

§ 42.05-40

domestic voyages by sea, the term *existing vessel* means a vessel which is not a new vessel. With few exceptions an *existing vessel* is a vessel the keel of which was laid, or which was at a similar stage of construction, prior to July 21, 1968. (See § 42.05-50 for the definition of a new vessel.)

(b)-(c) [Reserved]

(d) As used in part 44 of this subchapter, for a vessel marked with load lines for special service on a coastwise or interisland voyage, the term *existing vessel* means one whose keel was laid prior to September 28, 1937. (See § 44.01-20 of this subchapter.)

(e) As used in part 45 of this subchapter, *existing vessel* in all regulations pertaining to a vessel engaged solely on Great Lakes voyages before April 14, 1973, means a vessel whose keel was laid before August 27, 1936. The regulations pertaining to these vessels that are in effect after April 14, 1973, do not use the term *existing vessel*.

(f) As used in part 46 of this subchapter, for a passenger vessel marked with subdivision load lines, the term *existing vessel* means a vessel whose keel was laid or was converted to such service prior to May 26, 1965. (See § 46.05-30 of this subchapter.)

[CGFR 68-60, 33 FR 10051, July 12, 1968, as amended by CGD 73-49R, 38 FR 12290, May 10, 1973; CGD 80-120, 47 FR 5722, Feb. 8, 1982]

§ 42.05-40 Great Lakes.

(a) This term means the Great Lakes of North America.

(b) As used in this part, the term *solely navigating the Great Lakes* includes any special service coastwise navigation performed by the vessel.

(c) In concurrence with related Canadian regulations, the waters of the St. Lawrence River west of a rhumb line drawn from Cap de Rosiers to West Point, Anticosti Island, and west of a line along 63° W. longitude from Anticosti Island to the north shore of the St. Lawrence River shall be considered as a part of the Great Lakes. In addition, the Victoria Bridge, Montreal, Canada, is the dividing line between fresh water and salt water in the St. Lawrence River.

[CGFR 68-60, 33 FR 10051, July 12, 1968, as amended by CGD 73-49R, 38 FR 12290, May 10, 1973]

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§ 42.05-45 International voyage.

(a) The term *international voyage* as used in this part shall have the same meaning as the term *international voyage* in Article 2(4) of the 1966 Convention. Except for vessels operating solely on the waters indicated in Article 5(2) of the 1966 Convention, an *international voyage* means a sea voyage from any country to a port outside such country, or conversely. For this purpose, every territory for the international relations of which any specific Contracting Government is responsible or for which the United Nations are the administering authority is regarded as a separate country.

(b) The 1966 Convention does not apply to vessels solely navigating the Great Lakes. Accordingly, such vessels shall not be considered as being on an *international voyage* for the purpose of this subchapter.

(c) For the purpose of administration of load line requirements in this subchapter, the Commonwealth of Puerto Rico, the Territory of Guam, the Virgin Islands, and all possessions and lands held by the United States under a protectorate or mandate shall each be considered to be a *territory* of the United States.

[CGFR 68-60, 33 FR 10051, July 12, 1968]

§ 42.05-47 Marine inspector or inspector.

These terms mean any person from the civilian or military branch of the Coast Guard assigned under the superintendence and direction of an Officer in Charge, Marine Inspection, or any other person as may be designated for the performance of duties with respect to the inspection, enforcement, and administration of title 52, Revised Statutes, and acts amendatory thereof or supplemental thereto, and rules and regulations thereunder.

[CGFR 68-60, 33 FR 10051, July 12, 1968]

§ 42.05-50 New vessel.

(a) As used in this part 42, for a vessel engaged on international voyages or on domestic voyages by sea, the term *new vessel* means a vessel, the keel of which is laid, or which is at a similar stage of construction, on or after July 21, 1968.

(See § 42.05-30 for definition of an existing vessel.)

(1) This definition applies to all vessels of countries signatory to or acceding to the 1966 Convention prior to April 21, 1968, and to vessels of countries not adhering to an applicable Convention as indicated in Article 16(4) of the 1966 Convention.

(2) For countries which accede to the 1966 Convention after April 21, 1968, a *new vessel* (foreign) shall be one whose keel is constructively laid 3 months or more after such date.

(b)-(c) [Reserved]

(d) As used in part 44 of this subchapter, for a vessel marked with load lines for special service on a coastwise or interisland voyage, the term *new vessel* means one whose keel is laid on or after September 28, 1937. (See § 44.01-20 of this subchapter.)

(e) As used in part 45 of this subchapter, for a vessel engaged solely on Great Lakes voyages, the term *new vessel* means one whose keel is laid on or after August 27, 1936. (See § 45.01-10 of this subchapter.)

(f) As used in part 46 of this subchapter, for a passenger vessel marked with subdivision load lines, the term *new vessel* means a vessel whose keel is laid or is converted to such service on or after May 26, 1965. (See § 46.05-25 of this subchapter.)

[CGFR 68-60, 33 FR 10051, July 12, 1968 as amended by CGD 80-120, 47 FR 5722, Feb. 8, 1982]

§ 42.05-55 Officer in Charge, Marine Inspection.

This term means any person from the civilian or military branch of the Coast Guard designated as such by the Commandant and who, under the superintendence and direction of the Coast Guard District Commander, is in charge of a marine inspection zone, and may supervise or perform the duties of a marine inspector.

[CGFR 68-60, 33 FR 10052, July 12, 1968]

§ 42.05-60 Recognized classification society.

The term *recognized classification society* means the American Bureau of Shipping or other classification society recognized by the Commandant, as provided in 46 U.S.C. 5107, and who also

may be approved as a load line assigning and issuing authority.

[CGFR 68-60, 33 FR 10052, July 12, 1968, as amended by USCG-1998-4442, 63 FR 52190, Sept. 30, 1998]

§ 42.05-63 Ship(s) and vessel(s).

The terms *ship(s)* and *vessel(s)* are interchangeable or synonymous words, and include every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

[CGFR 68-126, 34 FR 9011, June 5, 1969]

§ 42.05-65 Surveyor.

The term *surveyor* means any person designated by the American Bureau of Shipping or other classification society recognized by the Commandant as the person who actually examines the vessel and/or materials associated with such examination, and who ascertains such vessel complies with applicable load line requirements.

[CGFR 68-60, 33 FR 10052, July 12, 1968]

Subpart 42.07—Control, Enforcement, and Rights of Appeal

§ 42.07-1 Load lines required.

(a) The vessels listed in §§ 42.03-5 and 42.03-10 as subject to the applicable requirements in this subchapter shall have load lines accurately marked amidships, port and starboard, as provided in this part 42 or the 1966 Convention, unless otherwise stated. Those vessels issued load line exemption certificates may not be required to have load line marks (see § 42.03-30).

(b) For vessels marked with international load lines and navigating the Great Lakes, such vessels are also subject to requirements in part 45 of this subchapter while on the Great Lakes. See § 45.9 of this subchapter for load line marks used by such vessels.

(c) For Great Lakes vessels operating solely on Great Lakes voyages, the requirements for the applicable load line marks are in part 45 of this subchapter. Great Lakes vessels when making