

Therefore, the laws that will be based on regulatory tonnage are those not listed by the Secretary by regulation and those listed in section 14305 of this legislation.

AMENDMENTS

2010—Subsec. (b). Pub. L. 111–281 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “Except as provided in section 1602(a) of the Panama Canal Act of 1979 (22 U.S.C. 3792(a)), a vessel measured under this chapter may not be required to be measured under another law.”

§ 14303. Tonnage Certificate

(a) After measuring a vessel under this chapter, the Secretary shall issue, on request of the owner, an International Tonnage Certificate (1969) and deliver it to the owner or master of the vessel. For a vessel to which the Convention does not apply, the Secretary shall prescribe a certificate to be issued as evidence of a vessel’s measurement under this chapter.

(b) The certificate issued under this section shall be maintained as required by the Secretary.

(Pub. L. 99–509, title V, § 5101(3), Oct. 21, 1986, 100 Stat. 1921; Pub. L. 111–281, title III, § 303(e)(1), Oct. 15, 2010, 124 Stat. 2925.)

HISTORICAL AND REVISION NOTES

Revised section 14303

Source: International Convention on Tonnage Measurement of Ships.

Section 14303(a) requires the Secretary to issue, on the request of the owner, an International Tonnage Certificate after measuring a vessel under this chapter. Section 14303(b) requires that the certificate be maintained as required by the Secretary.

AMENDMENTS

2010—Pub. L. 111–281, § 303(e)(1)(C), struck out “International” before “Tonnage” and “(1969)” after “Certificate” in section catchline.

Subsec. (a). Pub. L. 111–281, § 303(e)(1)(A), inserted at end “For a vessel to which the Convention does not apply, the Secretary shall prescribe a certificate to be issued as evidence of a vessel’s measurement under this chapter.”

Subsec. (b). Pub. L. 111–281, § 303(e)(1)(B), inserted “issued under this section” after “The certificate”.

§ 14304. 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; or
- (2) the vessel or the use of its space is changed in a way that substantially affects its tonnage.

(b) Except as provided in this chapter or section 14504 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. 1921.)

HISTORICAL AND REVISION NOTES

Revised section 14304

Source: International Convention on Tonnage Measurement of Ships.

Section 14304(a) requires the Secretary to remeasure a vessel, to the extent necessary, if there is an alleged error regarding its measurement or if the vessel or its use undergoes a change substantially affecting its tonnage. The phrase “to the extent necessary” was included to indicate that a complete remeasurement of the vessel may not be necessary if, for example, an error was made in one portion of the vessel’s measurement and only that portion needs to be remeasured.

Section 14304(b) provides that except as provided in section 14504, a vessel that has been measured does not have to be remeasured to obtain another document or endorsement under chapter 121 of this title.

§ 14305. Optional regulatory measurement

(a) On request of the owner of a vessel measured under this chapter that is of United States registry or nationality, or a vessel operated under the authority of the United States, the Secretary also shall measure the vessel under chapter 145 of this title. The tonnages determined under that chapter shall be used in applying—

(1) parts A, B, C, E, F, and G of this subtitle and section 12116 of this title;

(2) section 3(d)(3) of the Longshore and Harbor Workers’ Compensation Act (33 U.S.C. 903(d)(3));

(3) section 4 of the Bridge to Bridge Radiotelephone Act (33 U.S.C. 1203(a));

(4) section 4(a)(3)¹ of the Ports and Waterways Safety Act (33 U.S.C. 1223(a)(3));

(5) section 30506 of this title;

(6) sections 12118 and 12132 of this title;

(7) section 12139(b) of this title;

(8) sections 351, 352, 355, and 356 of the Ship Radio Act (47 U.S.C. 351, 352, 354, and 354a);

(9) section 403 of the Commercial Fishing Industry Vessel Act (46 U.S.C. 3302 note);

(10) the Officers’ Competency Certificates Convention, 1936, and sections 8303 and 8304 of this title;

(11) the International Convention for the Safety of Life at Sea as provided by IMCO Resolution A.494 (XII) of November 19, 1981;

(12) the International Convention on Standards of Training, Certification, and Watchkeeping for Seafarers, 1978, as provided by IMO Resolution A.540 (XIII) of November 17, 1983;

(13) 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, as provided by IMO Resolution A.541 (XIII) of November 17, 1983;

(14) provisions of law establishing the threshold tonnage levels at which evidence of financial responsibility must be demonstrated; or

(15) unless otherwise provided by law, any other law of the United States in effect before July 19, 1994, and not listed by the Secretary under section 14302(c) of this title.

(b) As long as the owner of a vessel has a request in effect under subsection (a) of this section, the tonnages determined under that request shall be used in applying the other provisions of law described in subsection (a) to that vessel.

¹ See References in Text note below.