

## § 12.02-9

(7) Vessels operating exclusively on the Great Lakes.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 95-062, 62 FR 34535, June 26, 1997; USCG-1999-5610, 67 FR 66068, Oct. 30, 2002]

### § 12.02-9 Application for documents.

(a) *General.* The Coast Guard will not process an incomplete merchant mariner's document application. It will process an application that is current and up-to-date with respect to service, physical examination, and other pertinent matters. In the case of a seaman applying for his first certificate, other than certificate of identification, the application shall include a request for either a continuous discharge book or a merchant mariner's document representing a certificate of identification, at the option of the applicant.

(b)(1) When the application is submitted for a certificate of identification, certificate of service, certificate of efficiency, merchant mariner's document, or any combination thereof, or a continuous discharge book, the seaman shall furnish three unmounted dull finish photographs of passport type (2 inches by 1½ inches) taken within one year and showing the full face at least one inch in height with head uncovered.

(2) When the application requests a continuous discharge book in addition to a certificate of service or certificate of efficiency or merchant mariner's document one additional photograph shall be furnished.

(c) An applicant for a document where sea service is required shall produce with his application discharges or other documentary evidence of his service, indicating the name of the vessels and dates on which he has had service, in what capacity and on what waters.

(d) If the applicant possesses a continuous discharge book, certificate of identification, or merchant mariner's document representing such certificate, it shall be exhibited at the time of making application for any other document.

(e) Approved applications are valid for 12 months.

(f) Except for applicants requesting an inactive merchant mariner's docu-

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ment renewal under § 12.02-27(g) of this part, to obtain an original issuance of a merchant mariner's document, the first endorsement as an able seaman, lifeboatman, qualified member of the engine department, or tankerman, or a reissuance of a merchant mariner's document with a new expiration date, each applicant shall present evidence of having passed a chemical test for dangerous drugs or of qualifying for an exception from testing in § 16.220 of this subchapter.

(g) Each applicant for a merchant mariner's document may be subject to a criminal record review and a safety and security check as described by § 12.02-4(c).

(h) Each applicant for a merchant mariner's document shall comply with the NDR requirements in § 12.02-4(d).

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 74-178, 40 FR 57673, Dec. 11, 1975; CGD 91-211, 59 FR 49300, Sept. 27, 1994; CGD 91-223, 60 FR 4525, Jan. 23, 1995; CGD 91-212, 60 FR 65489, Dec. 19, 1995; USCG-2003-14500, 69 FR 532, Jan. 6, 2004]

### § 12.02-10 Applications for documents from aliens.

(a) No application from an alien for a certificate of service, certificate of efficiency, certificate of identification, continuous discharge book, or merchant mariner's document shall be accepted unless the alien presents acceptable documentary evidence from the United States US Citizenship and Immigration Services that he is lawfully admitted to the United States for permanent residence.

(b) This evidence may be in the form of an alien registration receipt card issued by the US Citizenship and Immigration Services bearing the certification that the alien was admitted to the United States as an immigrant, or a declaration of intention to become a citizen of the United States issued by a naturalization court.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

### § 12.02-11 General provisions respecting merchant mariners' documents.

(a) As provided in § 12.02-5, every certificate of service, certificate of efficiency, or certificate of identification

issued or reissued shall be in the form of a merchant mariner's document, Coast Guard Form CG-2838.

(b) Any licensed officer or unlicensed seaman currently holding, in a valid status, any of the documents listed in paragraph (a) of this section may, upon request and without examination, be issued a merchant mariner's document.

(c) A merchant mariner's document shall be a certificate of service authorizing the holder to serve in any rating endorsed thereon, or in any lower rating in the same department, or in any rating covered by a general endorsement thereon.

(d)(1) A merchant mariner's document issued to a licensed deck officer will be endorsed for, *any unlicensed rating in the deck department, except able seaman*, and will be a certificate of service authorizing the holder to serve in any unlicensed capacity in the deck department, except able seaman, without being required to present his license. If a licensed deck officer qualifies as able seaman, the merchant mariner's document will be endorsed, *any unlicensed rating in the deck department, including able seaman*, and such endorsement will be deemed to include a certificate of efficiency as lifeboatman.

(2) A merchant mariner's document issued to an engineer officer licensed for inspected vessels of over 2,000 horsepower, will be endorsed for *any unlicensed rating in the engine department*, and will be a certificate of service authorizing the holder to serve in any unlicensed capacity in the engine department without being required to present his license. If a licensed engineer qualifies as a lifeboatman, the further endorsement, *lifeboatman*, will be placed on the merchant mariner's document.

(3) A merchant mariner's document issued to a licensed radio officer will be endorsed as follows: *See License as Radio Officer*. If a licensed radio officer qualifies as a lifeboatman, the further endorsement, *Lifeboatman*, will be placed on the merchant mariner's document. Qualifications for other ratings for which a radio officer is eligible may also be endorsed on the document.

(e)(1) A merchant mariner's document issued to a staff officer will be endorsed as follows: *See Certificate of*

*Registry*. The holder of a certificate of registry as chief purser, purser, senior assistant purser, or junior assistant purser, may also serve in any capacity in the staff department not requiring a certificate of registry without obtaining an additional endorsement on his merchant mariner's document.

(2) The authorized holder of any valid merchant mariner's document, however endorsed, may serve in any capacity in the staff department of a vessel, except in those capacities requiring registered staff officers: *Provided*, That whenever such service includes the handling of food no person may be so employed unless his document bears the food handler's endorsement "(F.H.)."

(f) A merchant mariner's document endorsed as able seaman or as lifeboatman shall be a certificate of efficiency as lifeboatman.

(g) Every merchant mariner's document shall be a certificate of identification unless the holder also holds a continuous discharge book. The holder of a certificate of identification in the form issued before November 1, 1945, shall surrender that certificate before he is issued a merchant mariner's document.

(h) When a merchant mariner's document is issued, renewed, or endorsed, the Officer in Charge, Marine Inspection, will determine whether the holder of the document is required to hold an STCW endorsement for service on a seagoing vessel, and then, if the holder is qualified, the Officer in Charge, Marine Inspection will issue the appropriate endorsement. The Officer in Charge, Marine Inspection will also issue an STCW endorsement at other times, if circumstances so require and if the holder of the document is qualified to hold the endorsement. The Officer in Charge, Marine Inspection will issue an STCW endorsement for the following ratings:

(1) A rating forming part of a navigational watch on a seagoing ship of 500 GT or more if the holder of the document is qualified in accordance with STCW Regulation II/4 and Section A-II/4 of the STCW Code (incorporated by reference in §12.01-3), to perform the navigational function at the support level.

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(2) A rating forming part of a watch in a manned engine-room, or designated to perform duties in a periodically unmanned engine-room, on a seagoing ship driven by main propulsion machinery of 750 kW [1,000 hp] of propulsion power or more, if the holder is qualified in accordance with STCW Regulation III/4 and Section A-III/4 of the STCW Code, to perform the marine-engineering function at the support level.

(i) At the request of the holder of the document, the Officer in Charge, Marine Inspection may add an endorsement to indicate that a qualified holder has received basic safety-training or instruction required under Chapter VI of STCW.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 95-062, 62 FR 34535, June 26, 1997; USCG-1999-5610, 67 FR 66068, Oct. 30, 2002; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

## § 12.02-12 Identity.

(a) Each person applying for a merchant mariner's document shall present acceptable proof of identity. Proof of identity shall consist of two current forms of identification, one of which shall contain a photo of the applicant. The Coast Guard may require other identification information reasonably necessary to prove the applicant's identity.

(b) The following credentials are acceptable proof of identity:

- (1) Unexpired U.S. military identification card;
- (2) Unexpired U.S. driver's license;
- (3) Unexpired U.S. passport;
- (4) Unexpired official identification card issued by a federal, State, or local government or by a territory or possession of the U.S. (including a federal employee's identification credential);
- (5) Unexpired port credential, with photo of the applicant, issued by State or local port authority;
- (6) Unexpired law enforcement credential, with photo of the applicant;
- (7) Unexpired merchant mariner's document issued after February 3, 2003;
- (8) Unexpired foreign passport; or
- (9) Birth Certificate or Birth Registration, issued by a State, county,

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municipality or outlying possession of the U.S.

[USCG-2003-14500, 69 FR 532, Jan. 6, 2004]

## § 12.02-13 Citizenship requirements.

(a) Any person making application for a continuous discharge book or a certificate of identification or a merchant mariner's document representing a certificate of identification and claiming to be a citizen of the United States shall present acceptable evidence of such citizenship at the time of making application. No original document shall be issued to any person claiming to be a citizen of the United States until such citizenship is established by acceptable evidence.

(b) The OCMI may reject any evidence of citizenship that is not believed to be authentic. Acceptable evidence of citizenship may be an original or a copy certified as true by the agency responsible for issuing the document of the following:

- (1) Birth certificate or birth registration;
  - (2) Certificate of naturalization (original must be presented; photocopies are unlawful);
  - (3) Baptismal certificate or parish record recorded within one year after birth;
  - (4) Statement of a practicing physician certifying the physician's attendance at the birth and who possesses a record showing the date and location at which it occurred;
  - (5) State Department passport;
  - (6) A merchant mariner's document issued by the Coast Guard after February 3, 2003, that shows that the holder is a citizen of the U.S.;
  - (7) Delayed certificate of birth issued under a state seal in the absence of any collateral facts indicating fraud in its procurement; or
  - (8) Certificate of Citizenship issued by the US Citizenship and Immigration 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: