

Q: I am thinking about going on a chartered fishing trip. What should I check for and why?

A: If you as a passenger are required to provide any money, fuel, or supplies before or after the operator allows you to get underway on the vessel, the vessel is operating as a passenger vessel and must be operated by an individual who holds a valid Coast Guard issued Merchant Mariner's License. The operator must have this license onboard. This is critical since only licensed operators have received comprehensive training on safe vessel maintenance, prudent operating techniques, and emergency procedures. Checking the operator's license is necessary to protect the safety of you and your family.



Also, if the boat carries *more than* six passengers, including at least one for hire, it must meet all Coast Guard safety requirements for an inspected passenger vessel. You should ask to see a valid Certificate of Inspection.



Q: Sometimes I take passengers on charter fishing trips on my vessel. Do I need a license?

A: You need a Coast Guard license if you carry even one passenger for hire on your vessel.

“**Passenger for hire**” means a passenger for whom consideration is contributed as a condition of carriage, whether directly or indirectly flowing to the owner, charterer, operator, agent, or any other person having interest in the vessel.

“**Consideration**” means an economic benefit or profit including payment of money or donation of fuel, food, beverage, or supplies.

If a vessel carries just one individual passenger, or “hop on,” who provides anything more than a *voluntary* sharing of the actual cost of the trip, the vessel is operating as a passenger vessel and requires a Coast Guard licensed operator.

Q: I am a charter boat master/operator. I only require passengers to chip in for gas or food, or to help me cover expenses. Do I still need a license?

A: If your passengers are not allowed onboard without chipping in, then they are considered “passengers for hire”, the vessel is considered a “passenger vessel”, and you must be the holder of a valid Coast Guard license. Therefore, even requiring passengers to share expenses constitutes a passenger for hire operation.



Q: I am a charter boat master/operator. What are the consequences if I am found to be operating in violation of the regulations?

A: Consequences are numerous and severe:

- Maximum civil penalties up to \$1,100 for failure to have a valid Coast Guard license in possession and available when vessel is carrying passenger(s) for hire will be sought in cases involving unlicensed operators
- Licensed operators identified as operating in violation of applicable regulations will face suspension and/or revocation of their credentials.
- The Coast Guard will submit leads to the IRS for unreported income that could result in civil fines and criminal prosecution by the IRS.
- The Coast Guard may notify operators' banks and insurance companies which may change rates and coverage.



Our goal at CG Sector New York is to educate charter boat operators and prospective passengers for several reasons:

1. The Coast Guard's number one priority is safety of life at sea.
2. It is the Coast Guard's responsibility to uphold Federal law.
3. The Coast Guard must uniformly apply and enforce regulations to ensure fairness to all operators.



If you suspect illegal charter vessel activity, you can assist the Coast Guard by providing the following:

- A detailed description of the activity.
  - Photographs of the activity.
  - Your contact information.
- In addition, if you go on a chartered fishing trip, be sure to request a receipt signed by the operator in exchange for your payment.



If in doubt whether a vessel is operating legally, or if you have any other questions, contact the United States Coast Guard with your concerns:

USCG Sector New York  
Investigations Division  
718.354.4319

# CHARTER OPERATIONS



Guidance for  
Masters and Passengers

