Coast Guard, DHS

§ 42.03–5

U.S.-flag vessels subject to the requirements of this subchapter.

(a) Vessels engaged in foreign voyages or international voyages other than solely Great Lakes voyages. (1) All U.S.-flag vessels which engage in foreign voyages or international voyages by sea (other than solely in Great Lakes voy-
age) are subject to this part; except the following:

(i) Ships of war;

(ii) New vessels of less than 79 feet in length;

(iii) Existing vessels of less than 150 gross tons;

(iv) Pleasure yachts not engaged in trade; and

(v) Fishing vessels.

(2) As provided in Article 4(4) of the 1966 Convention, in order for existing vessels to take advantage of any reduction in freeboards from those previously assigned, the regulations in Subparts 42.13 to 42.25, inclusive, of this part shall be fully complied with. Except for due cause, such vessels shall not be required to increase their freeboards under the provisions of the 1966 Convention.

(3) All U.S.-flag vessels authorized to engage in foreign or international voyages may also engage in domestic voyages by sea and, as permitted by §45.9 of this part and Part 47 of this subchapter, in Great Lakes voyages without additional load line marks and/or certificates. Where additional load line marks and certificates are provided to specifically cover “Special Service, Coastwise” or “Great Lakes” operation, such vessels are subject to the applicable provisions of Parts 44 and 45 of this subchapter.

(b) Vessels engaged in domestic voyages by sea. (1) All U.S.-flag vessels which engage in domestic voyages by sea (coastwise and intercoastal voyages) shall be subject to the applicable provisions of this part except the following:

(i) Merchant vessels of less than 150 gross tons.

(ii) Vessels which are mechanically propelled and numbered by a State or the Coast Guard under the Federal Boat Safety Act of 1971 (46 U.S.C. 1451 et seq.) and not required by other laws to be inspected or certified by the U.S. Coast Guard. (This exception includes all mechanically propelled vessels of less than 150 gross tons, and uninspected motor propelled oceano-

graphic vessels of less than 300 gross tons while operating pursuant to 46 U.S.C. 2113.

(iii) Pleasure craft not used or engaged in trade or commerce.

(iv) Barges of less than 150 gross tons.

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