

(2) any other vessel shall be inspected at least once every 5 years.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 514; Pub. L. 104-324, title VI, § 605(a), Oct. 19, 1996, 110 Stat. 3931.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
3307(1) .....	46:391(c) 46:1295f(c)
3307(2) .....	46:390a(a) 46:404-1(6)(i)
3307(3) .....	46:391(b) 46:392(b) 46:404-1(6)(ii)

Section 3307 requires each vessel subject to inspection to undergo an initial inspection prior to being placed in service. This is normally started during the construction or reconstruction phase and is a continuing process until final certification for operation in a particular trade. Subsequent periodic inspections are also required for various types of vessels. It is to be noted that a freight vessel of less than 100 gross tons shall be inspected at 3 year intervals while the larger freight vessel has a 2 year inspection period. This is being done to retain the existing procedure of issuing 3 year certificates of inspection to smaller vessels, however, this does not prevent periodic inspections or examinations at intervening periods.

AMENDMENTS

1996—Par. (1). Pub. L. 104-324, § 605(a)(1), substituted “, nautical school vessel, and small passenger vessel allowed to carry more than 12 passengers on a foreign voyage” for “and nautical school vessel” and inserted “and” at end.

Pars. (2), (3). Pub. L. 104-324, § 605(a)(2), (3), redesignated par. (3) as (2), substituted “5 years” for “2 years”, and struck out former par. (2) which read as follows: “each small passenger vessel, freight vessel or offshore supply vessel of less than 100 gross tons, and sailing school vessel shall be inspected at least once every 3 years; and”.

§ 3308. Examinations

In addition to inspections required by section 3307 of this title, the Secretary shall examine or have examined—

(1) each vessel subject to inspection at proper times to ensure compliance with law and regulations; and

(2) crewmember accommodations on each vessel subject to inspection at least once a month or when the vessel enters United States ports to ensure that the accommodations are—

(A) of the size required by law and regulations;

(B) properly ventilated and in a clean and sanitary condition; and

(C) equipped with proper plumbing and mechanical appliances required by law and regulations, and the appliances are in good working condition.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 514; Pub. L. 104-324, title VI, § 603(c), Oct. 19, 1996, 110 Stat. 3930.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
3308 .....	46:435 46:660a 46:660b

Section 3308 requires the Secretary to carry out additional inspections as might be necessary to ensure com-

pliance with applicable laws and regulations, and to ensure that accommodations are maintained in a sanitary condition and that all appliances are in good working order.

AMENDMENTS

1996—Pub. L. 104-324 inserted “or have examined” after “examine” in introductory provisions.

§ 3309. Certificate of inspection

(a) When an inspection under section 3307 of this title has been made and a vessel has been found to be in compliance with the requirements of law and regulations, a certificate of inspection, in a form prescribed by the Secretary, shall be issued to the vessel.

(b) The Secretary may issue a temporary certificate of inspection in place of a regular certificate of inspection issued under subsection (a) of this section.

(c) At least 30 days before the current certificate of inspection issued to a vessel under subsection (a) of this section expires, the owner, charterer, managing operator, agent, master, or individual in charge of the vessel shall submit to the Secretary in writing a notice that the vessel—

- (1) will be required to be inspected; or
- (2) will not be operated so as to require an inspection.

(d) A certificate of inspection issued under this section shall be signed by the senior Coast Guard member or civilian employee who inspected the vessel, in addition to the officer in charge of marine inspection.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 515; Pub. L. 98-498, title II, § 211(a), Oct. 19, 1984, 98 Stat. 2303; Pub. L. 104-324, title VI, § 606, Oct. 19, 1996, 110 Stat. 3931; Pub. L. 111-281, title V, § 522(c), Oct. 15, 2010, 124 Stat. 2957.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
3309 .....	46:390c 46:391a(8) 46:395(d) 46:399

Section 3309 provides for the issuance of a certificate of inspection that attests to the fact that the vessel has been found to be in compliance with the applicable maritime safety laws and regulations. Under this provision the Coast Guard can issue a temporary certificate of inspection upon compliance with the applicable laws or regulations to facilitate the preparation, processing, and forwarding of the regular certificate of inspection to the vessel. A temporary certificate does not imply less than satisfactory compliance.

AMENDMENTS

2010—Subsec. (d). Pub. L. 111-281 added subsec. (d).

1996—Subsec. (c). Pub. L. 104-324 struck out “(but not more than 60 days)” after “30 days” in introductory provisions.

1984—Subsec. (c). Pub. L. 98-498 added subsec. (c).

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-498 effective 180 days after Oct. 19, 1984, see section 214 of Pub. L. 98-498, set out as an Effective Date note under section 2306 of this title.

§ 3310. Records of certification

The Secretary shall keep records of certificates of inspection of vessels and of all acts in

the examination and inspection of vessels, whether of approval or disapproval.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 515.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
3310 .....	46:414

Section 3310 contains the requirement for maintaining inspection records.

§ 3311. Certificate of inspection required

(a) Except as provided in subsection (b), a vessel subject to inspection under this part may not be operated without having on board a certificate of inspection issued under section 3309 of this title.

(b) The Secretary may direct the owner, charterer, managing operator, agent, master, or individual in charge of a vessel subject to inspection under this chapter and not having on board a certificate of inspection—

- (1) to have the vessel proceed to mooring and remain there until a certificate of inspection is issued;
- (2) to take immediate steps necessary for the safety of the vessel, individuals on board the vessel, or the environment; or
- (3) to have the vessel proceed to a place to make repairs necessary to obtain a certificate of inspection.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 515; Pub. L. 98–498, title II, §211(b), Oct. 19, 1984, 98 Stat. 2304.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
3311 .....	46:390c 46:395 46:399

Section 3311 prohibits the operation of a vessel subject to inspection without having on board a valid certificate of inspection.

AMENDMENTS

1984—Pub. L. 98–498 designated existing provisions as subsec. (a), substituted “Except as provided in subsection (b), a vessel” for “A vessel”, struck out “valid” before “certificate of inspection”, and added subsec. (b).

§ 3312. Display of certificate of inspection

The certificate of inspection issued to a vessel under section 3309 of this title shall be displayed, suitably framed, in a conspicuous place on the vessel. When it is not practicable to so display the certificate, it shall be carried in the manner prescribed by regulation.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 515.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
3312 .....	46:400

Section 3312 requires the conspicuous display of the certificate of inspection to provide notice that the vessel is in compliance with applicable maritime safety laws and regulations. The section also applies to the posting of the temporary certificate of inspection.

§ 3313. Compliance with certificate of inspection

(a) During the term of a vessel’s certificate of inspection, the vessel must be in compliance with its conditions, unless relieved by a suspension or an exemption granted under section 3306(e) of this title.

(b) When a vessel is not in compliance with its certificate or fails to meet a standard prescribed by this part or a regulation prescribed under this part—

- (1) the owner, charterer, managing operator, agent, master, or individual in charge shall be ordered in writing to correct the noted deficiencies promptly;
- (2) the Secretary may permit any repairs to be made at a place most convenient to the owner, charterer, or managing operator when the Secretary decides the repairs can be made with safety to those on board and the vessel;
- (3) the vessel may be required to cease operating at once; and
- (4) if necessary, the certificate shall be suspended or revoked.

(c) The vessel’s certificate of inspection shall be revoked if a condition unsafe to life that is ordered to be corrected under this section is not corrected at once.

(d) The owner, charterer, managing operator, agent, master, or individual in charge of a vessel whose certificate has been suspended or revoked shall be given written notice immediately of the suspension or revocation. The owner or master may appeal to the Secretary the suspension or revocation within 30 days of receiving the notice, as provided by regulations prescribed by the Secretary.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 515.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
3313 .....	46:390c 46:391a(8) 46:435

Section 3313 requires a vessel to be maintained in a condition so as to always be in compliance with the applicable laws and regulations. Here the master, owner, or other responsible party is required to maintain the vessel to inspection standards and to correct all deficiencies observed. When a vessel is not in compliance with its certificate the responsible parties shall be ordered in writing to correct the deficiencies promptly. The section provides flexibility as to when and where these deficiencies may be corrected consistent with the safety of the vessel and crew. The section provides authority to require the vessel to cease operating or, if necessary, to suspend or revoke its certificate of inspection when found not to be in compliance with its certificate or regulations. The owner or master, or other responsible party must be given written notice and may appeal this action within 30 days of receiving the notice.

§ 3314. Expiration of certificate of inspection

(a) If the certificate of inspection of a vessel expires when the vessel is on a foreign voyage, the vessel may complete the voyage to a port of the United States within 30 days of the expiration of the certificate without incurring the penalties for operating without a certificate of inspection.

(b) If the certificate of inspection would expire within 15 days of sailing on a foreign voyage