

(Added Pub. L. 117-263, div. K, title CXVI, § 11607(a), Dec. 23, 2022, 136 Stat. 4150.)

Editorial Notes

REFERENCES IN TEXT

Enactment of the Don Young Coast Guard Authorization Act of 2022, referred to in subsec. (c)(1), means enactment of div. K of Pub. L. 117-263, which was approved Dec. 23, 2022.

PART C—LOAD LINES OF VESSELS

HISTORICAL AND REVISION NOTES

Part C contains provisions that apply to load lines. A load line is a mark drawn on a vessel that indicates whether a vessel is overloaded. Load line requirements for international voyages are based not only on domestic law but also the 1966 International Load Line Convention.

CHAPTER 51—LOAD LINES

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HISTORICAL AND REVISION NOTES

Chapter 51 provides for the assignment of load lines and issuance of load line certificates to vessels, and requires that certain classes of vessels be marked with load lines.

Editorial Notes

AMENDMENTS

1990—Pub. L. 101-595, title VI, § 603(5)(B), Nov. 16, 1990, 104 Stat. 2993, struck out item 5115 “Regulations”.

§ 5101. Definitions

In this chapter—

(1) “domestic voyage” means movement of a vessel between places in, or subject to the jurisdiction of, the United States, except movement between—

(A) a place in a territory or possession of the United States or the Trust Territory of the Pacific Islands; and

(B) a place outside that territory, possession, or Trust Territory.

(2) “economic benefit of the overloading” means the amount obtained by multiplying the weight of the overload (in tons) by the lesser of—

(A) the average freight rate value of a ton of the vessel’s cargo for the voyage; or

(B) \$50.

(3) “existing vessel” means—

(A) a vessel on a domestic voyage, the keel of which was laid, or that was at a similar

stage of construction, before January 1, 1986; and

(B) a vessel on a foreign voyage, the keel of which was laid, or that was at a similar stage of construction, before July 21, 1968.

(4) “freeboard” means the distance from the mark of the load line assigned under this chapter to the freeboard deck.

(5) “freeboard deck” means the deck or other structure the Secretary prescribes by regulation.

(6) “minimum safe freeboard” means the freeboard that the Secretary decides cannot be reduced safely without limiting the operation of the vessel.

(7) “weight of the overload” means the amount obtained by multiplying the number of inches that the vessel is submerged below the applicable assigned freeboard by the tons-inch immersion factor for the vessel at the assigned minimum safe freeboard.

(Pub. L. 99-509, title V, § 5101(2), Oct. 21, 1986, 100 Stat. 1913.)

HISTORICAL AND REVISION NOTES

Revised section 5101

Source: Section (U.S. Code) 46 App. U.S.C. 86a.

Section 5101 contains definitions that are limited to Chapter 51—Load Lines. Existing Section 46 App. U.S.C. 86a (which defines only the terms “new ship” and “existing ship”) will be replaced by section 5101. Definitions of technical terms (“freeboard”, “freeboard deck”, and “minimum safe freeboard”) have been added for clarity. The definition of the term “new ship” has been deleted because the term is not used in Chapter 51. The definition of “domestic voyage” includes the phrase “places in or subject to the jurisdiction of the United States.” “Places subject to the jurisdiction of the United States” include deep water ports, production platforms, mining sites outside of territorial waters of the United States but within the United States’ Exclusive Economic Zone (EEZ) that was established by Presidential Proclamation 5030, dated March 10, 1983, or on the outer continental shelf. The phrases “economic benefit of overloading” and “weight of the overload” have been defined for purposes of establishing a standard method of determining the value of the cargo with which a vessel is overloaded. The value of the cargo will in turn affect the maximum penalty assessed for overloading the vessel. The definition of “freeboard deck” provides the Secretary with the authority to designate as the freeboard deck either the actual deck (on standard vessels) or another structure (on non-standard vessels). Non-standard vessels, for which this regulatory flexibility is necessary, include shelter deck vessels, semi-submersible multi-hull units, container ships, surface effect vessels, and commercial submarines.

Executive Documents

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

§ 5102. Application

(a) Except as provided in subsection (b) of this section, this chapter applies to the following:

(1) a vessel of the United States.

(2) a vessel on the navigable waters of the United States.

(3) a vessel—