

## § 67.5

association; joint venture; trust arrangement; and the government of the United States, a State, or a political subdivision of the United States or a State; and includes a trustee, beneficiary, receiver, or similar representative of any of them.

*Registration* means a certificate of number issued pursuant to rules in 33 CFR part 173, a record under the maritime laws of a foreign country, or a certificate issued by a political subdivision of a foreign country.

*Secretary* means the Secretary of Transportation.

*State* means a State of the United States or a political subdivision thereof, Guam, Puerto Rico, the Virgin Islands, American Samoa, the District of Columbia, the Northern Mariana Islands, and any other territory or possession of the United States.

*Superstructure* means the main deck and any other structural part above the main deck.

*United States*, when used in a geographic sense means the States of the United States, Guam, Puerto Rico, the Virgin Islands, American Samoa, the District of Columbia, the Northern Mariana Islands, and any other territory or possession of the United States, except that for purposes of § 67.19(d)(3) trust territories are not considered to be part of the United States.

*Vessel* includes every description of watercraft or other contrivance capable of being used as a means of transportation on water, but does not include aircraft.

*Wrecked vessel*, under the provisions of 46 U.S.C. app. 14, means a vessel which:

(1) Has incurred substantial damage to its hull or superstructure as a result of natural or accidental causes which occurred in the United States or its adjacent waters; and

(2) Has undergone, in a shipyard in the United States or its possessions, repairs equaling three times the appraised salved value of the vessel.

[CGD 89-007, CGD 89-007a, 58 FR 60266, Nov. 15, 1993, as amended by CGD 95-014, 60 FR 31603, June 15, 1995; CDG 94-070, 60 FR 40241, Aug. 7, 1995; CGD 95-012, 60 FR 48050, Sept. 18, 1995; USCG-1998-4442, 63 FR 52190, Sept. 30, 1998; USCG-2001-8825, 69 FR 5400, Feb. 4, 2004; USCG-2004-18884, 69 FR 58346, Sept. 30, 2004; USCG-2005-20258, 71 FR 61417, Oct. 18, 2006]

## 46 CFR Ch. I (10-1-11 Edition)

### § 67.5 Vessels eligible for documentation.

Any vessel of at least five net tons wholly owned by a citizen or citizens of the United States is eligible for documentation under this part. This includes, but is not limited to, vessels used exclusively for recreational purposes and vessels used in foreign trade.

### § 67.7 Vessels requiring documentation.

Any vessel of at least five net tons which engages in the fisheries on the navigable waters of the United States or in the Exclusive Economic Zone, or coastwise trade, unless exempt under § 67.9(c), must have a Certificate of Documentation bearing a valid endorsement appropriate for the activity in which engaged.

[CGD 89-007, CGD 89-007a, 58 FR 60266, Nov. 15, 1993, as amended by USCG-2009-0702, 74 FR 49230, Sept. 25, 2009]

### § 67.9 Vessels excluded from or exempt from documentation.

(a) A vessel of less than five net tons is excluded from documentation.

(b) A vessel which does not operate on the navigable waters of the United States or in the fisheries in the Exclusive Economic Zone is exempt from the requirement to have a Certificate of Documentation.

(c) A non-self-propelled vessel, qualified to engage in the coastwise trade is exempt from the requirement to be documented with a coastwise endorsement when engaged in coastwise trade:

- (1) Within a harbor;
- (2) On the rivers or lakes (except the Great Lakes) of the United States; or
- (3) On the internal waters or canals of any State.

(d) A vessel exempt from the requirement to be documented by paragraph (b) or (c) of this section may be documented at the option of the owner, provided it meets the other requirements of this part.

### § 67.11 Restriction on transfer of an interest in documented vessels to foreign persons; foreign registry or operation.

(a) Unless approved by the Maritime Administration—