which are not in conflict with the International Convention on Load Lines.

**AMENDMENTS**


Subsec. (b)(5). Pub. L. 104–324, §719(2), inserted “as measured under section 14502 of this title, or an alternate tonnage measured under section 14302 of this title as prescribed by the Secretary under section 14104 of this title” after “500 gross tons” in introductory provisions.

Subsec. (b)(10). Pub. L. 104–324, §719(3), inserted “as measured under section 14502 of this title, or an alternate tonnage measured under section 14302 of this title as prescribed by the Secretary under section 14104 of this title” after “500 gross tons”.“1990—Subsec. (b)(5)(B). Pub. L. 101–595 amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: ‘‘is not on a foreign voyage.’’

**EFFECTIVE DATE OF 1990 AMENDMENT**

Amendment by Pub. L. 101–595 effective Nov. 16, 1990, with provision that before Jan. 1, 2003, a fish tender vessel is exempt from this chapter when engaged in Aleutian trade if the vessel either operated in such trade before Sept. 8, 1990, or was purchased before that date to be used in such trade and entered into service in that trade before Jan. 1, 1992, did not undergo a major conversion, and did not have a load line assigned at any time before Nov. 16, 1990, see section 602(1) of Pub. L. 101–595, set out as a note under section 4502 of this title.

**FISH TENDER VESSELS IN ALEUTIAN TRADE**

Pub. L. 107–286, title IV, §498(b), (c), Nov. 25, 2002, 116 Stat. 2129, provided that:

“(b) IMPLEMENTATION.—Except as provided in subsection (c), a fish tender vessel that before January 1, 2003, transported cargo (not including fishery related products) in the Aleutian trade is subject to chapter 51 of title 46, United States Code (as amended by subsection (a) of this section) when engaged in the Aleutian trade if the vessel either operated in that trade before Sept. 8, 1990, or was purchased before that date to be used in such trade and entered into service in that trade before Jan. 1, 1992, did not undergo a major conversion, and did not have a load line assigned at any time before Nov. 16, 1990, see section 602(1) of Pub. L. 101–595, set out as a note under section 4502 of this title.

**§ 5103. Load line requirements**

(a) A vessel may be operated only if the vessel has been assigned load lines.

(b) The owner, charterer, managing operator, agent, master, and individual in charge of a vessel shall mark and maintain the load lines permanently and conspicuously in the way prescribed by the Secretary.

(c) A fishing vessel built on or before July 1, 2013, that undergoes a major conversion completed after the later of July 1, 2013, or the date the Secretary establishes standards for an alternate loadline compliance program, shall comply with such an alternative loadline compliance program that is developed in cooperation with the commercial fishing industry and prescribed by the Secretary.


**HISTORICAL AND REVISION NOTES**

Revised section 5103


Section 5103(a) prohibits a vessel that is subject to load line requirements from operating, unless it has load lines assigned by the Secretary.

Section 5103(b) requires that load lines be permanently and conspicuously maintained in the manner prescribed by the Secretary.

**AMENDMENTS**


**§ 5104. Assignment of load lines**

(a) The Secretary shall assign load lines for a vessel so that they indicate the minimum freeboard to which the vessel may be loaded. However, if the owner requests, the Secretary may assign load lines that result in greater freeboard than the minimum safe freeboard.

(b) In assigning load lines for a vessel, the Secretary shall consider—

(1) the service, type, and character of the vessel;

(2) the geographic area in which the vessel will operate; and

(3) applicable international agreements to which the United States Government is a party.

(c) An existing vessel may retain its load lines assigned before January 1, 1986, unless the Secretary decides that a substantial change in the vessel after those load lines were assigned requires that new load lines be assigned under this chapter.

(d) The minimum freeboard of an existing vessel may be reduced only if the vessel complies with every applicable provision of this chapter.

(e) The Secretary may designate by regulation specific geographic areas that have less severe weather or sea conditions and from which there is adequate time to return to available safe harbors. The Secretary may reduce the minimum freeboard of a vessel operating in these areas.