



GUIDEBOOK

SubChapter M Recordkeeping

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This Guidebook has been developed for use by mariners, towing vessel owners & operators, safety providers, repair yards, surveyors, and auditors regulated under 46 CFR SubChapter M (Towing Vessels).

It is intended as a tool to assist in the evaluation, development, and deployment of a recordkeeping solution which seeks to satisfy the documentation requirements of SubChapter M. Although this Guidebook derives primary content from 46 CFR 136-144 the reader should not consider the Guidebook either definitive or authoritative. Final authority and interpretation of 46 CFR 136-144 rest with the United States Coast Guard and the Federal Courts.

For ease of reading The Guidebook to SubChapter M Recordkeeping is broken into six principal sections: Elements, Prime Standards, Detailed Standards, Vessel 365 Standards, Recordkeeping Accelerator, and Sanctions. The reader is advised to read the sections consecutively for quickest mastery of the content.

Elements

The central element of SubChapter M recordkeeping is the USCG concept of “objective evidence” which means records, documents, or data that confirm the existence, implementation, and continuing maintenance of a Towing Safety Management System (TSMS) and a Safety Management System (SMS).

Objective evidence is comprised of various secondary elements which may include, but are not limited to: non-conformity & non-conformity report, deficiency & deficiency report, official logbook, Towing Vessel Record (TVR), TSMS or SMS Vessel Alternative Recordkeeping and a System of Recordkeeping.

A “non-conformity and non-conformity report” is documented objective evidence that a TSMS or SMS requirement is not satisfied.

The “deficiency & deficiency report” is the failure to meet vessel inspection regulations.

The “official logbook” is USCG Form 706B or 706C.

A “Towing Vessel Record or TVR” is an electronic or manual chronological record of events and other vessel records as required by regulations.

The “TSMS or SMS Vessel Alternative Recordkeeping” is an electronic or manual chronological record of events and other vessel records as required by regulations and customized according to the TSMS or SMS. It may be a TVR.

“System of Recordkeeping” is the process by which records are maintained to verify continuing maintenance of a TSMS or SMS.

Prime Standards

The seven prime standards supporting the SubChapter M recordkeeping elements are listed below.

Non-Conformity & Deficiency #1: Vessel operators must track and verify through objective evidence that non-conformities and deficiencies are corrected.

Non-Conformity & Deficiency #2: Vessel operators must ensure that vessel crews maintain logs and records in accordance with the TSMS or SMS and applicable regulations. A TSMS or SMS must establish procedures for identifying and correcting non-conformities. The TSMS or SMS must also establish procedures for how any person may report a non-conformity and the actions to follow to ensure non-conformity resolution.

Non-Conformity & Deficiency #3: A non-conformity report must identify all non-conformities identified during a survey including those corrected during the course of the survey. The non-conformity report must list all remaining non-conformities, update of the latest corrective action, description of how the corrective action was verified.

Official Logbook #4: The official logbook (USCG Form 706B/C) is required of towing vessels making an international voyage (except US-Canada) or transiting from either an East Coast (USA) port to a West Coast (USA) port or vice versa.

Towing Vessel Record #5: A TVR is required of towing vessels under the USCG prescriptive compliance option. A TVR may be adopted by an operator electing the TSMS or SMS compliance option but the adoption must be stated as such in these plans.

TSMS or SMS Vessel Alternative Recordkeeping #6: a TSMS or SMS must state the recordkeeping solution to be adopted aboard the vessel. If a TVR is to be adopted, it must be stated as such in the TSMS or SMS.

System of Recordkeeping #7: a TSMS or SMS must establish a recordkeeping system for the effective implementation & maintenance of the TSMS or SMS. The recordkeeping system must include audit records, non-conformity reports and corrective actions, personnel policies, employment procedures, training of personnel, verification of vessel compliance, maintenance and survey procedures, and safety, environment, & security procedures.

Detailed Standards

The detailed standards of a Towing Vessel Record and a TSMS or SMS Vessel Alternative Recordkeeping solution are specified in 46 CFR 140.915. Although a TSMS or SMS Vessel Alternative Recordkeeping solution is not required to be a Towing Vessel Record, it must meet the same reporting standards of a Towing Vessel Record. For this reason, and for the purposes of this Guidebook, the Towing Vessel Record standards and TSMS or SMS Vessel Alternative Recordkeeping standards will be considered synonymous.

Towing Vessel Recordkeeping #1: Personnel records must include an accurate list of all crewmembers, their positions, and responsibilities onboard the vessel. A list of additional non-crew personnel carried onboard must be maintained.

Towing Vessel Recordkeeping #2: The date, time, name of the navigation relief watchstander, and if applicable, the engineering relief watchstander must be recorded.

Towing Vessel Recordkeeping #3: Safety orientation of crew and non-crew including date, description, name of those receiving the training, name & signature or trainer.

Towing Vessel Recordkeeping #4: Drills and instruction to include date, description of drill or instruction, and personnel involved.

Towing Vessel Recordkeeping #5: Pre-Departure assessments of steering gear, signaling whistle, propulsion control, towing gear, navigation lights, navigation equipment, and communications equipment. These assessments required only once in every 24 hour period.

Towing Vessel Recordkeeping #6: The failure or replacement of any navigational safety equipment must be recorded. Navigational safety equipment includes, but is not limited to, radar, gyrocompass, echo depth-sounding or other sounding device, automatic dependent surveillance equipment, or navigational lighting.

Towing Vessel Recordkeeping #7: Navigation assessments which required date, time, name of assessor, starting & ending point of voyage or trip the assessment covers. Certain towing vessels may be subject to voyage planning requirements.

Towing Vessel Recordkeeping #8: Navigation safety training must be recorded to include the name of the crewmember receiving training, name of trainer, date, description of training.

Detailed Standards (continued)

Towing Vessel Recordkeeping #9: Recording of vessel activities relative to the Federal Pollution Control Act, the Act to Prevent Pollution from Ships, and 33 CFR Parts 151, 155, & 156.

Towing Vessel Recordkeeping #10: Towing equipment & gear inspection must be recorded. This record must include type, size, service of each towline, face wire, and spring line. The date of examination, identification if each item of towing gear examined, and of person conducting the examine.

Towing Vessel Recordkeeping #11: The inspection of fire detection and fixed fire extinguishing systems must be recorded. This record includes date of inspection, identification number of each unit, results of the inspection, and the name of the inspector.

Towing Vessel Recordkeeping #12: Any recorded entry, whether in manual or electronic format, found to be in error may be corrected but the correction process must preserve the original recorded entry. Additionally, the date, time, and name of the person creating the corrected entry must be provided.

Vessel 365 Standards

Vessel 365 #1: Exceeds all SubChapter M Recordkeeping Elements, Prime Standards, and Detailed Standards.

Vessel 365 #2: The Towing Vessel On Boarding Wizard quickly formats the vessel User Interface to SubChapter M Elements & Standards but permits for editing to meet each vessel's unique operational footprint.

Vessel 365 #3: Towing Vessel Document Management System provides a fully interactive folder solution that allows for resources documents, templates, and the reoccurrence of scheduled of templates. Native document formats supported.

Vessel 365 #4: Towing Vessel Activity Log provides full range of regulatory and commercial logging functions with "strike out" and "correction" feature.

Vessel 365 #5: The Assessment & Non-conformity process is "cradle to grave" and fully interfaced with shoreside staff.

Vessel 365 #6: A Preventative Maintenance feature which meets 46 CFR 138.220(c)(1) requirements for audit, survey, and daily operations.

Vessel 365 #7: Full shoreside solution includes Fleet Communication Console, Dedicated Compliance Console, Checklist Configurator, Vessel Configurator, Notifications Feature, & Document Management Console.

Vessel 365 #8: Expansion & 3rd Party integration capabilities with Dry Dock, Conditioned Based Maintenance, Human Resources, Accounting, Dispatch through MarineCFO Enterprise.

SubChapter M Recordkeeping Ready in 60 Minutes

STEP 1: Download the free Guidebook to SubChapter M Recordkeeping (1 minute)

STEP 2: Read the Guidebook (10 minutes)

STEP 3: Evaluate existing recordkeeping against the Guidebook (10 minutes)

STEP 4: Subscribe to **Vessel 365 by MarineCFO** (5 minutes)

STEP 5: Use the **On Boarding Wizard** to configure office & fleet (10 minutes)

STEP 6: Install the Vessel 365 app on each tug's computer (4 minutes per vessel)

STEP 7: Train workboat crew to operate Vessel 365 (10 minutes per vessel)

STEP 8: Evaluate the Vessel 365 recordkeeping against the Guidebook (10 minutes)

Important Information

The 8 Step Office & Fleet Accelerator is intended to configure Vessel 365 for rapid shoreside and fleet deployment through of series of default assessment, planned maintenance, logging, and document management settings. Although these default settings exceed the standards for SubChapter M recordkeeping it is recommended that subscribers modify these default settings after setup to more closely align with their TSMS, RCP, or ISM recordkeeping requirements. Subscribers adopting Vessel 365 as a Towing Vessel Record per the USCG Option should refer to 46 CFR 140.910 & 46 CFR 140.915 for default setting enhancements. Setup and training times may varying according to degree of crew engagement and depth of default feature modifications.

Sanctions

SubChapter M sanctions are consistent with penalties for other SubChapters:

18 USC 1001 (Criminal)
33 CFR 27.1 (Civil)

Typical single instance recordkeeping fines escalate from \$300 per entry or event. Criminal penalties for recordkeeping infractions include no more than 5 years imprisonment per instance.

About MarineCFO

Headquartered in Houma, LA, MarineCFO is the brand of VerticalLive (formerly Advanced Software Development) which has been offering marine specific operational and business solutions since 1997. Originally conceived as an “add on” to ASD’s widely renowned UA Business Software, the MarineCFO suite was commercialized in 2002. MarineCFO was incorporated in 2007 as a wholly owned subsidiary of ASD and in 2009 launched the first workboat smart client application. MarineCFO was purchased in 2013 as part of the widely publicized acquisition of ASD by VerticalLive. A reimaged MarineCFO emerged from strategic restructuring in 2015 as a leading expert in workboat compliance solutions and specifically SubChapter M. Through a network of respected maritime teaming partners, such as RINA and Tug & Barge Solutions, MarineCFO is poised as the trusted technology partner in the workboat industry.