

**DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD**

U.S. Coast Guard (G-MVI-1)
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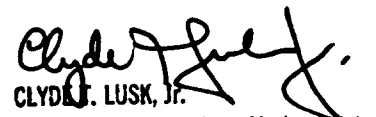
NAVIGATION AND VESSEL INSPECTION CIRCULAR NO. 2-85

Subj: Notification to the U.S. Coast Guard for Enforcement of Load Line Requirements

1. PURPOSE. The purpose of this Circular is to provide guidance to authorized assigning authorities concerning notification to the U.S. Coast Guard when violations of load line requirements are detected. This Circular also advises the marine industry of this guidance.
2. DISCUSSION.
 - a. The International Load Line Act (46 USC 86-86i), the Coastwise Load Line Act (46 USC 88-88i), and the load line regulations (46 CFR Subchapter E) authorize the Coast Guard to appoint the American Bureau of Shipping (ABS) or other recognized classification society to act on behalf of the United States for the assignment of load lines and surveys of vessels. The load line assigning authority is without authority to cancel, withdraw, or revoke a Load Line Certificate which has been issued to a vessel. The assigning authority does retain the authority and responsibility to refuse to issue, reissue or endorse a Load Line Certificate if unsatisfactory conditions are found on board the vessel as specified in 46 CFR 42.09-45(b). The Coast Guard retains the primary enforcement authority for load line purposes.
 - b. In order to effectively enforce the laws and regulations concerning load lines, the Coast Guard must be aware of violations of these requirements. The assigning authorities are in the position where they can readily detect situations requiring enforcement actions. It is emphasized that the assigning authority is aboard a vessel on behalf of the U.S. Government when conducting examinations, tests, or surveys for load line purposes. All portions of the vessel concerned with the load line assignment and survey must be made accessible to the surveyor of the assigning authority.
3. ACTION.
 - a. The senior local surveyor of ABS or other authorized assigning authority will immediately notify the cognizant Officer in Charge, Marine Inspection (OCMI) in whose zone the vessel is located if any of the following are detected during a survey of a vessel for purposes related to the vessel's load line:
 - (1) Conditions of assignment have not been maintained as required in the load line regulations to the extent to require certificate cancellation.
 - (2) Repairs or alterations have been made to the vessel without approval of the assigning and issuing authority which require an assignment of increased freeboard.

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- (3) The required fittings and appliances (guardrails, freeing ports, hatch covers) doors, bulkheads, securing and closing devices, etc.) are not maintained in an effective condition.
 - (4) The structural strength of the vessel has deteriorated or is lowered so as to question the safety of the vessel.
 - (5) The load line certificate has not been endorsed to show that the vessel has been surveyed annually or periodically in accordance with the requirements of the regulations.
 - (6) The surveyor is denied access to any part of the vessel that is required to be inspected or surveyed for load line purposes.
- b. The cognizant OCMI shall also be notified if vessel deficiencies are not corrected so as to preclude the issuance, reissuance, extension, or endorsement of the Load Line Certificate.
- c. An OCMI receiving notification of violations or deficiencies of load line requirements is to take such action as is deemed necessary to insure compliance with applicable U.S. law and regulation and provide for the safety of life and property. Such action may include, but is not limited to:
- (1) Removal of the vessel's Load Line Certificate.
 - (2) Initiation of procedures to detain vessel in port.
 - (3) Initiation of civil and/or criminal penalty proceedings as provided in law and regulation.
 - (4) Initiation of Suspension and Revocation proceedings, if applicable.
 - (5) Revocation of the vessel's Certificate of Inspection, if applicable.
- d. ABS New York or other authorized assigning authorities will notify Commandant (G-MVI) of the following:
- (1) When it is found that false or fraudulent information was submitted in or with the application for a load line certificate, or
 - (2) If a vessel becomes overdue for a required load line survey.


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