

Certificate of Financial Responsibility (COFR) Requirements							
	Federal & State COFR Requirements	Applicable Statute	Vessels Required to have COFR	COFR Amount: Tankers	COFR Amount: Other Vessels	Evidence of Financial Responsibility	Etc. (Links/Important Resources)
	Federal (OPA)	OPA, 33 USC 2701, et seq.	Any vessel over 300 gt, any tanker over 100 gt, and any vessel, lightering or transshipping oil in the Exclusive Economic Zone	Double hull tanker of 3000gt or less: greater of \$5,380,300 or \$2,500/gt; Double hull tanker more than 3000gt: greater of \$21,520,000 or \$2,500/gt; Single-hull tanker of 3000gt or less: greater of \$8,070,400 or \$4,000/gt; Single-hull tanker more than 3000gt: greater of \$29,591,300 or \$4,000/gt	greater of \$1,076,000 or \$1,300 /gt	insurance, surety bond, self-insurance, financial guarantee, other evidence of financial responsibility	
	Alaska	Alaska Statutes 46.04.040 and 46.04.055	All vessels that transport oil as cargo in bulk; a self-propelled vessel over 400 gross registered tons.	a) crude oil: \$668.70 per incident, per barrel \$100,000,000 \$222,900,000 minimum; b) non-crude oil: \$222.90 per incident for each barrel of storage capacity or \$2,229,000, whichever is greater, subject to a maximum of \$78,015,000;	\$100.00 \$1,000,000 \$35,000,000 \$222.90 per incident, per barrel \$2,229,000 minimum \$78,015,000 maximum	Oil pollution insurance Self-insurance Surety bond Letter of credit Certificate of deposit Financial guaranty Protection and indemnity (P&I) coverage	<a href="https://dec.alaska.gov/media/533hr3p0/18-aac-75.pdf">https://dec.alaska.gov/media/533hr3p0/18-aac-75.pdf</a>
	California	CCR Title 14, Chapter 2, Sections 791-797	An owner or operator of a facility, small marine fueling facility, mobile transfer unit, tank vessel, nontank vessel, or vessel carrying oil as secondary cargo	Must show that the applicant can pay at least one billion dollars.	owners or operators of nontank vessels shall demonstrate their current financial ability to pay at least \$300 million (\$300,000,000), unless owned or operated by California or a federal agency	insurance, surety bond, letter of credit, qualifications as a self-insurer, or any combination thereof or other evidence of financial responsibility.	<a href="https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=1633300&amp;inline">https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=1633300&amp;inline</a>
	Delaware	Title 7 Conservation Chapter 62 "Oil Pollution Liability" §6201- §6216; Incorporates OPA COFR requirements	same as OPA (Sec. 23.11g2)	same as OPA amounts	same as OPA amounts	OPA COFR accepted, self-insurance, guarantee, insurance, surety, letter of credit	
	Florida	Fla. Stat. § 376.14. Vessels; financial responsibility; claims against providers of financial responsibility; service of process against responsible parties	each owner and operator of any vessel or barge pursuant to federal regulations				
	Louisiana	Louisiana Oil Spill Prevention and Response Act; La.R.S. 30:2451 et seq.	Any tanker capable of carrying 10,000 gallons of oil as fuel or cargo (Sec. 30:2478)	same as OPA amounts	n/a	OPA COFR accepted for tankers covered by OPA. For tankers capable of carrying 10,000 gallons of oil but which are not covered by OPA (i.e., those below 100 gross tons), the owner or operator must establish and maintain evidence in a form prescribed by the state.	
	Maine	§ 552-B. Financial responsibility and facility closure Me. Rev. Stat. tit. 38, § 552-					
	New Jersey	New Jersey Spill Compensation and Control Act; N.J.S.A. 58:10-23.11 et seq.	same as OPA (Sec. 23.11g2)	same as OPA amounts	same as OPA amounts	OPA COFR accepted, self-insurance, guarantee, insurance, surety, letter of credit	
	New York	New York Oil Spill Law; Navigation Law Article 12, Sec. 170 et seq.	any vessel (Sec. 181)	same as OPA amounts	same as OPA amounts	OPA COFR accepted, self-insurance, guarantee, insurance, surety, letter of credit	
	Virginia	Va. Code Ann. 62.1-44.34.16 Financial responsibility for vessels and facilities	same as OPA (Sec. 23.11g2)	same as OPA amounts		self-insurance, insurance, guaranty or surety, or any other method approved by the Board	
	Texas	Oil Spill Prevention and Response Act; Texas Nat. Res. Code Sec. 40.001 et seq.	Any vessel capable of carrying 10,000 gallons or more of oil as fuel or cargo (Sec. 40.201)	same as OPA amounts	n/a	OPA COFR accepted for vessels covered by OPA. For vessels capable of carrying 10,000 gallons of oil but which are not covered by OPA (i.e., those below 300 gross tons), the owner or operator must establish and maintain evidence of financial responsibility	
	Washington*	Chapter 173-187-100 WAC Financial Responsibility	Barges that transport hazardous substances in bulk as cargo. Tank vessels/large barges of equal or greater than 300 gross tons. Tank vessels (incl tank barges) of less than 300 gross tons. Cargo vessels Passenger vessels Passenger vessels that transport passengers and vehicles between WA and a foreign country. Fishing vessel that carries predominantly non persistent oil. Fishing vessel that carries predominantly persistent oil. Fishing vessel that carries predominantly persistent oil.	a) tank vessels and large barges of equal or greater than 300 gross tons: \$1 billion b) tank vessels, including tank barges, of less than 300 gross tons: \$5 million or \$3,000 per barrel of the barge's total capacity, whichever is greater	a) Barges that transport hazardous substances in bulk as cargo: \$5 million or \$300 per gross ton, whichever is greater b) cargo vessels: \$300 million c) passenger vessels: \$300 million d) Passenger vessels that transport passengers and vehicles between Washington and a foreign country: \$500,000 or \$600 per gross ton, whichever is greater e) Fishing vessel that carries predominantly nonpersistent oil: \$1.334 million or \$133.40 per barrel of total capacity; whichever is greater f) Fishing vessel that carries predominantly persistent oil: \$6.67 million or \$400.20 per barrel of total capacity; whichever is greater	P&I coverage, surety bond, guarantee, letter of credit and other financial instruments as per WAC 173-187-220	<a href="https://ecology.wa.gov/regulations-permits/guidance-technical-assistance/financial-responsibility-for-oil-spills#:~:text=Financial%20responsibility%20requirements,-Financial%20responsibility%20requirements&amp;text=On%20June%2014%2C%202020%2C%20Ecology,arising%20from%20an%20oil%20spill.">https://ecology.wa.gov/regulations-permits/guidance-technical-assistance/financial-responsibility-for-oil-spills#:~:text=Financial%20responsibility%20requirements,-Financial%20responsibility%20requirements&amp;text=On%20June%2014%2C%202020%2C%20Ecology,arising%20from%20an%20oil%20spill.</a>

Please note that some states are not included on the list as they do not have their own COFR requirements.

\*to be phased in over 21 months from 15 July 2024