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Circular Ref: 2026/01

U.S. Coast Guard – Changes to “Urgent” COFR Application Filings

Effective: 30 March 2026

Introduction

We wish to draw our clients’ attention to an important policy change issued by the U.S. Coast Guard’s Vessel Certification Division (Cv) concerning the processing of so-called “urgent” applications for Certificates of Financial Responsibility (COFRs).

This change materially affects vessels applying for COFRs within short timeframes prior to arrival in U.S. waters and reinforces the Coast Guard’s long-standing regulatory filing requirements under 33 CFR Part 138. Clients trading to the United States should review the notice carefully and ensure their internal planning and compliance timelines are aligned accordingly.

Set out below is the official notice received, reproduced verbatim.

Official Notice (Reproduced Verbatim)

RE: Changes to “urgent” application filings

This notice is to advise COFR applicants of changes in policy regarding the processing of “urgent” COFR applications.

Effective March 30, 2026, the Vessel Certification Division (Cv) will no longer expedite “urgent” COFR applications at your request. “Urgent” means applications received within the 96-hour arrival notice. The COFR regulation clearly states in 33 CFR 138.80 (b) “The Director must receive the Application, evidence of financial responsibility, and other required supporting documentation, at least 21 days prior to the date the Certificate is required. The COFR Operator may seek an exception to the 21-day submission deadline only as provided in § 138.60(e)(3). Further, 33 CFR 138.60 (e)(3) provides that the Director may, in the Director's sole discretion, grant an exception to a deadline specified in this subpart for good cause shown. Examples of good cause may include adverse weather or other type of emergency.

We had accepted and expedited urgent applications with the goal of facilitating commerce, while ensuring the correct operator was identified and financial responsibility was established. However, the unintended consequence of this accommodation has allowed operators to bypass our regulations and added additional work to Cv staff and enforcement officials. Cv’s practice is to review applications in

CIRCULAR

order of receipt. By processing several “urgent” applications daily, our actions effectively penalize the hundreds of operators that follow the regulations.

Going forward, Cv will only consider exception requests that demonstrate a good cause with a detailed written explanation from an officer of the operator, not their representative, as to why the operator did not apply in accordance with the filing requirements detailed in 33 CFR 138.80. If an exception is approved, Cv will process and issue the COFR as expeditiously as possible. The details and written explanation will be shared with enforcement personnel for civil penalty consideration by the Captain of the Port.

Cv appreciates everyone’s help and understanding offered over the years.

Closing Commentary

In practical terms, this change removes the ability to rely on last-minute or “urgent” COFR filings as a matter of course. Except in genuinely exceptional circumstances, supported by a written explanation from a senior officer of the vessel operator, applications submitted inside the 21-day window should not be expected to receive expedited treatment.

Clients are therefore strongly encouraged to:

- Review voyage planning and U.S. trading schedules well in advance;
- Ensure COFR applications, supporting documentation, and evidence of financial responsibility are submitted in line with the 21-day regulatory requirement; and
- Engage early where fleet changes, operator changes, or trading patterns may impact COFR validity.

As always, we remain available to assist with advance planning, application strategy, and compliance support to reduce the risk of disruption, delay, or enforcement action when trading to U.S. ports. Please contact your usual ShorelineHudson representative if you would like to discuss the implications of this change for your fleet.



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