

**CHAPTER 145—REGULATORY MEASUREMENT**

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**HISTORICAL AND REVISION NOTES**

This chapter provides for the measurement of vessels for the purpose of the application of domestic laws.

**Editorial Notes**

**AMENDMENTS**

2010—Pub. L. 111-281, title III, §303(j), Oct. 15, 2010, 124 Stat. 2926, added item 14514.

**SUBCHAPTER I—GENERAL**

**HISTORICAL AND REVISION NOTES**

This subchapter contains the general provisions for implementing regulatory measurement systems.

**§ 14501. Application**

This chapter applies to the following:

- (1) A vessel not measured under chapter 143 of this title if the application of an international agreement or other law of the United States to the vessel depends on the vessel's tonnage.
- (2) A vessel measured under chapter 143 of this title if the owner requests that the vessel also be measured under this chapter as provided in section 14305 of this title.

(Pub. L. 99-509, title V, §5101(3), Oct. 21, 1986, 100 Stat. 1923; Pub. L. 111-281, title III, §303(g), Oct. 15, 2010, 124 Stat. 2925.)

**HISTORICAL AND REVISION NOTES**

*Revised section 14501*

Source: Section (U.S. Code) 46 App. U.S.C. 71.  
 Section 14501 delineates the vessels that must be measured under this chapter, i.e. under the regulatory tonnage measurement system. Section 14501(1) states that a vessel must be measured under this chapter if the vessel has not been measured under the International Convention on Tonnage Measurement of Ships, and if the vessel is to be documented as a vessel of the United States under chapter 121 of this subtitle, or if the application of a United States law depends on the vessels tonnage. Section 14501(2) states that a vessel must be measured under the regulatory measurement system if the owner requests.

**Editorial Notes**

**AMENDMENTS**

2010—Par. (1). Pub. L. 111-281, §303(g)(1), amended par. (1) generally. Prior to amendment, par. (1) read as follows: "a vessel not measured under chapter 143 of this title if—

"(A) the vessel is to be documented under chapter 121 of this title; or

"(B) the application of a law of the United States to the vessel depends on the vessel's tonnage."

Par. (2). Pub. L. 111-281, §303(g)(2), substituted "A vessel" for "a vessel".

**§ 14502. Measurement**

The Secretary shall measure a vessel to which this chapter applies in the way provided by this chapter.

(Pub. L. 99-509, title V, §5101(3), Oct. 21, 1986, 100 Stat. 1923.)

**HISTORICAL AND REVISION NOTES**

*Revised section 14502*

Source: Section (U.S. Code) 46 App. U.S.C. 71, 77, 83.  
 Section 14502 requires the Secretary to measure a vessel to which this chapter applies as provided by this chapter.

**§ 14503. Certificate of measurement**

(a) The Secretary shall prescribe the certificate to be issued as evidence of a vessel's measurement under this chapter.

(b) The certificate shall be maintained as required by the Secretary.

(Pub. L. 99-509, title V, §5101(3), Oct. 21, 1986, 100 Stat. 1923; Pub. L. 111-281, title III, §303(e)(2), Oct. 15, 2010, 124 Stat. 2925.)

**HISTORICAL AND REVISION NOTES**

*Revised section 14503*

Source: Section (U.S. Code) 46 App. U.S.C. 72.  
 Section 14503 requires the Secretary to issue a certificate, in a manner that is to be prescribed by the Secretary, as evidence of a vessel's regulatory measurement.

**Editorial Notes**

**AMENDMENTS**

2010—Pub. L. 111-281 designated existing provisions as subsec. (a) and added subsec. (b).

**§ 14504. Remeasurement**

(a) To the extent necessary, the Secretary shall remeasure a vessel to which this chapter applies if—

- (1) the Secretary or the owner alleges an error in its measurement;
- (2) the vessel or the use of its space is changed in a way that substantially affects its tonnage;

(3) after being measured under subchapter III of this chapter, the vessel becomes subject to subchapter II of this chapter because the vessel or its use is changed; or

(4) although not required to be measured under subchapter II of this chapter, the vessel was measured under subchapter II and the owner requests that the vessel be measured under subchapter III of this chapter.

(b) Except as provided in this section and chapter 143 of this title, a vessel that has been measured does not have to be remeasured to obtain another document or endorsement under chapter 121 of this title.

(Pub. L. 99-509, title V, §5101(3), Oct. 21, 1986, 100 Stat. 1923.)

**HISTORICAL AND REVISION NOTES**

*Revised section 14504*

Source: Section (U.S. Code) 46 App. U.S.C. 71.

Section 14504(a) provides that the Secretary shall re-measure a vessel that has been measured under the regulatory measurement system if either the Secretary or the owner alleges an error in its measurement; if the vessel, or its use, undergoes a substantial change affecting its tonnage; if the vessel loses its eligibility for measurement under the simplified system because of a change in the vessel or its use; or if the vessel owner requests that the vessel be measured under the simplified system after having been measured under the standard regulatory measurement system. Section 14504(b) provides that a vessel that has been measured does not have to be remeasured to obtain another document or endorsement under chapter 121—“Documentation of Vessels”—except as provided above or in chapter 143 of this subtitle.

## SUBCHAPTER II—FORMAL SYSTEMS

### HISTORICAL AND REVISION NOTES

This subchapter provides for the standard regulatory measurement of vessels for vessels that do not qualify for the simplified measurement systems.

#### § 14511. Application

This subchapter applies to a vessel described in section 14501 of this title if—

- (1) the owner requests; or
- (2) the vessel is—
  - (A) self-propelled;
  - (B) at least 24 meters (79 feet) overall in length; and
  - (C) not operated only for pleasure.

(Pub. L. 99-509, title V, § 5101(3), Oct. 21, 1986, 100 Stat. 1924.)

### HISTORICAL AND REVISION NOTES

#### *Revised section 14511*

Source: Section (U.S. Code) 46 App. U.S.C. 71.

Section 14511 lists the types of vessels that are to be measured under the standard regulatory measurement system. They are vessels for which the owner requests a standard measurement or vessels which are self-propelled, at least 79 feet in length, and not operated only for pleasure.

#### § 14512. Standard tonnage measurement

(a) The Secretary shall prescribe regulations for measuring the gross and net tonnages of a vessel under this subchapter. The regulations shall provide for tonnages comparable to the tonnages that could have been assigned under sections 4151 and 4153 of the Revised Statutes of the United States, as sections 4151 and 4153 existed immediately before the enactment of this section.

(b) On application of the owner or master of a vessel of the United States used in foreign trade, the Secretary may attach an appendix to the vessel's register stating the measurement of spaces that may be deducted from gross tonnage under laws and regulations of other countries but not under those of the United States.

(Pub. L. 99-509, title V, § 5101(3), Oct. 21, 1986, 100 Stat. 1924.)

### HISTORICAL AND REVISION NOTES

#### *Revised section 14512*

Source: Section (U.S. Code) 46 App. U.S.C. 75, 77.

Section 14512(a) requires the Secretary to prescribe regulations for regulatory measurement systems. It further provides that the regulations must allow for the determination of tonnages similar to those that

could have been found under the existing law (46 App. U.S.C. 75 & 77).

Section 14512(b) authorizes the Secretary to attach an appendix to a vessel's register stating the measurement of spaces that may be deducted from the gross tonnage under laws and regulations of other countries but not under the laws of the United States.

### Editorial Notes

#### REFERENCES IN TEXT

Sections 4151 and 4153 of the Revised Statutes, referred to in subsec. (a), were classified to sections 75 and 77, respectively, of the former Appendix to this title and were repealed by Pub. L. 99-509, title V, § 5104(b), Oct. 21, 1986, 100 Stat. 1928.

#### § 14513. Dual tonnage measurement

(a) On application by the owner and approval by the Secretary, the tonnage of spaces prescribed by the Secretary may be excluded in measuring under this section the gross tonnage of a vessel measured under section 14512 of this title. The spaces prescribed by the Secretary shall be comparable to the spaces that could have been excluded under section 2 of the Act of September 29, 1965 (Public Law 89-219, 79 Stat. 891), as section 2 existed immediately before the enactment of this section.

(b) The Secretary shall prescribe the design, location, and dimensions of the tonnage mark to be placed on a vessel measured under this section.

(c)(1) If a vessel is assigned two sets of gross and net tonnages under this section, each certificate stating the vessel's tonnages shall state the gross and net tonnages when the vessel's tonnage mark is submerged and when it is not submerged.

(2) Except as provided in paragraph (1) of this subsection, a certificate stating a vessel's tonnages may state only one set of gross and net tonnages as assigned under this section.

(Pub. L. 99-509, title V, § 5101(3), Oct. 21, 1986, 100 Stat. 1924; Pub. L. 111-281, title III, § 303(h), Oct. 15, 2010, 124 Stat. 2925.)

### HISTORICAL AND REVISION NOTES

#### *Revised section 14513*

Source: Section (U.S. Code) 46 App. U.S.C. 83 to 83g.

Section 14513 gives discretionary authority to the Secretary to exclude certain spaces in measuring the regulatory tonnage of a vessel, and requires the Secretary to prescribe the design, location and dimensions of the tonnage mark to be placed on the vessel. Section 14513 further provides that if spaces are excluded by the Secretary, they shall be comparable to those the Secretary could have excluded in existing law (46 App. U.S.C. 83a). Section 14513(c) provides that if a vessel's tonnage mark is below the uppermost part of the load line mark, each certificate that states the vessel's tonnages must state the gross and net tonnages when the mark is submerged and when it is not submerged.

### Editorial Notes

#### REFERENCES IN TEXT

Section 2 of the Act of September 29, 1965, referred to in subsec. (a), was classified to section 83a of the former Appendix to this title and was repealed by Pub. L. 99-509, title V, § 5104(b), Oct. 21, 1986, 100 Stat. 1928.

#### AMENDMENTS

2010—Subsec. (c)(1). Pub. L. 111-281, § 303(h)(1), substituted “vessel is assigned two sets of gross and net