

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,

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etc., listed in this section, to determine if in satisfactory condition and meeting applicable requirements in this subchapter.

(b) When the vessel is in drydock, the hull plating, etc., shall be examined.

(c) The holds, 'tween decks, peaks, bilges, machinery spaces, and bunkers shall be examined to determine the condition of the framing, etc.

(d) The deep tanks and other tanks which form part of the vessel shall be examined internally.

(e) If a double bottom is fitted, the tanks normally shall be examined internally. Where double bottom and other tanks are used for fuel-oil bunkers, such tanks need not be cleaned out, if the surveyor is able to determine by an external examination that their general condition is satisfactory.

(f) The deck shall be examined.

(g) Where, owing to the age and condition of the vessel or otherwise, the surveyor deems it necessary, the shell and deck plating may be required to be drilled or other acceptable means used, in order to ascertain the then thickness of such plating.

[CGFR 68-60, 33 FR 10057, July 12, 1968]

§ 42.09-35 Additional survey requirements for wood-hull vessels.

(a) In addition to the requirements in § 42.09-25, the surveyor of the assigning authority shall examine the items, etc., listed in this section, to determine if in satisfactory condition and meeting the applicable requirements in this subchapter.

(b) When the vessel is in drydock or hauled out, the keel, stem, stern frame or sternpost, outside planking, and caulking shall be examined.

(c) The fasteners shall be examined. Bolts, screws, or equivalent fastenings, as deemed necessary by the surveyor, must be backed out, or otherwise dealt with, to ensure soundness.

(d) The holds, 'tween decks, peaks, bilges, machinery spaces, and bunkers shall be examined.

(e) The entire structure, including decks, shall be examined. If considered necessary by the surveyor, borings shall be made, or other means may be used, to ascertain the condition of the materials. Should these measures disclose sufficient cause, further examina-

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tion to satisfy the surveyor as to the true condition shall be made and check locations listed. This list shall be submitted to the assigning and issuing authority for record purposes, and for use in subsequent surveys.

[CGFR 68-60, 33 FR 10057, July 12, 1968]

§ 42.09-40 Annual surveys.

(a) Relative to §§ 42.09-15(d) and 42.09-20(c), the assigning and issuing authority shall make an annual survey of each vessel holding an appropriate certificate issued under this subchapter.

(b) The annual survey shall be of such scope and extent so as to ensure:

(1) The maintenance in an effective condition of the fittings and appliances for the:

(i) Protection of openings;

(ii) Guardrails;

(iii) Freeing ports; and,

(iv) Means of access to crew's quarters.

(2) That there have not been alterations made to the hull or superstructure which would affect the calculations determining the position of the load line marks.

(c) The assigning and issuing authority shall report on the annual survey made to the owner of the vessel.

[CGFR 68-60, 33 FR 10057, July 12, 1968 as amended by CGD 80-143, 47 FR 25149, June 10, 1982]

§ 42.09-45 Correction of deficiencies.

(a) During and after any survey made by the assigning and issuing authority, those items, fittings, etc., which are found to be in an unsatisfactory condition by the surveyor shall be repaired or renewed in order to place the vessel in a satisfactory condition.

(b) No load line certificate shall be issued, endorsed, extended, or reissued or delivered to a vessel subject to this subchapter until after unsatisfactory conditions have been corrected as required by paragraph (a) of this section.

[CGFR 68-60, 33 FR 10057, July 12, 1968, as amended by CGFR 68-126, 34 FR 9013, June 5, 1969]