

**§ 42.09-15**

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

(b) *Passenger vessels.* In passenger vessels where the positions of the maximum load lines is subject to determination by the application of subdivision and stability requirements in this subchapter, the provisions of both parts 42 and 46 shall be accounted for and developed as necessary. See subchapter H (Passenger Vessels) of this chapter for related data required to be submitted to the Commandant.

(c) *Light ship data.* All plans, etc., necessary for obtaining the Commandant's approval of test results (light ship data) and stability information shall be furnished by the owner. In the absence of existing acceptable light ship stability information, such data shall be obtained from a stability test performed under the supervision of the Commandant. Results of such tests, if satisfactory, will be approved by the Commandant.

[CGFR 68-60, 33 FR 10056, July 12, 1968, as amended by CGFR 68-126, 34 FR 9012, June 5, 1969; CGD 79-153, 48 FR 38647, Aug. 25, 1983]

**§ 42.09-15 Surveys by the American Bureau of Shipping or assigning authority.**

(a) *General.* Before issuing a certificate or placement of load line marks on a vessel, the assigning and issuing authority shall make an initial or periodic survey of the vessel as required by this subchapter. A load line survey report shall be made, reflecting information and facts based on initial surveys, including required and special elements as may be deemed necessary by the assigning authority or the Commandant.

(b) *Initial survey.* An initial survey shall be made before the vessel is put in service or the first time the assigning authority is requested to survey a vessel. The survey shall include a complete examination of its structure and equipment insofar as required by the applicable requirements in this subchapter. This survey shall be such as to ensure that the arrangements, materials, scantlings, and subsequent placement of load line marks fully comply with applicable requirements.

(c) *Periodical survey.* A periodical survey shall be made at intervals not exceeding five (5) years from an initial or previous periodic survey. The survey

shall be similar to the initial survey insofar as extent and purpose are concerned.

(1) If the load line marks are found to be correct for the condition the vessel is then in, the assigning and issuing authority shall issue a new load line certificate, valid for such time as the condition of the vessel then warrants but in no case for a period of longer than 5 years. If, after a survey has been passed, a loadline certificate can not be issued before the current certificate expires, the current certificate may be extended by an endorsement in accordance with the requirements contained in § 42.07-45(d). This endorsement of the assigning authority shall be placed on the back of the certificate, as shown on the forms in subpart 42.50. However, if there have been alterations which affect the vessel's freeboards, such extension shall not be granted. This prohibition is the same as in Article 19(2) of the 1966 Convention.

(2) The periodical survey, including certificate extension or reissue, for a vessel holding an international load line exemption certificate for more than one voyage, shall be the same as for any other vessel covered by this section except for load line marks. However, other conditions specified in the exemption certificate shall be verified.

(d) *Annual surveys for endorsements.* Vessels subject to initial and periodic surveys shall have annual surveys, within 3 months either way of the certificate's anniversary date. The annual surveys shall be made by and prove satisfactory to the assigning and issuing authority prior to executing the required annual endorsements on load line certificates or exemption certificates. The scope shall be as defined in § 42.09-40 and such as to ensure that the applicable load line marks are found to be correct for the condition the vessel is then in.

[CGFR 68-60, 33 FR 10056, July 12, 1968, as amended by CGFR 68-126, 34 FR 9012, June 5, 1969; CGD 73-49R, 38 FR 12290, May 10, 1973]

**§ 42.09-20 Surveys of foreign vessels.**

(a) *General.* Foreign vessels of countries which have not ratified or acceded to the 1966 Convention, or which do not have valid certificates issued under

other international convention or treaty and recognized by the United States of America, if desiring to depart from a port or place in the United States, the Commonwealth of Puerto Rico, the Territory of Guam, or other U.S. possessions, shall be subjected to survey, marking, and certification by a load line assigning and issuing authority as authorized under § 42.07-35 or § 42.07-40, unless:

(1) The vessel is exempted by the provision of 46 U.S.C. 5102; or

(2) The vessel is under tow and carrying neither passengers nor cargo.

(b) *Scope of survey.* A periodical survey described in § 42.09-15(c) shall be conducted by and prove satisfactory to the assigning and issuing authority. It shall be made prior to issue or reissue of the applicable certificate.

(c) *Certification of load lines.* The assigning and issuing authority after determining the vessel meets the applicable requirements in this part may issue a load line certificate subject to requirements in § 42.07-45 and on the applicable form described in subpart 42.50 of this part: *Provided*, That the load line certificate issued shall be valid for a period of 1 year. The certificate may be revalidated by endorsement for additional 1 year periods if the condition of the vessel so warrants, but in any event the certificate shall become void five (5) years from date of issue, or at the expiration of the fourth (4th) yearly validation, whichever occurs first. Whenever the condition of the vessel warrants special limitations, such information and facts shall be attested to on the front or back of the certificate as necessary, by the assigning and issuing authority.

[CGFR 68-60, 33 FR 10056, July 12, 1968, as amended by CGFR 68-126, 34 FR 9013, June 5, 1969; CGD 80-120, 47 FR 5723, Feb. 8, 1982; USCG-1998-4442, 63 FR 52190, Sept. 30, 1998]

**§ 42.09-25 Initial or periodic survey requirements for all vessels.**

(a) Before a survey may be completed, the vessel shall be placed in a drydock or hauled out. The surveyor shall be given complete access to all parts of the vessel to ensure that the vessel complies with all applicable requirements.

(b) The surveyor shall examine on all vessels the items, etc., listed in this paragraph to determine if in satisfactory condition and meeting applicable requirements in this subchapter.

(1) Cargo hatch coamings, covers, beams and supports, gaskets, clamps, locking bars, tarpaulins, battens, cleats and wedges of hatches on exposed freeboard, quarter and superstructure decks, and elsewhere as may be necessary.

(2) Structure of the vessel, coamings, closures, and all means of protection provided for openings, such as for ventilators, companionways, machinery casings, fiddleys, funnels, enclosed superstructures on the freeboard deck (and their end bulkheads) or equivalent protective deck houses, openings in the freeboard and superstructure decks, and significant openings at higher levels in the vessel.

(3) Transverse watertight subdivision bulkheads, as fitted, including any openings therein and closures for such openings. They shall be examined throughout their vertical and transverse extent.

(4) All air-pipe outlets, their closures, all scuppers, and all sanitary discharges in the vessel's sides, including nonreturn valves installed.

(5) The main and auxiliary sea inlets and discharges in the machinery space, and elsewhere if existent, and the valves and controls for these items.

(6) All gangways, cargo ports, and airports, including dead covers or other similar openings in the vessel's sides and their closures.

(7) All guardrails, bulwarks, gangways, and freeing port shutters, including securing devices, and bars.

(8) All eye plates or similar fittings for timber (or other) deck-cargo lashings, including the lashings, sockets for uprights and protective devices as may be necessary for ventilators and steering arrangements.

[CGFR 68-60, 33 FR 10056, July 12, 1968, as amended by CGFR 68-126, 34 FR 9013, June 5, 1969]

**§ 42.09-30 Additional survey requirements for steel-hull vessels.**

(a) In addition to the requirements in § 42.09-25, the surveyor of the assigning authority shall examine the items,