



Division of Fire Prevention Fact Sheet

Permanently Moored Craft Rule Changes

The Office of the State Fire Marshal (OSFM) is proposing changes to the permanently moored craft (PMC) program that would impact PMC owners in the State of Illinois.

What is a PMC?

A PMC is a form of craft floating in a waterway that no longer has the practical capability of being used as transportation on the water and that is permanently fixed to a foundation or mooring. Many of the PMCs regulated by the OSFM are ships, boats, or barges that have been repurposed, typically as casinos or restaurants.

Why does the OSFM regulate PMCs?

PMCs are not addressed by the Coast Guard or Army Corps of Engineers because they are not considered vessels, nor are they clearly addressed by State or local building codes since they exist on the water. The OSFM has asserted a level of regulation since the 1990s, when PMCs were primarily seen in the form of casinos. The OSFM has provided for requirements of the PMC's structure, as the underlying structure contributes to the development of safety of the PMC.

Why are changes to the rules governing the PMC program necessary and what would the changes do?

Changes to the PMC program are necessary to:

- Meet current industry standards.
- Improve and clarify the regulatory process for PMCs.
- Ensure that fire prevention and life safety standards are evaluated and met for all PMCs in the State of Illinois.

The changes would:

- Revise and clarify inspection requirements.
- Revise and clarify requirements for inspectors.

Overview of proposed changes to the inspection schedule

PMCs are currently required to undergo inspections annually, which include an internal structural examination and an underwater inspection or drydock at intervals in accordance with U.S. Coast Guard regulations, or present evidence of compliance with alternative methods of hull examinations. It is worth noting that PMCs can differ greatly, both structurally and functionally. Such differences, particularly the structural differences, mean that an inspection schedule that makes sense for one PMC might not make sense for another. The proposed rule changes would account for some of these differences by allowing for flexibility, depending on the type of PMC.

Overall, the proposed changes would introduce a staggered inspection schedule which would typically include:

- **An initial inspection, which would be conducted by a PMC examiner.**
The initial inspection would comprise a series of inspections during the construction of a new PMC, during the transfer of a vessel into PMC status, or upon bringing an existing craft into regulated PMC status. A recently passed inspection under the current rules would count as an initial inspection.
- **An annual inspection, which would be conducted by the PMC owner.**
The annual inspection would be a self-certification process to be provided and documented by the PMC owner, and would comprise a visual, walkthrough inspection of all spaces and compartments of the PMC. The results of the annual inspection would be documented on a form provided by the OSFM and submitted to OSFM for review. The annual inspection would be conducted to ensure that there are no changes to the arrangements as noted during the most recent inspection and that life safety systems, fire protection systems, and means of egress remain in compliance with National Fire Protection Association (NFPA) 101.
- **A 30-month hull integrity inspection, which would be conducted by a PMC examiner.**
This would comprise a thorough internal structural examination of the hull and hull structures. The PMC examiner would be required to provide a report to the OSFM with the results of the hull integrity inspection. This inspection is intended to be completed without taking the PMC out of the water via drydock or by conducting underwater surveys.
- **A 60-month drydock or underwater survey, which would be conducted by a PMC examiner.**
This would include a diver or underwater Remotely Operated Vehicle (ROV) survey and ultrasonic thickness gauge measurements of the hull material. A hull integrity inspection would also be required at the 60-month stage. The PMC examiner would be required to provide a report to the OSFM with the results of the inspection. Wooden-hulled or fiberglass-hulled PMCs would be required to go into a drydock at intervals not exceeding 5 years. Steel and aluminum-hulled PMCs would not be required to go into a drydock, unless underwater surveys or hull integrity inspections result in findings that would require a PMC to go into a drydock to perform repairs.

Inspection exemptions and alternative inspection protocols

PMCs on floating dock systems

As previously mentioned, PMCs can vary greatly, both structurally and functionally. Some of the PMCs regulated by the OSFM are structures built on top of floating dock systems. A floating dock system is a platform or deck extending into a waterway that is buoyant and adjusts with changing water level. A PMC on a floating dock system would be exempt from the 30-month hull integrity inspection. The inspection schedule for PMCs on floating dock systems would include:

- An initial inspection to be conducted by a PMC examiner.
- An annual inspection to be conducted by the PMC owner.
- A 60-month underwater survey inspection to be conducted by a PMC examiner.

Additional exemptions from the hull integrity inspection

In addition to PMCs constructed on floating dock systems, PMCs meeting certain conditions would also be exempt from the hull integrity inspection. The PMC owner would have to annually certify to the OSFM the existence of the below conditions to maintain the exemption from the 30-month hull integrity inspection. This information would need to be included on the inspection checklist form to be submitted to the OSFM. The PMC would need to meet the following conditions to be exempt:

- Not accessible to the public;
- Have a primary occupancy of business, storage, or industrial (as defined by NFPA 101); and
- Have an occupant load less than 50 (as calculated per NFPA 101).

Hull integrity inspection in lieu of a drydock/underwater survey inspection

PMCs meeting certain conditions would be permitted to have a hull integrity inspection conducted in lieu of a drydock/underwater survey at the 60-month milestone.

Drydock/underwater surveys for such PMCs would still have to be conducted at intervals not to exceed 10 years. The PMC owner would have to annually certify to the OSFM the existence of the below conditions to have a hull integrity inspection conducted in lieu of a drydock/underwater survey at the 60-month milestone:

- Not accessible to the public;
- Have a primary occupancy of business, storage, or industrial (as defined by NFPA 101); and
- Have an occupant load less than 50 (as calculated per NFPA 101).

Alternative drydock/underwater survey protocol

The proposed rule changes would allow PMC owners to submit to the OSFM an alternative drydock/underwater survey protocol that provides an equivalent level of safety if certain conditions exist. Criteria for determining equivalency of the alternative inspection protocol would be determined by the OSFM and a PMC examiner hired and paid by the PMC owner. The PMC owner would be required to be consulted during the equivalency analysis. The conditions to be met for consideration of an alternative drydock/underwater survey protocol are:

- The PMC is floating in shallow water, making an underwater survey impracticable; and
- Drydocking is impracticable due to the PMC's location or due to being landlocked in its waterway.

Overview of proposed changes to requirements for inspectors

The proposed rule changes would also provide clarification regarding who can perform inspections of PMCs. The changes are expected to expand the pool of PMC examiners (companies) and qualified individuals who may perform inspections. This is expected to provide more competition in the field and reduce costs for PMC owners.

PMC examiners

- The PMC examiner (the entity that employs qualified individuals) would have to be approved by the OSFM prior to being engaged by a PMC owner to provide required inspections or examinations.
- Insurance requirements for PMC examiners would not change.

Qualified individuals

- A qualified individual would be required to be a professional engineer possessing the required knowledge and experience to perform PMC inspections and examinations or a certified or accredited marine surveyor possessing the required knowledge and experience to perform PMC inspections and examinations.
- A qualified individual would also be required to have a thorough knowledge of watercraft structures, design features, nomenclature, and of the applicable regulations, codes, standards, and other relevant requirements. This would include requisite knowledge and familiarity with Non-Destructive Testing (NDT) equipment and procedures, diving operations, cameras, communications, and other equipment used during underwater hull exams and surveys.

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