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for a duplicate merchant mariner's document unless the applicant complies with the requirements of § 12.02-9.

(f) No application from an alien for a duplicate merchant mariner's document shall be accepted unless the alien complies with the requirements of § 12.02-10.

(g) The Coast Guard may deny applications for duplicate merchant mariner's documents for any reason listed in § 12.02-4.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGFR 71-168, 36 FR 23297, Dec. 8, 1971; CGD 72-81R, 37 FR 10834, May 31, 1972; CGD 91-002, 58 FR 15239, Mar. 19, 1993; USCG-1997-2799, 64 FR 42816, Aug. 5, 1999; USCG-2003-14500, 69 FR 532, Jan. 6, 2004; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]

§ 12.02-24 Reporting loss of continuous discharge book, merchant mariner's document, or certificate of discharge.

Whenever a mariner loses a continuous discharge book, merchant mariner's document, or certificate of discharge, the mariner shall immediately report the loss to the nearest OCMI. The report shall be made in writing giving the facts incident to its loss.

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

§ 12.02-25 Right of appeal.

Any person directly affected by a decision or action taken under this part, by or on behalf of the Coast Guard, may appeal therefrom in accordance with subpart 1.03 of this chapter.

[CGD 88-033, 54 FR 50379, Dec. 6, 1989]

§ 12.02-27 Requirements for renewal of a merchant mariner's document.

(a) *General.* Except as provided in paragraph (g) of this section, an applicant for renewal of a merchant mariner's document shall establish possession of all of the necessary qualifications before the document is renewed. The Coast Guard will not process an application until the applicant has submitted a complete application package that complies with the requirements of § 12.02-9. A request for a renewed merchant mariner's document may be denied for any reason listed in § 12.02-4.

(1) Each application for a merchant mariner's document must be made on form CG-719B furnished by the Coast

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Guard and be accompanied by the evaluation fee (including examination and issuance fees when required) established in Table 12.02-18 of § 12.02-18. Each application must contain all necessary proofs of qualifications, identity, and citizenship or nationality. It must be current and up-to-date with respect to service, the physical examination, and all other pertinent matters.

(2) The applicant may apply either in person at any Regional Examination Center listed in § 12.01-7(a) or by mail under paragraph (e)(3) of this section.

(3) Each applicant who elects to renew by mail shall submit the merchant mariner's document with his or her application. If a document is submitted, it will not be returned to the applicant. A photocopy of a merchant mariner's document showing both the front and the back of the document may be submitted in place of the existing document.

(4) The expiration date of a merchant mariner's document that was issued without an expiration date is determined in accordance with § 12.02-29.

(5) Each applicant shall comply with § 12.02-09(b)(1) of this part.

(b) *Fitness.* No merchant mariner's document will be renewed if it has been suspended without probation or revoked as a result of action under part 5 of this chapter, or facts which would render a renewal improper have come to the attention of the Coast Guard.

(c) *Professional requirements.* (1) In order to renew a merchant mariner's document endorsed with a qualified rating, the applicant shall comply with one of the following:

(i) Present evidence of at least 1 year of sea service during the past 5 years;

(ii) Pass a comprehensive, open-book exercise covering the general subject matter required by this part for the applicable endorsement or pass an open-book license exercise that covers the same subject matter required for the MMD endorsement;

(iii) Complete an approved refresher training course; or,

(iv) Present evidence of employment in a position closely related to the operation, construction, or repair of vessels (either deck or engineer as appropriate for the endorsement) for at least 3 years during the past 5 years.

(2) There are no professional requirements for renewal of a merchant mariner's document that is not endorsed with any qualified ratings.

(d) *Physical requirements.* (1) An applicant for renewal of a merchant mariner's document endorsed with a qualified rating other than lifeboatman, shall submit a certification by a licensed physician or physician assistant that he or she is in good health and has no physical impairment or medical condition which would render him or her incompetent to perform the ordinary duties of that qualified rating(s). This certification must address visual acuity and hearing in addition to general physical condition, and must have been completed within the previous 12 months.

(2) If the Officer in Charge, Marine Inspection has reason to believe that an applicant suffers from some physical impairment or medical condition which would render the applicant incompetent to perform the duties of the qualified rating(s) (other than lifeboatman), the applicant may be required to submit the results of an examination by a licensed physician or physician assistant that meets the requirements for originally obtaining the rating(s).

(3) An applicant who has lost sight in one eye may renew a merchant mariner's document with qualified ratings, provided the applicant is qualified in all other respects and that the visual acuity in the remaining eye passes the test required in §10.205(d) of this chapter.

(e) *Special circumstances*—(1) *Reissuance after expiration, Period of grace.* Except as provided in this paragraph, a merchant mariner's document may not be renewed more than 12 months after it has expired. To obtain a reissuance of a merchant mariner's document expired more than 12 months, an applicant shall comply with the requirements of paragraph (f) of this section. When an applicant's merchant mariner's document expires

during a time of service with the Armed Forces and there is no reasonable opportunity for renewal, including by mail, this 12-month period of grace may be extended. The period of military service following the date of merchant mariner's document expiration which precluded renewal may be added to the 12 month period of grace. The 12 month period of grace, and any extension, do not affect the expiration date of the document. A merchant mariner's document, and any endorsements that it contains, are not valid for use after the expiration date.

(2) *Renewal in advance.* A merchant mariner's document may not be renewed more than 12 months before expiration unless it is being renewed in conjunction with a license or certificate of registry which is either due for renewal or being upgraded, or unless the Officer in Charge, Marine Inspection is satisfied that special circumstances exist to justify renewal.

(3) *Renewal by mail.* (i) Applications for renewal of merchant mariner's documents by mail may be sent to any Coast Guard Regional Examination Center. The following documents must be submitted:

(A) A completed application and the evaluation fee (including examination and issuance fees when required) established in Table 12.02-18 in §12.02-18.

(B) The document to be renewed, or, if it has not expired, a photocopy of it, showing both the front and the back.

(C) A copy (both front and back if the credentials are printed on two sides) of two credentials deemed acceptable proofs of identity in §12.02-12, one of which must be a photo identification.

(D) A certification from a licensed physician or physician assistant in accordance with paragraph (d) of this section.

(E) Evidence of, or acceptable substitute for, sea service in accordance with paragraph (c) of this section.

(ii) The open-book exercise, if required, may be administered through the mail.

(4) *Concurrent renewal of merchant mariner's documents, and licenses, or certificates of registry.* An applicant for concurrent renewal of more than one

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merchant mariner credential shall satisfy the individual renewal requirements and pay the applicable fees required by tables in §§ 12.02–18 and 10.109 of this chapter for each merchant mariner's document, license, or certificate of registry being renewed.

(5) Each applicant applying for renewal by mail must appear in person at an REC at least one time during the application process to obtain a renewed merchant mariner's document. At that time, the applicant must show the same proofs of identity submitted with the application package as required by paragraph (e)(3)(i)(C) of this section. No other proofs of identity will be accepted. At the time the applicant appears in person at the REC, the applicant shall provide fingerprints in a form and manner specified by the Coast Guard. The applicant shall return the expired or expiring document to the Coast Guard. If the applicant has applied in person, shown the proofs of identity, submitted the expired or expiring document with the application, and provided fingerprints, then the renewed document may be mailed to an address provided by the applicant.

(f) *Reissuance of expired merchant mariner's documents.* (1) Whenever an applicant applies for reissuance of a merchant mariner's document endorsed with qualified rating(s) more than 12 months after expiration, in lieu of the requirements of paragraph (c) of this section the applicant shall demonstrate continued professional knowledge for each qualified rating for which reissuance is sought by completing a course approved for this purpose or, by passing the complete examination for each rating, or by passing the examination for a related license required by § 10.209(f)(1) of this chapter. The fees listed in tables in §§ 12.02–18 and 10.109 apply to these examinations.

(2) A merchant mariner's document without any qualified rating endorsements that has been expired more than 12 months shall be reissued in the same manner as a current merchant mariner's document. There are no additional requirements for reissuing merchant mariner's documents without qualified ratings that have been expired more than 12 months.

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(g) *Inactive document renewal.* (1) Applicants for renewal of merchant mariner's documents that are endorsed with qualified ratings, who are unwilling or otherwise unable to meet the requirements of paragraphs (c) or (d) of this section may renew the merchant mariner's document, with the following restrictive endorsement placed on the document: "Continuity only; service under document prohibited." Holders of merchant mariner's documents with this *continuity endorsement* may have the prohibition rescinded at any time by satisfying the renewal requirements in paragraphs (c) and (d) of this section and § 12.02–9(f) of this part.

(2) Applications for renewal of a document with the continuity endorsement must include:

(i) The document to be renewed, or, if it is unexpired, a photocopy of the document including the back and,

(ii) A signed statement from the applicant attesting to an awareness of the restriction to be placed on the renewed document and of the requirements for rescinding the continuity endorsement.

[CGD 91–211, 59 FR 49301, Sept. 27, 1994, as amended by CGD 91–223, 60 FR 4525, Jan. 23, 1995; USCG–1997–2799, 64 FR 42816, Aug. 5, 1999; USCG–2003–14500, 69 FR 532, Jan. 6, 2004]

§ 12.02–29 [Reserved]

Subpart 12.03—Approved and Accepted Training

§ 12.03–1 Coast Guard-accepted training other than approved courses.

(a) When the training and assessment of competence required by part 10 of this chapter or by this part 12 are not subject to approval under § 10.302 of this chapter, but are used to qualify to hold an STCW certificate or endorsement for service on or after February 1, 2002, the training and assessment must meet the following requirements:

(1) The training and assessment must have written, clearly defined objectives that emphasize specific knowledge, skills, and abilities, and that include criteria to be used in establishing a student's successful achievement of the training objectives.

(2) The training must be set out in a written syllabus that conforms to a