



United States Requirements for Foreign Yachts Entering the U.S.

***The following is intended specifically for United States Coast Guard District 7
Encompassing Miami and the USVI***

Vessel Arrival Requirements:

Larger vessels coming to the US face some unique requirements. While not difficult to achieve, they do require pre-planning prior to heading to a US port.

These unique requirements include:

1. Notice of Arrival (NOA) and Notice of Departure (NOD) - collectively referred to as NOAD or eNOAD
2. Certificate of Financial Responsibility (CoFR)
3. Non-Tank Vessel Response Plan (NTVRP)

STEP 1

NOAD

Who Needs to File a NOAD (33 CFR 160.203):

1. Foreign flag (non-US) pleasure craft (private yachts) 300 gross tons (GT) and above.
2. All foreign flag commercial vessels (yachts with an active Commercial Certificate of Registry*) regardless of size.

**This differs from being a commercially compliant yacht. In other words, if the yacht holds a Certificate of Compliance for Large Commercial Sailing & Motor Vessels (COCLY) or a Commercial Yacht Compliance Certificate (CYCC), or similar certificate it does not make the yacht a Commercial Yacht. Only if the yacht is operating with an active Commercial Yacht Certificate of Registry will it be viewed by port state control as a commercial vessel. Therefore, a yacht operating with a Private Yacht Certificate of Registry is considered to be a pleasure craft.*

Who Does Not Need to File a NOAD (33 CFR 160.204):

1. Foreign flagged recreational vessels under 300 GT.
2. Vessels operating exclusively within a single Captain of the Port zone*.

**Captain of the Port zones are not to be confused with Districts. There are nine Districts that contain a total of 37 sectors which are synonymous with Captain of the Port zones. The USVI are in District 7, headquartered in Miami, however both Puerto Rico and the USVI fall under Sector San Juan which includes both Puerto Rico and the USVI in one Captain of the Port zone. Click [here](#) for a map of Sectors and [here](#) for a map of Districts.*

When to File an NOA:

1. When coming from foreign ports.
2. When changing Captain of the Port zones (US port to US port – for example, from Miami to USVI).
3. Voyages greater than 96 hours must file the NOA prior to departure and at least 96 hours prior to arrival.
4. Voyages less than 96 hours must file the NOA prior to departure and at least 24 hours prior to arrival.
 - a. The last update to the NOA is 12 hours prior to arrival.

When to File an NOD:

1. No later than 60 minutes before departure from the last US port.

How to File an NOAD:

- National Vessel Movement Center (NVMC) - www.nvmc.uscg.gov
- XML Spreadsheets containing the correct data (Title 33, Chapter I, Subchapter P, Part 160, Table 160.206) - <https://ecfr.federalregister.gov/current/title-33/chapter-I/subchapter-P/part-160>
- If the vessel does not have internet the USCG may allow other means on a case-by-case basis.

NOAD FAQ

1. Does a Cruising Permit exempt a vessel from filing a NOA? - No
2. What if I can't meet the 96 or 24 hour requirement? - Contact the pertinent Captain of the Port (COTP) for the port the vessel is attempting to enter.
3. Should I file the NOAD myself? You can, however, it is highly recommended that you have your local agent handle the process.

USVI Local Agents

St. Thomas Cargo: +1-340-776-8660

National Marine: +1-340-693-6017

STEP 2

Certificate of Financial Responsibility (CoFR)

Ref: 33 CFR, Chapter I, Subchapter M, Part 138

For those familiar with the Certificate of Insurance or Other Financial Security in Respect of Liability for the Removal of Wrecks, the CoFR is very similar but is US specific and relates to the Oil Pollution Act of 1990 (OPA 90). The CoFR is simply a way of providing confirmation to the authorities that the vessel has the required insurance necessary to cover the yacht in case of an oil spill.

Who Needs to File a CoFR:

1. All vessels, private or commercial, above 300 GT.

When to File a CoFR:

1. At least 21 days prior to requiring the certificate*.

**While officially 21 days, typically it is closer to 24 - 48 hours, but always err on the side of caution and get it in within the recommend 21 days.*

How to File a CoFR:

1. First, you will need to obtain the required insurance.*
2. Go to the USCG website by clicking [here](#).**
 - a. Select "Enter COFR Application".
 - b. Click "Accept".
 - c. If you are a first time user you will have to apply for "Online Enrollment" and then follow the directions to setup a new user.
 - d. Those that are setup for "Online Enrollment" can select "E-COFR", enter in all required details, and pay the fee.
3. Wait to receive confirmation of the CoFR.

If you require assistance in filing a CoFR please email Dayboard Maritime at contact@dayboardmaritime.com or contact your agent.

* The US has a limited number of pre-approved insurance providers. This list can be found by clicking [here](#). Once obtained, the insurer will send confirmation of insurance directly to the USCG. No one other than the insurance company can send the confirmation for it to be accepted.

**Unfortunately, you can currently only access the application via Internet Explorer. There are a variety of emulators you can search for in order to successfully use the system from Safari or another browser.

CoFR FAQ:

1. How long is a CoFR issued for? - Generally 3 years, but the insurance must be maintained up to date during that period.

STEP 3

Non-Tank Vessel Response Plans (NTVRP)

For those familiar with SOPEP plans (required for all vessels 400 GT and above), the NTVRP is similar. However, the NTVRP covers some additional items that are US specific and requires some additional coverage from third parties. These include the OSRO (Oil Spill Response Organization) and SMFF (Salvage and Marine Fire Fighting) coverage.

Who Needs a NTVRP:

1. All vessels 400 GT and above, including both commercial and private vessels.

When to Apply for a NTVRP:

1. There is no set amount of time required to have a NTVRP approved and the actual time will vary depending on the workload the USCG has.
2. Typically the USCG is quoting 4 - 6 weeks from receipt of the plan to approval.
3. It is recommended to start the process 3 months prior to coming to the US to ensure that if there is any missing information, questions, or other delays that it will not affect the yacht's ability to travel to the US.

How to Apply for a NTVRP:

1. Contact a reputable company that is able to provide a USCG approved NTVRP
2. Provide the necessary information such as a tank plan, fire safety plan, and other required information
3. Obtain the SMFF and OSRO coverage (this will generally be handled by the company providing the NTVRP)
4. Once all information and coverage is in place, the NTVRP will be submitted to the USCG for approval. Once approved, an approval letter will be issued that must be maintained alongside the NTVRP and kept onboard.

To start the application process for a new NTVRP, click [here](#).

NTVRP FAQ:

1. Can the yacht come into the US without a valid NTVRP? Not technically, however, if a yacht is coming to the US for the first time and the application for the NTVRP has been submitted to the USCG, the Captain of the Port may allow the yacht to enter US waters. However, this is usually only in extenuating circumstances and certainly don't count on it.
2. How long is the NTVRP valid? Generally for 5 years, however, the SMFF and OSRO coverage must be renewed annually in order for the NTVRP to remain valid.
3. We're only coming to the US once and don't plan on returning, do we really need an NTVRP? Absolutely. The consequences for not complying are denial of entry or very large fines.