

**DEPARTMENT OF TRANSPORTATION****Coast Guard****46 CFR Parts 67, 68, and 69**

[CGD 95-014]

RIN 2115-AF05

**Centralization of Vessel Documentation Offices**

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

**SUMMARY:** This rule revokes the designation of 14 ports as ports of record for vessel documentation, and reflects that the Coast Guard has moved the performance of all vessel documentation services to the National Vessel Documentation Center. The centralization of vessel documentation services will permit the Coast Guard to provide more efficient and effective service to the public by enhancing uniformity, specialization, and expertise. A centralized vessel documentation office will also enable the Coast Guard to operate within budgetary constraints in concert with efforts to reduce the Federal Budget.

**EFFECTIVE DATE:** This rule is effective on August 1, 1995.

**ADDRESSES:** Unless otherwise indicated, documents referred to in this preamble are available for inspection or copying at the office of the Executive Secretary, Marine Safety Council (G-LRA/3406), U.S. Coast Guard Headquarters, 2100 Second Street SW., room 3406, Washington, DC 20593-0001 between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Commander Don M. Wrye, Vessel Documentation and Tonnage Survey Branch, (202) 267-1492.

**SUPPLEMENTARY INFORMATION:****Drafting Information**

The principal persons involved in drafting this document are Lieutenant Commander Don M. Wrye, Project Manager, and Lieutenant R. Goldberg, Project Counsel, Office of Chief Counsel.

**Regulatory Information**

This rule is being published as a final rule without being preceded by a notice of proposed rulemaking and opportunity for comment. This rule addresses matters of internal Coast Guard organization and pursuant to 5 U.S.C. 553(b) is exempt from the requirement to publish a general notice of proposed rulemaking. Since this rule addresses matters of agency

organization, public comment would not be beneficial to the rulemaking process. Notwithstanding the fact that the subject matter of this rule—centralization of vessel documentation services—is a matter of agency organization, the Coast Guard did conduct a series of public meetings in September through November 1994, in which it announced to the public its plans for the consolidation of existing vessel documentation offices. For these reasons, under 5 U.S.C. 553(b)(B) the Coast Guard for good cause finds that notice, and public procedure on the notice, before the effective date of this rule are unnecessary. The effective date of this final rule, August 1, 1995, is the date that the National Vessel Documentation Center will open and the date that the regional vessel documentation offices will close.

**Background and Purpose**

Documentation of vessels under Federal law acts as a national registration system which, among other things, serves to establish a vessel's nationality and qualification to be employed in a specified trade. A Certificate of Documentation serves as evidence of nationality. One or more endorsements on a vessel's Certificate of Documentation is evidence of that vessel's qualification to engage in a specified trade. The Coast Guard is the agency responsible for issuing Certificates of Documentation to eligible vessels. When a vessel owner applies for documentation, the Coast Guard determines whether the vessel is eligible for documentation generally, and whether it is eligible specifically for the endorsement or endorsements requested. Since July 1982, the Coast Guard's vessel documentation regulations have permitted applications to be submitted by mail. Today, most vessel documentation transactions are conducted in this manner.

The Coast Guard began consolidating its vessel documentation field offices in July 1983. That early effort resulted in the formation of 15 regional vessel documentation offices. One of those regional offices was closed in 1992, leaving the current 14 offices. During September through November 1994, the Coast Guard conducted a series of public meetings held at various locations to announce the further consolidation of its vessel documentation functions. In those meetings, the Coast Guard announced the availability of its implementation plan for centralization and sought input from the public on methods to make a centralized vessel documentation office operate more efficiently.

One of the suggestions which developed from those public meetings was the notion of permitting certain instruments to be submitted by facsimile for filing purposes. That suggestion has been developed into a separate rulemaking project. A notice of proposed rulemaking amending the Coast Guard's vessel documentation regulations to permit various instruments to be submitted by facsimile for filing purposes, and explaining the procedures for facsimile submission, was published in the **Federal Register** on February 6, 1995 (60 FR 12188). After completion of the consolidation effort, the Coast Guard will continue to review its vessel documentation procedures with a view toward further efforts to streamline the process.

**Discussion of Regulations**

In various locations in 46 CFR parts 67, 68, and 69, references are made to the "port of documentation," to the "port of record," to variations of "the documentation officer at the port where application for documentation is made," and to the "documentation office nearest where the vessel is located." With consolidation of the regional vessel documentation offices into one location, these references are no longer relevant. Therefore, all of these various references, wherever they appear, are being replaced with an appropriate reference to the National Vessel Documentation Center. Those sections requiring submission of materials to Commandant (G-MVI-5) for decision have also been amended to direct submission of the materials to the Manager, National Vessel Documentation Center. While most of the sections affected are being amended with the simple removal and addition of certain words, a few sections required revision to maintain readability. In addition, the definitions of "Commandant", "Port of documentation", and "Port of record" in § 67.3 are removed, and a definition and address for the "National Vessel Documentation Center" is added. No substantive changes are made to the regulations.

**Regulatory Evaluation**

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has not been reviewed by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of

the Department of Transportation (DOT) (44 FR 11040; February 26, 1979).

The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. Currently, most vessel documentation transactions are conducted by mail. Therefore, the primary effect of this rule upon the affected public will be that vessel documentation materials will now be mailed to the National Vessel Documentation Center rather than a regional vessel documentation office. Furthermore, the consolidation will permit the Coast Guard to implement aggressive management measures, including the internal shifting of documentation resources to address potential backlogs, the use of office automation technology, and the expansion of electronic submission of documentation materials, to further minimize any economic impact.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider the economic impact on small entities of a rule for which a general notice of proposed rulemaking is required. "Small entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000. This rule does not require a general notice of proposed rulemaking and, therefore, is exempt from the requirements of the Act.

Although this rule is exempt, the Coast Guard has reviewed it for potential impact on small entities. The Coast Guard is mindful that a number of vessel documentation transactions submitted to it are submitted by vessel documentation services that qualify as small business entities. With these entities specifically in mind, the Coast Guard conducted a series of public meetings during September through November 1994. These public meetings were held at various locations around the country, primarily in port cities where a Coast Guard regional vessel documentation office was located, so that attendance would be convenient. The purpose of these meetings was to announce the pending consolidation of vessel documentation functions. In those meetings, the Coast Guard also sought input from the public, particularly lending institutions and small business entity vessel documentation services, on methods to

make a centralized vessel documentation office operate more efficiently, with emphasis on the delivery of services. One of the suggestions which developed from those public meetings was the notion of permitting certain instruments to be submitted by facsimile for filing purposes. That suggestion developed into a rulemaking project and will be in place when the National Vessel Documentation Center opens for business. Other suggestions referred to the elimination of delays between the time of submission of documentation materials and the delivery of the related service.

Most of the small business entity vessel documentation services deal largely with recreational vessels. These kinds of vessels tend to be concentrated in certain locations. As a result, some of the regional documentation offices were required to service large recreational vessel fleets, while other offices had a much smaller number of recreational vessels in their fleet of responsibility. In those ports with large recreational vessel fleets, service backlogs developed. Through use of an aggressive backlog management program, these backlogs have been eliminated.

With consolidation will come a number of benefits that will assist the Coast Guard to better manage its work flow. No longer will one port, with limited personnel resources, have to service a recreational vessel fleet that may be many times larger than that serviced by another port. The consolidation of all vessel documentation billets in the Coast Guard will permit documentation materials submitted from all areas of the country to be handled in one workflow process. The economies of scale that will be achieved, the ability to shift internal resources to meet fluctuations in work, the application of office automation technology, and the ability to establish consistent work practices will address the concerns of the small business entity vessel documentation services. As a result, the Coast Guard's position is that this rule will not have a significant economic impact on a substantial number of small entities. Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this rule will not have a significant economic impact on a substantial number of small entities.

#### Collection of Information

This rule contains no collection-of-information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

#### Federalism

The Coast Guard has analyzed this rule under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

#### Environment

The Coast Guard considered the environmental impact of this rule and concluded that, under paragraph 2.B.2 of Commandant Instruction M16475.1B, as revised (59 FR 38654; July 29, 1994), this rule is categorically excluded from further environmental documentation. This rule has been determined to be categorically excluded because the changes made to the regulations are administrative in nature and clearly have no environmental impact. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under ADDRESSES.

#### List of Subjects

##### 46 CFR Part 67

Fees, Incorporation by reference, Reporting and recordkeeping requirements, Vessels.

##### 46 CFR Part 68

Reporting and recordkeeping requirements, Vessels.

##### 46 CFR Part 69

Measurement standards, Penalties, Reporting and recordkeeping requirements, Vessels.

For the reasons set out in the preamble, the Coast Guard amends 46 CFR parts 67, 68, and 69 as follows:

#### PART 67—[Amended]

1. The authority citation for part 67 continues to read as follows:

**Authority:** 14 U.S.C. 664; 31 U.S.C. 9701; 42 U.S.C. 9118; 46 U.S.C. 2103, 2107, 2110; 46 U.S.C. app. 841a, 876; 49 CFR 1.46.

2. Section 67.3 is amended by removing the note following the definition "Commandant", removing the definitions "Port of documentation" and "Port of record", and adding in alphabetical order the definition "National Vessel Documentation Center" to read as follows:

#### § 67.3 Definitions.

\* \* \* \* \*

*National Vessel Documentation Center* means the organizational unit designated by the Commandant to process vessel documentation transactions and maintain vessel documentation records. The address is:

National Vessel Documentation Center,  
2039 Stonewall Jackson Drive, Falling  
Waters, WV 25419.

\* \* \* \* \*

**§ 67.15 [Amended]**

3. In § 67.15, paragraph (b) is amended by removing the words "documentation officer with whom the application is filed" and adding in their place the words "Manager, National Vessel Documentation Center".

**§ 67.63 [Amended]**

4. In § 67.63, paragraph (b)(1) is amended by removing the word "Commandant" and adding in its place the words "Manager, National Vessel Documentation Center".

**§ 67.89 [Amended]**

5. In § 67.89, paragraph (a) is amended by removing the words "documentation officer at the port where application for documentation, exchange, or redocumentation is made" and adding in their place the words "Manager, National Vessel Documentation Center".

**§ 67.101 [Amended]**

6. In § 67.101, paragraph (a) is amended by removing the words "documentation officer at the port where application for documentation is made" and adding in their place the words "Manager, National Vessel Documentation Center".

**§ 67.111 [Amended]**

7. In § 67.111, paragraph (a) introductory text is amended by removing the words "documentation officer at the port of record of the vessel assigned in accordance with § 67.115, or the documentation office nearest where the vessel is located," and adding in their place the words "National Vessel Documentation Center"; paragraph (b) is amended by removing the words "documentation officer at the port where application for documentation is made" and adding in their place the words "Manager, National Vessel Documentation Center".

**§ 67.113 [Amended]**

8. In § 67.113, paragraph (e) is amended by removing the words "documentation officer at the port of record of the vessel" and adding in their place the words "National Vessel Documentation Center".

**§ 6.117 [Removed]**

9. Section 67.115 is removed.  
10. In § 67.117, paragraph (a) introductory text is amended by removing the words "documentation officer at the port of record of the vessel

assigned in accordance with § 67.115, or the documentation office nearest where the vessel is located" and adding in their place the words "National Vessel Documentation Center"; paragraph (c) is amended by removing the words "documentation officer at the port where application for name change is made" and adding in their place the words "Manager, National Vessel Documentation Center".

11. In § 67.119, paragraphs (d) and (e) are revised to read as follows:

**§ 67.119 Hailing port designation.**

\* \* \* \* \*

(d) The Manager, National Vessel Documentation Center has final authority to settle disputes as to the propriety of the hailing port designated.

(e) Until such time as the vessel owner elects to designate a new hailing port, the provisions of paragraph (c) of this section do not apply to vessels which were issued a Certificate of Documentation before July 1, 1982.

12. Section 67.130 is revised to read as follows:

**§ 67.130 Submission of applications.**

All applications made under this subpart and all subsequent filings to effect documentation, except as provided in § 67.133(b), must be submitted to the National Vessel Documentation Center.

**§ 67.133 [Amended]**

13. In § 67.133, the introductory text of paragraph (a) and paragraph (a)(1) are amended by removing the word "Commandant" and adding in its place the words "Manager, National Vessel Documentation Center"; paragraph (b) is amended by removing the word "Commandant's determination" and adding in their place the words "determination of the Manager, National Vessel Documentation Center"; the note following the section is amended by removing the word "Commandant" and adding in its place the words "Manager, National Vessel Documentation Center".

**§ 67.141 [Amended]**

14. In § 67.141, paragraph (a) introductory text is amended by removing the words "documentation officer at the port of record of the vessel assigned in accordance with § 67.115 or at the documentation office nearest where the vessel is located" and adding in their place the words "National Vessel Documentation Center".

**§ 67.145 [Amended]**

15. In § 67.145, paragraph (a) is amended by removing the reference "67.167(b) (1) through (6)" and adding in its place the reference "67.167(b) (1)

through (5)"; paragraph (c) is amended by removing the words "documentation officer at the port where application for exchange is made" and adding in their place the words "National Vessel Documentation Center"; paragraph (d) is removed.

**§ 67.147 [Amended]**

16. Section 67.147 and the note following the section are removed.

**§ 67.149 [Amended]**

17. In § 67.149, paragraph (b) is amended by removing the words "port of record of the vessel" and adding in their place the words "National Vessel Documentation Center".

**§ 67.151 [Amended]**

18. In § 67.151, paragraph (a) is amended by removing the words "Commandant, via the documentation officer at the port of record of the vessel assigned in accordance with § 67.115, or at the documentation office nearest where the vessel is located" and adding in their place the words "Manager, National Vessel Documentation Center"; paragraph (b) is amended by removing the words "Commandant's finding" and adding in their place the words "finding of the Manager, National Vessel Documentation Center".

**§ 67.163 [Amended]**

19. In § 67.163, paragraph (b) is amended by removing the words "documentation officer at any port of documentation" and adding in their place the words "National Vessel Documentation Center".

**§ 67.165 [Amended]**

20. In § 67.165, paragraph (a) is amended by removing the words "documentation officer at the vessel's port of record assigned in accordance with § 67.115" and adding in their place the words "National Vessel Documentation Center"; paragraph (b) introductory text is amended by removing the words "documentation officer at the vessel's port of record" and adding in their place the words "National Vessel Documentation Center".

**§ 67.167 [Amended]**

21. In § 67.167, paragraph (a) is amended by removing the words "documentation officer at the port of record of the vessel assigned in accordance with § 67.115 or at the documentation office nearest where the vessel is located" and adding in their place the words "National Vessel Documentation Center"; paragraph (b)(3) is removed and paragraphs (b)(4) through (b)(7) are redesignated as

paragraphs (b)(3) through (b)(6), respectively.

**§ 67.169 [Amended]**

22. In § 67.169, paragraph (b) is amended by removing the words “documentation officer to whom application is made” and adding in their place the words “National Vessel Documentation Center”.

**§ 67.171 [Amended]**

23. In § 67.171, paragraph (b) is amended by removing the words “any documentation officer” and adding in their place the words “the National Vessel Documentation Center”; paragraph (d) is amended by removing the words “vessel’s port of record” and adding in their place the words “National Vessel Documentation Center”.

**§ 67.173 [Amended]**

24. Section 67.173 is amended by removing the words “Commandant or a documentation officer” and adding in their place the words “Manager, National Vessel Documentation Center”, by removing the words “to a documentation officer at any port of documentation” and adding in their place the words “to the National Vessel Documentation Center”, and by removing the note at the end of the section.

**§ 67.175 [Amended]**

25. In § 67.175, paragraph (b) introductory text is amended by removing the word “Commandant” and adding in its place the words “Manager, National Vessel Documentation Center”.

**§ 67.177 [Amended]**

26. In § 67.177, paragraph (b) introductory text is amended by removing the word “Commandant” and adding in its place the words “Manager, National Vessel Documentation Center”.

**§ 67.203 [Amended]**

27. In § 67.203, paragraph (a)(2) is amended by removing the words “at the port where the filing is made” and adding in their place the words “to the National Vessel Documentation Center”.

**§ 67.211 [Amended]**

28. In § 67.211, paragraph (b) is amended by removing the words “all Coast Guard documentation offices” and adding in their place the words “the National Vessel Documentation Center”.

29. Section 67.213 is revised to read as follows:

**§ 67.213 Place of filing and recording.**

(a) All instruments submitted for filing and recording must be submitted

to the National Vessel Documentation Center.

(b) All instruments are recorded at the National Vessel Documentation Center.

**§ 67.215 [Amended]**

30. In § 67.215, paragraph (a) is amended by removing the words “documentation officer at the port of documentation where submitted for filing” and adding in their place the words “National Vessel Documentation Center”; paragraph (b) is amended by removing the words “documentation officer at the port of documentation where the original instrument was filed” and adding in their place the words “National Vessel Documentation Center”.

**§ 67.217 [Amended]**

31. In § 67.217, paragraph (b) introductory text is amended by removing the words “documentation officer at the port where the filing was made” and adding in their place the words “Manager, National Vessel Documentation Center”.

32. Subpart T is revised to read as follows:

**Subpart T—Abstracts of Title and Certificates of Ownership**

Sec.

67.301 Issuance of Abstract of Title.

67.303 Issuance of Certificate of Ownership.

**§ 67.301 Issuance of Abstract of Title.**

Any person may request the National Vessel Documentation Center to issue a General Index or Abstract of Title (form CG-1332) for a vessel.

**§ 67.303 Issuance of Certificate of Ownership.**

Any person may request the National Vessel Documentation Center to issue a Certificate of Ownership (form CG-1330) for a vessel.

**§ 67.313 [Amended]**

33. In § 67.313, paragraph (b)(2) is amended by removing the words “a documentation officer” and adding in their place the words “the National Vessel Documentation Center”.

**§ 67.315 [Amended]**

34. In § 67.315, paragraph (b)(2) is amended by removing the words “a documentation officer” and adding in their place the words “the National Vessel Documentation Center”.

**§ 67.319 [Amended]**

35. Section 67.319 is amended by removing the words “a documentation officer at any port of documentation” and adding in their place the words “the National Vessel Documentation Center”.

**§ 67.32 [Amended]**

36. Section 67.321 is amended by removing the words “documentation officer at the port of record of the vessel” and adding in their place the words “National Vessel Documentation Center”.

**§ 67.500 [Amended]**

37. In § 67.500, paragraph (b) is amended by removing the words “or renewal is at a port other than the port of record”; paragraph (d) is amended by removing the words “Commandant (G-MVI)” and adding in its place the words “Manager, National Vessel Documentation Center”.

**§ 67.515 [Removed]**

38. Section 67.515 is removed and reserved.

**§ 67.550 [Amended]**

39. In § 67.550, Table 67.550 is amended by removing the entry “Renewal at port other than port of record” under the category “Applications:” in the “Activity” column, by removing the corresponding entry “Subpart L” in the “Reference” column, and by removing the corresponding entry “15.00” in the “Fee” column.

**Appendix A to Part 67 [Amended]**

40. Appendix A to Part 67.—Ports of Documentation is removed.

**PART 68—[AMENDED]**

41. The authority citation for part 68 continues to read as follows:

**Authority:** 46 U.S.C. 2103; 49 CFR 1.46. Subpart 68.01 also issued under 46 U.S.C. app. 876; subpart 68.05 also issued under 46 U.S.C. 12106(d).

**§ 68.01–7 [Amended]**

42. In § 68.01–5, paragraphs (a) and (b) are amended by removing the word “Commandant” and adding in its place the words “Manager, National Vessel Documentation Center”.

**§ 65.01–7 [Amended]**

43. In § 68.01–7, paragraphs (a), (b), and (c) are amended by removing the word “Commandant” and adding in its place the words “Manager, National Vessel Documentation Center”.

**§ 68.01–9 [Amended]**

44. In § 68.01–9, paragraphs (a) and (b) are amended by removing the word “Commandant” and adding in its place the words “Manager, National Vessel Documentation Center”.

45. Section 68.01–17 is revised to read as follows:

**§ 68.01-17 Application by an 883-1 corporation to document a vessel.**

(a) An application by an 883-1 corporation to document a vessel must comply with the applicable requirements in subparts A, D, E, F, G, H, I, K, and L of part 67 of this chapter.

(b) An application by an 883-1 corporation to document a vessel must include a copy of the Certificate of Compliance issued under § 68.01-5.

**§ 68.05-11 [Amended]**

46. In § 68.05-11, paragraphs (a) and (b) are amended by removing the word "Commandant" and adding in its place the words "Manager, National Vessel Documentation Center"; paragraph (c) is amended by removing the words "documentation officer where application is made" and adding in their place the words "National Vessel Documentation Center"; paragraph (d) is amended by removing the words "documentation officer where application is made" and adding in their place the words "National Vessel Documentation Center"; paragraph (e) is removed.

**§ 68.05-13 [Amended]**

47. In § 68.05-13, paragraphs (a) and (b) are amended by removing the word "Commandant" and adding in its place the words "Manager, National Vessel Documentation Center".

**PART 69—[AMENDED]**

48. The authority citation for part 69 is revised to read as follows:

**Authority:** 46 U.S.C. 2301, 14103; 49 CFR 1.46.

49. Section 69.9 is amended by adding in alphabetical order the definition "National Vessel Documentation Center" to read as follows:

**§ 69.9 Definitions.**

\* \* \* \* \*

*National Vessel Documentation Center* means the organizational unit designated by the Commandant to process vessel documentation transactions and maintain vessel documentation records. The address can be found in § 67.3 of this subchapter.

\* \* \* \* \*

**§ 69.15 [Amended]**

50. In § 69.15, paragraph (b) is amended by removing the words "any Coast Guard documentation office" and adding in their place the words "the National Vessel Documentation Center".

51. In § 69.55, paragraph (b) is revised to read as follows:

**§ 69.55 Application for measurement services.**

\* \* \* \* \*

(b) Vessel's name and official number (if assigned).

\* \* \* \* \*

52. In § 69.105, paragraph (b) is revised to read as follows:

**§ 69.105 Application for measurement services.**

\* \* \* \* \*

(b) Vessel's name and official number (if assigned).

\* \* \* \* \*

53. Section 69.205 is revised to read as follows:

**§ 69.205 Application for measurement services.**

To apply for measurement under the Simplified Measurement System, the owner of the vessel must complete either an Application for Simplified Measurement (form CG-5397), or a Builder's Certification and First Transfer of Title (form CG-1261) which has the information in Part III "Dimensions" completed, and submit it to the National Vessel Documentation Center.

Dated: May 26, 1995.

**J.C. Card,**

*Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Safety, Security and Environmental Protection.*

[FR Doc. 95-14553 Filed 6-14-95; 8:45 am]

BILLING CODE 4910-14-P