

Guard, may appeal therefrom in accordance with subpart 1.03 of this chapter.

[CGD 88-033, 54 FR 50380, Dec. 6, 1989]

Subpart 42.09—Load Line Assignments and Surveys—General Requirements

§ 42.09-1 Assignment of load lines.

(a) The assignment of load lines is conditioned upon the structural efficiency and satisfactory stability of the vessel, and upon the provisions provided on the vessel for her effective protection and that of the crew. Certain vessels, such as vessels carrying all their cargo as deck cargo, or vessels where design or service require special conditions to be applicable, shall have certain stability limitations imposed on them, as may be necessary. When stability limitations for a vessel are prescribed, the assigning authority shall furnish the master the vessel's maximum draft permitted and other conditions, including reference to Commandant approved operating stability features, which may be applicable.

(1) No load line assignment shall be made under this part to a vessel proceeding on a foreign voyage, or where the load line assignment is related to the flooded stability provisions and the vessel is proceeding on a domestic voyage, until the applicable light ship characteristics are established and incorporated into the vessel's stability data approved by the Commandant and furnished to the master of the vessel.

(2) If load line assignments are made to vessels for coastwise voyages before the results of the required stability characteristics are determined and incorporated into the vessel's stability data approved by the Commandant, then such load line assignments shall be regarded as conditional and shall be subject to verification or modification for removal of the conditional status. Any vessel with a conditional load line assignment shall not be loaded beyond a conservative safe draft. Where the Commandant deems it unnecessary, the requirement for furnishing stability information to the masters of coastwise vessels assigned load lines not related to flooded stability may be

omitted and the assigning authority and others concerned will be so notified.

(b) Each vessel subject to load line requirements shall carry on board a valid certificate attesting to compliance with such requirements. (See §§ 42.07-35 and 42.07-40 for additional data furnished to the vessel.)

(c) The master of the vessel for which a load line certificate has been issued shall be responsible for the maintenance of such certificate on board such vessel and for compliance with its terms and conditions. Additionally, the master shall be responsible for having the current load line survey report on board the vessel. This report shall be made available to surveyors when carrying out subsequent load line surveys.

[CGFR 68-60, 33 FR 10055, July 12, 1968, as amended by CGFR 68-126, 34 FR 9012, June 5, 1969]

§ 42.09-5 All vessels—division into types.

(a) For the purposes of this part, each vessel to which this part applies is either a Type "A" or a Type "B" vessel.

(b) A Type "A" vessel is a vessel that—

(1) Is designed to carry only liquid cargoes in bulk;

(2) Has a high degree of watertight and structural integrity of the deck exposed to the weather, with only small openings to cargo compartments that are closed by watertight gasketed covers of steel or other material considered equivalent by the Commandant; and

(3) Has a low permeability of loaded cargo compartments.

(c) A Type "B" vessel is any vessel that is not a Type "A" vessel.

(d) Requirements governing the assignment of freeboards for Types "A" and "B" vessels are in subparts 42.20 and 42.25 of this part.

[CGD 79-153, 48 FR 38647, Aug. 25, 1983]

§ 42.09-10 Stability, subdivision, and strength.

(a) *All vessels.* Where regulations in this part, or in part 46 of this subchapter, require or permit load line assignment on the basis of the vessel's ability to meet specified flooding, including damage stability requirements,

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the owner shall furnish the necessary plans and calculations demonstrating that the vessel is in compliance with the applicable requirements. This material shall be furnished to the assigning authority for approval review at the earliest practicable date except where specifically required by part 46 of this subchapter for passenger vessels to be submitted to the Commandant for approval.

(1) When stability information is required, the plans shall include the location and extent of all watertight subdivision bulkheads, etc., involved.

(2) Additional stability, subdivision, and strength requirements are in §§ 42.09-1, 42.13-1, 42.13-5, and 42.15-1. The applicable flooded stability requirements are in §§ 42.20-3 through 42.20-13.

(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,