

terim scheme shall not apply to ships the keels of which are laid after 31 December 1985 with the following exceptions:

“(a) In respect of the requirements of Regulation 3 of Chapter IV of the 1974 SOLAS Convention for ships the keels of which are laid before 18 July 1994, the Administration may continue to apply the interim scheme, in which case the above-mentioned entry should be made in the Radio-telephony Certificate only; and

“(b) In respect of the regulations for cargo ships of less than 1,600 tons gross tonnage (as measured under national systems), the keels of which are laid after 31 December 1985, the Administration may continue to apply the interim scheme until 18 July 1984.”

The International Convention on Standards of Training, Certification, and Watchkeeping for Seafarers, 1978: IMO Resolution A.540 (XIII) of November 17, 1983, provides “that the revised interim scheme for tonnage measurement for certain ships adopted by resolution A.494 (XII), [described above] should also be applicable in respect of the provision of the International Convention, and Watchkeeping for Seafarers, 1978.”

The International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships, 1973: IMO Resolution A.541 (XIII) of November 17, 1983, provides that:

At the request of a shipowner, the Administration may allow a ship of less than 400 tons gross tonnage (measured under the previous national tonnage rules) the keel of which is laid on or before 31 December 1985 and which is required to be measured under the provisions of the International Convention on Tonnage Measurement of Ships, 1969, to use the gross tonnage measured under the national tonnage rules which were in effect prior to the coming into force of the 1969 Tonnage Convention, for the purpose of application of the provisions of MARPOL 73/78. Such tonnage, however, shall not be shown on the 1969 Tonnage Certificate.

It further provides that “the interim scheme shall not apply to ships the keels of which are laid after 31 December 1985, except that in respect of regulations for ships of less than 400 tons gross tonnage (as measured under previous national rules), the keels of which are laid after 31 December 1985, the Administration may continue to apply the interim scheme until 18 July 1994.”

Clause (14) provides that the regulatory measurement system may be used to determine which vessels must demonstrate evidence of financial responsibility (when such a demonstration is required by law). If it is determined that a vessel must show evidence of financial responsibility, the limits of financial responsibility are determined using the vessel’s Convention measurement.

Clause (15) provides that the regulatory measurement system may be used for the application of laws not identified by the Secretary under section 14302(c).

Section 14305(b) provides that if a vessel is measured under the regulatory tonnage measurement system for the application of one law listed in subsection (a), it must be measured under that system for the application of all laws listed in subsection (a).

REFERENCES IN TEXT

Section 4 of the Bridge to Bridge Radiotelephone Act (33 U.S.C. 1203(a)), referred to in subsec. (a)(3), probably means section 4(a) of the Vessel Bridge-to-Bridge Radiotelephone Act, which is classified to section 1203(a) of Title 33, Navigation and Navigable Waters.

Sections 351, 352, 355, and 356 of the Ship Radio Act (47 U.S.C. 351, 352, 354, and 354a), referred to in subsec. (a)(8), probably means sections 351, 352, 355, and 356 of the Communications Act of 1934, June 19, 1934, ch. 652, 48 Stat. 1064, as amended, which are classified to sections 351, 352, 354, and 354a, respectively, of Title 47, Telecommunications.

The Officers’ Competency Certificates Convention, 1936, referred to in subsec. (a)(10), is set out in 54 Stat. Pt. 2, p. 1683.

For provisions relating to International Conventions for the Safety of Life at Sea, referred to in subsec. (a)(11), to which the United States has been a party, see section 1602 of Title 33, Navigation and Navigable Waters, and notes thereunder.

For provisions relating to the International Convention for the Prevention of Pollution from Ships, as modified, referred to in subsec. (a)(13), see chapter 33 (§1901 et seq.) of Title 33.

AMENDMENTS

2010—Subsec. (a). Pub. L. 111–281 substituted “vessel measured under this chapter that is of United States registry or nationality, or a vessel operated under the authority of the United States,” for “documented vessel measured under this chapter,” in introductory provisions.

2006—Subsec. (a)(1). Pub. L. 109–304, §15(26)(A), substituted “of this subtitle and section 12116” for “and sections 12106(c) and 12108(c)”.

Subsec. (a)(5). Pub. L. 109–304, §15(26)(B), substituted “section 30506 of this title” for “section 4283 of the Revised Statutes of the United States (46 App. U.S.C. 183)”.

Subsec. (a)(6). Pub. L. 109–304, §15(26)(C), substituted “sections 12118 and 12132 of this title” for “sections 27 and 27A of the Act of June 5, 1920 (46 App. U.S.C. 883 and 883–1)”.

Subsec. (a)(7). Pub. L. 109–304, §15(26)(D), substituted “section 12139(b) of this title” for “Act of July 14, 1956 (46 App. U.S.C. 883a)”.

§ 14306. Reciprocity for foreign vessels

(a) When the Secretary finds that the laws and regulations of a foreign country related to measurement of vessels are similar to those of this chapter and the regulations prescribed under this chapter, or when a foreign country is a party to the Convention, the Secretary shall accept the measurement and certificate of a vessel of that foreign country as complying with this chapter and the regulations prescribed under this chapter.

(b) Subsection (a) of this section does not apply to a vessel of a foreign country that does not recognize measurements under this chapter. The Secretary may apply measurement standards the Secretary considers appropriate to the vessel, subject to applicable international agreements to which the United States Government is a party.

(Pub. L. 99–509, title V, §5101(3), Oct. 21, 1986, 100 Stat. 1922.)

HISTORICAL AND REVISION NOTES

Revised section 14306

Source: International Convention on Tonnage Measurement of Ships. Section (U.S. Code) 46 App. U.S.C. 81.

Section 14306(a) requires that the Secretary accept the measurement and certificate of a vessel of a foreign country as evidence of compliance with this chapter when the Secretary finds that the laws and regulations of that foreign country that are related to measurement are similar to those of this chapter, or that that country is a party to the Convention.

Section 14306(b) provides that the Secretary does not have to accept the measurement and certificate of a vessel of a country that does not recognize United States measurements. It also authorizes the Secretary to apply appropriate measurement standards to such foreign vessels, subject to international agreements to which the United States is a party.

§ 14307. Inspection of foreign vessels

(a) The Secretary may inspect a vessel of a foreign country to verify that—