Coast Guard, DHS

§ 8.120 Reciprocity.

(a) The Commandant may delegate authority to a classification society that has its headquarters in a country other than the United States only to the extent that the flag state administration of that country delegates authority and provides access to the American Bureau of Shipping to inspect, certify and provide related services to vessels flagged by that country. The Commandant will determine reciprocity on a "case-by-case" basis.

(b) In order to demonstrate that the conditions described in paragraph (a) of this section are satisfied, a classification society must provide to the Coast Guard an affidavit, from the government of the country that the classification society is headquartered in, listing the authorities delegated by the flag state administration of that country to the American Bureau of Shipping, and indicating any conditions related to the delegated authority.

American Bureau of Shipping (ABS)—ABS Plaza, 16555 Northchase Drive, Houston, TX 77060.
§ 8.130 Agreement conditions.

(a) Delegated functions performed by, and statutory certificates issued by, an authorized classification society will be accepted as functions performed by, or certificates issued by, the Coast Guard, provided that the classification society maintains compliance with all provisions of its agreement with the Commandant. Any agreement between the Commandant and a recognized classification society authorizing the performance of delegated functions will be written and will require the classification society to comply with each of the following:

1. Issue any certificates related to a delegated function in the English language.

2. Maintain a corporate office in the United States that has adequate resources and staff to support all delegated functions and to maintain required associated records.

3. Maintain all records in the United States related to delegated functions conducted on behalf of the Coast Guard.

4. Make available to appropriate Coast Guard representatives vessel status information and records, including outstanding vessel deficiencies or classification society recommendations, in the English language, on all vessels for which the classification society has performed any delegated function on behalf of the Coast Guard.

5. Report to the Commandant (CG–CVC) the names and official numbers of any vessels removed from class for which the classification society has performed any delegated function on behalf of the Coast Guard and include a description of the reason for the removal.

6. Report to the Commandant (CG–CVC) all port state detentions on all vessels for which the classification society has performed any delegated function on behalf of the Coast Guard when aware of such detention.

7. Annually provide the Commandant (CG–CVC) with its register of classed vessels.

8. Ensure vessels meet all requirements for class of the accepting classification society prior to accepting vessels transferred from another classification society.

9. Suspend class for vessels that are overdue for special renewal or annual survey.

10. Attend any vessel for which the classification society has performed any delegated function on behalf of the Coast Guard at the request of the appropriate Coast Guard officials, without regard to the vessel’s location—unless prohibited to do so under the laws of the United States, the laws of the jurisdiction in which the vessel is located, the classification society’s home country domestic law, or where the classification society considers an unacceptable hazard to life and/or property exists.

11. Honor appeal decisions made by the Commandant (CG–ENG) or Commandant (CG–CVC) on issues related to delegated functions.

12. Apply U.S. flag administration interpretations, when they exist, to international conventions for which the classification society has been delegated authority to certificate or perform other functions on behalf of the Coast Guard.

13. Obtain approval from the Commandant (CG–CVC) prior to granting exemptions from the requirements of international conventions, class rules, and the U.S. supplement to class rules.