

**§ 42.07-35**

**46 CFR Ch. I (10-1-04 Edition)**

question at issue and decisions reached.

(b) All information required under this subchapter by an assigning authority with respect to a specific vessel shall be retained until 5 years after termination of certification by such authority.

[CGFR 68-60, 33 FR 10053, July 12, 1968]

**§ 42.07-35 American Bureau of Shipping as an assigning authority.**

(a) The American Bureau of Shipping, with its home office at ABS Plaza, 16855 Northchase Drive, Houston, TX 77060, is hereby appointed as the prime assigning and issuing authority under the provisions of Articles 13 and 16(3) of the 1966 Convention and as directed by 46 U.S.C. 5107. In this capacity the American Bureau of Shipping is empowered to assign load lines, to perform surveys required for load line assignments, and to determine that the position of and the manner of marking vessels has been done in accordance with applicable requirements.

(b) On behalf of the United States of America, the American Bureau of Shipping is authorized to issue or reissue, under its own seal and signature of its officials, the appropriate load line certificates or International Load Line Exemption Certificate as described in subpart 42.50 of this part or in parts 44 to 46, inclusive, of this subchapter. Except for the International Load Line Exemption Certificate, the required load line certificate issued to a specific vessel shall certify to the correctness of the load line marks assigned and marked on the vessel and compliance with authorized conditions, restrictions, and/or exemptions, if any. The International Load Line Exemption Certificate when issued to a vessel shall certify as to the compliance with the information applicable to the vessel.

(c) The designation and delegation to the American Bureau of Shipping as an assigning and issuing authority shall be in effect indefinitely unless for due cause it shall be terminated by proper authority and notice of cancellation is published in the FEDERAL REGISTER.

(d) The American Bureau of Shipping is authorized to revalidate from time to time by endorsement a load line cer-

tificate or an International Load Line Exemption Certificate.

(e) Before revalidating any certificate by endorsement, the American Bureau of Shipping shall verify that the required load line marks assigned are marked on the vessel and the vessel is in compliance with authorized conditions, restrictions, and/or exemptions, if any.

(f) The American Bureau of Shipping shall issue all load line certificates in duplicate; one copy shall be delivered to the owner or master of the vessel, and one copy (together with a summary of data used to determine the assigned load lines) shall be forwarded to the Commandant.

(g) The American Bureau of Shipping shall prepare a load line survey report on each new vessel or existing vessel when brought into complete compliance with this part prior to issuing the required load line certificate described in subpart 42.50 of this part. At the time the certificate is delivered, one copy of this report shall be delivered to the master of the vessel, and one copy shall be forwarded to the Commandant. When a load line survey report is superseded or revised, one copy shall be delivered to the master of the vessel, and one copy shall be forwarded to the Commandant.

(h) The load line survey report or stability information furnished to a specific vessel shall include a statement of the locations of all watertight subdivision bulkheads, including steps or recesses therein, which may be involved in the vessel's load line assignment.

[CGFR 68-60, 33 FR 10053, July 12, 1968, as amended by CGFR 68-126, 34 FR 9012, June 5, 1969; CGD 80-143, 47 FR 25149, June 10, 1982; CGD 96-041, 61 FR 50727, Sept. 27, 1996; USCG-1998-4442, 63 FR 52190, Sept. 30, 1998; USCG-2000-7790, 65 FR 58459, Sept. 29, 2000]

**§ 42.07-40 Recognized classification society as an assigning authority.**

(a) On behalf of the United States of America, under the provisions of Articles 13 and 16(3) and as provided in 46 U.S.C. 5107, the Commandant, at the request of a shipowner, may appoint any other recognized classification society, which he may approve, as the assigning and issuing authority who shall perform the same functions and duties

as indicated in § 42.07-35 for the American Bureau of Shipping.

(b) The appointment of a recognized classification society as the assigning and issuing authority will be limited to vessels specifically designated by the Commandant.

[CGFR 68-60, 33 FR 10053, July 12, 1968, as amended by USCG-1998-4442, 63 FR 52190, Sept. 30, 1998]

**§ 42.07-43 Change in assigning authority.**

(a) If the owner desires a change in assigning and issuing authority for a vessel, a special request shall be made in writing to the Commandant at least 90 days prior to the expiration date of the present certificate or the annual endorsement thereon.

(b) A change in the assigning authority does not presume any change in assigned load lines.

[CGFR 68-60, 33 FR 10053, July 12, 1968]

**§ 42.07-45 Load line certificates.**

(a) The load line certificates for which the Government of the United States of America assumes full responsibility may be issued by the Commandant, the American Bureau of Shipping, or a recognized classification society when appointed as an authorized assigning and issuing authority for specifically designated vessels.

(b) The load line certificate shall certify to the correctness of the load line marks assigned to the vessel and that the vessel is in compliance with applicable requirements. A certificate issued under this subchapter also shall describe the applicable load line marks, conditions, restrictions, and/or exemptions, if any, the vessel shall observe, according to the season of the year and the zone or area in which the vessel may operate. The load line exemption certificate issued under § 42.03-30 shall certify the special conditions the vessel shall observe.

(c) A load line assignment and certificate issued to any vessel under the authority of the regulations in this subchapter (or under the authority of any Government adhering to the 1966 Convention, under the provisions of Article 19(5) of the 1966 Convention) shall cease to be valid upon the transfer of

such vessel to the flag of another Government.

(d) Each loadline certificate is issued for the following length of time:

(1) An international and coastwise certificate is issued for 5 years and may be extended by the Commandant up to 150 days from the date of the—

(i) Survey that is endorsed on the certificate by the surveyor authorized by the Coast Guard; or

(ii) Last day of the 5-year period.

(2) A Great Lakes certificate is issued for 5 years and may be extended by the Commander, Ninth Coast Guard District, up to 365 days from date of the—

(i) Survey that is endorsed on the certificate by the surveyor authorized by the Coast Guard; or

(ii) Last day of the 5-year period.

(e) The form of certificate certifying to the correctness of the load line marks, assigned under the regulations in this part, may be in the form of temporary or provisional certificate, signed by the authorized surveyor pending early issuance of appropriate certificate as shown in subpart 42.50 of this part as follows:

(1) International Load Line Certificate, 1966, issued to U.S. vessels engaged in foreign voyages, or engaged in coastwise or intercoastal voyages (provided such vessels qualify to engage in foreign voyages without restriction), as follows:

(i) Form *A1*, For general use.

(ii) Form *A2*, For sailing vessels.

(iii) Form *A3*, For general use, combined with timber deck cargo.

(2) Certificate issued to foreign vessels belonging to countries that have not ratified or acceded to the 1966 Convention as follows:

(i) Form *B*, For general use.

(3) Coastwise load line certificate (other than for special service as provided for by part 44 of this subchapter) issued to U.S. vessels engaged solely in coastwise and/or intercoastal voyages (which may be subject to restrictions as to manning, routes, seasons, waters of operations, etc., as shown on the face of the certificate), as follows:

(i) Form *C1*, For general use.

(ii) Form *C2*, For sailing ships.

(iii) Form *C3*, For general use, combined with timber deck cargo.