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Sailing Into Spring



**EVERYONE
BE
SAFE!**



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**Stuart J. McLea, AMS®
SAMS® Newsletter Editor**

Good Day from the Land of Ice & Snow for now.

I am in my office, which over looks the middle harbour area of Halifax Harbour. The view is fantastic, and I can see my cargo assignments arriving which can make life less complicated. The only downside is, that it is snowing, but it will not last long with warmer temperatures on their way.

We are heading into the boating season of 2021, leaving 2020 in our rear-view mirror and thank goodness because it was a S#&t year. Covid did not help, work was still there, but with a lot more Health Rules and what would be coined the “New Norm.” I lost my wife Linda, who if you have been at the IMEC’s in the last 10 years she was always helping the SAMS® HQ staff behind the table. Linda fought a battle with kidney failure, and she passed on November 4, 2020.

Boat sales in eastern Canada are moving at a fast pace, and again we will see a shortage of new and used vessels again this year. Good for business, yes, but could have some future drawbacks that could impact our industry on both sides of the border.

Our VP of Education is putting together a great lineup for the next IMEC, in New Orleans, September 29th to October 2, 2021. The education will be outstanding, and there is lots to see and do in New Orleans.

I am also looking for interesting articles for our newsletter, from the membership. This means all membership groups, including our Affiliates. If you would like to tell us about your business, I would be happy to publish your story. Talk about target market! If you have run into an interesting situation while surveying and would like to share, send your story along. Send it in MS word format, do not format your story because we may have to adjust to fit it in. Do not send your story PDF, MS Word format please. If you wish to include photos send individually in Jpeg format. I would like to see 500 words which is a full page, if possible.

The 2021 Boating Season is upon us, be safe, remember the Covid rules of masks and social distancing and all being well, I will see you in New Orleans safe & healthy.



**Bill Trenkle, AMS[®]
SAMS[®] President**

Greetings, to all of our AMS[®], AMS[®] Retired, Surveyor Associate's and Affiliate members. I hope you have all been able to stay healthy and stay busy.

What I wanted to discuss in this article is how fortunate we are to be Members of SAMS[®], and in most cases to be SAMS[®] AMS[®]. This should be a great source of pride for us all. It is not that easy, and because of that, you are respected throughout the industry. Lately, I have had a couple of complaints that getting into SAMS[®], and upgrading to AMS[®] status is too hard. These people feel it should be easier, we should let more people into the Society, and make upgrading from Surveyor Associate to AMS[®] easier. All I can say is BS.

I started out my term as President early, after the passing of Bob Horvath, but from day 1, I have pushed our Membership VP, and our Regional Directors to be tough. We want our members to be knowledgeable, professional, and good representatives of the Society. I encouraged tough vetting, tough reviews of the reports submitted, and good follow up on references. This has all been going well in my opinion. Sure, there have been some people that might have been good surveyors in the long run that have washed out, but if they could not show that they could improve their reports to their Regional Directors, then how can we feel that they will improve their skills long term, which we all need to be constantly doing?

One of the critiques I have heard, is that SAMS[®] does not want new young surveyors, mostly this is from surveyors whose buddy, or relative did not get in, or did not pass muster for their upgrade. Nothing could be farther from the truth. We especially want young surveyors, but we are not going to lower our standards to bring them in. Many complain that the SAMS[®] Recommended Survey Report Content is too difficult to comply with, or that the Regional Directors are relying too much on the RSRC, which is only "recommended", not required. I have had to explain many times that meeting all of the RSRC is a high bar, but not that high, if you are doing a good survey it is the minimum you should include, and the RSRC booklet states that clearly, it is even underlined. If a Surveyor Associate cannot over 5 years, meet those minimum requirements, they are probably just not cut out to be a SAMS[®] AMS[®], sorry, but that is the present policy. It may cost us some members, however keeping our standards high is very very important. We need a high standard to set ourselves apart from the mail order surveyor organizations and to make SAMS[®] surveys the only ones that Insurance companies, and banks recognize and accept, along with NAMS, as trusted to be accurate and honest. So, Surveyor Associates keep working at it, there are mentors available if you need help. Get your reports to the Regional Directors in a timely manner, and ask questions if you don't understand their survey review comments.

AMS[®] members keep up the great work on setting SAMS[®] apart, and respected. Keep improving your reports, keep learning more about what we survey and how to do the job better, and please keep helping to bring new quality young blood into the Society.

Thanks for listening. Stay safe and I hope to see you at the IMEC in New Orleans.



John Lowe, AMS[®]
SAMS[®] Executive Vice President
Ethic Chair

Hello Everyone,

It appears that we will be having another banner year with regard to boat sales which is a very good thing from our standpoint. Most brokers that I have spoken to could use more listings, as there are more buyers than available boats, at least in the northeast where I practice.

I have had an increase in the number of ethics complaints against our members, and the majority of these fall into two categories: work product, and late or no report. Work product issues can be avoided to some extent by educating yourself, and doing the best job you are able to do, while late, or no report complaints are something we take seriously, as this amounts to theft, and can be criminally prosecuted. The vast majority of surveyors that reply to my inquiries about their complaint say, "I've been so busy I didn't get around to writing the report". This is not a valid excuse, as your client is relying on the report for several reasons. First, the client needs to make a decision on the purchase of the subject vessel, and your report will weigh heavily in that decision. Second, there may be a bank loan, and/or insurance policy pending and these things have a shelf life, and may cost your client money to re-initiate. The client likely has a deposit riding on the sale as well, and we have had cases where the report did not arrive, and the client had to surrender the deposit per the sales contract. Your reputation will also be affected if this occurs on a regular basis.

The big question is, "How long is an acceptable time to deliver the report?" The answer to that is simple, whatever you, and your client agree upon. I usually try to get my reports out inside 3 days after the survey is complete, in some cases where I was very busy, I have told clients that it may take a bit longer, we at that time will agree to a time frame and I will HAVE THE CLIENT NOTE IT ON MY WORK ORDER. If you're not using a work order / survey agreement you are looking for trouble. Protect yourself by using a work order which lays out what is expected by both parties, hopefully you will never need it but if you do, you will be glad you have one (like a fire extinguisher).

Finally, we are having the photo contest again this year, please limit your entry to ONE photo per member, and remember the spirit of this contest is to highlight some of the craziest things we see in our work, and have some fun. A committee will review all photos and a prize for the best entry will be awarded. (Hopefully at the IMEC in New Orleans).

Be Well

I will look for you in the yards.



**Kenneth Weinbrecht, AMS[®]
Education Vice President**

IMEC - NEW ORLEANS 9/29 - 10/2

I've heard that some of our members have had the opportunity to be vaccinated, that's great and hopefully by the time IMEC rolls around, we'll all be vaccinated.

With all the new advances in electric & diesel outboard propulsion, which seems to be the up and coming method for propulsion, I thought that we could focus on them for some of the meeting.

Silent Yachts - European yacht builder of electric power pleasure catamarans.

Lithium Ion Batteries - A noted speaker will discuss construction and failure.
Charging systems for advanced Lithium Ion systems.

Ethics & E&O - John Lowe AMS[®], Exec. VP & Stu Mclea, AMS[®] - E&O Chair...is there a difference between ethics and poor work product? How to stay ahead of an E&O claim by doing and saying the right things.

Diesel outboards, are they the new competitors for the gas outboard industry?

ABYC- "Do new standards apply to old boats"?

Maritime law firm speaking about what to say, do and write in a survey/claim report.

Marine insurance companies both underwriting and claims; how to better communicate with them and what does the industry expect of a surveyors report / communication.

Harbor Pilots - Challenges Facing Pilots navigating the Mississippi.

Surveying commercial craft, fish boats, barges etc.

Mars Keels - their inspection & replacement.

Daniel May - Motor Check - Understanding Oil Analysis.

CE's, how to get them during COVID.

Please search your emails from SAMS[®], I had sent out some online learning opportunities within the last several weeks. There are a lot of marine related online courses that you can take, some are free, and some have a modest cost.



**Gary Frankovich, AMS®
Membership Vice President**

Winter's over, at least down here in the Sunshine State. While some of you are still shoveling snow, we've just finished dealing with pine pollen, and now our cars are yellow, covered with pollen. Man, it's a tough life.

I've been getting some very disturbing feed-back from some of our newer Surveyor Associates. Ever since I joined back in 2000, SAMS® has always told the Surveyor Associates to find an AMS® in your area, give him/her a call, ask if you can tag along on a survey, and observe, offer to carry the bag, or buy them lunch, just to see how an experienced surveyor works. Well, it seems that more than a few AMS®, either just say no, or another one I'm

hearing is, I'll call you the next time I have a survey, but that call never comes. What's the deal? Are some of you so insecure, that you think a new Surveyor Associate can steal your client? Come on people, the Surveyor Associates are the future of SAMS®, they deserve any help we can give them. Along the same lines, we NEED more mentors, but we need mentors that know the SAMS® minimum Recommended Survey Report Content. I might remind everyone that your surveys are all also supposed to contain that content. Please remember, just because you've been doing this for a long time and no one complained (BS, because if you've been doing this along time, someone has complained whether it was warranted or not) doesn't mean that you can't improve your report. If you are willing to volunteer a little bit of time for the good of SAMS®, please contact me, I'll ask you to submit one of your surveys (before you do that you might check your report against the Recommended Survey Report Content), and when a Surveyor Associate needs a little help, we'll call on you to go over the Surveyor Associate's report, and help him/her bring their reports up to what is expected of a SAMS® surveyor. There is a real good reason a SAMS® surveyors' report is accepted by every insurance company, and financial institution, let's keep it that way.



**Kristoffer Diel, AMS®
Secretary / Treasurer**

Ahoy Fellow Surveyors!

First, I hope everyone, and their loved ones are doing well. This Covid experience will likely be with us for yet awhile. Be careful out there in the boats and yards.

Next, I want to thank Ms. Rhea and the office staff for the work to keep the office running. Also, for the extra work of putting on the online Board and Regional meetings.

I want to recommend that if you have any 'extra' time from winter surveying, that you utilize the ABYC Education website and their video seminars. Some cost money, but numerous short stories are free, and you accumulate 0.1 CE per video. And does it need mentioning, NFPA, SNAME, and almost everyone else is getting on the online video education bandwagon. Another suggestion is start looking into a subject matter that you know nothing about. Anything, from another language, to oil sampling, to drone technology. You will be amazed how you can fold it into your surveying business! Another area of focus could be the rapidly emerging wind farm technology. Imagine what this will look like in 20 years! Start studying now.

Wishing everyone a successful Spring and Summer surveying season!

Standing by to help with any questions. "If you do not call, I cannot help!" And please leave a message, as I seldom answer my ringing phone!

Survey safely!



**Joseph Lobley, AMS[®]
Meeting / Conventions
Vice President**



2021 New Orleans, LA

IMEC 2021 is scheduled to be in New Orleans at The Sheraton on Canal Street, September 29th thru Oct 2nd 2021. Currently, the city is open for business but with restrictions such as masks and social distancing, etc. The hotel is on top of this, and they are experts in setting up safe conferences. It is very likely these restrictions will be eased by this summer, and we will have a huge turn-out. We have a room rate of \$179.00 with the usual amenities. Discounted parking with hotels in the city is non-existent, but there are parking garages and lots nearby. The hotel is well situated just outside the French Quarter with a short walk to Bourbon St., Harrah's Casino, and the Riverwalk. The Warehouse District is in the hotel's "backyard." This area is also known as the Art's District, and is full of galleries, some of the best restaurants in the city, and of course, watering holes. Plan an extra day, and tour the World War II museum which is nearby, as well.

IMEC 2022 will be in St. Louis, October 5th thru 8th at the Hyatt Regency. The room rate is \$169.00 per night. It's a large hotel with three restaurants on site. The meeting spaces, and guests rooms have just been renovated. Just out the front door are the Gateway Arch Park, the Mississippi to the left, and the Old Courthouse to the right. Four blocks away is Busch Stadium, and the newly built Ball Park Village with shops, sports bars, and restaurants. The hotel boasts 30 restaurants within a quarter of a mile. There is parking for \$10/day just a block away, and on site valet parking which is quite a bit higher, but I am trying to get that reduced. It is a great "small" city with a vibrant downtown. There is a huge influx of young professionals moving into the old brick manufacturing buildings, these have been transformed into modern living spaces. I found the area around the hotel to be clean, very safe, and friendly.

IMEC 2023 is in Montreal, where last year's IMEC was originally scheduled. Our contract was renegotiated with the hotel without penalties. It will take place October 25th thru the 28th. The location is at the same hotel, with the same room block, and food and beverage agreements. The only difference is a \$10 increase in the room rate. The new rate is \$239.00/Canadian. If the exchange rate stays steady, this should be at, or about \$185.00/US per night. The hotel is on St. Catherine's Street, and a short walk from the historic section of town. The first three floors of the hotel is a mall with everything available. You don't need to be concerned about weather since the hotel connects to the "Underground City" with pedestrian walkways to many shops, and restaurants. I am sure our Canadian members will have a great turn out. Montreal is a day's drive for most of the North East, and Great Lake members. We should have a great turn out.

Please get vaccinated, and we will see you in New Orleans!

2022



St. Louis, MO

2023



Montreal, QB, Canada



Eddy J. Assaf, Jr., AMS[®]
Public Relations
Vice President

Good day all, hoping all is well, and that we're still protecting ourselves against this virus, even though some vaccines are getting done, the battle still isn't over.

Well, it is the beginning of March here with Spring just around the corner, and surprisingly enough whenever the weather gets nice the phone starts to ring for survey reservations. Up here in Quebec you must book your surveyor early in March, because most of the time come April, I am already scheduled until the end of May.

The COVID-19 situation made for a hard start last year, and most of us were not sure on how the season was going to go, but for me, and most surveyors I know, we had an exceptional year with new, and used boat sales hitting record highs. I am quite sure this will follow over to this year, so let us be prepared.

Our publicity campaign has started, and without COVID-19, we might actually be able to run all we have planned. We are advertising with 22 different advertisers, and covering about 40 states in the United States, and across Canada. We are also doing more recruiting advertising to try to encourage people in the field to consider a career in marine surveying. If any of you out there who know of a good magazine, either printed, or digital, that covers their area, and thinks that advertising in that magazine, or digital publication would be good in their area, I would be interested in knowing about. Your input has helped me find good places to place our ads, so please keep giving me feedback. I am also working along with a designer on new ads, just to keep up with the times, and sometimes making a change will make your ad more noticeable.

I do not know if some of you had noticed that we were having a problem with the geographical search engine on our website. This is due to Google pulling the plug on free API (Application Programming Interface) that was based out of China. I have taken the measure with our webmaster to change this API for one that will cover our geographical area properly, this new API should be up, and running by mid-March, and hopefully this will solve the problem, but of course at a cost, but this is necessary for potential clients to have an easy access to find a surveyor.

Due to the condition last year, a lot of the boat and trade shows were cancelled, or went virtual. Hopefully this year we will be able to have a chance at boat and trade shows for our surveyors. Please remember that we all have what it takes to use in a boat or trade show. If you see an opportunity, and are willing to do this type of exhibition, HQ can tell you on how the equipment can be shipped to your show. The cost would be charged to your region, so you would need to contact your Regional Director.

I just want to mention, as much as we can advertise to try to get the public to learn about a SAMS[®] surveyor, the best way is in how we do our job, word of mouth is the best publicity out there, and when we do a good job, this gets known, and reflects on you, and the organization, so let's just keep doing what we do best, and make sure we give our clients the best bang for their buck.

That's pretty much it for now, lets be safe, and professional when we are out there.

Cheers



**Randell Sharpe, AMS®
Testing Vice President**

I trust that you are all being safe, practicing social distancing, and wearing masks as you work in the surveying business. Hopefully, we will all be able to receive a vaccine in the coming months to bring an end to the COVID pandemic. I look forward to our upcoming IMEC in New Orleans as we break out of our isolation from the past year. Testing continues to produce a passing grade for the Y&SC AMS® test on the first attempt of about 50%. I encourage you all to study for the test. Having a good working knowledge of the ABYC, and NFPA standards, and the Coast Guard regulations is paramount to conducting your surveys in a professional manner that shows your knowledge to your clients, and for being successful in passing the AMS® exam.

In an attempt to improve your preparation for testing, I have developed a test preparation guideline that outlines the test procedures, and a summary of what you should expect on the AMS® test for Y&SC. This guide is published here in the newsletter. You can also get a copy from SAMS® HQ , or send me an email, and I'll send you one. There are three versions. U.S., Canadian, and a French version for our French Canadians. Please review and take the information to heart in your preparations. If you have questions leading up to taking the test, please email me, or give me a call. I will not discuss specific questions, but we can discuss general topics to be expected. I have recently completed a compilation of all of the questions from all of the current, and past AMS® tests for Y&SC, and I will be adding to this list to be able to produce updated tests. Your feedback on test questions that you find confusing, or irrelevant is always appreciated. I have modified several questions in the compilation to clarify, and update questions based on your input, and to reflect current standards.

I am happy to discuss test results with any member that has questions. I can't give you specific question answers, but can discuss areas that need improvement when a member fails to pass an AMS® test. Please let me know if you have any questions, or concerns that you want to bring to the board's attention.



Attention All AMS® Members

The SAMS® Nominating Committee is accepting nominations for the upcoming election of officers at the Annual Business Meeting on Saturday, October 2, 2021 in New Orleans, LA. Any AMS® members interested in running for an elective office should apply in writing with accompanying documentation to show the Nominating Committee your qualifications, knowledge and understanding of SAMS® Policies and By-laws. The letters should be addressed to the SAMS® International Office. To the attention of the Chairman/Nominating Committee. Must be received by May 1st. Nominations can also be made from the floor during the Annual Business Meeting, per SAMS® Policy.



**Reinier Van Der Herp, AMS®
Northeast Regional Director**

Well its Spring 2021, and things are off to a roaring start! Phone has been ringing, and business is going well. I hope everyone is staying safe and busy! I'm still looking at putting together a virtual zoom meeting in the near future, I've been considering two night sessions at 3 hrs each. We've been having a lot of discussions on Boat Pokers about valuations recently and with the market the way it is has made it difficult for a lot of members. So on that note I'm looking to do part of that on valuations and will try and get some senior members to pitch in! I think this is a weak point in our organization that could use some help.

There is some more new technology out there that's pretty amazing! Mercury just came out with their 12 cylinder 600HP outboard with a pod style gearcase. Can't wait to see the damage claims on that! More electric motors are being introduced as well especially for sailboat auxiliary engines which are a good fit since most just power out to where they can raise the sails and it gets shut off. Battery technology has come a long way as well and we are going to see specialized installations into the market real soon if not already there.

There are a lot of new challenges coming out on the horizon and as surveyors we need to keep up by educating ourselves on all this new equipment. Continuing education is key to all this, and I encourage members to seek it out! There are all kinds of opportunities to learn and a lot has become distance learning through the internet, take advantage you get CE credits for this!

Last on the list; everyone have a safe and prosperous year! We will get through all this Covid crap and hopefully be able to travel abroad for business, and vacation soon!





**Angel Zeno, AMS®
Great Lakes
Regional Director**

I wanted to thank all of those that were able to participate in the first ever, virtual Great Lakes Regional Meeting and Educational Conference. The Zoom platform seemed to allow us to accomplish all that we needed, with just a few technical quirks. I don't know about you all, but it was nice to connect with everyone even if it was on the computer screen.

Normally, I would be reminding everyone in the Great Lakes to utilize the winter downtime to accomplish housekeeping tasks, like updating your survey report templates, but apparently this winter season appears to not be following the normal trend with most folks reporting a bump in surveying activity through what would normally be a quiet period. I don't want to come off sounding like your mom, but be sure to dress warmly when you head out to inspect a boat, remember, heated indoor storage is usually maintained around 40F which is nice and comfy for the boat, and its systems, but still cold for a surveyor. I found a pair of warm gloves with the thumb and two finger tips open which make it ideal to grab, and work with the camera, or moisture meter while still wearing gloves.

Speaking about protective clothing, please be sure to observe all the recommended practices to protect yourself and loved ones against the spread of Covid-19. Mask up, social distance, and sanitize are just a few of the keys. I've included a statement in my survey agreement that all recommended Covid-19 safety practices will be followed. I also explain my Covid-19 practices, and expectations over the phone with a potential client to assure that we are both on the same page.

Just like that, did you see how the subject goes right back to having a survey agreement. I cannot stress how important I feel that it is to have a survey agreement in place before you undertake an assignment. And not just to capture the client's acceptance of Covid-19 practices, but it establishes what you will, and won't be doing, the terms and conditions, along with the client's acceptance.

If you do find yourself with some free time this winter, go ahead tackle cleaning up that survey report template. How about taking one of your most recent survey reports, and holding it up against the SAMS® Recommended Survey Report Content (RSRC).

At the Regional Meeting, I mentioned making sure that you are in compliance with the SAMS® advertising policy, but I think it bears repeating. Crack open the advertising policy, if you don't have a copy, you can request a copy from the SAMS® International Office. Make sure that all printed materials that you use, including your website are in compliance.

I'm looking forward to being able to meet with you all in person, but until then, make sure that you are working as safe as possible. Wear all the appropriate PPE, tie up your ladders, and be sure that someone knows the details of the assignment before you head outdoors.

Wishing you all a safe and productive season, and I hope to see you all in New Orleans.

Hi everybody. Winter is almost over, and “Spring has almost sprung” and here we go into our busy season. Although, it seems like it never did slow down. Winter never seemed to slow things down.



Dennis D. Eddinger, AMS®
Mid - Atlantic Regional Director

We talk about safety when we’re on the job but, when something happens it’s when you least expect it. A perfect example would be the accident that I had back on August 30 and it took 14 weeks to properly heal. To top things off, that was followed up by a previously scheduled knee replacement.

I was scheduled for a knee replacement on Sept. 12th. Well, on August 30th I was walking down a dock at one of the marina’s for a job, all of a sudden the cement paver stones in the dock gave way, and I fell through. It took a chunk out of my right shin bone, and another out of the inside of my right ankle. This was followed up by infection and then 5 skin grafts. After 14 weeks they decided that things had healed up enough for the knee replacement, which I am still healing up. The moral to my story is you can’t be too safe. You should always be aware of your surroundings. The problem here was everything looked good. I had been there plenty of times. We’re slowly getting back to work. As if we haven’t had enough problems with the pandemic issues.

I hope everyone is being cautious, and doing their part wearing a mask., etc. And now we are finally able to get the vaccination in order to help prevent catching it. I received my 2nd shot 4 weeks ago. Do your part, I myself, use the latex gloves that I normally use while doing oil sampling during the whole survey, as well as any other personal protection I deem necessary. I’ve always carried the antibacterial hand cleaner, and wipes. We’ve got to be careful out there.

And now, it’s time to hit them docks, tap the boats, get back to work but, BE CAREFUL OUT THERE!

Hi everyone, Spring came fast – goodbye Winter!

Boat sales and surveys are still high in Florida with lots of work for all down here.

Just a reminder, the in person Regional Meeting for 2021 has been cancelled, we will return in 2022. Still working on a two afternoon/night virtual meeting. Will keep you posted.



Cliff Schmidt, Jr., AMS®
Florida Regional Director

Surveyor Associates, I cannot express the need for reviewing your yearly submitted survey reports. Please take time to review your reports they are the only measure we have for your upgrades. As the reports are reviewed, I find that some of the survey report programs/applications, and old report forms used from past surveyors are missing items that are in the SAMS® “Recommended Survey Report Content” guide. I recommend that you finish your report, let it sit overnight then do a full review of the report which includes looking at the SAMS® “Recommended Survey Report Content” guide. If you cannot find yours, email the office for a new copy. Keep in mind that once you push send that the report is out there, and it’s hard to change, and it represents you, now and in the future.

Stay Safe!



**Charles W. Solarek, AMS®
Pacific Regional Director**

As we gear up for what already appears to be another banner year in the boating industry, I hope all are well. It has been a challenging time to say the least. Everyone in one way or another has had to change, and modify the way they do business, for your safety, and that of your customers. These methods will continue to evolve.

But, that is only a short introduction to the main theme of this article, SAFETY! We must always understand that what we do can be quite dangerous. We are on a boat that we know truly little about. We usually go for “a ride” without necessarily knowing the limitations and capabilities of the individual captaining the vessel.

I want to relate two quick stories in this regard...

The first involves my mentor. Years ago, we were surveying a CHB on the hard. I was doing the hull while he went onboard to start inspecting the interior. Once I came onboard, I found him sitting at the dinette and asked how it was going. He told me he fell through the engine compartment access which the owner had opened. Apparently, his eyes did not adjust quickly enough for him to be able to see the open hatch. Luckily, he did not break anything, BUT, eleven days in the hospital with surgery was not his idea of fun. He retired shortly afterwards. More recently, one of our colleagues was crawling around the wing motor on a yacht that was returning from the haul out. His foot slipped as he was trying to move to another location. It slipped into the coupler, his sneaker was removed, and his foot was pulled into the rotating coupler. Luckily for him the boat was almost back to the dock. Emergency responders were there to transport him to the hospital. Surgery was required. He has since made a full recovery.

It is imperative that as we inspect, we take a second, and think about any potential consequences for our actions. Not just to the equipment, other personnel onboard, and the vessel, but to ourselves, as well. I have found myself having to cease crawling over engines to ask the captain to stop the engine and go dead in the water. Could I have connected that test lead without getting hurt? MAYBE. Most likely. But that is not definitive, so, I took an extra second to put the engine in a safe condition before proceeding. We all must decide, for ourselves, what we consider to be safe or not. But as we make that decision, consider the worst-case scenario. Will the boat take a wake while you are crawling over that engine? Will the captain have to give some throttle to maneuver the vessel out of harm's way? Remember, Murphy was an optimist!

Someone once told me I was insane to sit between a couple of engines while conducting an underway demonstration, and bring the engines up to Wide Open Throttle (WOT). Maybe. But I do not get myself into an engine compartment that I cannot get out of quickly, without having to crawl over operating equipment. None of us should. Sometimes it is the simple things. Close all open accesses to below decks when getting underway, and returning to the dock. Personnel will need to move around freely, and quickly. Why put an obstruction in their way? Do not get underway if mother nature is telling you otherwise. I always do my best to let everyone involved ahead of time that we will be running the engines to WOT. Some owners are just not comfortable doing this. Fine by me. I am not there to make them feel unsafe. I am not there to “break” their boat. As a rule, I ALWAYS brief the captain on what we are about to do. Even if it is a broker that has done numerous underways with me. Safety of ship, and personnel cannot be overstated in any situation. Sincerely hope everyone has another productive, and safe year out there! Stay safe! Stay sane!



**Seth Mosley, AMS[®]
Gulf Regional Director**

Hopefully, the cold weather is behind us here on the Gulf Coast, but you never know in this area. It has been a good start to the year for the yacht and small craft surveys. All those I talk with and myself have been busy for the first two full months of the year, with a strong start in March, as well. Hopefully, this is a good sign of another good year for us all.

We had good turn outs for the two Gulf Regional Meetings back in December, especially considering the late planning, and obstacles we had to overcome. I really appreciate all those that made it. With IMEC in New Orleans this year, I'm thinking of doing another one or two day meeting in conjunction with the Workboat Show that will be in New Orleans on December 1-3, 2021. Any insight or comments on that from the members is greatly appreciated.

I haven't had many annual survey reviews come in since the last newsletter in which most of the Regional Directors touched on different subjects from the recommended survey report content, so I hope all of the Surveyor Associates had a chance to review the SAMS[®] RSRC, and ensure their reports include, at minimum, all applicable content going forward. It may sound like we are just being picky, or trying to give you a hard time, but one of the common complaints from underwriters is report content from surveyors. If you get a chance to attend a presentation, or conference that has someone from an insurance company giving a presentation on surveys, and report content, please attend. They will cover many of the problems they find with reports, and how it can have serious implications on the insured and/or the surveyor if your report is not done properly. Same goes for attorneys giving presentations on report content and certain phrases and words to stay away from. If you get a chance to attend their presentations, make it happen. You may find out you've been using some verbiage, or phrases that could land you in hot water. I can personally attest to having changed content in my reports due to presentations by both insurance, and attorney speakers.

Good luck to everyone this year, I hope everyone has a safe and prosperous rest of 2021 and hope to see you at IMEC in New Orleans.





**C. David Sanford, AMS®
Canadian Regional Director**

Here in Ontario, it is still cold, but the days are getting a little longer, and the sun is a little warmer indicating that spring is just around the corner. The next 3 weeks or so should show a big difference, and as a result the phone is ringing already for survey assignments in the spring. Here in Canada, we are still dealing with round 2 of some intense COVID restrictions across the country. This has really hampered any indoor business over the winter. As of right now restrictions are very carefully and slowly being eased. Hopefully, if things continue to track in the right direction with regards to the COVID numbers, and if vaccine rollout continues to improve, we may see things return to something resembling normal in the latter part of 2021. Looking back on the 2020 season, from all reports it appears that everyone had a busy year, and all indications are that 2021 may be no different. The big issue that we may see here in Canada is that used boat sales will be subject available inventory, which at the moment is on the low side according to the brokers I've been in contact with. Some are telling me it is becoming just like real estate with multiple buyers all interested in the same boat driving sale prices higher than the listed prices, and bidding wars are becoming common. Sales were so strong last year, and with things apparently carrying over into 2021, we may simply run out of available used boats to sell.

As a result of this, and with the border restrictions that are common right now, I am seeing an increase in the number of requests from potential out of province, and American buyers to assist them in "sight unseen" purchase decisions. We are even noting an increase in Canadian buyers looking at purchasing American boats. With the potential shortage in Canadian used boat inventory this concept appears to be on the rise as we move forward. This is taking cross border shopping to a new level.

As a surveyor I must admit that this concept makes me nervous as hell, and I do not like it, or endorse it, but I seem to be getting more requests as we move forward. Could this be part of the post - pandemic world that everyone is talking about? Brokers and even private sellers are more and more using social media platforms such as Zoom, and Instagram to conduct virtual boat tours with sale offers, and agreements are being written solely from these viewings. As surveyors, I feel that it is something that we need to be cautious of, as it could mean changes in our business as well. Myself, any request that I receive for virtual live communications, I have refrained from wholeheartedly.

I have recently spoke with several acquaintances who work in offices, and have been told that they will not be returning, and will be working from home permanently. The pandemic has shown corporations that workers can get things done without them having to supply expensive office space. This appears to be a good example of the directions in which things may be headed.

I just wanted to point this out, and attempt to make everyone aware, because it is a trend that I have been noticing over the past year or so. It appears to be on the rise again this spring, with the pandemic still a factor. Canadian buyers do not appear to be hesitant to venture into the southern US if they need to, so to our southern members keep your eyes peeled.

I know that I've touched on this before, but I feel that it is worth repeating as it appears to be on the rise, I am not sure whether this concept will continue to grow, or is it just a passing fad, like rock and roll music, but remember when considering whether, or not to take on one of these "distance" assignments, your gold might be someone else's crap so be careful. Ambiguities abound.

Stay safe and wear a mask!

Joseph A. Derie, AMS®
SAMS® Commercial Workboat Chair
SAMS® Tug & Barge Chair



OSHA STANDARDS QUIZ #1: FIXED LADDERS

The US Coast Guard has regulatory responsibility regarding safety aboard uninspected commercial vessels at all times. The Occupational Safety and Health Administration (OSHA) also has regulatory responsibility regarding safety aboard these vessels while they are in US waters (OSHA Instruction, Directive Number: CPL 02-01-04, effective date: 02/22/2010, Subject: *OSHA Authority Over Vessels and Facilities on or Adjacent to U.S. Navigable Waters and the Outer Continental Shelf (OCS)*). Due to this memorandum, surveying these vessels should be done using the required standards of the USCG, OSHA (29 CFR 1910), and if the vessel has a crane, OSHA (29 CFR 1919). To survey a vessel to OSHA Standards requires training in these standards.

Just how well do you know the OSHA standards you should be surveying uninspected commercial vessels to? This is the first in a series of articles identifying common OSHA deficiencies on uninspected vessels and quizzing your knowledge of the OSHA standard you should be referring to in your report.

QUESTION: Below is a picture of a type of ladder commonly found on uninspected commercial vessels. Is this ladder which is going into a compartment on an uninspected deck barge safe? Does the ladder below meet OSHA standards? Would you cite this as a deficiency on your report?



ANSWER: The ladder is unsafe. Due to the lack of side rails and the design of the rungs, a user's foot could slip off and the user could be injured. It does not meet OSHA standards and should be cited in your report as a deficiency that should be rectified immediately. The appropriate section to cite is OSHA 29 CFR 1910.23 (d)(10) *Fixed Ladders*, which states: "Individual-rung ladders are constructed to prevent the employee's feet from sliding off the ends of the rungs (see Figure D-4 of this section);"

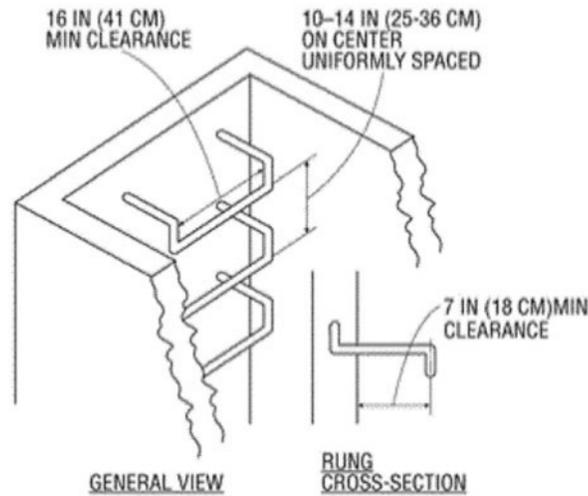


Figure D-4 -- Individual Rung Ladder

As always, I hope anyone who wants to discuss this column or has questions about commercial workboats, tugs, barges or 46 CFR Subchapter M will contact me at 503-236-6818.



Avoiding accidents at the working place

By

Christian Mancebo, Surveyor Associate

As marine surveyors, we are exposed every single day of work to many different risk situations. The environment where we developed our day to day job is, by itself, abnormal and represents a great diversity of hazards to our physical integrity. Health and safety is everybody's concern and each individual has a duty to ensure they not do something that deliberately puts them or others in a dangerous situation.

It is important that appropriate consideration is given to the surveyor's personal protection, to protect others and preserve the environment. Common sense plays a key role in the prevention of accidents. Before we commence any inspection, we should carefully examine the place and the surroundings evaluating possible risks, a checklist would be very helpful in order to do so. Remember that survey conditions are not always perfect. For instance, a surveyor can be asked to carry out a survey in a modern boat yard where the yacht has been lifted ashore and chocked in a purpose built cradle. Alternatively, a surveyor could be asked to survey a vessel on a semi-tidal, semi-soft mud mooring miles away from anywhere. Weather also plays an important role, when you become absorbed in a survey, it is possible to lose track of time. Both sunburn and hypothermia are progressive and only become apparent once it is too late and the damage has been done. Or what about performing a survey underneath a vessel while blocked ashore when the wind is blowing above 30 knots.

Here are four typical situations that briefly describe the risks involved:

1. Working in closed spaces with machinery involved (engine rooms).

Ventilation is vitally important, especially if the surveyor intends to operate any of the equipment on board the yacht. Lack of oxygen and a build up of carbon monoxide kills several people every year, sometimes from leaking exhausts and sometimes from faulty appliances and heaters.

Risks

- Propane or butane gas in the bilges can lead to a serious explosion with a little source of ignition.
- CO2 system is used to release CO2 in the vessel's engine room during fire emergencies only after all the crew has left the engine room. But accidental release of CO2, when the crew members are still present in the engine room, would lead to instant and tragic death.

Prevention

- Make certain that the vessel to be surveyed has been properly ventilated before entering into an enclosed room.
- Always wear ear protection when you are planning to start the engine while inspecting the engine room.
- If you are testing engine room CO2 alarm, make sure the CO2 pilot bottles are properly isolated. In any case, the testing should be made by a certified authority.

2. Climbing to the masts for rigging inspection (aloft)

In order to feel comfortable going up the mast you need to reduce the risks of accident and complete the task in a safe manner.

Con't

Before we head up the mast, we need to come up with a plan of action that describes the tasks we want to complete. Make a checklist of the things to be inspected and get the equipment and tools ready. It is also very important to organize the crew and assign a job to everyone involved. Make sure the people that are helping you are completely reliable and have some experience.

Risks

- Halyard breaking
- The person hoisting makes a mistake or gets distracted and releases the halyard.
- The person
- Boat motion.
- Spreaders, shrouds and fittings represent a hazard to the surveyor while aloft.

Prevention

- Communication is a key factor, however with the distance between the parties and lack of visual contact, communication might not be very effective. It is advisable to utilize radio communication with headsets.
- Make sure that the hoisting halyard is in good condition.
- Inspect your Boson's chair.
- Always have a backup line.
- Wear a helmet.
- Use a secure tool belt to hold all the tools you may need.
- Use protective footwear.
- Try to use a manual winch and not an electric winch. Using an electric winch reduces the ability to communicate effectively, and will hoist at a rate of a foot every couple of seconds. Using a manual hoist reduces the chances of injuries.
- Never go aloft while the boat is at the yard.

3. Walking on high decks while the vessel being surveyed is blocked ashore.

Just imagine a situation when you are performing an inspection on the deck, on a 65 ft sailboat with 14 ft draft, which is blocked at the shipyard. Under this scenario, the surveyor would be walking on a narrow deck on a total high of almost 26 ft.

Risks

- Improper use of catwalks and slippery deck could lead to an accidental fall.
- Missing grating, railings and stanchions

- Improper personal protective equipment (PPEs) especially safety shoes and safety harness could cause direct injuries to the surveyor.

Prevention

- Cleaning up after work and maintaining the deck free from oil and other slippery substances.
- Follow designated catwalks and correct passages on main deck and avoid shortcuts.
- Using proper non-skid safety shoes on deck and use of safety harness while working on heights.
- Safety and situational awareness.
- Analyzing the hazards and risks that are associated with the job, and understanding the nature of possible accidents prior commencing the job.

4. Inspecting the hull bottoms while the boats are suspended by slings in a travel lift (lift & hold inspection)

Working underneath a 50 tonne yacht suspended from a crane or straddle carrier when the lifting slings are damaged or worn brings with it other types of risk. As a surveyor, do not be tempted into the false belief that the boat yard or crane operator will check the equipment, just because the boat yard has a good reputation, this must not be assumed. Always check for yourself that, wherever the yacht is, the surrounding environment is safe and appropriate to work in.

Risks

- The slings could break letting the vessel fall, while the surveyor is beneath the vessel inspecting the hull bottom.

Prevention

- Safe Working Load (SWL) of the lifting gears must be compared to the load to be lifted.
- Always double check the stressed points of the slings and make sure they are in good condition.
- Slings should be securely attached to their loads.
- Slings shall be protected from sharp edges.
- If a wire rope sling shows any sign of significant deterioration, that sling must be removed.



ADMIRALTY LAW

Expert Analysis

Good Faith Matters Utmost

Uberrimae fidel—rhymes with obey! This matters in maritime law. The doctrine is one of the oldest and deeply entrenched of all maritime laws, yet so often it causes unwary mariners to run aground.

The Latin phrase translates to “utmost good faith”. It requires an insured purchasing marine insurance to “disclose to the insurer all known circumstances that materially affect the risk being insured.” *Knight v. U.S. Fire Ins. Co.*, 804 F.2d 9 (2d Cir. 1986). Failure to abide has dire consequences. The breach of this duty permits the insurer to void the entire marine policy “ab initio”, another Latin phrase, meaning from the beginning!

Uberrimae fidel requires “the most abundant good faith; absolute and perfect candor or openness and honesty; the absence of any concealment or deception, however slight. A phrase used to express the perfect good faith, concealing nothing, with which a contract must be made.” *Thebes Shipping v. Assicurazioni Ausonia SPA*, 599 F. Supp. 405, 427 (S.D.N.Y. 1984). The



By
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And
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Polling

doctrine is implied in all maritime insurance contracts. The disclosure must typically be made on the insurance application, which is the document containing all pertinent information regarding the vessel to be insured, the person to be insured, and other information requested by the underwriter. If an insured omits information or makes a misrepresentation that is considered material (important), the insurer does not need to demonstrate that the insured acted intentionally in order to rescind the contract. The insurer only needs to prove that the representation of a fact was false and material.

Ancient History

The origins of uberrimae fidel can be traced back centuries, even before the existence of U.S. courts. It was for good reason because a marine underwriter was not in a position to know all material facts relative to a risk to

be insured, especially in the transient world of maritime commerce. It was thus imperative that the insured provide full disclosure of all material information when binding marine insurance. See Thomas J. Schoenbaum, *Admiralty and Maritime Law* §19:14, at 460 (6th ed. 2018). “The historical origins of this duty ‘can probably be traced to the early coffee-house days when the writing of insurance

The breach of this duty permits the insurer to void the entire marine policy “ab initio”, another Latin phrase, meaning from the beginning!

on ships and cargoes in far away ports would have been impossible without complete and utter candor as to all material aspects of the risk.” Jeremy A. Herschaft, *Not Your Average Coffee Shop: Lloyd’s of London—A Twenty-First-Century Primer on the History, Structure, and Future of the Backbone of Marine Insurance*, 29 Tul. Mar. L.J. 169, 180 (2005). “As early as 1766, Lord Mansfield recognized that insurance contracts impose a heightened duty of good faith to prevent a party from omitting or concealing facts that would induce the counterparty into a bargain,

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from his ignorance." Parliament later codified the doctrine of *uberrimae fidei* into the Marine Insurance Act of 1906. *QBE Seguros v. Morales-Vázquez*, 2021 U.S. App. LEXIS 1399 (1st Cir. Jan. 19, 2021), citing *Carter v. Boehm* (1766) 97 Eng. Rep. 1162, 1164 (K.B.). "Such a requirement was rooted in practical wisdom, recognizing that an insurer often lacked the ability to verify the insured's representations before issuing a policy." *QBE Seguros*, 2021 U.S. App. LEXIS 1399 (1st Cir. Jan. 19, 2021).

The earliest U.S. maritime case referencing the doctrine of *uberrimae fidei* stems back to the early 1800s. In *M'Lanahan v. Universal Insurance Co.*, 26 U.S. 170 (1828), a marine policy was requested for the wooden brig named CREOLE by a written letter. However, insurance was not effected until two months after the initial request, at which time it was suspected that the vessel had already been lost. The U.S. Supreme Court, Justice Story had notably referred to *uberrimae fidei* as an "enlightened moral policy", thereby cementing *uberrimae fidei* as a doctrine recognized in U.S. maritime law.

The United Kingdom, where *uberrimae fidei* was first launched, abolished the Marine Insurance Act in 2015, and no longer permits an insurer to outright cancel a policy for a potential nondisclosure without further development. However, this duty of utmost good faith doctrine remains steadfast in U.S. maritime law.

What's App?

An important question becomes what is considered "material" to a marine underwriter? Information will be considered material if "it

might have a bearing on the risk to be assumed by the insurer." *HIH Marine Services v. Fraser*, 211 F.3d 1359, 1362 (11th Cir. 2000). As noted, a material misrepresentation or omission in the policy application is grounds for voiding the policy. *Royal Ins. Co. of Am. v. Harbor Shuttle*, 1999 U.S. Dist. LEXIS 23964 (E.D.N.Y. 1999).

For starters, information that is requested on an insurance application is deemed material as a matter of law. *Royal Ins. Co. of Am.*, 1999 U.S. Dist. LEXIS 23964 (purchase price of vessel); *Griffith v. American National Fire Ins. Co.*, 1997 AMC 2745 (D. Del. 1997) (ownership of vessel).

The material non-disclosure does not need to be related to the loss. Courts apply the doctrine of *uberrimae fidei* in a variety of circumstances.

The well entrenched admiralty doctrine of *uberrimae fidei* shows no signs of going out of style. Despite the fact that the doctrine was harpooned from the UK's marine insurance code, it remains steadfast on our shores.

A recent decision from the First Circuit voided coverage for a 40-foot yacht when an insured failed to disclose a prior grounding of another vessel. The insured also failed to identify on his application several vessels he had previously owned. When the insured yacht sustained significant fire damage, the insurer denied coverage citing breach of the duty of *uberrimae fidei*. The court held that "this case is a poster child

for the continuing relevance of the doctrine ... [the] underwriter was "pressed for time because [the insured] needed the insurance for that same day." To accommodate the insured, the underwriter moved rapidly; it delivered the requested coverage just 36 minutes after the broker submitted the insured's application. In other words, the stringent burden of disclosure allowed the insured to obtain marine insurance in a matter of minutes. Reaffirming the significance of the doctrine of *uberrimae fidei*, the First Circuit explained: "This practical wisdom still rings true when applied to marine insurance—an industry in which, for example, a policy may have to be issued in London, on a time-sensitive basis, for a vessel berthed halfway across the globe." *QBE Seguros v. Morales-Vázquez*, 2021 U.S. App. LEXIS 1399 (1st Cir. Jan. 19, 2021). The court observed: "Although the availability of information has improved dramatically in recent times, a marine insurer and its insured do not have equal access to the information needed to make underwriting decisions and to set premiums ... Thus, even though *uberrimae fidei* has been scuttled in other areas of insurance law, the peculiarities of marine insurance underscore the case for its continued desirability." *Id.* at 14.

Btresh v. Royal Insurance Co. of Liverpool, 49 F.2d 720 (2d Cir. 1931), applied the doctrine to void coverage when a shipper of silk and cotton material mislabeled the cargo as consisting of only cotton items. The certificate of insurance, however, correctly described the

cargo as containing both cotton and silk. The cargo was stolen en route, and the insurer declined coverage. The Second Circuit affirmed the ruling that the insured had failed to disclose the full risk of the shipment by improperly categorizing the goods.

In *Knight v U.S. Fire Ins. Co.*, 804 F.2d 9 (2d Cir. 1986), the insurance contract was void ab initio when the insured failed to disclose to the insurer that his prior marine policy was canceled for fraud. The insured procured artwork in a foreign country and insured it for an ocean voyage. The insurance was cancelled because the insurers received unsubstantiated information that a fraud was occurring. The insured then went ahead and insured the items with another insurer without disclosing the prior cancellation. As fate would have it, vessel sank, items lost, and insurance claim submitted. The district court voided the policy ab initio. The Second Circuit affirmed and held that under the doctrine of uberrimae fidei the insured was required to disclose the prior insurance cancellation, even if the allegations of prior fraud were unsubstantiated.

In *St. Paul Fire & Marine Ins. Co. v. Matrix Posh*, 507 Fed. Appx. 94 (2d Cir. 2013), the insured failed to disclose a loss that had occurred prior to inception of the policy, permitting the insurer to rescind the contract. The court explained that the doctrine of uberrimae fidei demands “that the parties to a marine insurance policy must accord each other the highest degree of good faith.” This duty “requires an assured to disclose any information

that materially affects the risk being insured, because the assured is more likely to be aware of such information.” If the insured fails to make the required disclosures—i.e., any material information—the policy is void ab initio. The insured is required to communicate the information to the insurer before the policy is issued, so that the insurer can decide for itself at that time whether to accept the risk.

Most courts will require some proof that the marine insurer relied upon the misrepresentation. There is a school of thought that permitting rescission or avoidance without some showing of reliance would create a “moral hazard” by permitting insurers to accept premium for suspect risks and then avoiding coverage when a claim is made based on a misrepresentation.

For instance, in *Albany Ins. Co. v. Horak*, 1993 U.S. Dist. LEXIS 9500 (E.D.N.Y. 1993), an insured’s policy was void ab initio for theft of a vessel when the insured failed to disclose in his application the purchase price, the condition of his vessel, and a significant prior loss. The prior owner had struck a submerged object and punctured a hole in the bottom of the vessel, causing water to enter. The vessel was repaired and then sold to the insured “as is” for \$54,000. The insured then invested nearly \$50,000 to restore the vessel and applied for insurance. The insurer issued a policy with a hull value of \$350,000 after receiving a marine survey and application from the insured. In the subsequent theft claim dispute, the court voided the policy ab initio because the insured failed to disclose to the marine underwriter that he had

paid only \$57,000 for the boat and purchased it “as is where is” after an accident. The court held that a reasonable person in the insured’s position would know that these particular facts “would have controlled the underwriter’s decision” as to whether or not to accept the risk, as was made clear both by the underwriter’s affidavit and by the fact that the matter was the subject of direct questions on the application form.

Steady as She Goes

The well entrenched admiralty doctrine of uberrimae fidei shows no signs of going out of style. Despite the fact that the doctrine was harpooned from the UK’s marine insurance code, it remains steadfast on our shores. Thus, as this doctrine compels, it is better to be an open book when applying for marine insurance, because despite the well-entrenched phrase, it is not the “loose lips” that sink ships.

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How to Prepare for your AMS[®] exam for Y&SC

The test is broken into three sections:

Open Book.

General knowledge of industry standards, practices and terminology.

Essay questions on survey practices.

The test sections are arranged as follows:

Section 1. 25 multiple choice and fill in the blank questions worth 25 points.

Section 2. 60 multiple choice, true/false and fill in the blank questions worth 60 points.

Section 3. There are seven essay questions. The candidate must choose five of the seven questions. Each essay question is worth a possible 3 points and partial credit may be given for partial answers.

Preparation:

Section 1:

The open book section is based on USCG regulations. The book that is allowed for this section is published by ABYC. It is called USCG Regulations for Recreational Boats. The 2018 or 2020 versions are the most current editions, and either may be used for the test. The candidate should obtain a copy of this book and bring it with them for the test.

Marine surveyors should be familiar with the contents of the Coast Guard regulations as they apply to recreational vessels and be able to look up and quote the applicable Coast Guard regulations used in conducting marine surveys. We do not expect SAMS[®] surveyors to have the regulatory citations memorized but we should know the content of the regulations and be familiar enough with the regulations to look up the citations. The book may be highlighted or tabbed to make it easier to find particular citations as the candidates' see fit. Tabs or Post-it notes may make this faster/easier for some folks. As a prior Coast Guard regulator and marine inspector for 20 years I find that using the table of contents is the best way to flip through the book and locate appropriate sections. Everyone has their own method here so use your best method to become familiar with this text. You may find that tabbing everything simply puts too many tabs on the book and does not help.

Every answer to section 1 of the AMS[®] test is found word for word in black & white in the book. If you don't find it word for word keep looking. It's there. **Read The Questions.** If it says a citation is in 33 CFR don't right down something from 46 CFR. If it asks for a table cite a table. Everyone should get 25 out of 25 for the open book section.

Section 2:

This is the general knowledge portion of the exam. There are multiple choice questions, fill in the blank questions from photos and true/false questions. Follow good testing practices. **Read The Questions.** Make sure the question is asking either for an answer that agrees with a statement or one where you choose something that disagrees with a statement. Some questions have multiple choices where more than one choice is true; so read all of the answers and choose the best one. There are no tricks here.

The test covers a broad spectrum of marine information.

This includes ABYC and NFPA 302 standards that we should be familiar with and have a working knowledge of the standards that we use on a daily basis conducting surveys. You should be very familiar with the electrical standards, propulsion & fuel system standards, and other standards where failure to meet the standards will likely be a hazard to the vessel and its crew. As you prepare for the test, I highly recommend taking the ABYC standards class and the ABYC electrical class. As you review the ABYC standards think about standards that prevent the big three, **Sinking, Fire, Injury.** The test does not require you to have specific ABYC or NFPA standard citations memorized. As an example: Remembering that conductor sizes are found in E-11.14.1.1.2 is not needed but you do need to know what the minimum conductor sizes are. Same thing goes for NFPA 302. You should have a basic knowledge of what standards apply to what systems.

You should be familiar with standard marine terminology. As we write our reports it is essential that we use standard marine terms and therefore the test has multiple questions relating to proper marine terminology. This includes descriptive terms of vessel parts and attributes as well as marine insurance terms and terms used to describe damage or deficiencies found on vessels. Various books contain marine terminology, and the test questions are based on published texts. Treatises like “Chapman’s Piloting and Seamanship” and “The Annapolis Book of Seamanship” are good references. Your reference library should contain multiple books of this type for you to study. If you have taken a surveyor class review the notes from the class.

You should be familiar with standard marine practices. There are multiple questions on proper installation of systems. There are questions on recognizing defects and damage and the causes of same. Much of this knowledge should have been obtained from your years of work in the marine industry. There are also good references such as “The Boat Owner’s Electrical and Mechanical Manual” by Nigel Calder, “the Nature of Boats” by Dave Gerr. These are just two examples of many publications relating to marine practices.

Section 3:

Here you will choose 5 of the 7 essay questions. Read all seven questions and decide which you are most comfortable writing complete answers for. Answer only 5 of the 7 questions. If you answer all 7, I will grade the first 5. There is no extra credit for answering more than 5.

These questions will ask you to describe various survey procedures and practices and the issues you look for and methods you use during a survey. The best way to answer these is in a bullet or outline form. The answer sheet has specific bullet points that are needed to form a complete answer. Please make an effort to write clearly as I have to be able to read what you have written. Again, **Read The Question**. Answer what it is asking for. Writing a two page dissertation on something that is not asked for will not get the point credits for the essays. Be concise and to the point and be thorough. Answer all aspects of the specific question. Each question is worth 3 points and partial credit is given for partial answers. I don’t really have a study guide for this section as the questions are a discussion of survey procedures and practices as well as how and what you do for particular parts of a survey or particular systems you should be able to describe in detail.

Finally:

Use good testing practices. **Read The Question**. Read all of the answers. If you are not sure eliminate the choices you know to be incorrect. There is no penalty for guessing so answer all the questions. If it is blank it is wrong, and you don’t get a point. If you change an answer clearly strike out the choice you want to change and clearly indicate the answer you do want. Making a T scribbled over an F in a true/false question is not clear. Making a D into a B by scribbling over the D is not clear. If you don’t think any of the answers are correct write in the margin what you think is correct and why. The tests are graded by hand not a machine. I read the comments and may even call you to discuss a comment to see if you really understand and know the correct answer to a question. This is also how I improve the test questions for future tests.

You have four hours to complete the test. Take your time don’t rush through it.
The test requires 80% to pass.

French Translation Follows

Comment ce préparé pour votre l'examen AMS® en Y&SC

L'examen est divisé en trois partie :

Partie à livre ouvert

Connaissance générale des normes, la pratique et la terminologie de l'industrie.

Rédaction sur le pratique d'inspecteur.

Les sections de l'examen sont arrangées comme suit :

1^{ière} partie. 25 questions de choix multiple et remplir l'espace pour une valeur de 25 points

2^{ième} partie. 60 questions de choix multiple, vrai/faux et remplir l'espace pour une valeur de 60 points

3^{ième} partie. Il y'a sept questions de rédaction. Le candidat doit choisir cinq des sept questions. Chaque question a une valeur possiblement de 3 points et des crédits peut-être donné pour une réponse partielle.

Préparation :

La partie 1 :

Cette section est à livre ouvert sur les réglementations de Transport Canada. Les référence permis pour cette partie est : Les normes de Construction pour les Petites Bâtiments (2010)-TP1332F et le guide de Sécurité nautique TP-511F. le candidate devrait avoir une copie de les référence et les apporter avec eu pour l'examen. Les documents peuvent être téléchargé au site suivant :

<https://tc.canada.ca/sites/default/files/migrated/tp1332f.pdf>

https://tc.canada.ca/sites/default/files/migrated/tp_511f.pdf

-----Un inspecteur maritime devrait être familiarisé avec le contenu des règlements de Transport Canada car ils s'applique véhicules récréative (petites bâtiments). Un inspecteur devrait être capable de faire une recherche de citer les normes utilisé en produisant une inspection maritime. Il a aucune exigence d'un(e) inspecteur de SAMS® de mémoriser les normes, mais nous devons connaître le contenu et ont devrait être familiariser avec les normes pour être capable de trouver les règlements. La référence peut être surligné ou marqué pour rendre la recherche plus facile selon la connivence du candidat. Des marques ou des notes "post-it" peu rendre la recherche plus facile pour certain. Comme régulateur ultérieur de la Garde Côtière des États Unis et un inspecteur maritime depuis déjà 20 ans, j'ai trouvé que la meilleure façon de feuilleté un document et en utilisant la table des matières pour la partie approprié. Tout le monde a leur façon de le faire donc utiliser votre méthode de vous familiariser avec les textes. Vous allez remarquer que mettre trop de marque sur un livre n'aide pas.

Toutes les réponses dans la partie 1 de l'examen AMS® ce trouve mot pour mot, en noire et blanc dans ces références. Si vous ne trouvé pas les mots, continué des chercher. **Ils sont là.** S'il mention une référence qu'il est dans la partie 6 n'écrive pas de quoi de la partie 7. S'il demande pour un tableau mentionné le tableau. Tout le monde devrait avoir 25 sur 25 dans cette partie.

Partie 2 :

Ceci est la partie sur les connaissances générale. Les questions sont de type, choix multiple, remplir l'espace vide fondé sur des photos et des questions vrai/faux. Suivi les bonnes pratiques d'examen. **Lire les questions.** S'assuré que les questions demandent soit une réponse qui est d'accord avec une déclaration ou de quoi qui est en désaccord avec une déclaration. Certaines questions sont de choix multiple ou plus qu'une réponse peut être vrai; donc lire toutes les réponses et opter pour la meilleure réponse. Il n'a pas de farces ou d'attrape.

L'examen couvre une grande gamme d'information maritime.

Ceci inclus les normes d'ABYC et NFPA 302 que nous devons avoir une bonne connaissance de pratique que nous utilisons régulièrement dans nous inspection quotidienne. Vous devriez être familier avec les normes électrique, propulsion & système carburant, et autres normes ou un manquement aux obligations peu causé un risque à l'embarcation ou son équipage.

En ce préparant pour l'examen je conseille fortement prendre une classe de ABYC dans les normes et une de ABYC en électricité. Pendant votre révision de ABYC penser aux normes qui empêche les gros trois, coulé, feux, blessure. Cet examen ne demande pas les normes ABYC ou NFPA soit mémorisé. Comme exemple : Se souvenir que la grosseur des conducteurs peu être trouvé sous E11.14.1.1.2 n'est pas nécessaire mais il faut savoir les grosseurs minimales des conducteurs. C'est le même pour NFPA 302. Vous devriez avoir une connaissance de base de quelle norme s'applique sur quel système.

Vous devez connaître les pratiques standard maritime. Il y'a multiples de questions sur la bonne façon d'installation des systèmes. Il y'a des questions en reconnaissance sur les défauts et les dommages et les causes. Beaucoup de cette connaissance vient avec des années d'ouvrage dans l'industrie maritime. Il y'a des bonnes références comme "The Boat Owner's Electrical and Mechanical Manual" de Nigel Calder, "the Nature of Boats" de Dave Gerr. Deux exemple des plusieurs publications sur la pratique maritime.

Section 3:

Ici vous allez choisir 5 des 7 questions. Lire les sept questions et décidé le quelle qu'être le plus confortable a répond au complet. SVP prendre l'effort d'écrire clairement car j'ai besoin d'être capable de lire qu'es que vous avez marqué. Répondait seulement 5 des 7 questions, si vous répondais aux 7 questions je vais grader les premières 5. Il n'a pas de crédit supplémentaire de répond plus que 5.

Ces questions vont vous demander à décrire différent procédures et pratiques et les problématiques vous rechercher et les méthodes utiliser dans une inspection. La meilleure façon de répondre et en utilisant des puces ou forme esquisse. La feuille de réponse à des points puce spécifique pour formuler une réponse complète. SVP prendre l'effort d'écrire clairement car j'ai besoin d'être capable de lire qu'es que vous avez marqué. Encore **lire la question**. Répondre a qu'es qu'est demander. Écrire une thèse a deux pages ou de quoi qui n'est pas demandé ne vous donne pas les points de crédits pour la rédaction. Soyez bref et au point et minutieux. Répondre à tous les aspects d'une question spécifique. Chaque question à une valeur de 3 points et un crédit partiel est donné pour une réponse partielle. Je n'ai pas de guide d'étude pour cette partie car les questions sont une discussion de procédures et pratiques d'une inspection maritime incluant comment est qu'es que vous fait pour les parties ou système particulières et que vous être capable de le décrire en détaille.

Finalement :

Utiliser une bonne pratique d'examen. **Lire la question**. Lire toutes les réponses. Si vous n'est pas sûr, éliminer les choix que vous savez ne sont pas bonne. Il na pas de pénalité en devinant une réponse. Si la réponse est vide, vous n'aurais pas de point. Si vous changé une réponse, SVP effacer ou barboulé clairement et indiqué clairement la réponse que vous avez choisi. De marquer un T sur un V dans une question vrai/faux n'est pas clair. De changer un D à un B n'est pas clair. Si vous penser que aucune réponse est bonne, écrire la bonne réponse avec explication dans la marge. Les examens sont grader à main et pas par un appareil. Je fais la lecture des commentaires et possiblement vous appeler pour n'en discuter un commentaire pour voir si comprenais et avoir une bonne réponse a la question. Ceci est aussi une façon d'améliorer les questions pour les examens ultérieure.

Vous avez 4 heures pour compléter l'examen. Prendre votre temps, ne pas se dépêcher pour le compléter. L'examen demande un grade de 80% pour une réussite.

Members

The is a revision of title 46 which was passed by Congress in December 2019 (wow, they really worked on something).

It is the result of the dive boat fire in California that had 34 fatalities. I know some of you might be interested in this bill as it does have some impact on inspected vessels.



II

116TH CONGRESS
1ST SESSION

S. 3042

To amend title 46, United States Code, to require the Secretary of the department in which the Coast Guard is operating to prescribe additional regulations to secure the safety of individuals and property on board certain small passenger vessels, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 12, 2019

Mrs. FEINSTEIN introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend title 46, United States Code, to require the Secretary of the department in which the Coast Guard is operating to prescribe additional regulations to secure the safety of individuals and property on board certain small passenger vessels, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Passenger Vessel
5 Safety Act of 2019”.

1 **SEC. 2. REGULATIONS FOR COVERED SMALL PASSENGER**
2 **VESSELS.**

3 Section 3306 of title 46, United States Code, is
4 amended—

5 (1) in subsection (a)—

6 (A) in the matter preceding paragraph (1),
7 by inserting “, including covered small pas-
8 senger vessels (as defined in subsection (n)(5))”
9 after “vessels subject to inspection”; and

10 (B) in paragraph (5), by inserting before
11 the period at the end “, including rechargeable
12 devices utilized for personal or commercial elec-
13 tronic equipment”; and

14 (2) by adding at the end the following:

15 “(n) **ADDITIONAL REGULATIONS FOR COVERED**
16 **SMALL PASSENGER VESSELS.**—

17 “(1) **IN GENERAL.**—The Secretary shall pre-
18 scribe additional regulations to secure the safety of
19 individuals and property on board covered small pas-
20 senger vessels.

21 “(2) **COMPREHENSIVE REVIEW.**—The regula-
22 tions prescribed under paragraph (1) shall include
23 the provision of a comprehensive review of all re-
24 quirements for covered small passenger vessels, in-
25 cluding calculations, with respect to fire detection,

1 protection, and suppression systems on board such
2 vessels.

3 “(3) REQUIREMENTS.—The regulations pre-
4 scribed under paragraph (1) shall include each of
5 the following requirements for covered small pas-
6 senger vessels:

7 “(A) Requirements for the addition of
8 interconnected fire detection, protection, and
9 suppression equipment, including fire extin-
10 guishers, in all areas on board such vessels to
11 which passengers have access, including dining
12 areas, sleeping quarters, and lounges.

13 “(B) Requirements to increase fire detec-
14 tion, protection, and suppression systems on
15 board such vessels in unmanned areas with ma-
16 chinery or areas with other potential heat
17 sources.

18 “(C) Requirements for fire detection, sup-
19 pression, and control in all areas on board such
20 vessels to which passengers have access, includ-
21 ing dining areas, sleeping quarters, and
22 lounges.

23 “(D) Requirements for all such vessels to
24 have not less than 2 avenues of escape from all
25 general areas accessible to passengers. Such

1 avenues of escape shall be located so that if one
2 avenue is not available another avenue may be
3 available.

4 “(E) Requirements, including increased
5 standards, for marine firefighting training pro-
6 grams with respect to such vessels to improve
7 crewmember training and proficiency. Such pro-
8 grams shall—

9 “(i) include training regarding ship-
10 board marine firefighting operations; and

11 “(ii) be reviewed and maintained by a
12 third party contractor approved by the
13 Commandant.

14 “(F) Requirements for handling, storage,
15 and operation of flammable items, such as lith-
16 ium ion batteries, on board such vessels.

17 “(4) INTERIM POLICIES.—To the maximum ex-
18 tent practicable, the Secretary shall implement in-
19 terim policies to, prior to the issuance by the Sec-
20 retary of final regulations prescribed under para-
21 graph (1), apply the requirements under paragraph
22 (3) to covered small passenger vessels.

23 “(5) DEFINITION OF COVERED SMALL PAS-
24 Senger vessel.—In this subsection, the term ‘cov-
25 ered small passenger vessel’—

1 “(A) means a small passenger vessel
2 that—

3 “(i) is less than 100 gross tons as
4 measured under section 14502 of this title,
5 or an alternate tonnage measured under
6 section 14302 of this title as prescribed by
7 the Secretary under section 14104 of this
8 title; and

9 “(ii) is carrying—

10 “(I) for overnight domestic voy-
11 ages, not more than 49 passengers;
12 and

13 “(II) for all other voyages, not
14 more than 150 passengers; and

15 “(B) includes any wooden vessel con-
16 structed prior to March 11, 1996, that carries
17 passengers on overnight domestic voyages.”.

18 **SEC. 3. SAFETY MANAGEMENT SYSTEM TO INCLUDE ALL**
19 **SMALL PASSENGER VESSELS.**

20 Title 46, United States Code, is amended—

21 (1) in section 3202(b)—

22 (A) by redesignating paragraphs (1) and
23 (2) as subparagraphs (A) and (B), respectively,
24 and indenting appropriately;

1 (B) by striking “This chapter” and insert-
2 ing the following:

3 “(1) IN GENERAL.—This chapter;” and

4 (C) by adding at the end the following:

5 “(2) SAFETY MANAGEMENT SYSTEM.—Notwith-
6 standing any other provision in this chapter, includ-
7 ing paragraph (1)(B), the regulations issued under
8 section 3203, including the safety management sys-
9 tem established by such regulations, shall apply to
10 all small passenger vessels.”; and

11 (2) in section 3203(a), by inserting “(including,
12 for purposes of this section, all small passenger ves-
13 sels)” after “vessels to which this chapter applies”.

○



IMPORTANT MEMBER INFORMATION



2021 SAMS® International Meeting & Educational Conference (IMEC) Sept. 29th To Oct. 2nd New Orleans, LA

Attention All SAMS® Members

SAMS® Google Group - <https://groups.google.com/forum/?hl=en#!forum/marinesurveyors> .

To access the SAMS® Group, please go to the above link. Upon logging in, an approval will be given via SAMS® HQ to enter the site. To be approved you need to be a member in good standing, and you will need your display name (nickname) to show your first and last name. Please do not use your email as a display name.

The cost of this is covered as part of your annual dues. All we ask is that you abide by the group Policy, and show respect to your fellow surveyor.

Need CE Credits ???

Newsletter Material Deadline: Have an interesting topic? Send it in! If your article is published in SAMS® NEWS, you not only contribute news and information, you may be eligible to receive (3) CE Credits* for your article. The cutoff date for material to be submitted for publication in the next SAMS® Newsletter is July 1, 2021. The editor must receive all articles by this deadline or they MAY NOT be published in the next issue.

If you are planning to write an article you should know the following:

1. Your article should be technical in content, and of interest to the profession of marine surveying.
2. The article should be in MS Word.
3. Please use **Times New Roman, font size 12**
4. Length of the article should be 500 to 1000 words.
5. Articles that have been published before, MUST have a letter of permission letting SAMS® re-publish this article.

CE Credits:

Don't forget to check the website under "Education" for ideas to obtain CE's.



MEMBER'S CORNER NOVEMBER 2020 - MARCH 2021

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***SAMS® 2021
International Meeting
&
Educational Conference (IMEC)***

September 29th - October 2nd



Sheraton New Orleans
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New Orleans, LA 70130

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Group/Convention Code: AMS

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Room Rates: \$179.00 US per night plus taxes and fees.

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5PM Monday, August 30, 2021