of such ves-
6 sel.

7 (C) Reengineer such vessels to perma-
8 nently close all unnecessary access plugs and to
9 reduce all through-hull penetrations to the min-
10 imum number and size necessary for operation.

11 (D) Install in such vessels independently
12 powered electric bilge pumps that are capable of
13 dewatering such vessels at the volume of the
14 largest remaining penetration in order to sup-
15 plement either an operable Higgins pump or a
16 dewatering pump of equivalent or greater ca-
17 pacity.

18 (E) Install in such vessels not fewer than
19 four independently powered bilge alarms.

20 (F) Inspect any such vessel in water after
21 each time a through-hull penetration of such
22 vessel has been removed or uncovered.

23 (G) Verify the watertight integrity of any
24 such vessel in the water at the outset of each
25 waterborne departure of such vessel.

1 (3) PROHIBITION ON OPERATION OF NON-
2 COMPLIANT VESSELS.—The following amphibious
3 passenger vessels may not operate on United States
4 waterways:

5 (A) Commencing as of the date the regula-
6 tions required by paragraph (1) are prescribed,
7 any amphibious passenger vessel whose configu-
8 ration or operation does not comply with the re-
9 quirements in paragraph (2).

10 (B) Commencing as of the date specified
11 by the Commandant of the Coast Guard pursu-
12 ant to subsection (d), any amphibious passenger
13 vessel whose configuration or operation does not
14 comply with the requirements in the regulations
15 under paragraph (1).

16 (b) SEVERE WEATHER EMERGENCY PREPARED-
17 NESS.—Not later than 180 days after the date of the en-
18 actment of this Act, the Commandant of the Coast Guard
19 shall prescribe in regulations—

20 (1) the limiting environmental conditions, such
21 as weather, in which amphibious passenger vessels
22 may safely operate, and a requirement that such
23 limiting conditions be described in the certificate of
24 inspection of each amphibious passenger vessel;

1 (2) that an operator of an amphibious pas-
2 senger vessel—

3 (A) check the National Weather Service
4 forecast before getting underway and periodi-
5 cally while underway; and

6 (B) in the case of a watch or warning
7 issued for wind speeds exceeding the wind speed
8 equivalent used to certify the stability of an am-
9 phibious passenger vessel, proceed to the near-
10 est harbor or safe refuge; and

11 (3) that an amphibious passenger vessel cer-
12 tified to operate on partially protected waters have
13 a weather monitor radio receiver at the operator sta-
14 tion that may be automatically activated by the
15 warning alarm device of the National Weather Serv-
16 ice.

17 (c) **ADDITIONAL SAFETY MEASURES.**—Not later
18 than 180 days after the date of the enactment of this Act,
19 the Commandant of the Coast Guard shall prescribe in
20 regulations that—

21 (1) operators of amphibious passenger vessels
22 inform passengers that seat belts may not be worn
23 during waterborne operations; and

1 (2) before the commencement of waterborne op-
2 erations, a crew member visually check that each
3 passenger has unbuckled his or her seatbelt.

4 (d) DEADLINE FOR COMPLIANCE.—The regulations
5 required by subsections (a) through (c) shall require com-
6 pliance with the requirements in the regulations by opera-
7 tors of amphibious passenger vessels by such date, not
8 later than 2 years after the date of the enactment of this
9 Act, as the Commandant shall specify in the regulations.

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