

SAFE HARBOR

A monthly newsletter for the Maritime worker from
The Law Offices of Lyle C. Cavin, Jr.

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Thank you for your maritime service and taking the time to review our Newsletter. We at the Law Offices of Lyle C. Cavin, Jr. hope you find the following information informative and helpful. If you have any questions regarding your rights or remedies please contact us at any time. We are here to serve you.



MARIJUANA OR OTHER RECREATIONAL DRUGS

It should go without saying that the use of marijuana and other recreational drugs is strictly verboten to the mariner or harbor worker. Anyone serving in a safety-sensitive capacity in the maritime transportation industry must avoid the consumption of these items without exception. Section 49 CFR Part 40 is the lynch pin of this law.

In spite of a growing trend amongst states to legalize marijuana, including for medical use, this carries no favor with the Coast Guard. If you suffer an injury or illness where medical marijuana is prescribed you will not be able to sail on your license or Coast Guard document until your system is rid of the residue and you no longer are consuming it. Keep in mind that the half-life of marijuana is such that it can be detected in your system for weeks after it is used. Should the mariner violate this regulation, and Coast Guard prosecution occurs, one can expect to lose their sailing privileges for at least one year and often times longer.



QUESTION FROM THE BRIDGE



I was recently treated for cancer with chemotherapy and medicinal marijuana. Thankfully, after two years I have been declared cancer-free. I am about to undergo an annual physical and renew my merchant mariner's document. Given the history of medicinal marijuana will I be able to pass the exam?

Jerry B., Seattle

Jerry,

Probably so. However, two points to consider. First, make sure you have consumed no marijuana for several weeks as its residue can remain in your system for quite some time.

Next, do not be surprised if they require you to apply for a Coast Guard waiver which will extend the time necessary to get your clearance.

About Our Law Firm

For more than four decades, merchant mariners, longshoremen, fishermen and harbor workers plying their trades at sea, on the docks, on our U.S. coastal waters and inland waterways have turned to the maritime law firm of Lyle C. Cavin, Jr. & Associates in Oakland. Today, we are proud to be recognized as one of the preeminent maritime law firms serving injured marine workers nationwide, as well as one of the most successful personal injury litigation firms serving victims of negligence in the San Francisco Bay Area and throughout the West Coast.

Team Approach to Every Personal Injury and Jones Act Claim

When you retain Lyle C. Cavin, Jr. & Associates with a Jones Act injury claim or personal injury claim, you don't get just one attorney, you get our entire team of dedicated professionals. Our attorneys offer more than 150 combined years of courtroom and negotiated claims settlement experience. We will represent your interests with unwavering dedication, speed and expertise.

Law Offices of Lyle C. Cavin, Jr. & Associates

"Serving the Merchant Mariner Since 1970"

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