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Court - -not a Jones Act seaman; and  
California – marine invasive species amendments proposed.

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## Bryant's Maritime News



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## USCG – BWMS type-approval application



The US Coast Guard issued a **bulletin** stating that it has received an application requesting USCG type-approval for the OceanSaver ballast water management system (BWMS). This is the third such request received by the Coast Guard. (9/23/16)

[<http://mariners.coastguard.dodlive.mil/2016/09/23/application-received-requesting-bwms-type-approval-oceansaver/>].

## USCG – NMC List Server outage



The USCG National Maritime Center (NMC) issued a **notice** announcing that the NMC List Server functions will be unavailable until 7 October due to the transition of list server data. (9/23/16)

[[https://www.uscg.mil/nmc/announcements/pdfs/list\\_server\\_subscription\\_request\\_form.pdf](https://www.uscg.mil/nmc/announcements/pdfs/list_server_subscription_request_form.pdf)].

## NBSAC – meeting on 20-22 October



The National Boating Safety Advisory Council (NBSAC), sponsored by the US Coast Guard, will meet on 20-22 October in Arlington, Virginia. Topics on the agenda include distracted driving; human performance; and human factors analysis. **81 Fed. Reg. 66049** (9/26/16)

[<https://www.gpo.gov/fdsys/pkg/FR-2016-09-26/pdf/2016-23110.pdf>].

## Court – handyman covered by LHWCA



In a brief, unpublished decision, the US Court of Appeals for the Ninth Circuit denied a petition to review an order of the Benefits Review Board upholding the award of benefits under the Longshore and Harbor Workers' Compensation Act (LHWCA) to a handyman repairing the roof of a building near the docks in which tools used to repair maritime equipment may have been stored. **Knutson Towboat Co. v. Wakeley**, No. 14-70990 (9th Cir., September 23, 2016) [<http://cdn.ca9.uscourts.gov/datastore/memoranda/2016/09/23/14-70990.pdf>]. *Note: This decision should be published, primarily to preserve the brief (but refreshing) concurring opinion.*

## Court – not a Jones Act seaman



In a brief unpublished decision, the US Court of Appeals for the Fifth Circuit affirmed an order of summary judgment finding that plaintiff employee was not a seaman for purposes of the Jones Act based on his work history. **Felder v Nabors Offshore Corp.**, No. 16-30461 (5th Cir., September 23, 2016) [].

## California – marine invasive species amendments proposed



The California State Lands Commission (SLC) issued a **notice** announcing proposed amendments to regulations regarding Marine Invasive Species Control Fund Fee and Definitions. Among other things, the amendments would increase the fee from \$850 per qualifying voyage to \$1,000 per qualifying voyage. Comments must be received by 7 November. (9/23/16) [<http://www.slc.ca.gov/Laws-Regs/Proposed-MISP4-5.html>].

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