

§ 12.02-14

Services or by the Bureau of Citizenship and Immigration Services;

(c) If the applicant can not meet the requirements set forth in paragraphs (b)(1) through (8) of this section, the applicant must make a statement to that effect, and may submit data of the following character for consideration:

(1) Report of the Census Bureau showing the earliest available record of age or birth.

(2) Affidavits of parents, other relative, or two or more responsible citizens of the U.S. stating citizenship.

(3) School records, immigration records, or insurance policies.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended at 60 FR 50460, Sept. 29, 1995; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998; USCG-2001-10224, 66 FR 48619, Sept. 21, 2001; USCG-2003-14500, 69 FR 532, Jan. 6, 2004; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

§ 12.02-14 Nationality of aliens.

(a) Any alien making application for a continuous discharge book or certificate of identification or merchant mariner's document representing a certificate of identification shall present acceptable evidence of nationality at the time of making application. No original document shall be issued to any alien until nationality is established by acceptable evidence.

(b) Any document of an official character showing the country of which the alien is a citizen or subject may be accepted as acceptable evidence of an alien's nationality. The following are examples of such a document:

(1) Declaration of intention to become a citizen of the United States made by the alien after 1929.

(2) A travel document in the nature of a passport issued by the government of the country of which the alien is a citizen or subject.

(3) A certificate issued by the consular representative of the country of which the alien is a citizen or subject.

(c) Should any doubt arise as to whether or not the document presented may be considered as acceptable evidence of the alien's nationality, the matter shall be referred to the Com-

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manding Officer, National Maritime Center, for decision.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 95-072, 60 FR 50460, Sept. 29, 1995; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998]

§ 12.02-15 Oath requirement.

Applicants for a merchant mariner's document for any rating shall take an oath before an Officer in Charge, Marine Inspection, or other official authorized to give such oath, or a commissioned officer of the Coast Guard authorized to administer oaths under 10 U.S.C. 936 or 14 U.S.C. 636, that they will faithfully and honestly perform all the duties required of them by law and carry out all lawful orders of superior officers on shipboard. Such an oath remains binding for all subsequent merchant mariner's documents issued to a person until the document is surrendered to the Officer in Charge, Marine Inspection.

[CGD 91-211, 59 FR 49300, Sept. 27, 1994]

§ 12.02-17 Preparation and issuance of documents.

(a) Upon application of a person for a merchant mariner's document, any required examination will be given as soon as practicable.

(b) Upon determining that the applicant satisfactorily meets all requirements for the document and any endorsements requested, the Officer in Charge, Marine Inspection, shall issue the appropriate document to the applicant. A merchant mariner's document is valid for a term of 5 years from the date of issuance. Any document which is renewed or reissued prior to its expiration date automatically becomes void upon issuance of the replacement document.

(c) When a person applies for a merchant mariner's document, he or she must—

(1) Sign the document; and

(2) Provide acceptable proof of identity as described in § 12.02-12.

(d) For recordkeeping purposes, the official identification number is a seaman's social security number.

(e) After July 31, 1998, an applicant for a merchant mariner's document who will be serving on a seagoing vessel of 200 GRT or more shall provide a

document issued by a qualified medical practitioner attesting the applicant's medical fitness to perform the functions for which the document is issued.

(f) An applicant for a certificate of service or efficiency who has been duly examined and refused a certificate by an Officer in Charge, Marine Inspection may come before the same Officer in Charge, Marine Inspection for reexamination at any time after the date of the initial examination. The Officer in Charge, Marine Inspection sets the time of reexamination based on the applicant's performance on the initial examination. However, the maximum waiting period after the initial failure will be 30 days, and the maximum waiting period after a second or subsequent failure will be 90 days.

(g) An applicant who has been examined and refused a certificate by an Officer in Charge, Marine Inspection may not make application for examination to any other Officer in Charge, Marine Inspection until 30 days after the applicant's last failure of an examination or reexamination. However, an applicant may apply for examination by another Officer in Charge, Marine Inspection before the expiration of the 30 day period if sanctioned by the Officer in Charge, Marine Inspection who refused the applicant.

(h) The mariner shall return the previous MMD when a new MMD is issued.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 72-81R, 37 FR 10834, May 31, 1972; 44 FR 21021, Apr. 9, 1979; CGD 91-211, 59 FR 49300, Sept. 27, 1994; CGD 95-062, 62 FR 34535, June 26, 1997; USCG-2003-14500, 69 FR 532, Jan. 6, 2004]

§ 12.02-18 Fees.

(a) Use table 12.02-18 to determine the fees that you must pay for merchant mariner document activities in this part.

(b) Unless otherwise specified in this part, when two documents are processed on the same application—

(1) *Evaluation fees.* If a merchant mariner document transaction is processed

on the same application as a license or certificate of registry transaction, only the license or certificate of registry evaluation fee will be charged;

(2) *Examination fees.* If a license examination under part 10 also fulfills the examination requirements in this part for a merchant mariner document, only the fee for the license examination is charged; and

(3) *Issuance fees.* A separate issuance fee will be charged for each document issued.

(c) You may pay—

(1) All fees required by this section when you submit your application; or

(2) A fee for each phase at the following times:

(i) An evaluation fee when you submit your application.

(ii) An examination fee before you take the first examination section.

(iii) An issuance fee before you receive your merchant mariner document.

(d) If you take your examination someplace other than a Regional Examination Center (REC), you must pay the examination fee to the REC at least one week before your scheduled examination date.

(e) Unless the REC provides additional payment options, your fees may be paid as follows:

(1) Your fee payment must be for the exact amount.

(2) Make your check or money order payable to the U.S. Coast Guard, and write your social security number on the front of each check or money order.

(3) If you pay by mail, you must use either a check or money order.

(4) If you pay in person, you may pay with cash, check, or money order at Coast Guard units where Regional Examination Centers are located.

(f) The Coast Guard may assess charges for collecting delinquent payments or returned checks. The Coast Guard will not provide documentation services to a mariner who owes money for documentation services previously provided.