



**Maritime Institute of Technology**  
**Graduate Studies & Conference Center**

# **Maritime Security Regulations**

**Maritime Institute of Technology (MITAGS)  
& Pacific Maritime Institute (PMI)**



# *M ITAGS' Facility*

*Linthicum Heights, Maryland*



Maritime Security Regulations 10-03

# Objectives



- ***Identify current national and international regulations, policy and guidance for port and ship security***
  - ***List primary regulations and policies defining ship security requirements***
  - ***Describe general International Ship & Port Security Code requirements***
  - ***Identify security requirements from the Marine Transportation Security Act of 2002 (MTSA2002)***
  - ***Identify security requirements in 33CFR Subchapter H***

# References



- **International Ship & Ports Security (ISPS) Code**
- **33 CFR Subchapter H**
- **NVIC 11-02, “Security Guidelines for Facilities”**
  - <http://www.uscg.mil/hq/g-m/nvic/>

# ISPS Code



- **Amendment to SOLAS XI-2**
- **Applicability**
  - **SOLAS vessels**
  - **Port Facilities servicing SOLAS vessels**
- **Deadlines**
  - **Ships: International Ship Security Certificates by July 1, 2004**
  - **Port Facilities: Security plans implemented by July 1, 2004**

# ISPS Code



- **Highlights**
  - **Governments**
    - **Set security levels**
    - **approve security plans & assessments**
    - **may allow RSO's to perform some functions**
  - **Shipping Companies**
    - **Conduct security assessments & develop security plans**
    - **Identify Company & Ship Security Officers**

# ISPS Code



- **Highlights**
  - **Port Facilities**
    - **Identify Port Facility Security Officers**
    - **Prepare Port facility security assessments & plans**

# Marine Transportation Security Act of 2002 (MTSA)



- **§ 70102: Port Security**
  - **Large Port Vulnerability Assessments conducted by USCG**





## § 70103: Mandates Security Plans

- **National Maritime Transportation Security Plan**
- **Area Maritime Transportation Security Plans**
- **Vessel and Facility Security Plans**



Diver inspecting ship's hull

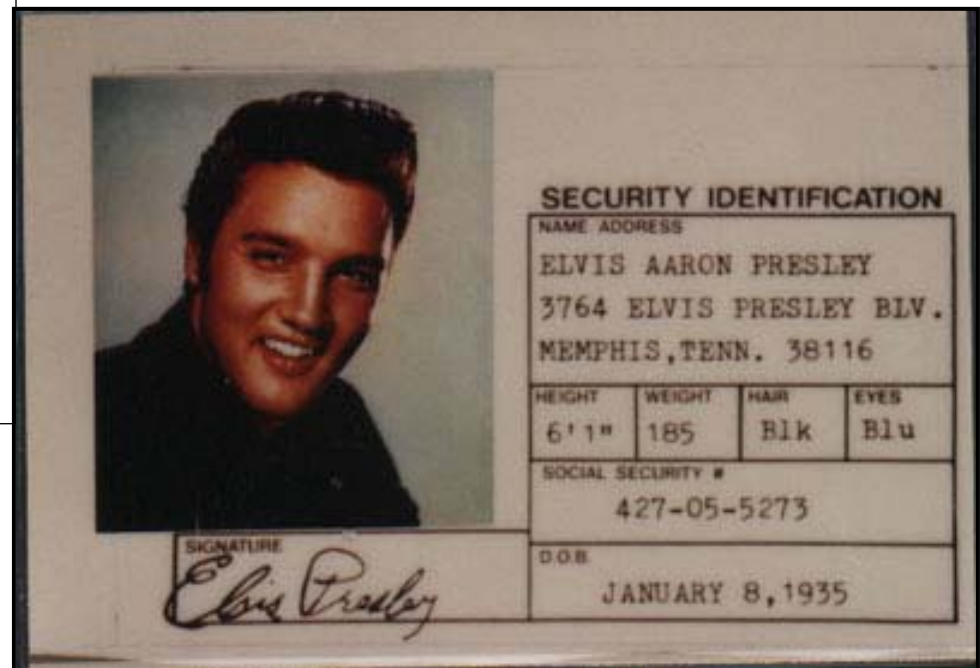


## § 70104: Transportation Security Incident Response

- Facility and Vessel Response Plans required
- May be included in the Vessel/Facility Security Plan (Sec. 70103)



- **§ 70105: Transportation Security Cards**
  - **Limits access without proper security identification**
  - **Establishes criteria for USCG to issue cards**
  - **12 million cards expected to be issued**





- **§ 70107: Grants**
  - **Grant program administered by MARAD**
  - **Available to ports, facilities, operators, state and local authorities**





- **§ 70108: Foreign Port Assessments**
  - **Secretary of Transportation tasked with assessing security of foreign ports that present risk of US interests**
- **§ 70111: Enhanced Foreign Crew Identification**
  - **Must be acceptable to USCG**
  - **Developed under ILO standards**



- **§ 70112: Advisory Committees**
  - **Established National Maritime Security Advisory Committee**
  - **Established port security committees**
- **§ 70113: Maritime Intelligence**



- **§ 70114: AIS (Automated Identification System)**
  - **Requires installation of AIS on vessels:**
    - **Self-propelled, commercial vessel, 65 feet length or greater**
    - **Vessels carrying more than a specified # of passengers for hire (determined by the Secretary)**
    - **Towing vessels 26 feet in length or greater and 600 hp**
    - **Any other vessel determined as appropriate**



- **§ 70116: International Inter-modal Transportation Security**
  - **Program to evaluate & certify secure inter-modal systems**
- **§ 70116: Civil Penalties**
  - **Up to \$25,000 can be imposed for violations of MTSA**



# MTSA



- **Section 107: Sea Marshal Program codified**
  - **USCG Program**
    - To be expanded
    - Sea Marshal has authority to order ship to divert to anchorage





- **Section 108: Transmittal of Information to Customs Service**
  - **Required via electronic data exchange:**
    - **Prior to arrival and departure**
    - **If cargo is not properly documented and has remained at marine terminal for more than 48 hours after delivery, Customs must be notified**
  - **Required electronic notification of cargo manifests 24 hours prior to departing foreign port**



- **Section 109: Maritime Security Professional Training**
  - **Requires Government to establish training and certification standards for maritime security professionals**
  - **Authorizes the use of maritime academies, certain federal facilities & use of contractors to conduct training.**

# 33CFR Subchapter H



- **Codifies**
  - **Safety of Life at Sea (SOLAS) XI-2**
  - **International Ship & Port Security (ISPS) Code**
  - **Maritime Transportation Security Act (MTSA) 2002**

# 33CFR Subchapter H



- **Effective July 1 to November 25, 2003**
- **Vessel & Facility Security Plans**
  - **due by December 29, 2003**
  - **implemented by June 30, 2004**



# 33 CFR Subchapter H

33CFR101	General Provisions	<ul style="list-style-type: none"><li>• MARSEC Levels</li><li>• Communication</li><li>• Control Measures</li></ul>
33CFR102	RESERVED	
33CFR103	Port Security	<ul style="list-style-type: none"><li>• Delegation of Authority</li><li>• Port Security Committee</li><li>• Port Security Assessments</li><li>• Port Security Plans</li></ul>
33CFR104	Vessel Security	<ul style="list-style-type: none"><li>• Vessel Security Requirements</li><li>• Assessments</li><li>• Plans</li></ul>
33CFR105	Facility Security	<ul style="list-style-type: none"><li>• Facility Security Requirements</li><li>• Assessments</li><li>• Plans</li><li>• CG-6025 “Facility Vulnerability &amp; Security Measures”</li></ul>
33CFR106	Outer Continental Shelf Facility Security	<ul style="list-style-type: none"><li>• OCS Security Requirements</li><li>• Assessments</li><li>• Plans</li></ul>
33CFR Parts 26, 161, 164, & 165	Automated Identification System	<ul style="list-style-type: none"><li>• AIS Vessel Carriage Requirements</li></ul>

# International v. US Terminology



33 CFR SUBCHAPTER H	USCG NVIC's	MTSA 2002	ISPS CODE
<b>Plans</b>			
Area Maritime Security Plan	Port Security Plan	Area Maritime Security Transportation Plan	Port Facility Security Plan
<b>Assessments</b>			
Area Maritime Security Assessment	Port Security Assessment	None	Port Facility Security Assessment
Facility Security Assessment	Facility Security Assessment	Facility Security Assessment	None

# International v. US Terminology



33 CFR SUBCHAPTER H	USCG NVIC's	MTSA 2002	ISPS CODE
<b>People</b>			
<b>Captain of the Port (COTP)</b>	<b>Captain of the Port (COTP)</b>	<b>Federal Maritime Security Coordinator</b>	<b>Port Facility Security Officer (PFSO)</b>
<b>Company Security Officer</b>	<b>Company Security Officer</b>	<b>Company Security Officer</b>	<b>Company Security Officer</b>
<b>Vessel Security Officer</b>	<b>Vessel Security Officer</b>	<b>Vessel Security Officer</b>	<b>Ship Security Officer</b>
<b>Area Maritime Security Committee</b>	<b>Port Security Committee</b>	<b>Area Maritime Security Advisory Committee</b>	<b>None</b>

Maritime Security Regulations 10-03



# 33 CFR 101



- **General Provisions**
  - **MARSEC Levels**
  - **Communications**
  - **Control Measures**

# MARSEC (Security) Levels



<b>Level 3</b>	<b>Exceptional: The level applying for a period of time when there is a probable or imminent risk of a security incident</b>
<b>Level 2</b>	<b>Heightened: The level applying for as long as there is a heightened risk of a security incident</b>
<b>Level 1</b>	<b>Normal: The level at which ships &amp; port facilities normally operate</b>

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# Security Levels Comparison



Homeland Security Advisory System	US DoD Force Protection Levels (FPCON)	USCG MARSEC (Security Levels)
SEVERE	DELTA	3
HIGH	CHARLIE	2
ELEVATED	BRAVO	1
GUARDED	ALPHA	
LOW	NORMAL	

# Communication



- **Preparedness Communication**
  - **Notification of MARSEC Levels**
  - **Communication of threats**
  - **Attainment of measures imposed by COTP**

# Communication



- **Reporting**
  - **Suspicious activity**
  - **Breaches of security**
  - **Transportation security incidents**
- **Silent Alert System (SOLAS XI-2)**
- **Automated Identification System (AIS)**

# 33 CFR 103



- **Area Maritime Security**
  - **Delegation of authority**
    - **COTP:**
      - **Port Facility Security Officer (ISPS Code)**
      - **Federal Maritime Security Coordinator (MTSA)**
  - **Port Security Committee**
  - **Port Security Assessment**
  - **Port Security Plan (Area Maritime Security Plan)**

# 33 CFR 104



- **Vessel Security**
  - **Requirements**
    - **Company**
    - **Company & Vessel Security Officers**
    - **Training & drills**
  - **Assessments**
  - **Plans**
    - **Format & submission requirements**

# 33 CFR 103



- **Application:**
  - **SOLAS regulated vessels**
  - **Non-SOLAS foreign commercial vessels >100 GT**
  - **Commercial vessels >100 GT**
  - **Passenger vessels, tankships, barges, towing vessels >8 meters**
  - **Vessels not covered are required to comply with 33CFR Parts 101 through 103 (General & Area Maritime requirements)**



# 33 CFR 105



- **Facility Security**
  - **Requirements**
    - **Applicability & compliance dates**
    - **Owner/Operator**
    - **Facility Security Officer**
  - **Assessments**
  - **Plans**
    - **USCG Form # CG-6025, “Facility Vulnerability and Security Measures”**

# 33 CFR 106



- **Outer Continental Shelf Facility Security**
  - **Requirements**
  - **Assessments**
  - **Plans**



# QUESTIONS

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