

TABLE 10.201(h).—GUIDELINES FOR EVALUATING APPLICANTS FOR LICENSES AND CERTIFICATES OF REGISTRY WHO HAVE CRIMINAL CONVICTIONS

Crime <sup>1</sup>	Assessment periods	
	Minimum	Maximum
<b>Crimes Against Persons</b>		
Homicide (intentional) .....	7 years .....	20 years.
Homicide (unintentional) .....	5 years .....	10 years.
Assault (aggravated) .....	5 years .....	10 years.
Assault (simple) .....	1 year .....	5 years.
Sexual Assault (rape, child molestation) .....	5 years .....	10 years.
Robbery .....	5 years .....	10 years.
Other crimes against persons <sup>2</sup> .		
<b>Crimes Against Property</b>		
Burglary .....	3 years .....	10 years.
Larceny (embezzlement) .....	3 years .....	5 years.
Other crimes against property <sup>2</sup> .		
<b>Vehicular Crimes</b>		
Conviction involving fatality .....	1 year .....	5 years.
Reckless Driving .....	1 year .....	2 years.
Racing on the Highways .....	1 year .....	2 years.
Other vehicular crimes <sup>2</sup> .		
<b>Crimes Against Public Safety</b>		
Destruction of Property .....	5 years .....	10 years.
Other crimes against public safety <sup>2</sup> .		
<b>Crimes Involving National Security</b>		
Terrorism, Acts of Sabotage, Espionage and related offenses .....	7 years .....	20 years.
<b>Criminal Violations of Environmental Laws</b>		
Criminal violations of environmental laws involving improper handling of pollutants or hazardous materials ..	1 year .....	10 years.
<b>Dangerous Drug Offenses<sup>3, 4, 5</sup></b>		
Trafficking (sale, distribution, transfer) .....	5 years .....	10 years.
Dangerous drugs (Use or possession) .....	1 year .....	10 years.
Other dangerous drug convictions <sup>6</sup> .		

<sup>1</sup> Conviction of attempt, solicitation, aiding and abetting, accessory after the fact, and conspiracy to commit the criminal conduct listed in this table carry the same minimum and maximum assessment periods provided in the table.

<sup>2</sup> Other crimes are to be reviewed by the OCMI to determine the minimum and maximum assessment periods depending on the nature of the crime.

<sup>3</sup> Applicable only to original applications for licenses or CORs. Any applicant who has ever been the user of, or addicted to the use of, a dangerous drug shall meet the requirements of paragraph (b) of this section. Note: Applicants for reissue of a license or COR with a new expiration date including a renewal or a raise of grade, who have been convicted of a dangerous drug offense while holding a license or COR, may have their applications withheld until appropriate action has been completed by the OCMI under the regulations which appear in 46 CFR part 5 governing administrative actions against merchant mariner credentials.

<sup>4</sup> The OCMI may consider dangerous drug convictions more than 10 years old only if there has been a dangerous drug conviction within the past 10 years.

<sup>5</sup> Applicants must demonstrate rehabilitation under paragraph (j) of this section, including applicants with dangerous drug use convictions more than ten years old.

<sup>6</sup> Other dangerous drug convictions are to be reviewed by the Officer in Charge, Marine Inspection on a case by case basis to determine the appropriate assessment periods depending on the nature of the offense.

(i) *National Driver Register*. A license or certificate of registry will not be issued as an original or reissued with a new expiration date unless the applicant consents to a check of the NDR for offenses described in section 205(a)(3) (A) or (B) of the NDR Act (i.e.,

operation of a motor vehicle while under the influence of, or impaired by, alcohol or a controlled substance; and any traffic violations arising in connection with a fatal traffic accident, reckless driving, or racing on the highways). The OCMI will not consider

NDR listed civil convictions that are more than 3 years old from the date of request unless that information relates to the current suspension or revocation of the applicant's license to operate a motor vehicle. The OCMI may determine minimum and maximum