

## §2.01-20

### §2.01-20 Suspension or revocation of certificates of inspection.

Under the authority of 46 U.S.C. 3313 and 46 U.S.C. 3710, a certificate of inspection issued to a vessel may be suspended or revoked if a vessel is found not to comply with the terms of its certificate or fails to meet a standard required by this chapter.

[CGD 95-028, 62 FR 51195, Sept. 30, 1997, as amended by USCG-1998-4442, 63 FR 52188, Sept. 30, 1998; USCG-2004-18884, 69 FR 58341, Sept. 30, 2004]

### §2.01-25 International Convention for Safety of Life at Sea, 1974.

(a) *Certificates required.* (1) The International Convention for Safety of Life at Sea, 1974, requires one or more of the following certificates to be carried on board certain passenger, cargo or tankships engaged in international voyages:

- (i) Passenger Ship Safety Certificate.
  - (ii) Cargo Ship Safety Construction Certificate.
  - (iii) Cargo Ship Safety Equipment Certificate.
  - (iv) Cargo Ship Safety Radio Certificate.
  - (v) Nuclear Passenger Ship Safety Certificate.
  - (vi) Nuclear Cargo Ship Safety Certificate.
  - (vii) Safety Management Certificate.
  - (viii) International Ship Security Certificate.
- (2) The U.S. Coast Guard will issue through the Officer In Charge, Marine Inspection, the following certificates after performing an inspection or safety management audit of the vessel's systems and determining the vessel meets the applicable requirements:
- (i) Passenger Ship Safety Certificate.
  - (ii) Cargo Ship Safety Construction Certificate, except when issued to cargo ships by a Coast Guard recognized classification society at the option of the owner or agent.
  - (iii) Cargo Ships Safety Equipment Certificate.
  - (iv) Exemption Certificate.
  - (v) Nuclear Passenger Ship Safety Certificate.
  - (vi) Nuclear Cargo Ship Safety Certificate.
  - (vii) Safety Management Certificate, except when issued by a recognized or-

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ganization authorized by the Coast Guard.

(viii) International Ship Security Certificate (ISSC).

(3) When authorized by the Commandant, U.S. Coast Guard, the American Bureau of Shipping may issue the Cargo Ship Safety Construction Certificate to cargo and tankships which it classes.

(4) The Federal Communications Commission will issue the following certificates:

- (i) Cargo Ship Safety Radio Certificate.
- (ii) Exemption Certificate.
- (b) *Applications.* (1) The application for inspection and issuance of a certificate or certificates is made on the appropriate form listed in §2.01-1, or by letter, to the Officer in Charge, Marine Inspection, in or nearest the port at which the inspection is to be made and shall be signed by the master or agent of the vessel. The certificates previously issued are surrendered at the time the inspection is performed. Further details are set forth in subchapter D (Tank Vessels), subchapter H (Passenger Vessels), subchapter I (Cargo and Miscellaneous Vessels), subchapter K (Small Passenger Vessels Carrying more than 150 Passengers or with overnight accommodations for more than 49 Passengers), subchapter L (Offshore Supply Vessels), subchapter O (Certain Bulk Dangerous Cargoes), and subchapter T (Small Passenger Vessels), of this chapter.

(2) For vessels other than passenger vessels, you must contact the local office of the Federal Communications Commission to apply for the inspection concerning the issuance of a Cargo Ship Safety Radio Certificate.

(c) *Certificates issued.* (1) If a vessel meets the applicable requirements of the Convention, it shall be issued appropriate certificates listed in paragraph (a) of this section. These certificates describe the vessel and state the vessel is in compliance with the applicable requirements of the Convention.

(2) A Convention certificate may be withdrawn, revoked or suspended at any time when it is determined the vessel is no longer in compliance with applicable requirements. (See §2.01-70 for appeal procedures.)

(d) *CG-969—Notice of Receipt of Application for Passenger Ship Safety Certificate.* (1) The Passenger Ship Safety Certificate is issued by the Commandant after determining all applicable requirements of the Convention have been met. In the event the completion of the certification of any passenger vessel cannot be effected prior to the sailing of the passenger ship on a foreign voyage, or in any case where the Passenger Ship Safety Certificate is not received from the Commandant before the ship sails on a foreign voyage, the Officer in Charge, Marine Inspection, will issue a completed Form CG-969, describing the passenger ship and certifying that an application for a Passenger Ship Safety Certificate is being processed, and that in his opinion the vessel meets applicable requirements of the Convention administered by the Coast Guard.

(2) The completed Form CG-969 may be exhibited in explanation of the failure of the passenger ship to have on board a current Passenger Ship Safety Certificate. This completed form CG-969 may be accepted as prima facie evidence that the passenger ship described therein is in compliance with the applicable requirements of the Convention.

(e) *Exempted vessel.* (1) A vessel may be exempted by the Commandant from complying with certain requirements of the Convention under his administration upon request made in writing to him and transmitted via the Officer in Charge, Marine Inspection. In such case the exemptions are stated in the Exemption Certificate, which is issued by the Commandant through the appropriate Officer in Charge, Marine Inspection.

(2) The Federal Communications Commission issues the Exemption Certificate, which modifies the Cargo Ship Safety Radio Certificate.

(f) *Availability of Certificates.* The Convention certificates must be on board the vessel and readily available for examination at all times.

(g) *Foreign flag vessels.* At the request of the government of a country in which is registered a vessel engaged in an international voyage, such a vessel may be issued the applicable certificate or certificates listed in paragraph (a) of this section. The certificate will

be issued only after inspection has been made by the issuing agency, providing the vessel is found to comply with the requirements of the Convention.

[CGFR 65-50, 30 FR 16604, Dec. 30, 1965, as amended by CGD 73-96, 42 FR 49023, Sept. 16, 1977; CGD 90-008, 55 FR 30659, July 26, 1990; CGD 95-073, 62 FR 67514, Dec. 24, 1997; USCG-1999-6216, 64 FR 53222, Oct. 1, 1999; USCG-1999-4976, 65 FR 6499, Feb. 9, 2000; USCG-2003-14749, 68 FR 39314, July 1, 2003; 68 FR 60515, Oct. 22, 2003; USCG-2004-18884, 69 FR 58341, Sept. 30, 2004]

#### § 2.01-30 Delegation of OCMI signature authority.

The OCMI may redelegate to one individual on his or her staff authority to sign documents issued under this subpart.

[CGD 97-001, 62 FR 17748, Apr. 11, 1997]

#### § 2.01-40 Passengers or persons in addition to crew on cargo or tank vessels.

(a) Under the authority of 46 U.S.C. 3304, a documented vessel transporting cargo may be allowed by its certificate of inspection to carry not more than 12 individuals in addition to the crew on international voyages and not more than 16 individuals in addition to the crew on other voyages.

(b) The application for permission to carry persons in addition to the crew may be included in the application described in § 2.01-1. If granted it is endorsed on the certificate of inspection.

[CGFR 65-50, 30 FR 16604, Dec. 30, 1965, as amended by CGD 95-028, 62 FR 51195, Sept. 30, 1997]

#### § 2.01-45 Excursion permit.

(a) Under 46 U.S.C. 2113, the Coast Guard may issue a permit to the owner, operator, or agent of a passenger vessel, allowing the vessel to engage in excursions that carry additional numbers of passengers, extend an existing route, or both. Details concerning the application process for excursion permits for inspected passenger vessels are contained in §§ 71.10, 115.204, or 176.204 of this chapter. Details concerning the application process for special permits for uninspected passenger vessels are contained in § 26.03-6 of this chapter.