

Office of Advocacy Comments on U.S. Coast Guard Safety Requirements for Commercial Fishing Industry Vessels

On July 23 the Office of Advocacy (Advocacy) filed comments with the Department of Homeland Security's (DHS), United States Coast Guard (USCG) regarding its proposed *Commercial Fishing Industry Vessels* rule. A complete copy of Advocacy's comments may be accessed at: www.sba.gov/advo.

- On March 31, 2008, the USCG published an advance notice of proposed rulemaking on amendments to its commercial fishing industry vessel regulations. The proposed rule would add new requirements for vessel stability and watertight integrity, stability training and assessments, vessel maintenance and self-examinations, immersion suits, crew preparedness, safety training, safety equipment, and additional documentation. The purpose of this action is to enhance maritime safety.
- Advocacy commended the USCG for seeking comments on the potential economic impact of each requirement on small entities, and recommended that the Coast Guard perform an initial regulatory flexibility analysis (IRFA), particularly with respect to the number of small businesses that would be affected, the projected costs of the proposed rule, and less costly alternatives that still meet the objectives for maritime safety, as required by the Regulatory Flexibility Act (RFA).
- Advocacy also noted that the USCG did not use the appropriate small business size standard in their proposed rule. The size standard for businesses in that industry is \$4 million in average annual receipts, and Census data indicates that the total number of firms for this code is 1901. Of this total, 1842 firms or 96.8% have estimated annual receipts of less than \$5 million. In addition, 29.4% of these entities have average annual receipts of less than \$100,000; 49.4% have average annual receipts of less than \$500,000.

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