

U.S. Department of  
Homeland Security

United States  
Coast Guard



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16720  
June 13, 2023

Mr. Mark Sawyer  
Marine Compliance Alliance  
6551 State Route 440  
Hickory, KY 42051

Dear Mr. Sawyer:

This is in response to your letter of October 11, 2022, making recommendations that your organization believes would clarify existing policy on the qualification of designated examiners. You were concerned that the current policies were confusing and, in some instances, may exceed the regulatory requirements. Based upon your input, my staff reviewed our published policies regarding the qualification of designated examiners as well as the regulatory history of those requirements. Based upon this review, we agree that our policies require further clarification and may have been interpreted incorrectly. We intend to update our published policies in this area, but for the benefit of your members, we provide the following policy clarifications.

As you know, the qualification requirements for a designated examiner are found in Title 46 Code of Federal Regulations (CFR) section 10.405(b). There are three requirements, I will address each of them in turn.

First is the requirement that the applicant must establish that they have either "experience, training, or instruction in assessment techniques on towing vessels." 46 CFR 10.405(b)(1). Section 10.405(c) describes some of the documentary evidence that is acceptable. This is not an exclusive list; other evidence may be accepted.

Experience must include evaluating competence or effectiveness of training. This may include:

- i) any documentary evidence of work as an instructor or assessor, in any field;
- ii) any documentary evidence of supervising onboard training or drills; or
- iii) documentation showing the applicant has experience assessing junior mates or pilots as part of a program run by a company for training apprentice mates (steersman), or as part of a safety management system. This experience may also include conducting STCW assessments.

The documentation to be submitted to fulfill the above three options may be letters from the company, evidence of employment as an instructor or assessor, evidence of being listed on a completed TOAR, or other documentation provided by the company.

For training or instruction, it must include some form of education in evaluating competence, through formal training or informal training. This may include:

- i) Documentary evidence from company training in assessment techniques. This may be training in conducting performance evaluations.
- ii) Documentary evidence of successful completion from an “assessor training” course, which includes formal instruction in techniques of observation and assessment.

There is no need for the NMC to require specific contents of the training in evaluation of competence submitted to fulfill the above two options.

The second requirement is that a mariner has “qualifications on towing vessels in the task for which the assessment is being conducted.” 46 CFR 10.405(b)(2). The following will be considered qualified to conduct assessments for endorsements for the route being sought by the designated examiner:

- i) A mariner holding master of towing vessels endorsement;
- ii) a mate of towing vessel endorsement, with at least 12 months of service on towing vessels; or
- iii) a master of self-propelled vessels of more than 200 GRT while holding a completed TOAR, with at least 12 months of service on towing vessels.
- iv) A mariner who has held one of the endorsements listed in i) – iii) of this paragraph will be considered qualified if their MMC has been expired no more than 5 years.

Towing vessel endorsements with limitations or restrictions would not qualify unless the applicant can demonstrate that the task being assessed is not related or impacted by the limitation or restriction.

The third requirement is that the applicant possesses a “level of endorsement on towing vessels, or other professional credential, which provides proof that he or she has attained a level of qualification equal or superior to the relevant level of knowledge, skills, and abilities described in the training objective.” 46 CFR 10.405(b)(3). This requirement is met by an applicant holding or having held one of the merchant mariner credentials listed above.

If you have any additional questions or comments please contact my staff at [MMCPolicy@USCG.mil](mailto:MMCPolicy@USCG.mil).

Sincerely,

M. Medina  
Chief, Office of Merchant Mariner Credentialing  
U.S. Coast Guard

Copy: National Maritime Center