

NAVIGATION AND VESSEL INSPECTION CIRCULAR NO. 1-88

Subj: International Load Line Certificates for Small Passenger Vessels Operating Within 20 Miles of the Mouth of a Harbor of Safe Refuge

1. **PURPOSE.** This Circular provides information on Coast Guard administrative procedures for issuing International Load Line Certificates for U.S. flag small passenger vessels which do not comply with structure or stability standards for unrestricted ocean service.
2. **BACKGROUND.** The vast majority of U.S. vessels requiring International Load Line Certificates operate on unrestricted international voyages. Consequently, U.S. small passenger vessels which are issued International Load Line Certificates normally comply with Coast Guard stability requirements and classification society rules for ocean service. However, many small passenger vessels operate domestically in compliance with requirements for limited coastwise routes. For such service the cognizant Officer in Charge, Marine Inspection (OCMI) may authorize departures from the structural requirements of classification society ocean rules and place appropriate route restrictions on the operation of the vessel. In addition, if operation is limited to voyages within 20 miles of the mouth of a harbor of safe refuge and the OCMI determines that such voyages are not in exposed waters, the vessels may meet a standard of intact stability appropriate for partially protected waters. Such vessels are permitted to make international voyages under equivalent operating conditions, provided they qualify for the requisite international certificates.
  - a. **U.S. Load Line Law.** The U.S. Code (Title 46, Part C, Chapter 51) requires that vessels 79 feet or over in length on foreign voyages be assigned load lines and that the Secretary [delegated to the Coast Guard] consider the service, type and character of the vessel; the geographic area in which the vessel will operate; and applicable international agreements to which the U.S. Government is a party.
  - b. **1CLL66.** Most U.S. passenger vessels are required to be in compliance with the International Convention on Load Lines, 1966 (1CLL66) in order to engage in international trade. Only those vessels less than 79 feet long, those under 150 gross tons whose keel was laid before July 21, 1968, and those subject to special bilateral diplomatic agreements (e.g. U.S./Canada) are excluded from the load line requirement. The conditions of assignment and freeboard standards for international service are specified in Annex I of the 1CLL66. The Convention does not specify stability criteria, but Regulation 10 requires that "The master of every new ship which is not already provided with stability information under an international convention for the safety of life at sea in force shall be supplied with sufficient information in an approved form to give him guidance as to the stability of the ship under varying conditions of service." Regarding strength, Regulation 1 states that the "Administration shall satisfy itself that the general structural strength of the hull is sufficient for the draft corresponding to the freeboard assigned." The Load Line Convention requires the strength and stability of each vessel to be to the satisfaction of the administration.

- c. **SOLAS 1974.** Passenger vessels on international voyages must comply with the applicable requirements of the International Convention for the Safety of Life at Sea (SOLAS) 1974, as amended, and have a valid Passenger Ship Safety Certificate attesting to this compliance. In the case of vessels which do not operate more than 20 miles from shore, the SOLAS convention contains a provision for administrations to consider the sheltered nature of such voyages and to grant exemptions from requirements which may be unreasonable or unnecessary. Many U.S. small passenger vessels are issued SOLAS certificates in accordance with those provisions. The exemptions granted and the voyage restrictions are set out on the certificates.

### 3. **DISCUSSION.**

- a. **Requirements.** In order to qualify for an International Load Line Certificate, a small passenger vessel must be in possession of a valid U.S. Coast Guard Certificate of Inspection (COI), an International Passenger Ship Safety Certificate and Exemption Certificate (if applicable), a stability letter, and a Federal Communications Commission certificate or exemption letter.
- b. **Stability.** The vessel must meet Coast Guard damage stability requirements and intact stability standards for partially protected waters (46 CFR 170.170). The term "partially protected waters" is defined in 46 CFR 170.050(i), and any interpretation of its meaning (i.e. international or domestic route restriction) will be made by the OCMI. Vessels meeting such a standard will be limited to voyages within 20 miles of the mouth of a harbor of safe refuge, subject to the determination by the OCMI that such voyages are not in exposed waters. Normal procedures for coordination of route and conditions of operation apply (COMDTINST M16000.7, Marine Safety Manual, Volume II, Subparagraph 3.N.2.ac.). The stability letter will also state that seasonal changes of service may be made as stipulated on the COI (see subparagraph 3.f. below).
- c. **Strength.** The required strength standard for small passenger vessels is specified in 46 CFR 177.10-1. A vessel possessing a valid COI endorsed for any coastwise (46 CFR 175.10-3) or ocean route has satisfactory strength to obtain an International Load Line Certificate. Vessels which do not meet classification society rules for ocean service will be limited on international voyages to routes not more than 20 miles from the mouth of a harbor of safe refuge, except under conditions specified in subparagraph 3.f. below.
- d. **Conditions of Assignment and Freeboard.** To receive an International Load Line Certificate, the vessel must meet the conditions of assignment of chapter II of Annex I of the ICLL66. Any determination of equivalents to those requirements must be specifically approved by Commandant (G-MTH). The assigned freeboard will be as specified in Chapter III of Annex I of the ICLL66 unless a greater freeboard is necessary to satisfy intact and damage stability requirements.
- e. **Certificates.** If the vessel meets stability requirements only for partially protected waters, the stability letter must so state and must indicate that the vessel is limited to operation within 20 miles of the mouth of a harbor of safe refuge. If the vessel does not meet structural requirements for unrestricted ocean service, the COI must so state and must indicate that the vessel is limited to operation within 20 miles from the mouth of a harbor of safe refuge when on international voyages. The stability letter and COI must also specify any restrictions associated with seasonal changes of service which would entail an international voyage beyond 20 miles from the mouth of a harbor of safe refuge (see subparagraph 3.f. below.) With such restrictions on the COI and in the stability letter, it is not necessary to place specific restrictions on the International Load Line Certificate.

However, the International Load Line Certificate should contain a statement that the restrictions in the vessel's stability letter and COI must be complied with. The SOLAS Passenger Ship Safety Certificate must be accompanied by an Exemption Certificate which identifies those SOLAS regulations which are considered inappropriate for the restricted route (COMDTINST M16000.7, Marine Safety Manual, Volume II, Section 9.H.).

f. Change of Service. Vessel owners wishing to change vessel service seasonally which would entail a voyage beyond 20 miles from the mouth of a harbor of safe refuge may do so under the following conditions:

- (1) The OCMI determines that such voyages would not pose a threat to the vessel and crew.
- (2) The specific routes (and seasons, if appropriate) and any restrictions are indicated on the COI.
- (3) No passengers or cargo are carried.
- (4) The voyages are not more than 100 miles. The vessel remains within 50 miles from shore throughout the voyage.
- (5) Additional equipment, such as communications and lifesaving equipment, determined necessary by the OCMI is provided.
- (6) Additional manning and licensing requirements determined necessary by the OCMI are complied with.
- (7) The voyages are made when the weather forecast for the expected duration of the voyage (but not less than 50 knots and waves of less than 5 feet.

4. PROCEDURES. Vessel owners desiring an International Load Line Certificate should apply to the load line assigning authority in accordance with 46 CFR 42.07 and should contact the cognizant OCMI for applications for or endorsements to the other necessary certificates.

*At all times during the voyage, the weather forecast for at least the next 12 hours calls for winds of less than 50 knots & waves of less than 5 feet along the intended route. Weather forecasts are to be updated at least every 1.5 hours.*

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