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ENERGY AND COMMERCE**

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CHAIRMAN

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November 1, 2017

The Honorable Bill Shuster
Chairman
Transportation & Infrastructure Committee
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Peter A. DeFazio
Ranking Member
Transportation & Infrastructure Committee
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Shuster and Ranking Member DeFazio:

I write today to ask that you include the following Coast Guard waiver language for the Saugatuck Chain Ferry in the next relevant legislative vehicle through the Transportation & Infrastructure Committee:

SEC. 501. WAIVER.

Section 8902 of title 46, United States Code, shall not apply to the Chain Ferry DIANE (United States official number CG002692) when such vessel is operating on the Kalamazoo River in Saugatuck, Michigan.

Originally used to transport horses across the Kalamazoo River, the Saugatuck Chain Ferry is now a top tourist attraction in Southwest Michigan. Built in 1838, it is the only hand-cranked chain ferry left in the country. It takes about 200 cranks and approximately two minutes for the five ton vessel to float the 100 yards across the river to the opposite shore, one mile from Saugatuck's famous Oval beach and 500 yards from the Historic Museum. The Chain Ferry is 25 feet long, and can carry 26 passengers. Three pulleys keep it in line as it is being pulled across the Kalamazoo River. The operator turns a crank on the inside and this pulls the ferry along the chain which lies on the bottom of the river. The ferry is open Memorial Day to Labor Day, and the fare is just \$1.

While I understand the need for the safety regulations overseen by the Coast Guard in many situations, those regulations impose an undue burden on the City of Saugatuck for the operation of the historic Saugatuck Chain Ferry. The requirements under section 8902 including: license evaluation and issuance, completion of a physical, random drug testing, and holding a Transportation Worker Identification Card are all extremely costly and put great strain on the operation of the Chain Ferry.

The safety of the passengers who ride the ferry is of utmost importance, but given the unique attributes of the vessel, no specialized machinery, and the measures currently in place, I consider this regulatory overkill. The ferry is on a chain, therefore the operator does not navigate the vessel, and due to the chain, it is permanently affixed to both banks of the river making it unnecessary for navigation rules proficiency. In addition, the operators are trained and maintain CPR and First Aid certifications. There are also personal flotation devices onboard for everyone, including preservers for children and infants. As the Saugatuck Chain Ferry travels only 100 yards, and does so while connected to a chain permanently connected to shore the entire time, the risks to passengers is minimal and almost completely mitigated by safety procedures.

Thank you for your consideration of this important matter.

Sincerely,



FRED UPTON
Member of Congress

