

§ 69.1

- 69.61 Excluded spaces.
- 69.63 Net tonnage.
- 69.65 Calculation of volumes.
- 69.67 Marking of cargo spaces.
- 69.69 Issuance of an International Tonnage Certificate (1969).
- 69.71 Change of net tonnage.
- 69.73 Variance from the prescribed method of measurement.
- 69.75 Figures.

Subpart C—Standard Measurement System

- 69.101 Purpose.
- 69.103 Definitions.
- 69.105 Application for measurement services.
- 69.107 Gross and net tonnages.
- 69.109 Under-deck tonnage.
- 69.111 Between-deck tonnage.
- 69.113 Superstructure tonnage.
- 69.115 Excess hatchway tonnage.
- 69.117 Spaces exempt from inclusion in gross tonnage.
- 69.119 Spaces deducted from gross tonnage.
- 69.121 Engine room deduction.
- 69.123 Figures.

Subpart D—Dual Measurement System

- 69.151 Purpose.
- 69.153 Application of other laws.
- 69.155 Measurement requirements.
- 69.157 Definitions.
- 69.159 Application for measurement services.
- 69.161 Gross and net tonnages.
- 69.163 Under-deck tonnage.
- 69.165 Between-deck tonnage.
- 69.167 Superstructure tonnage.
- 69.169 Spaces exempt from inclusion in gross tonnage.
- 69.171 When the tonnage mark is considered submerged.
- 69.173 Tonnage assignments for vessels with only one deck.
- 69.175 Tonnage assignments for vessels with a second deck.
- 69.177 Markings.
- 69.179 Certification of markings.
- 69.181 Locating the line of the second deck.
- 69.183 Figures.

Subpart E—Simplified Measurement System

- 69.201 Purpose.
- 69.203 Definitions.
- 69.205 Application for measurement services.
- 69.207 Measurements.
- 69.209 Calculation of tonnages.

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SOURCE: CGD 87-015b, 54 FR 37657, Sept. 12, 1989, unless otherwise noted.

Subpart A—General**§ 69.1 Purpose.**

This part implements legislation concerning the measurement of vessels to determine their tonnage (part J of 46 U.S.C. subtitle II). Tonnages are required before a vessel may be documented as a vessel of the United States. Also, tonnages are used to apply commercial vessel safety regulations based on tonnage, to meet the requirements of the International Convention on Tonnage Measurement of Ships, 1969, and to determine Federal and State regulatory fees and private operational charges based on tonnage. Tonnages are determined by the physical measurement of a vessel (Convention, Standard, and Dual Measurement Systems) or by application of a formula based on the vessel's dimensions provided by the owner (Simplified Measurement System). This part indicates the particular measurement system or systems under which the vessel is required or eligible to be measured, describes the application and measurement procedures for each system, identifies the organizations authorized to measure vessels under this part, and provides for the appeal of measurement organizations' decisions.

§ 69.3 Applicability.

This part applies to vessels of the United States over five net tons (as that tonnage is determined under this part) which are required or eligible to be measured under this part, a Federal law, or an international agreement or which are subject to a Federal law or international agreement based on the vessel's tonnage.

§ 69.5 Vessels required or eligible to be measured.

(a) The following vessels (including public vessels) are required to be measured under this part:

- (1) Vessels that are to be documented as a vessel of the United States.
- (2) Vessels of 79 feet or more in overall length that engage on a foreign voyage.
- (3) Vessels subject to a Federal law or regulation based on vessel tonnage.

(4) Vessels determined by the Commandant to require measurement under this part.

(b) The following vessels are not required to be measured under this part but are eligible to be measured, if the owner requests:

(1) Public vessels that are not to be documented and will not engage on a foreign voyage.

(2) Vessels of war.

[CGD 87-015b, 54 FR 37657, Sept. 12, 1989, as amended by CGD 92-058, 57 FR 59938, Dec. 17, 1992]

§ 69.7 Vessels transiting the Panama and Suez Canals.

(a) All vessels intending to transit the Panama Canal, other than vessels of war, must be measured and certificated under the system prescribed in 35 CFR part 135.

(b) All vessels intending to transit the Suez Canal must be measured and certificated under the Arab Republic of Egypt Suez Canal Authority Rules of Navigation, part IV.

(c) Panama Canal and Suez Canal tonnage certificates are in addition to tonnage certificates issued under this part.

(d) Tonnage measurement services for Panama Canal and Suez Canal certificates are provided by measurement organizations authorized by the respective canal authority.

§ 69.9 Definitions.

As used in this part—

Commandant means Commandant of the Coast Guard at the following address: Commanding Officer, Marine Safety Center, 400 7th Street, SW., Washington, DC 20590-0001.

Convention means the International Convention on Tonnage Measurement of Ships, 1969.

Convention Measurement System means the system under subpart B of this part.

Dual Measurement System means the system under subpart D of this part.

Great Lakes means the Great Lakes of North America and the St. Lawrence River west of a rhumb line drawn from Cap des Rosiers to West Point, Anticosti Island, and, on the north side of Anticosti Island, the meridian of longitude 63 degrees west.

Gross tonnage means a vessel's approximate volume. Under the Convention Measurement System, it means the total volume of all enclosed spaces modified by a coefficient. Under the Standard and Dual Measurement Systems, it means the total volume of all enclosed spaces less certain exempt spaces. Under the Simplified Measurement Systems, it means the product of a vessel's length, depth, and breadth modified by a coefficient.

National Vessel Documentation Center means the organizational unit designated by the Commandant to process vessel documentation transactions and maintain vessel documentation records. The address can be found in § 67.3 of this subchapter.

Net tonnage means a measure of a vessel's earning capacity. Under the Convention Measurement System, it means the volume of the actual cargo and passenger spaces modified by a formula based on the vessel's volume. Under the Standard and Dual Measurement Systems, it means the gross tonnage less certain deducted spaces. Under the Simplified Measurement System, it means the gross tonnage modified by a coefficient.

Overall length means the horizontal distance between the foremost part of a vessel's stem to the aftermost part of its stern, excluding fittings and attachments.

Simplified Measurement System means the system under subpart E of this part.

Standard Measurement System means the system under subpart C of this part.

Tonnage means the volume of a vessel's enclosed spaces as calculated under a measurement system in this part. Tonnage calculated under the Standard, Dual, or Simplified Measurement System is based on tons of 100 cubic feet each. Tonnage calculated under the Convention Measurement System is based on tons of 100 cubic feet modified by a logarithmic function.

Vessel engaged on a foreign voyage means a vessel—

(a) Arriving at a place under the jurisdiction of the United States from a place in a foreign country;