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AUTHORITY: 33 U.S.C. 1321(j); 46 U.S.C. 3205, 3306, 3307; 46 U.S.C. Chapter 701; Executive Order 12234; 45 FR 58801; 3 CFR, 1980 Comp., p. 277; Executive Order 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; Department of Homeland Security Delegation No. 0170.1.

SOURCE: CGFR 65-50, 30 FR 16974, Dec. 30, 1965, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 91 appear by USCG-2012-0832, 77 FR 59779, Oct. 1, 2012.

Subpart 91.01—General Provisions; Certificate of Inspection

§ 91.01-1 Preemptive effect.

The regulations in this part have preemptive effect over State or local regulations in the same field.

[USCG-2006-24797, 77 FR 33877, June 7, 2012]

§ 91.01-2 When required.

(a) Except as noted in this subpart or subpart 91.05, no vessel subject to inspection and certification shall be operated without a valid certificate of inspection.

[CGFR 65-50, 30 FR 16974, Dec. 30, 1965. Redesignated by USCG-2006-24797, 77 FR 33877, June 7, 2012]

§ 91.01-5 Posting.

(a) On vessels of over 25 gross tons, the original certificate of inspection shall, in general, be framed under glass and posted in a conspicuous place where it will be most likely to be observed. On vessels not over 25 gross tons, and on other vessels such as

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barges, where the framing of the certificate under glass would be impracticable, the original certificate of inspection shall be kept on board to be shown on demand.

§ 91.01-10 Period of validity for a Certificate of Inspection.

(a) Certificates of inspection will be issued for a period of 5 years. Application may be made by the master, owner, or agent for inspection and issuance of a new certificate of inspection at any time during the period of validity of the current certificate.

(b) Certificates of inspection may be revoked or suspended by the Coast Guard where such process is authorized by law. This may occur if the vessel does not meet the requirements of law or regulations in this chapter or if there is a failure to maintain the safety requirements requisite to the issuance of a certificate of inspection.

(c) The master or owner of a seagoing barge for which inspection and certification is required by 46 CFR 90.05-25(a), or the master or owner's agent, may apply for a certificate of inspection that is valid for a specific period less than 5 years, or for a specific voyage. The certificate will describe the conditions under which it is issued, and will be endorsed as applying to an unmanned seagoing barge. Paragraph (c) of this section applies if the seagoing barge—

(1) Makes a voyage beyond the Boundary Line for the sole purpose of changing employment; or

(2) Makes a voyage beyond the Boundary Line only infrequently and after doing so returns to its port of departure.

[CGFR 65-50, 30 FR 16974, Dec. 30, 1965, as amended by CGFR 68-82, 33 FR 18901, Dec. 18, 1968; CGD 95-012, 60 FR 48051, Sept. 18, 1995; USCG 1999-4976, 65 FR 6501, Feb. 9, 2000; USCG-2011-0363, 78 FR 53328, Aug. 29, 2013]

§ 91.01-15 Temporary certificate.

(a) If necessary to prevent delay of the vessel, a temporary certificate of inspection, Form CG-854, shall be issued pending the issuance and delivery of the regular certificate of inspection. Such temporary certificate shall be carried in the same manner as the regular certificate and shall in all ways

be considered the same as the regular certificate of inspection which it represents.

§ 91.01-20 Expired certificate.

(a) Nothing in this subpart shall prevent a vessel upon a regularly established line from a port in the United States to a port of a foreign country not contiguous to the United States whose certificate of inspection expires at sea or while said vessel is in a foreign port or a port of Hawaii from lawfully completing her voyage without the valid certificate of inspection or temporary certificate required by this subpart: *Provided*, That the certificate of inspection did not expire within 15 days after the vessel left the last port of the United States, and that the voyage shall be completed within 30 days after the expiration of the certificate of inspection.

§ 91.01-25 Emergency carriage of more than 16 persons in addition to the crew on vessels not engaged in international voyages.

(a) When a District Commander finds that an emergency situation exists, he authorizes the local Officer in Charge, Marine Inspection, to issue amendments to vessels' certificates of inspection authorizing the carriage of more than 16 persons in addition to the crew.

(b) Upon receipt of an application from a vessel's owner or operator, the Local Officer in Charge, Marine Inspection, amends the vessel's certificate of inspection after—

(1) Additional lifesaving and fire-fighting equipment found necessary by the OCMI has been provided;

(2) A stability evaluation has been performed; and

(3) Any other conditions considered necessary by the OCMI have been satisfied.

[CGD 76-004, 41 FR 32744, Aug. 5, 1976]

Subpart 91.05—Permit To Proceed to Another Port for Repair

§ 91.05-1 When issued.

(a) The Officer in Charge, Marine Inspection, may issue a permit to proceed to another port for repair, Form CG-948 to a vessel, if in his judgment it can be