

**STANDARD FEDERAL REGISTER**

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Thursday  
March 26, 1992

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**Part III**

**Department of  
Transportation**

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**Coast Guard**

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**46 CFR Part 67  
Documentation of Vessels; Recording of  
Instruments; Proposed Rule**

## DEPARTMENT OF TRANSPORTATION

## Coast Guard

## 46 CFR Part 67

[CGD 89-007]

RIN 2115-AD29

## Documentation of Vessels; Recording of Instruments

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to establish new recording practices to fully implement the provisions of the codification of the Ship Mortgage Act. In addition, it proposes to simplify the procedures for documentation of vessels. The proposed revision, if adopted, would make the regulations easier to use by the affected public and would more fully implement statutory requirements.

**DATES:** Comments must be received on or before June 24, 1992.

**ADDRESSES:** Comments must be in writing and may be mailed to the Executive Secretary, Marine Safety Council (G-LRA/3406) (CGD 89-007), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, or may be delivered to room 3406 at the above address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. For information concerning comments, the telephone number is (202) 267-1477.

The Executive Secretary maintains the public docket for this rulemaking. Comments will become part of this docket and will be available for inspection or copying at room 3406, U.S. Coast Guard Headquarters.

**FOR FURTHER INFORMATION CONTACT:** Mr. Thomas L. Willis, Chief, Vessel Documentation and Tonnage Survey Branch, Merchant Vessel Inspection and Documentation Division, Office of Marine Safety, Security and Environmental Protection, (202) 267-1492.

Normal office hours are between 7 a.m. and 3:30 p.m., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:****Request for Comments**

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD 89-007) and the specific section of this proposal to which each comment applies, and give a reason for each

comment. Persons wanting acknowledgment of receipt of their comment should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period and may change this proposal in view of the comments. Direct responses to individual questions concerning the rulemaking will not be made. All significant comments will be addressed in supplemental rulemakings, if necessary, or in the final rule.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Marine Safety Council at the address under "ADDRESSES." If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the Federal Register.

**Drafting Information**

The principal persons involved in drafting this document are Mr. Thomas L. Willis, Project Manager, and Lieutenant Commander Don M. Wrye, Project Counsel, Office of Chief Counsel.

**Background and Purpose**

On November 23, 1988, Congress enacted Public Law 100-710 (the "Codification Act") which amended and codified the Ship Mortgage Act of 1920 into 46 U.S.C. chapter 313; amended section 9 of the Shipping Act of 1916 (46 U.S.C. app. 808); and eliminated the prohibition against collecting fees for commercial vessel documentation services by amending 46 U.S.C. 2110. The Codification Act was the subject of technical corrections ("Corrections") when Congress enacted Public Law 101-225. Both the Codification Act and the Corrections introduced significant changes which are at variance with the former law and with existing Coast Guard regulations.

Most of the provisions of the Codification Act which require changes to the Coast Guard's regulations became effective on January 1, 1989. Certain of the changes were unequivocal and were implemented by an interim final rule published October 12, 1989 (54 FR 41835). The interim final rule was adopted as final in a rulemaking published January 10, 1991 (56 FR 960).

Other statutory revisions, some of which became effective on January 1, 1989, and others which became effective on January 1, 1990, require a more considered approach, including the opportunity for public comment. These latter changes are the subject of this rulemaking. Because the intent of the Codification Act and the Corrections

was to simplify and streamline the documentation process, the Coast Guard proposes to revise all of its existing vessel documentation regulations. The result will be to clarify and simplify the rules and present them in a more orderly fashion.

The user fees for services related to vessel documentation which the Coast Guard is required to establish pursuant to the Omnibus Budget Reconciliation Act of 1990 (Public Law 101-508) will be the subject of a separate rulemaking document.

Sections of the proposed rules not addressed below do not contain any substantive changes from the existing regulations. Among those proposed non-substantive changes are a number of editorial or housekeeping changes. These latter changes include the correction of several addresses and substitution of the word endorsement for license and recreational endorsement for pleasure license to conform the language of the rules to statutory terminology.

One universal change to the rules is substitution of the concept of port of record for the term home port. This change was made to reflect elimination of home ports in law, to better describe the function the port provides, and to eliminate confusion among members of the general public. In many instances vessels never actually visit their "home ports", which are in fact repositories of records concerning the vessel.

Because the format of part 67 would be changed, a derivation table, presented as Table 1 below, is provided to assist in comparison of the existing rules with the proposed rules.

**Discussion of the Proposed Rules**

Proposed § 67.3 in proposed subpart A contains several new definitions. These include citizen, coastwise trade, endorsement, Exclusive Economic Zone, fisheries, hull, Manufacturer's Certificate of Origin, person, port of record, and registration. In addition, the definition of acknowledgment has been expanded to specifically include an acknowledgment or notarization which is in substantial compliance with the laws of the State in which it is taken; and acceptable format for acknowledgment has also been provided.

Proposed § 67.5 contains an editorial change clarifying the fact that the requirement for documented vessels to be wholly owned by a citizen or citizens of the United States applies only to vessels documented under this part. Certain limited forms of documentation may be permitted for vessels not wholly

owned by a citizen or citizens in accordance with rules in 46 CFR part 68.

Proposed § 67.9 would amend the present regulations by providing that vessels of five net tons or more operating in the fisheries in the Exclusive Economic Zone but outside of the navigable waters of the United States are not excluded from the requirement to be documented. In addition, to be consistent with 46 U.S.C. 12110(b), proposed paragraph (c)(2) of § 67.9 provides that barges are no longer exempt from the requirement to be documented if they engage in Great Lakes trade or coastwise trade on the Great Lakes, even if used in part on rivers, harbors, lakes, canals or internal waters of a state.

Proposed § 67.11 sets forth the requirement for Maritime Administration consent for transfer of an interest in certain documented vessels to a person who is not a citizen within the meaning of section 2 of the Shipping Act, 1916 (46 U.S.C. app. 802). It also describes the types of vessels which may be transferred without restriction.

Proposed § 67.12 gives notice of the right to appeal an action or decision under this part by or on behalf of the Coast Guard.

Proposed § 67.13 incorporates by reference the Federal Information Processing Standards Publication 55DC, Guideline: Codes For Named Populated Places, Primary County Divisions, and Other Location Entities of the United States And Outlying Areas (1987). This publication lists those geographical places which may be used as hailing ports for documented vessels.

Proposed § 67.14 displays the current OMB control number for information collection requirements.

Proposed subpart B and the rest of part 67 have been amended by substitution of the word endorsement for the word license. This change was made to conform the regulations to the new terminology introduced by the Corrections. In addition, the term pleasure license has been changed to recreational endorsement in accordance with changes in chapter 121 of title 46 U.S.C. as enacted by Public Law 99-36.

In § 67.37, the Coast Guard proposes to insert the word "enforceable," to clearly reflect its existing interpretation that a vessel owned in a trust arrangement is not barred from documentation solely because a non-citizen with a non-enforceable interest as a beneficiary participates in the trust. An example of such a trust would be a charitable trust, which may directly or indirectly operate to the benefit of

persons who are not citizens of the United States.

Proposed § 67.45 contains the citizenship savings provision for fishing vessels. The Coast Guard, in its final rule published on December 12, 1990 at 55 FR 51244, implemented the American control provisions of the Commercial Fishing Industry Vessel Anti-Reflagging Act of 1987. In that rulemaking at section 67.03-15, the Coast Guard published the "grandfather" or savings provision regarding citizenship requirements for fishing vessels. That section of the Coast Guard's regulations is the subject of litigation: *Southeast Shipyard Assn. v. United States*, No. 90-1142 (D.D.C.). On April 30, 1991 the District Court decided that the Coast Guard's interpretation of the savings provision of the Anti-Reflagging Act was incorrect. The decision of the District Court is being appealed. Parties who may be affected should maintain appropriate cognizance over this and future judicial decisions which may significantly affect their rights and responsibilities. Once the appellate court has reached a decision on the matter, proposed § 67.45 may be the subject of further revision.

Proposed § 67.47 would permit documentation of certain vessels which may have been transferred to persons who are not citizens within the meaning of section 2 of the Shipping Act, 1916, (46 U.S.C. app. 802), but who are qualified to document vessels pursuant to 46 U.S.C. 12102, without obtaining consent of the Maritime Administration. Included are vessels which were documented exclusively for the fisheries or recreation, as well as other vessels to which the Maritime Administration has granted general approval in 46 CFR part 221 for sale or transfer to noncitizens. This change as well as the changes in proposed §§ 67.59 and 67.61 are permitted by the amendment to section 9 of the Shipping Act of 1916 enacted by section 104(c)(1) of the Codification Act.

With the establishment of two new methods, proposed Section 67.53 sets forth four means of establishing title to vessels: (1) Simplified method without evidence of build, (2) simplified method with evidence of build, (3) complete chain of title without evidence of citizenship for each entity in the chain, and (4) complete chain of title with evidence of citizenship for each entity in the chain.

Proposed § 67.59 provides that where ownership of a documented vessel has changed, and a registry, fishery, or recreational endorsement is sought, citizenship evidence would not be required for each owner subsequent to the last person for which the vessel was

documented. This relaxation would be permitted only if the vessel (a) was documented exclusively as a fishing, fish processing, fish tender, or recreational vessel or both, either since its initial documentation or for a period of not less than one year prior to change in ownership, or (b) is a vessel for which the Maritime Administration has granted general approval in 46 CFR part 221 for sale or transfer or to non-citizens. This change has the potential to alleviate the need for the owners of approximately 97 percent of the documented fleet to collect citizenship information concerning former owners, significantly reducing the current paperwork burden on the public.

Proposed § 67.61 would permit vessels to be returned to documentation with a registry, fishery, or recreational endorsement without the requirement for a complete chain of title and evidence of citizenship for all owners subsequent to the last person for whom the vessel was documented. This relaxation would be permitted only if the vessel (a) was documented exclusively as a fishing, fish processing, fish tender or recreational vessel or both since its initial documentation, or for a period of not less than one year prior to change in ownership, or (b) is a vessel for which the Maritime Administration has granted general approval in 46 CFR part 221 for sale or transfer to non-citizens. The Coast Guard estimates that this change would allow 97 percent of the owners of vessels which had been deleted from documentation to return them to documentation without the requirement to establish a complete chain of title or to collect citizenship information concerning intervening owners, resulting in further substantial paperwork burden savings.

Proposed § 67.63 would eliminate the requirement to provide evidence of citizenship for owners in the chain of title prior to documentation of captured, forfeited, or wrecked vessels except where a coastwise or Great Lakes endorsement is sought.

Proposed § 67.73 provides that transfer of title prior to documentation may be evidenced by completion of a transfer section on the reverse of the revised builder's certification (CG-1261) or the Manufacturer's Statement of Origin, in lieu of a bill of sale in recordable form.

Proposed § 67.81, dealing with passage of title to a vessel in conjunction with a merger, would specifically provide that where all of the assets of a corporation are transferred to another corporation, the vessel need not be specifically identified as being

among those assets. This proposal merely formalizes the Coast Guard's long-standing interpretation and practice regarding passage of title by a corporate merger.

Proposed § 67.99 provides that an officer or employee of a company which build a vessel could certify the facts of build based upon the records of the company. The present regulation requires the certification of the supervisor of construction or the actual builder of the vessel. In many cases, supervisors of construction have no knowledge of the source of components of the vessel, or of the party(ies) for whom the vessel is built. In the case of large corporate builders, corporation records provide a much more reliable source of information. The proposal further clarifies the fact that a Manufacturer's Certificate of Origin, which usually recites neither the place of assembly of the vessel nor the source of major components of the hull and superstructure, does not provide evidence of the facts of build.

Proposed § 67.107 sets forth the requirement for a Certificate of Measurement for vessels measured in accordance with regulations set forth in subpart B, C, or D, of 46 CFR part 69.

Proposed § 67.113 is a new section setting forth the requirement to designate a managing owner for every vessel and the requirement to report a change in the address of the managing owner. The purpose of this proposed requirement is to ensure that the Coast Guard corresponds with the person responsible for documentation matters.

Proposed § 67.115 differs from present home port designation, henceforth called "port of record," requirements in that the Coast Guard will assign the port of record based on the address of the managing owner. In addition, the proposal specifically provides that the same port of record will be used for all vessels owned by the same owner. The port of record for a vessel owned by an individual will be based upon any address of the managing owner. The present rule requires the home port to be fixed in accordance with domicile of the owner. The use of domicile has proven problematic in that it is possible to be absent from one's domicile for many years, and to have a domicile at which one cannot receive mail or which is not valid for service of process. In addition, appropriate port of record boundaries are established for the First, Fifth, and Eleventh Coast Guard Districts.

Proposed § 67.117 requiring a vessel name designation differs from the present regulation by clarifying the requirement for vessel names to be approved by the Secretary, a function

which has been delegated to the Commandant. In addition, it makes clear that names which are obscene, indecent, profane, or which contain racial or ethnic slurs will not be approved. This is consistent with the purpose of vessel names, which serve as a means of identification, and is not inconsistent with the requirements for so-called "vanity license plates" in many States. In addition, clarification is made that vessel names must be composed only of letters of the Latin alphabet, or Arabic or Roman numerals, or combinations thereof.

Proposed § 67.119 would require the vessel owner to designate a hailing port on form CG-1258. The present rule is extremely restrictive and limits vessel owners to either the home port or the address used to determine the home port, and further requires that the address be recognized by the Post Office. The proposed rule would allow vessel owners to choose among more than 190,000 place names listed in the Federal Information Processing Standards Publication 55DC, Guideline: Codes for Named Populated Places, Primary County Divisions, and Other Locational Entities Of The United States and Outlying Areas (1987). This reduces unnecessary bureaucratic restriction while at the same time enhancing the identification of vessels by helping to eliminate duplication of vessel name and hailing port combinations. In addition, it gives the owners of multiple vessels the opportunity to mark their vessels with hailing ports which are appropriate for the area in which those vessels are employed. A further change gives the Officer in Charge, Marine Inspection (OCMI) at the port where application is made, instead of the OCMI at the vessel's port of record, final authority to settle disputes as to the propriety of the hailing port selected.

Proposed § 67.120 provides that a Certificate of Documentation does not become valid until the vessel for which it is issued is marked in accordance with the rules in the balance of subpart I.

Proposed § 67.121 requires that the marking of the official number on a vessel must be done in a manner which renders alteration or removal of the number obvious. This is consistent with requirements in 33 CFR part 181 regarding affixing hull identification numbers. The requirement to submit a written certificate asserting that the marking has been made, presently found at 46 CFR 67.15-7, would be eliminated. The purpose of vessel markings is similar to the requirement for automobiles to bear license plates. The present bureaucratic burden of requiring marking certificates is no more justified

than a motor vehicle bureau's routinely requiring motorists to certify that the license plates have been attached to their vehicles. In addition to reducing the paperwork burden on the public, this proposed change will expedite the issuance of Certificates of Documentation.

Proposed § 67.125 gives authority for settling disputes regarding the permanence, durability, legibility, or placement of a vessel's markings to the OCMI for the zone in which the vessel is located. This change is proposed partly because many vessels never enter the zone covered by their port of record. In addition, it is consistent with changing the emphasis on ensuring compliance with marking requirements through enforcement instead of self-certification by vessel owners.

Proposed § 67.141 contains the basic application process to be followed for all transactions involving initial application, application for exchange, replacement, or redocumentation. The requirements for presentation of evidence of vessel marking prior to issuance of a new Certificate of Documentation for name change has been eliminated. For that reason, name change approvals do not expire, and a vessel may not revert to its previous name without a new application.

Proposed § 67.145, which summarizes the requirement and procedure for mortgagee consent to exchange of Certificates of Documentation under certain circumstances, would also require mortgagee consent for an exchange for the purpose of changing or adding a trade endorsement.

Proposed § 67.151 would eliminate the requirement that Certificates of Documentation be replaced when spaces for notation of changes are filled. Since deployment of a computer system for issuing Certificates, the only notations of change made to existing Certificates of Documentation are changes of address. All other changes are noted by issuing a new Certificate of Documentation.

Proposed § 67.163 differs from present § 67.23-1 by making clear the requirement to apply for renewal of the endorsement(s), if any, prior to the end of the twelfth month following issuance or renewal. Also included is a provision that an endorsement may be renewed at any port instead of only at the vessel's port of record. Another change in order to conform to existing policy, provides that the owner may submit either the completed Notice of Expiration (CG-1280) or Warning Notice (CG-1280-B) in order to effect the renewal.

Proposed § 67.165 would provide that Certificates of Documentation issued to vessels which are exempt from the requirement to be documented may be placed on deposit with the documentation officer at the vessel's port of record. It is the intent of this section to eliminate the requirement to renew the endorsements on Certificates of Documentation issued to those vessels. Title 46 U.S.C. 12110(b) provides that barges which meet the requirements for eligibility to engage in coastwise trade are exempt from the requirement to be documented when employed in coastwise trade on rivers, harbors, lakes (except the Great Lakes), canals and inland waters. Such vessels are often documented, however, in order to make them the subject of preferred mortgages. Certificates placed on deposit would be valid for purposes of 46 U.S.C. chapters 125 and 313, as well as those sections of the Shipping Act, 1916, regarding foreign transfers, and section 902 of the Merchant Marine Act, 1936, permitting the Secretary of Transportation to purchase or requisition the vessel in time of national emergency.

Proposed § 67.167 sets forth the requirement for exchange of Certificates of Documentation under certain circumstances, instead of surrender. This change in wording is for the sole purpose of eliminating the confusion which currently exists over the meaning of the term "surrender." A distinction is also drawn between those circumstances which immediately invalidate the Certificate of Documentation and the trade endorsement and those for which a "grace" period may be granted. These latter reasons are often outside of the owner's control and may occur when a vessel is at sea or under reconstruction. For example, the change would allow a vessel to continue to operate until it came into port if the corporate stock of the owner is sold while it is at sea. It would also allow the Certificate of Documentation to remain valid for the purpose of filing and recording a new mortgage or related instrument despite a change in tonnage caused by a change in vessel configuration during the course of repair or rebuilding without requiring immediate remeasurement of the vessel. In addition, the proposed regulation identifies several circumstances requiring exchange, which although not addressed in the present regulations, reflect current Coast Guard policy and understanding. These include a change in a trustee or a beneficiary with an enforceable interest in a trust arrangement which owns a vessel, and a change in the state of incorporation of a

corporation owning a vessel. Another change would make exchange of the Certificate optional instead of mandatory when a vessel attains special privileges or when certain trade restrictions change by deletion.

Proposed § 67.171 provides for the first time that a vessel is subject to deletion from documentation when the owner fails to maintain the markings required by subpart I of this part. In addition, it would permit deletion of a vessel from documentation at any port of documentation, instead of only at the vessel's port of record. A certificate evidencing deletion would be issued upon complying with the requirements for deletion and payment of the fee prescribed in subpart Y.

Proposed § 67.173 would permit a vessel owner to submit a Certificate of Documentation which is subject to cancellation to any port of documentation, instead of only at the vessel's port of record.

Proposed § 67.200 would allow filing and recording of interlender agreements as well as assignments of and amendments to notices of claim of lien. These are in addition to those instruments currently eligible for filing and recording.

Proposed § 67.209 would require submission of only an original and one copy of a preferred mortgage, instead of two originals and two copies of certification as in the present regulation. Although 46 U.S.C. 31324 requires the mortgagor of a preferred mortgage covering a self-propelled vessel to keep a certificate copy of the mortgage aboard the vessel, the mortgagor and mortgagee can jointly certify a copy without Coast Guard involvement.

Proposed § 67.211 eliminates the requirement for filing a Declaration of Citizenship on form MA-899 in all but a very few cases. The declaration would normally be needed only where a vessel owner seeks to document a vessel with a coastwise or Great Lakes endorsement and one or more intermediary owners has not made application for documentation, or in the case of mortgages or related instruments covering very large vessels not documented exclusively for recreation or the fisheries.

Proposed § 67.215 eliminates a definition for the time and date of recording. That definition is no longer needed since filing gives an instrument efficacy against third parties. Provision is also made for retention of the original filing date and time when supplemental materials are filed for an instrument whose filing was subject to termination.

Proposed § 67.223 would permit filing and recording of a bill of sale when application is made for deletion of a vessel from documentation. Presently, bills of sale may be recorded only in conjunction with an application for documentation. Permitting such recordings would make existing records more accurate, thus providing better information to law enforcement authorities, and would facilitate the return of the vessel to documentation at a later date.

Proposed § 67.231 makes provision for an optional application for filing and recording of mortgages and related instruments. The application would summarize all of the information the Coast Guard requires for indexing information about the instrument. When an instrument is accompanied by such an application, the Coast Guard will not review the instrument to ensure that it complies with the requirements of 46 U.S.C. chapter 313. This change is proposed in accordance with the recommendations of the Committee on Merchant Marine and Fisheries in committee report H.R. 100-918.

Proposed § 67.233 provides that a mortgage or assumption may not be recorded if the mortgagor or assuming party did not actually hold legal title to the vessel being mortgaged or covered by the assumption at the time of filing of the mortgage or assumption, and that the vessel(s) covered by a mortgage must have been documented or the subject of an application for documentation at the time of filing.

Proposed §§ 67.235, 67.237, and 67.239, respectively, eliminate the requirement to specify the interest in the vessel granted to each mortgagee, the interest in the mortgage granted to each assignee, and the interest in the mortgage assumed by each party.

Proposed § 67.245 is a new section setting forth the requirements interlender agreements must meet in order to qualify for filing and recording.

Proposed §§ 67.257 and 67.259 detail the requirements for assignments and amendments, respectively, of notices of claim of lien.

Proposed subpart T, which describes the General Index and Abstract of Title, no longer provides for issuance of Certificates of Ownership. Present law makes no provision for such Certificates, which do not contain as much information as Abstracts of Title. Certified Abstracts of Title, which contain more information than the Certificates of Ownership presently issued will be available to any person upon request.

Sections 67.89, 67.101, 67.117, 67.133, 67.141, 67.163, 67.171, 67.175, 67.177, 67.203, and 67.303 include reference to user fees prescribed by subpart Y. Those fees will be proposed in a separate rulemaking document.

Subpart Y has been reserved for user fees.

**Disposition of Existing Regulations**

This supplementary information shows the disposition of existing regulations in 46 CFR part 67. All of those regulations have been revised in substance and form.

**TABLE 1.—DISPOSITION OF PRESENT REGULATIONS—PART 67**

Present §	Concept now discussed at §	Other action
67.01-1	67.3	
67.01-3	67.1	
67.01-5	67.7	
67.01-7	67.9	
67.01-9	67.5	
67.03-1	67.30	
67.03-3	67.33	
67.03-5	67.35	
67.03-7	67.37	
67.03-9	67.39	
67.03-11	67.41	
67.03-13	67.43	
67.05-1	67.50	
67.05-3	67.55	
67.05-5	67.57, 67.59, 67.61, 67.63	
67.05-7	67.57	
67.05-9	67.59	
67.05-11	67.65	
67.05-13	67.61	
67.05-15	67.63	
67.05-17		Deleted.
67.07-1	67.70	
67.07-3	67.75	
67.07-5	67.77	
67.07-7	67.79	
67.07-9	67.81	
67.07-11	67.83	
67.07-13	67.85	
67.07-15	67.87	
67.07-17	67.89	
67.09-1	67.95	
67.09-3	67.97	
67.09-5		Deleted.
67.09-7	67.99	
67.09-9	67.101	
67.11-1	67.105	
67.11-3	67.107	
67.13-1	67.111	
67.13-3	67.115	
67.13-5	67.117	
67.13-7	67.119	
67.15-1	67.121	
67.15-3	67.123	
67.15-5		Deleted.
67.15-7		Deleted.
67.15-9	67.125	
67.17-1	67.15	
67.17-3	67.17	
67.17-5	67.19	
67.17-7	67.19	
67.17-9	67.21	
67.17-11	67.23	
67.19-1	67.130	
67.19-3	67.134	
67.19-5	67.131	
67.19-7	67.132	
67.19-9	67.133	

**TABLE 1.—DISPOSITION OF PRESENT REGULATIONS—PART 67—Continued**

Present §	Concept now discussed at §	Other action
67.21-1	67.141	
67.21-3	67.111	
67.21-5	67.141	
67.23-1	67.163	
67.23-3	67.167	
67.23-5	67.145	
67.23-7	67.169	
67.23-9	67.171	
67.23-11	67.173	
67.25-1	67.163, 67.165	
67.25-3	67.141	
67.25-5	67.147	
67.25-7	67.141	
67.25-9	67.145	
67.25-11	67.151	
67.25-13	67.171	
67.25-15	67.173	
67.27-1	67.175	
67.27-3	67.177	
67.27-7	67.149	
67.29-1	67.200	
67.29-3	67.203	
67.29-5	67.205	
67.29-7	67.207	
67.29-9	67.209	
67.29-11	67.211	
67.29-13	67.213	
67.29-15	67.215	
67.29-17	67.217	
67.31-1	67.220	
67.31-3	67.220	
67.31-5	67.220	
67.31-7	67.223	
67.33-1	67.231	
67.33-3	67.235	
67.33-5	67.235	
67.33-7	67.237	
67.33-9	67.237	
67.33-11	67.237	
67.33-13	67.239	
67.33-15	67.239	
67.33-17	67.239	
67.33-19	67.241	
67.33-21	67.241	
67.33-23	67.241	
67.33-25	67.243	
67.33-27	67.243	
67.33-29	67.243	
67.35-1	67.231	
67.35-3	67.233	
67.35-5	67.209	
67.35-7	67.237, 67.239, 67.241, 67.243	
67.35-9	67.233	
67.37-1	67.250	
67.37-3	67.253	
67.37-5	67.253	
67.37-7	67.255	
67.39-1	67.260	
67.39-3	67.263	
67.39-5	67.265	
67.39-7	67.265	
67.39-9	67.265	
67.41-1	67.301	
67.41-3	67.303	
67.41-5		Deleted.
67.45-1	67.311	
67.45-3	67.313	
67.45-5	67.315	
67.45-7	67.317	
67.45-9	67.319	
67.45-11	67.321	
67.45-13	67.323	
67.45-15	67.325	
67.45-17	67.335	
67.45-19	67.329	

**TABLE 1.—DISPOSITION OF PRESENT REGULATIONS—PART 67—Continued**

Present §	Concept now discussed at §	Other action
67.45-21	67.327	
67.45-23	67.331	
67.45-25	67.333	

The disposition of existing §§ 67.43-1, 43-3, 43-5, 43-7, 43-9, 49-11, and 43-13 will be discussed in a future rulemaking document dealing with user fees.

**Discussing of Proposed Forms**

Most of the existing vessel documentation forms will be revised in conjunction with the proposed regulations. The forms will be consolidated and simplified to elicit only the information necessary to ensure compliance with substantive statutory provisions. Certain forms would be eliminated outright, while others would be revised to make their completion simpler. One new form, an optional application for filing and recording of mortgages and related instruments is proposed.

For the reader's convenience, prototypes of the proposed forms are reproduced in appendix A. These forms should be considered in conjunction with the proposed regulations. Comments or suggestions pertaining to their format or content will be welcomed. These proposed forms will be submitted to the Office of Management and Budget for approval prior to publication of the final rule. Until these rules are published, the existing forms should be used.

Table 2, which is provided as supplementary information shows the intended use of proposed forms.

**TABLE 2.—FUNCTION OF PROPOSED FORMS**

Form No.	Name/use
CG-1261	1. Title evidence for initial documentation of new vessel. 2. Evidence of U.S. build for coastwise, Great Lakes and fisheries vessels.
CG-1258	1. Application for initial documentation. 2. Application for all changes. 3. Application for replacement of certificate for documentation.
CG-1270	Certificate of Documentation—All endorsements.
1280	Renewal of endorsement of Certificate of Documentation.
CG-1260-A and 1260-B	Documentation.
CG-1332	1. Transfer of records for change of port of record. 2. Full record of vessel ownership and encumbrance history.

TABLE 2.—FUNCTION OF PROPOSED FORMS—Continued

Form No.	Name/use
CG-1340.....	Evidence of title for used vessels.
CG-1356.....	Evidence of sale by governmental entity.
CG-4593.....	Evidence of Mortgagee consent to exchange of Certificate of Documentation or withdrawal of application for documentation.
CG-5542.....	Optional application for filing and recording of mortgage or related instrument.

Table 3, which is provided as supplementary information, shows the frequency with which forms must be filed, and the person responsible for completion of the form.

TABLE 3.—SUBMISSIONS OF PROPOSED FORMS

Form	Completed by	Frequency
CG-1261.....	Builder.....	Once.
CG-1258.....	Vessel owner.....	1. Initial documentation. 2. Any change in data on certificate of documentation. 3. Any replacement of certificate of documentation..
CG-1270.....	Documentation officer.	Annually.
CG-1280.....	Vessel owner.....	
CG-1332.....	Documentation officer.	
CG-1340.....	Seller of vessel.....	Any sale of vessel.
CG-1356.....	Government agency.	Any vessel sale arising from court or other governmental action.
CG-4593.....	Vessel mortgagee.	Change in any vessel data on certificate of documentation issued to vessel covered by preferred mortgage.
CG-5542.....	Vessel mortgagee.	Optional on filing of mortgage or related instrument.

#### Incorporation by Reference

The following material would be incorporated by reference in § 67.119: Federal Information Processing Standards Publication 55DC, Guideline: Codes for Named Populated Places, Primary County Divisions, and Other Locational Entities of the United States and Outlying Areas (1987). Copies of the material are available for inspection where indicated under "ADDRESSES."

Copies of the material are available at the addresses in § 67.13.

#### Regulatory Evaluation

This proposal is not major under Executive Order 12291, but because it concerns matters on which there is substantial public interest, it is significant under the Department of Transportation Regulatory Policies and Procedures (44 FR 11040; February 26, 1979). The following constitutes the draft regulatory evaluation for the rulemaking.

This rulemaking proposes simplifying the paperwork and reporting requirements necessary to effect the documentation of a vessel and to streamlining internal administrative procedures and requirements.

The benefits of documenting a vessel are practical, legal, and financial. The salient practical benefit (and not coincidentally the reason the concept of federal documentation exists at all) is to ensure unencumbered interstate and international commerce. This practical benefit is intimately related to the legal benefits attendant upon federal documentation. The existence of a federal system of documentation serves to preempt state numbering and regulatory schemes such that a vessel operated under a federal endorsement (e.g., a coastwise endorsement) is ensured access to state waters for various activities. In fact, the federal documentation statutes, which date to the earliest days of our Republic, are a direct result of dissatisfaction with impediments to the free flow of commerce once imposed by the several states. That federal documentation continues to provide this benefit is evidence by the recurring preemption cases in which a vessel owner or operator invokes the protections of documentation against a state seeking to close its waters to nonresidents for certain activities. In the field of international commerce, documentation establishes the nationality of a vessel and confers the privileges, protections, and immunities contemplated by longstanding international law and custom. Another practical benefit of federal documentation stems from the preferential customs and tax treatment accorded to "vessels of the United States." Established national policy seeks to promote the existence of an American merchant marine as a resource to be drawn upon in time of emergency or war. To the extent that documentation is a condition precedent to the receipt of preferential customs and tax treatment, it serves as a tool to promote national policy interests. The

major financial benefit conferred by documentation is preferred mortgage financing. The availability of capital for maritime financing hinges upon the existence of the preferred mortgage as security for loans against vessels. Since the proposed regulations will make it easier to document a vessel under U.S. law, and will make filing a mortgage easier, they will enhance the benefits outlined above.

In considering this proposal, the reader should note that not all vessels of the requisite size are required by law to be documented. Documentation is not statutorily required for vessels engaging in foreign trade or for those used exclusively for recreational purposes. A registry endorsement is obtained on a voluntary basis for purposes of establishing the nationality of a vessel for the protections of international law and/or to obtain preferred mortgage financing. Recreational vessels are documented mainly for the purpose of obtaining preferred mortgage financing.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632).

The proposed regulations will apply to the following small entities: Small businesses, individuals, nonprofit organizations, and municipal governments currently owning documented vessels or seeking to document vessels in the future; brokers, attorneys, and law offices providing vessel documentation services; small shipbuilders building vessels which are subsequently documented; boat dealers selling vessels of at least five (5) net tons in size; and lending institutions engaging in preferred mortgage financing.

The changes being proposed in this rulemaking are procedural and administrative in nature. The changes are largely technical amendments which the affected small entities should have little difficulty understanding or adopting into their business practices. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposal, if adopted, will not have a significant economic impact on a substantial number of small entities. If, however, you think that your business qualifies as a small entity and that this proposal will

have a significant economic impact on your business, please submit a comment (see "ADDRESSES") explaining why you think your business qualifies and in what way and to what degree this proposal will economically affect your business.

#### Collection of Information

Under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) reviews each proposed rule which contains a collection of information requirement to determine whether the practical value of the information is worth the burden imposed by its collection. Collection of information requirements include reporting, recordkeeping, notification, and other similar requirements.

This proposal contains collection of information requirements in the following sections: 67.43, 67.47, 67.55, 67.53, 67.57, 67.59, 67.51, 67.63, 67.70, 67.73, 67.75, 67.77, 67.79, 67.81, 67.83, 67.85, 67.87, 67.89, 67.99, 67.101, 67.105, 67.111, 67.113, 67.117, 67.119, 67.130, 67.131, 67.132, 67.133, 67.134, 67.141, 67.143, 67.145, 67.147, 67.149, 67.151, 67.163, 67.165, 67.167, 67.169, 67.171, 67.175, 67.177, 67.205, 67.207, 67.209, 67.211, 67.231, 67.235, 67.237, 67.239, 67.241, 67.243, 67.245, 67.250, 67.253, 67.255, 67.257, 67.259, 67.267, 67.263, and 67.265.

The reporting and recordkeeping requirements associated with this rule are being submitted to the OMB for approval in accordance with 44 U.S.C. chapter 35. The following particulars apply:

*DOT No:* 2115; *OMB Control No:* 0110.

*Administration:* U.S. Coast Guard.

*Title:* Vessel Documentation.

*Need for Information:* This information collection requirement is needed to establish a vessel's eligibility to (1) be documented as a U.S. vessel; (2) engage in particular trade; and (3) become the object for a preferred ship's mortgage. All of the foregoing convey privileges to the vessel owner and mortgagee.

*Proposed Use:* The Coast Guard uses this information to determine if a vessel is eligible for benefits as a U.S. vessel. The Internal Revenue Service (IRS) also uses this information to determine eligibility for investment tax credits.

*Frequency:* On occasion.

*Burden Estimate:* 54,000 hours.

*Respondents:* 180,000.

*Form(s):* CG-1258, 1261, 1270, 1280, 1280-A, 1280-B, 1340, 1356, 4593, 5542, MA-899.

*Average Burden Hours per Respondent:* Burden is expressed as follows:

CG-1258, 30 minutes; CG-1261, 30 minutes; CG-1280 or 1280-B, 5

minutes; CG-1280-A, negligible; CG-1340, 20 minutes; CG-1356, 20 minutes; CG-4593, 10 minutes; CG-1270, negligible; CG-5542, 10 minutes; MA-899, 15 minutes.

This rulemaking significantly reduces the paperwork burden on the public. For example, in 1990 approximately 60,000 submissions of form MA-899 were required; under this proposal, the Coast Guard estimates that only 1,000 submissions will be required. This is a reduction of 19,600 hours. In addition, form CG-1322 would be eliminated, reducing the burden by another 13,000 hours.

For further information contact: The Information Requirements Division, M-34, Office of the Secretary of Transportation, 400 Seventh Street, SW, Washington, DC 20503, (202) 395-7340.

#### Federalism

The Coast Guard has analyzed this proposal in accordance with the principles and criteria contained in Executive Order 12612 and has determined that this proposal does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

#### Environment

The Coast Guard considered the environmental impact of this proposal and concluded that under § 2.B.2 of Commandant Instruction M16475.1B, this proposal is categorically excluded from further environmental documentation. This proposal deals with procedural regulations including reporting and recordkeeping requirements in order to obtain privileges as vessels of the United States and to record title and encumbrance instruments. These regulations are administrative in nature and clearly have no environmental impact. A Categorical Exclusion Determination is available in the docket for inspection or copying where indicated under "ADDRESSES."

#### List of Subjects in 46 CFR Part 67

Incorporation by reference, Vessels.

For the reasons set out in the preamble, the Coast Guard proposes to revise 46 CFR part 67 to read as follows:

### PART 67—DOCUMENTATION OF VESSELS

#### Subpart A—General

- 67.1 Purpose.
- 67.3 Definitions.
- 67.5 Vessels eligible for documentation.
- 67.7 Vessels requiring documentation.
- 67.9 Vessels excluded from or exempt from documentation.

- 67.11 Restriction on transfer of an interest in documented vessels to foreign persons; foreign registry or operation.
- 67.12 Right of appeal.
- 67.13 Incorporation by reference.
- 67.14 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

#### Subpart B—Forms of Documentation; Endorsements; Eligibility of Vessel

- 67.15 Form of document—all endorsements.
- 67.17 Registry endorsement.
- 67.19 Coastwise or Great Lakes endorsement.
- 67.21 Fishery endorsement.
- 67.23 Recreational endorsement.

#### Subpart C—Citizenship Requirements for Vessel Documentation

- 67.30 Requirement for citizen owner.
- 67.31 Stock or equity interest requirements.
- 67.33 Individual.
- 67.35 Partnership, association, or joint venture.
- 67.37 Trust.
- 67.39 Corporation.
- 67.41 Governmental entity.
- 67.43 Evidence of citizenship.
- 67.45 Citizenship savings provision for fishing vessels.
- 67.47 Evidence of Maritime Administration approval.

#### Subpart D—Title Requirements for Vessel Documentation

- 67.50 Requirement for title evidence.
- 67.53 Methods of establishing title.
- 67.55 Requirement for removal from foreign registry.
- 67.57 Extent of title evidence required for initial documentation.
- 67.59 Extent of title evidence required for change in ownership of a documented vessel.
- 67.61 Extent of title evidence required for vessels returning to documentation.
- 67.63 Extent of title evidence required for captured, forfeited, special legislation, and wrecked vessels.

#### Subpart E—Acceptable Title Evidence; Waiver

- 67.70 Original owner.
- 67.73 Transfers prior to documentation.
- 67.75 Transfers by sale or donation subsequent to documentation.
- 67.77 Passage of title by court action.
- 67.79 Passage of title without court action following death of owner.
- 67.81 Passage of title in conjunction with a corporate merger or similar transaction.
- 67.83 Passage of title by extra-judicial repossession and sale.
- 67.85 Change in general partners of partnership.
- 67.87 Change of legal name of owner.
- 67.89 Waiver of production of bill of sale eligible for filing and recording.

#### Subpart F—Build Requirements for Vessel Documentation

- 67.95 Requirement for determination
- 67.97 United States built.
- 67.99 Evidence of build.
- 67.101 Waiver of evidence of build.



**Subpart G—Tonnage and Dimension Requirements for Vessel Documentation**

- 67.105 Requirement for determination.
- 67.107 System of measurement; evidence.

**Subpart H—Designations and Assignments Required for Vessel Documentation**

- 67.111 Assignment of official number.
- 67.113 Managing owner designation; address; requirement to report change of address.
- 67.115 Assignment of port of record.
- 67.117 Vessel name designation.
- 67.119 Hailing port designation.

**Subpart I—Marking Requirements for Vessel Documentation**

- 67.120 General requirement.
- 67.121 Official number marking requirement.
- 67.123 Name and hailing port marking requirements.
- 67.125 Disputes.

**Subpart J—Application for Special Qualifications for Vessel Documentation**

- 67.130 Submission of applications.
- 67.131 Forfeited vessels.
- 67.132 Special legislation.
- 67.133 Wrecked vessels.
- 67.134 Captured vessels.

**Subpart K—Application for Documentation, Exchange or Replacement of Certificate of Documentation, or Return to Documentation; Mortgagee Consent; Validation**

- 67.141 Application procedure; all cases.
- 67.143 Restriction on withdrawal of application.
- 67.145 Restrictions on exchange; requirement and procedure for mortgagee consent.
- 67.147 Exchange of Certificate of Documentation; special procedure for change of port of record.
- 67.149 Exchange of Certificate of Documentation; vessel at sea.
- 67.151 Replacement of Certificate of Documentation; special procedure for wrongfully withheld document.

**Subpart L—Validity of Certificates of Documentation; Renewal of Endorsement; Requirement for Exchange, Replacement, Deletion, Cancellation**

- 67.161 Validity of Certificate of Documentation.
- 67.163 Renewal of endorsement.
- 67.165 Deposit of certificate of documentation.
- 67.167 Requirement for exchange of certificate of documentation.
- 67.169 Requirement for replacement of certificate of documentation.
- 67.171 Deletion; requirement and procedure.
- 67.173 Cancellation; requirement and procedure.

**Subpart M—Miscellaneous Applications**

- 67.175 Application for new vessel determination.
- 67.177 Required application for rebuilt determination.

**Subpart N—[Reserved]****Subpart O—Filing and Recording of Instruments—General Provisions**

- 67.200 Instruments eligible for filing and recording.
- 67.203 Restrictions on filing and recording.
- 67.205 Requirement for vessel identification.
- 67.207 Requirement for date and acknowledgment.
- 67.209 Required number of copies.
- 67.211 Requirement for citizenship declaration.
- 67.213 Place of filing and recording.
- 67.215 Date and time of filing and recording.
- 67.217 Termination of filing and disposition of instruments.

**Subpart P—Filing and Recording of Instruments—Bills of Sale and Related Instruments**

- 67.220 Requirements.
- 67.223 Filing limitation.

**Subpart Q—Filing and Recording of Instruments—Chattel Mortgages, Preferred Mortgages, and Related Instruments**

- 67.231 General requirements; optional application for filing and recording.
- 67.233 Restrictions on recording—mortgages, preferred mortgages, and related instruments.
- 67.235 Requirements for mortgages.
- 67.237 Requirements for assignments of mortgages.
- 67.239 Requirements for assumptions of mortgages.
- 67.241 Requirements for amendments of or supplements to mortgages.
- 67.243 Requirements for instruments subordinating mortgages.
- 67.245 Requirements for interlender agreements.

**Subpart R—Filing and Recording of Instruments—Notices of Claim of Lien and Supplemental Instruments**

- 67.250 General requirements.
- 67.253 Requirements for notices of claim of lien.
- 67.255 Restrictions on filing and recording.
- 67.257 Requirements for assignments of notices of claim of lien.
- 67.259 Requirements for amendments to notice of claim of lien.

**Subpart S—Removal of Encumbrances**

- 67.261 General requirements.
- 67.263 Requirement for removal of encumbrances by court order, affidavit, or Declaration of Forfeiture.
- 67.265 Requirements for instruments evidencing satisfaction or release.

**Subpart T—General Index and Abstracts of Title**

- 67.301 Requirements for General Index.
- 67.303 Request for Abstract of Title.

**Subpart U—Prohibitions**

- 67.311 Alteration of Certificate of Documentation.
- 67.313 Command by non-citizen.
- 67.315 Failure to have Certificate of Documentation on board.

- 67.317 Failure to produce Certificate of Documentation.
- 67.319 Failure to report endorsements on the Certificate of Documentation.
- 67.321 Failure to report change in vessel status and surrender Certificate of Documentation.
- 67.323 Fraudulent application for Certificate of Documentation.
- 67.325 Fraudulent use of Certificate of Documentation.
- 67.327 Operation without Documentation.
- 67.331 Operation under Certificate of Documentation with invalid endorsement.
- 67.333 Unauthorized name change.
- 67.335 Improper markings.
- 67.337 Failure to report change of address of managing owner.

**Subparts V–Y—[Reserved]****Appendix A to Part 67—Ports of Documentation**

Authority: 14 U.S.C. 664; 31 U.S.C. 9701; 42 U.S.C. 9118; 46 U.S.C. 2103, 2107, 2110; 46 U.S.C. App. 802, 809, 876, 841a, 883; 49 U.S.C. 322, 49 CFR 1.46.

**Subpart A—General****§ 67.1 Purpose.**

A Certificate of Documentation is required for the operation of a vessel in certain trades, serves as evidence of vessel nationality, and permits a vessel to be subject to preferred mortgages.

**§ 67.3 Definitions.**

The following definitions are for terms used in this part.

**Acknowledgment means:**

(1) An acknowledgment or notarization which is in substantial compliance with the Uniform Acknowledgments Act, the Uniform Recognition of Acknowledgments Act, the Uniform Law on Notarial Acts, or the statutes of the State within which it is taken, made before a notary public or other official authorized by a law of a State or the United States to take acknowledgment of deeds;

(2) A certificate issued under the Hague convention Abolishing the Requirement for Legalisation of Public Documents, 1961; or

(3) Any attestation which is substantially in the following form:

State:  
County:  
Subscribed and sworn to before me on [date]  
Notary Public  
My commission expires: [date]

*Certificate of Documentation* means form CG-1270.

*Citizen*, unless expressly provided otherwise, means a person as defined in this section, meeting the applicable

citizenship requirements of subpart C as a United States citizen.

*Coastwise trade* includes the transportation of passengers or merchandise between points embraced within the coastwise laws of the United States.

*Commandant* means the Commandant of the United States Coast Guard.

**Note:** Submissions and correspondence made to the Commandant pursuant to this part should be addressed to Commandant (G-MVI-5), U.S. Coast Guard, 2100 Second Street, SW., Washington, DC 20593-0001.

*Documentation officer* means the Coast Guard official who is authorized to approve and process applications made under this part, and record instruments authorized to be filed and recorded under this part.

*Documented vessel* means a vessel which is the subject of a valid Certificate of Documentation.

*Endorsement* means an entry which may be made on a Certificate of Documentation, and which, except for a recreational endorsement, is conclusive evidence that a vessel is entitled to engage in a specified trade.

*Exclusive Economic Zone (EEZ)* means the zone established by Presidential Proclamation No. 5030, dated March 10, 1983, (48 FR 10605, 3 CFR, 1983 Comp., p. 22).

*Fisheries* includes processing, storing, transporting (except in foreign commerce), planting, cultivating, catching, taking, or harvesting fish, marine animals, pearls, shells, or marine vegetation in the navigable waters of the United States or in the Exclusive Economic Zone.

*Hull* means the shell, or outer casing, and internal structure below the main deck which provide both the flotation envelope and structural integrity of the vessel in its normal operations. In the case of submersible vessel, the term includes all structural members of the pressure envelope.

*Manufacturer's Certificate of Origin* means a certificate issued under the law or regulation of a State, evidencing transfer of a vessel from the manufacturer as defined in 33 CFR part 181 to another person.

*Non-citizen* means a person who is not a citizen of the United States as defined in this section.

*Officer in Charge, Marine Inspection (OCMI)* means the Coast Guard official designated as such by the Commandant, under the superintendence and direction of a Coast Guard District Commander, who is in charge of an inspection zone in accordance with regulations set forth in 46 CFR part 1.

*Person* means an individual, corporation, partnership, association, joint venture, trust arrangement, the government of the United States, a State or political subdivision thereof, and includes a trustee, beneficiary, receiver, or similar representative of any of them.

*Port of Documentation* means a port which has been designated by the Commandant as a place which may serve as a port of record for vessel documentation purposes. A documentation office is located in each port of documentation. A list of designated ports of documentation may be found in appendix A to this part.

*Port of record* means the port of documentation at which the records for a vessel are kept.

*Registration* means a certificate of number issued pursuant to rules in 33 CFR part 173, a record under the maritime laws of a foreign country, or a certificate issued by a political subdivision of a foreign country.

*Secretary* means the Secretary of Transportation.

*State* means a State of the United States or a political subdivision thereof, Guam, Puerto Rico, the Virgin Islands, American Samoa, the District of Columbia, the Northern Mariana Islands, and any other territory or possession of the United States.

*Superstructure* means any structural part of a vessel above or including its main deck.

*United States*, when used in a geographic sense means the States of the United States, Guam, Puerto Rico, American Samoa, the District of Columbia, the Northern Mariana Islands, and any other territory or possession of the United States, except that in § 67.19 trust territories are not considered to be part of the United States.

*Vessel* includes every description of watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include aircraft. Vessel also includes ocean thermal energy conversion facilities and ocean thermal energy conservation plantships.

- (1) *Ocean thermal energy conversion facility* means any facility which is standing in or moored in or beyond the territorial sea of the United States and which is designed to use temperature differences in ocean water to produce electricity or another form of energy capable of being used directly to perform work.
- (2) *Ocean thermal energy conversion plantship* means any vessel which is standing in or moored in or beyond the territorial sea of the United States

and which is designed to use temperature differences in ocean water to produce electricity or another form of energy capable of being used directly to perform work.

**Note:** Rulings and interpretations concerning coastwise trade and the fisheries can be obtained from the U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, DC 20229 (Attn: Carrier Rulings Branch).

#### § 67.5 Vessels eligible for documentation.

Any vessel of at least five (5) net tons wholly owned by a citizen or citizens of the United States is eligible for documentation under this part. This includes, but is not limited to, vessels used exclusively for recreational purposes and vessels used in foreign trade.

#### § 67.7 Vessels requiring documentation.

Any vessel of at least five (5) net tons which engages in the fisheries on the navigable waters of the United States or in the Exclusive Economic Zone, Great Lakes trade, or coastwise trade, unless exempt under § 67.9, must have a Certificate of Documentation bearing the appropriate endorsement.

#### § 67.9 Vessels excluded from or exempt from documentation.

- (a) A vessel of less than five (5) net tons is excluded from documentation.
- (b) A vessel which does not operate on the navigable waters of the United States or in the fisheries in the Exclusive Economic Zone is exempt from the requirement to have a Certificate of Documentation.
- (c) A non-self-propelled vessel, qualified to engage in the coastwise trade is exempt from the requirement to be documented with a coastwise endorsement when engaged in coastwise trade:
  - (1) Within a harbor;
  - (2) On the rivers or lakes (except the Great Lakes) of the United States; or
  - (3) On the internal waters or canals of any State
- (d) A vessel exempt from the requirement to be documented by paragraph (b) or (c) of this section may, at the option of the owner, be documented provided it meets the other requirements.

#### § 67.11 Restriction on transfer of an interest in documented vessels to foreign persons; foreign registry or operation.

(a) Without the approval of the Maritime Administration, a documented vessel which is owned by a citizen of the United States as defined in section 2 of the Shipping Act, 1916 (46 U.S.C. app 802), may not be:

(1) Placed under foreign registry or operated under the authority of a foreign country; or

(2) Sold, mortgaged, leased, chartered, or delivered to any person who is not a citizen of the United States as defined in section 2 of the Shipping Act, 1916 (46 U.S.C. app. 802)

(b) The restriction in paragraph (a) of this section does not apply to a vessel that has been operated only as:

(1) A fishing vessel, fish processing vessel, or fish tender vessel (as defined in 46 U.S.C. 2101);

(2) A recreational vessel; or

(3) Both

**Note:** For purposes of this part only, the Coast Guard will deem a vessel which has been documented exclusively with a fishery or recreational endorsement or both from the time it was first documented, or for a period of not less than one year prior to foreign transfer or registry, to qualify for the exemption granted in paragraph (b) of this section.

#### § 67.12 Right of appeal.

Any person directly affected by a decision or action taken under this part by or on behalf of the Coast Guard may appeal therefrom in accordance with subpart 1.03 of part 1 of this chapter.

#### § 67.13 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a). To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish notice of change in the *Federal Register* and make the material available to the public. All approved material is on file at the Office of the Federal Register, 1100 L Street NW., Washington, DC and at the U.S. Coast Guard, Merchant Vessel Inspection and Documentation Division, 2100 Second Street SW., Washington, DC 20593-0001 and is available from the source indicated in paragraph (b) of this section.

(b) The material approved for incorporation by reference in this part and the section affected is:

U.S. Department of Commerce, National Technical Information Service, Springfield, VA 22181, Federal Information Processing Standards Publication 55DC, Guideline: Codes for Named Populated Places, Primary County Divisions, and Other Locational Entities of the United States and Outlying Areas (1987) \* \* \* § 67.119.

#### § 67.14 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and recordkeeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f) which requires that agencies display a current control number assigned by the Director of the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
Part 67 .....	2115-0110
Part 68 .....	2115-0110

#### Subpart B—Forms of Documentation; Endorsements; Eligibility of Vessel

##### § 67.15 Form of document—all endorsements.

(a) The form of document is a Certificate of Documentation, form CG-1270.

(b) Upon application in accordance with subpart K of this part and determination of qualification by the documentation officer with whom the application is filed, a Certificate of Documentation may be issued with a registry, coastwise, Great Lakes, fishery, or recreational endorsement.

(c) A Certificate of Documentation may bear simultaneous endorsements for recreation and more than one trade, including operation under 46 CFR part 68.

**Note:** Where a vessel possesses a Certificate of Documentation bearing more than one endorsement, the actual use of the vessel determines the endorsement under which it is operating.

##### § 67.17 Registry endorsement.

(a) A registry endorsement entitles a vessel to employment in the foreign trade; trade with Guam, American Samoa, Midway or Kingman reef; and any other employment for which a coastwise, Great Lakes, or fishery endorsement is not required.

(b) Any vessel eligible for documentation under § 67.5 is eligible for a registry endorsement.

(c) A vessel otherwise eligible for a registry endorsement for which the Maritime Administration has not granted general approval in 46 CFR part 221 for sale or transfer to non-citizens loses that eligibility during any period in

which it is mortgaged to a person which does not meet the requirements of § 67.233(b).

##### § 67.19 Coastwise or Great Lakes endorsement.

(a) A coastwise endorsement entitles a vessel to employment in unrestricted coastwise trade and any other employment for which a registry, fishery, or Great Lakes endorsement is not required.

(b) A Great Lakes endorsement entitles a vessel to employment in the Great Lakes trade and any other employment for which a registry, fishery, or coastwise endorsement is not required.

(c) If eligible for documentation and not restricted from coastwise or Great Lakes trade by paragraph (d) or (e) of this section, the following vessels are eligible for a coastwise or Great Lakes endorsement or both:

- (1) Vessels built in the United States (§ 67.97);
- (2) Forfeited vessels (§ 67.131);
- (3) Vessels granted coastwise trading privileges by special legislation (§ 67.132);
- (4) Wrecked vessels (§ 67.133);
- (5) Captured vessels (§ 67.134); and
- (6) Vessels purchased, chartered, or leased from the Secretary of Transportation by persons who are citizens of the United States (46 U.S.C. app. 808).

(d) A vessel otherwise eligible for a coastwise or Great Lakes endorsement under paragraph (c) of this section permanently loses that eligibility if:

- (1) It is thereafter sold in whole or in part to any owner that is not a citizen as defined in subpart C of this part, or a person permitted to document vessels pursuant to 46 CFR part 68;
- (2) It is thereafter registered under the laws of a foreign country;
- (3) It undergoes rebuilding as defined in § 67.177(a) outside of the United States; or

(4) It is a crude oil tanker of 20,000 deadweight tons or above, and after 17 October 1978 has segregated ballast tanks, a crude oil washing system, or an inert gas system installed outside of the United States as defined in § 67.3.

(e) A vessel otherwise eligible for a coastwise or Great Lakes endorsement under paragraph (c) of this section loses that eligibility, except as provided in paragraph (f) of this section, during any period in which it is:

- (1) Owned by a corporation which does not meet the citizenship requirements of § 67.39(b); or
- (2) Mortgaged to a person not listed in § 67.233(b).

(f) The restriction imposed by paragraph (e)(2) of this section does not apply to any vessel for which the Maritime Administration has granted general approval of 46 CFR part 221 for mortgage to non-citizens.

#### § 67.21 Fishery endorsement.

(a) A fishery endorsement entitles a vessel to employment in the fisheries as defined in § 67.3 subject to federal and state laws regulating the fisheries, and in any other employment for which a registry, coastwise, or Great Lakes endorsement is not required. A fishery endorsement entitles a vessel to land its catch, wherever caught, in the United States.

(b) If eligible for documentation and not restricted from the fisheries by paragraph (c) of this section, the following vessels are eligible for a fishery endorsement:

- (1) Vessels built in the United States (§ 67.97);
- (2) Forfeited vessels (§ 67.131);
- (3) Vessels granted fisheries privileges by special legislation (§ 67.132);
- (4) Wrecked vessels (§ 67.133); and
- (5) Captured vessels (§ 67.134).

(c) A vessel otherwise eligible for a fishery endorsement under paragraph (b) of this section permanently loses that eligibility if it undergoes rebuilding as defined in § 67.177(a) outside of the United States.

(d) A vessel otherwise eligible for a fishery endorsement under paragraph (b) of this section and not protected by the savings provision in § 67.45 loses that eligibility during any period in which it is owned by a partnership which does not meet the citizenship requirements of § 67.35(a) and § 67.35(a)(3), or by a corporation which does not meet the citizenship requirements of § 67.39(d).

#### § 67.23 Recreational endorsement.

(a) A recreational endorsement entitles a vessel to pleasure use only.

(b) Any vessel eligible for documentation under § 67.5 is eligible for a recreational endorsement.

**Note:** A vessel having a Certificate of Documentation endorsed only for recreation may not be bareboat chartered except for recreational use. Guidance on the elements of a valid bareboat charter should be obtained through private legal counsel.

#### Subpart C—Citizenship Requirements for Vessel Documentation

##### § 67.30 Requirement for citizen owner.

Certificates of Documentation may be issued under this part only to vessels which are wholly owned by United States citizens. Certificates of Documentation with limited

endorsements may be issued to vessels owned by certain persons who are not citizens as defined in this part in accordance with part 68 of this chapter, under the Bowater Amendment and for oil spill response vessels under the Oil Pollution Act of 1990.

#### § 67.31 Stock or equity interest requirements.

(a)(1) The stock or equity interest requirements for citizenship under this subpart encompass: title to all classes of stock; title to voting stock; and ownership of equity. An otherwise qualifying corporation or partnership may fail to meet stock or equity interest requirements because: stock is subject to trust or fiduciary obligations in favor of non-citizens; non-citizens, exercise, directly or indirectly, voting power; or non-citizens, by any means, exercise control over the entity. The applicable stock or equity interest requirement is not met if the amount of stock subject to obligations in favor of non-citizens, non-citizen voting power, or non-citizen control exceeds the percentage of the non-citizen interest permitted.

(2) For the purpose of this section, control includes an absolute right to direct corporate or partnership business, to limit the actions of or replace the chief executive officer, a majority of the board of directors or any general partner, to direct the transfer or operations of any vessel owned by the corporation or partnership, or otherwise to exercise authority over the business of the corporation or partnership, but not the right to simply participate in these activities or the right to receive a financial return, e.g., interest or the equivalent of interest on a loan or other financing obligations.

(b) For purposes of meeting the stock or equity interest requirements for citizenship under this subpart where title to a vessel is held by an entity comprised, in whole or in part, of other entities which are not individuals, each entity contributing to the stock or equity interest qualifications of the entity holding title must be a citizen eligible to document vessels in its own right with the trade endorsement sought.

#### § 67.33 Individual.

An individual is a citizen if native-born, naturalized, or a derivative citizen of the United States, or otherwise qualifies as a United States citizen.

#### § 67.35 Partnership, association, or joint venture.

(a) A partnership is a citizen if all its general partners are citizens, and:

- (1) For the purpose of obtaining a registry or recreational endorsement, at

least 50 percent of the equity interest in the partnership is owned by citizens;

(2) For the purpose of obtaining a coastwise or Great Lakes endorsement or both, at least 75 percent of the equity interest in the partnership is owned by citizens; or

(3) For the purpose of obtaining a fishery endorsement, more than 50 percent of the equity interest in the partnership is owned by citizens.

(b) An association is a citizen if each of its members is a citizen.

(c) A joint venture is a citizen if each of its members is a citizen.

#### § 67.37 Trust.

A trust arrangement is a citizen if each of its trustees and each of its beneficiaries with an enforceable interest in the trust is a citizen.

#### § 67.39 Corporation.

(a) For the purpose of obtaining a registry or a recreational endorsement, a corporation is a citizen if:

- (1) It is incorporated under the laws of the United States or of a State;
- (2) Its chief executive officer, by whatever title, is a citizen;
- (3) Its chairman of the board of directors is a citizen; and
- (4) No more of its directors are non-citizens than a minority of the number necessary to constitute a quorum.

(b) For the purpose of obtaining a coastwise or Great Lakes endorsement of both, a corporation is a citizen if:

- (1) It meets all the requirements of paragraph (a) of this section; and
- (2) At least 75 percent of the stock interest in the corporation is owned by citizens.

(c) A corporation which does not meet the requirements of paragraph (b) of this section may qualify for limited coastwise trading privileges by meeting the requirements of Part 68 of this chapter.

(d) A corporation is a citizen for the purpose of obtaining a fishery endorsement if:

- (1) It meets all the requirements of paragraph (a) of this section; and
- (2) More than 50 percent of the stock interest in the corporation including a majority of voting shares in the corporation is owned by citizens.

#### § 67.41 Governmental entity.

A governmental entity is a citizen for the purposes if it is the federal government of the United States or the government of a State as defined in § 67.3.

#### § 67.43 Evidence of citizenship.

A completed original Application for Initial Issue, Exchange, or Replacement

Certificate of Documentation; or Redocumentation (form CG-1258) establishes a rebuttable presumption that the applicant is a United States citizen.

**§ 67.45 Citizenship savings provision for fishing vessels.**

A corporation that meets the requirements of paragraph (d)(1) of § 67.39 but does not meet the requirements of paragraph (d)(2) of that section, or a partnership that meets the requirements of paragraphs (a) and (a)(1) of § 67.35 but does not meet the requirements of paragraph (a)(3) of that section, may nonetheless be eligible to obtain a fishery endorsement for a vessel if the Secretary of Transportation, or the Secretary's delegate determines that prior to July 28, 1987, the vessel:

(a) Was documented under 46 U.S.C. chapter 121 and operating as a fishing, fish processing, or fish tender vessel in the navigable waters of the United States or the Exclusive Economic Zone as defined in 46 U.S.C. 2101(10a); or

(b) Was contracted for purchase for use as a fishing, fish processing, or fish tender vessel in the navigable waters of the United States or the Exclusive Economic Zone as defined in 46 U.S.C. 2101(10a), if the purchase is shown by the contract or similarly reliable evidence acceptable to the Secretary or the Secretary's delegate to have been made for the purpose of using the vessel in the fisheries.

**§ 67.47 Evidence of Maritime Administration approval.**

(a) The following transactions, among others, require approval of the Maritime Administration in accordance with 46 CFR part 221:

(1) Placement of the vessel under foreign registry;

(2) Operation of the vessel under the authority of a foreign country; and

(3) Sale or transfer of an interest in or control of the vessel from a citizen, as defined in section 2 of the Shipping Act, 1916 (46 U.S.C. app. 802), to a person not a citizen within the meaning of section 2 of that act.

(b) A Certificate of Documentation may not be issued for a vessel which subsequent to the last issuance of a Certificate of Documentation has undergone any transaction listed in paragraph (a) of this section, even if the owner meets the citizenship requirements of this subpart, unless evidence is provided that the Maritime Administration approved the transaction.

(c) The restriction imposed by paragraph (b) of this section does not apply to a vessel identified in § 67.11(b).

**Subpart D—Title Requirements for Vessel Documentation**

**§ 67.50 Requirement for title evidence.**

The owner of a vessel must present title evidence in accordance with one of the methods specified in this subpart:

(a) When application is made for a coastwise or Great Lakes endorsement for a vessel which has not previously been qualified for such endorsement;

(b) For initial documentation of a vessel;

(c) When the ownership of a documented vessel changes in whole or in part;

(d) When the general partners of a partnership owning a documented vessel change by addition, deletion, or substitution, without dissolution of the partnership; or

(e) When a vessel which has been deleted from documentation is returned to documentation and there has been an intervening change in ownership.

**§ 67.53 Methods of establishing title.**

Title to a vessel may be established through one of the following methods:

(a) *Simplified method without evidence of build.* The owner must produce a copy of the last registration of the vessel (State, federal, or foreign) and evidence which establishes chain of title from that registration to the present owner.

(b) *Simplified method with evidence of build.* The owner must produce a copy of the last registration of the vessel (State, federal, or foreign) and evidence which establishes chain of title from that registration to the present owner along with evidence of the facts of build in accordance with subpart F of this part.

(c) *Complete chain of title, without evidence of citizenship for each entity in that chain of title.* The owner must provide evidence which establishes:

(1) The facts of build in accordance with subpart F of this part; and

(2) A complete chain of title for the vessel from the person for which the vessel was built to the present owner.

(d) *Complete chain of title, with evidence of citizenship for each entity in that chain of title.* The owner must provide evidence which establishes:

(1) The facts of build in accordance with subpart F of this part; and

(2) A complete chain of title for the vessel from the person for which the vessel was built to the present owner, accompanied by competent and persuasive evidence establishing the citizenship of each entity in the chain of title.

**§ 67.55 Requirement for removal from foreign registry.**

The owner of a vessel must present evidence of removal of the vessel from foreign registry whenever:

(a) The owner applies for initial documentation of a vessel that has at any time been registered under the laws of a foreign country; or

(b) The owner applies for reentry into documentation of a vessel that had been registered under the laws of a foreign country since it was last documented under the laws of the United States.

**§ 67.57 Extent of title evidence required for initial documentation.**

(a) Vessels never registered under any system:

(1) Where a coastwise or Great Lakes endorsement is sought, the only title evidence required for a vessel being documented by the owner for whom it was built is the certification of the builder (form CG-1261) described in § 67.99. Any other applicant must present title evidence in accordance with § 67.53(d).

(2) Where a fishery endorsement is sought, the only title evidence required for a vessel being documented by the owner for whom it was built is the certification of the builder (form CG-1261) described in § 67.99. Any other applicant must present title evidence in accordance with either paragraph (c) or (d) of § 67.53.

(3) Where a registry or recreational endorsement is sought by an applicant who is the first owner of the vessel, that applicant must produce the certification described in § 67.99, or a Manufacturer's Certification of Origin. Any other applicant must also present title evidence in accordance with either paragraph (c)(2) or (d)(2) of § 67.53.

**Note:** Manufacturer's Certificates of Origin are sometimes used as shipping documents for vessels, and may recite as the first owner a person other than the person for which the vessel was built. Therefore, a chain of title which begins with a Certificate of Origin will be deemed incomplete.

(b) Vessels previously registered under the laws of a State or a foreign government:

(1) Where a coastwise or Great Lakes endorsement is sought, title evidence must be presented in accordance with § 67.53(d).

(2) Where a fishery endorsement is sought, title evidence must be presented in accordance with either paragraph (b), (c), or (d) of § 67.53.

(3) Where a registry or recreational endorsement is sought, title evidence must be presented in accordance with

either paragraph (a), (b), (c), or (d) of § 67.53.

**§ 67.59 Extent of title evidence required for change in ownership of a documented vessel.**

When the ownership of a documented vessel changes, in whole or in part, the applicant for documentation must present:

(a) The title evidence required by subpart E of this part to reflect all ownership changes subsequent to the last issuance of a certificate of Documentation; and

(b) Where a registry, fishery, or recreational endorsement is sought, evidence of the citizenship of all owners subsequent to the last owner for whom the vessel was documented except for a vessel:

(1) Identified in § 67.11(b); or

(2) For which the Maritime Administration has granted approval for transfer of sale under 46 CFR part 221.

(c) Where a coastwise or Great Lakes endorsement is sought, evidence establishing the citizenship of all owners subsequent to the last owner for whom the vessel was documented with a coastwise or Great Lakes endorsement, if such evidence is not already on file with the Coast Guard. If the vessel has never been documented with a coastwise or Great Lakes endorsement, evidence must be presented to establish the citizenship of each owner for whom such evidence is not already on file with the Coast Guard.

**§ 67.61 Extent of title evidence required for vessels returning to documentation.**

(a) When the owner of a vessel which has been deleted from documentation applies to have the vessel returned to documentation, except as provided in paragraphs (b) and (c) of this section, the owner must provide evidence establishing the complete chain of title from the last owner under documentation, and citizenship evidence for all owners in that chain of title.

(b) When a vessel is returned to documentation after having been under foreign registry, the owner must provide a copy of the last foreign registry, the evidence required by § 67.55, and evidence establishing the complete chain of title from the last owner under foreign registry. No citizenship evidence need be provided for owners in that chain.

(c) The owner of a vessel identified in § 67.11(b) or for which the Maritime Administration has granted approval for transfer or sale, either by written order or by general approval in 46 CFR Part 221, and which was under a State or federal registration or titling system,

must provide a copy of the last registration or title, the evidence required by § 67.55 if applicable, and evidence establishing the complete chain of title from the last owner under such registry or title. No citizenship evidence need be provided for owners in that chain. Although vessels returned to documentation without a complete chain of title are not eligible for coastwise or Great Lakes endorsements, this does not preclude such an endorsement if the chain of title is completed at a later date.

**§ 67.63 Extent of title evidence required for captured, forfeited, special legislation, and wrecked vessels.**

(a) In the case of a captured or forfeited vessel, the owner must provide evidence establishing the chain of title from the judicial decree of capture or decree of forfeiture, or the evidence of administrative forfeiture described in § 67.13(b). Citizenship evidence for all owners in the chain is required only if a coastwise or Great Lakes endorsement is sought.

(b) In the case of a wrecked vessel or a vessel which is the subject of special legislation, the owner must provide:

(1) For initial documentation of a vessel, or return to documentation of a vessel which was deleted from documentation, a copy of the last federal, state, or foreign registration, the evidence required by § 67.55 if applicable, and evidence establishing the chain of title from the point of that registration, subsequent to the Commandant determination that the vessel is eligible for documentation under 45 U.S.C. app. 14. Citizenship evidence for all owners in the chain of title is required only if a coastwise or Great Lakes endorsement is sought.

(2) For a documented vessel, the title evidence reflecting all ownership changes subsequent to the last documented owner of record. In addition, unless the vessel qualifies for exemption under § 67.11(b) or the vessel is the subject of Maritime Administration general approval in 46 CFR part 221 for sale or transfer to non-citizens, citizenship evidence must be presented for all owners in that chain of title.

**Subpart E—Acceptable Title Evidence; Waiver**

**§ 67.70 Original owner.**

The builder's certification described in § 67.99 serves as evidence of the original owner's title to a vessel.

**§ 67.73 Transfers prior to documentation.**

A transfer of vessel title prior to documentation may be evidenced by:

(a) Completion of the transfer information on the reverse of the builder's certification on form CG-1261;

(b) Completion of the transfer information on the reverse of the Manufacturer's Statement of Origin; or

(c) A bill of sale which meets the criteria for filing and recording set forth in subpart P. of this part.

**§ 67.75 Transfers by sale or donation subsequent to documentation**

(a) Except as otherwise provided in this subpart, transfers of vessel title must be evidenced by a bill of sale which meets the criteria for filing and recording set forth in subpart P of this part. Except as otherwise provided in subpart O of this part, each bill of sale must be accompanied by a declaration of citizenship from the new owner, executed on the appropriate Maritime Administration form described in § 67.211.

(b) The bill of sale form used may be form CG-1340 or form CG-1356, if appropriate.

(c) An applicant for documentation who cannot produce required title evidence in the form of an instrument eligible for filing and recording in accordance with subpart P of this part may apply for a waiver of that requirement in accordance with the provisions of § 67.89.

**§ 67.77 Passage of title by court action.**

(a) When title to a vessel has passed by court action, that passage must be established by copies of the relevant court order(s) certified by an official of the court.

(b) When authority to transfer a vessel has been conferred by court action, that authority must be established by copies of the relevant court order(s) certified by an official of the court.

**§ 67.79 Passage of title without court action following death of owner.**

When title to a vessel formerly owned in whole or in part by an individual now deceased passes without court action, an applicant for documentation must present:

(a) A copy of the death certificate, certified by an official of a State or political subdivision thereof, when title passes to a surviving joint tenant or tenants or to a tenant by the entirety; or

(b) Evidence of compliance with applicable State law where the laws of the cognizant jurisdiction permit passage of title without court action.

**§ 67.81 Passage of title in conjunction with a corporate merger or similar transaction.**

When the title to a vessel has passed as the result of a corporate merger or similar transaction wherein the assets of one corporation has been transferred to another, the passage of title must be established by:

(a) Materials, such as a resolution of the board of directors or shareholders of the corporation which held title to the vessel before the transaction, which either unequivocally transfers all of the assets of the corporation or which specifically identify the vessel as being among the assets transferred; and

(b) In jurisdictions where there is an official recognition of corporate mergers and similar transactions, a copy of such official recognition certified by the cognizant official of that jurisdiction.

**§ 67.83 Passage of title by extra-judicial repossession and sale.**

When title to a documented vessel has passed by reason of an extra-judicial repossession and sale, such passage must be established by:

(a) A copy of the instrument under which foreclosure was made;

(b) An affidavit from the foreclosing party setting forth the reasons for foreclosure, the chronology of foreclosure, the statute(s) under which foreclosure was made, and the steps taken to comply with the relevant instrument and statute(s);

(c) Evidence of substantial compliance with the relevant instrument and statute(s); and

(d) A bill of sale which meets the criteria for filing and recording set forth in subpart P of this part from the foreclosing party as agent for the defaulting owner(s).

**§ 67.85 Change in general partners of partnership.**

When the general partners of a partnership owning a documented vessel change by addition, deletion, or substitution without dissolution of the partnership, the change must be established by a written statement from a surviving general partner detailing the nature of the change.

**§ 67.87 Change of legal name of owner.**

(a) When the name of a corporation which owns a documented vessel changes, the owner must present certification from the appropriate governmental agency evidencing registration of the change.

(b) When the name of an individual who owns a documented vessel changes for any reason, competent and persuasive evidence establishing the change must be provided.

**§ 67.89 Waiver of production of a bill of sale eligible for filing and recording.**

(a) When the evidence of title passage required by this subpart is a bill of sale which meets the criteria for filing and recording set forth in subpart P of this part, and the applicant is unable to produce a bill of sale meeting those criteria, the applicant may request that the documentation officer at the port where application for documentation, exchange, or redocumentation is made waive that requirement.

(b) The request for waiver must include:

(1) A written statement from the applicant detailing the reasons why an instrument meeting the filing and recording criteria of this part cannot be obtained;

(2) Competent and persuasive evidence of the passage of title; and

(3) The fee prescribed in subpart Y of this part.

(c) No waiver of the requirement to produce a bill of sale eligible for filing and recording may be granted in the absence of competent and persuasive evidence of passage of title.

**Subpart F—Build Requirements for Vessel Documentation****§ 67.95 Requirement for determination.**

Evidence that a vessel was built in the United States must be on file for any vessel for which a coastwise, Great Lakes, or fishery endorsement is sought, unless the vessel is otherwise qualified for those endorsements under subpart J of this part.

**§ 67.97 United States built.**

To be considered built in the United States a vessel must meet both of the following criteria:

(a) All major components of its hull and superstructure are fabricated in the United States; and

(b) The vessel is assembled entirely in the United States.

**§ 67.99 Evidence of build.**

(a) Evidence of the facts of build may be either a completed original form CG-1261, or other original document containing the same information, executed by a person having personal knowledge of the facts of build because that person:

(1) Constructed the vessel;

(2) Supervised the actual construction of the vessel; or

(3) Is an officer or employee of the company which built the vessel and has examined the records of the company concerning the facts of build of the vessel.

(b) A vessel owner applying for documentation must file a separate

certificate from each builder involved in the construction of the vessel.

(c) A Manufacturer's Certificate of Origin is not evidence of the facts of build.

**§ 67.101 Waiver of evidence of build.**

(a) A vessel owner applying for documentation unable to obtain the evidence required by § 67.99 may apply for a waiver of that requirement to the documentation officer at the port where application for documentation is made.

(b) The application for waiver must include:

(1) A written request for the waiver, explaining why the evidence required by § 67.99 cannot be furnished;

(2) Competent and persuasive evidence of the facts of build; and

(3) The fee specified in subpart Y of this part.

(c) No waiver of the requirements imposed by § 67.99 may be granted in the absence of competent and persuasive evidence of the facts of build.

**Subpart G—Tonnage and Dimension Requirements for Vessel Documentation****§ 67.105 Requirement for determination.**

The gross and net tonnage and dimensions of a vessel must be determined:

(a) For initial documentation;

(b) Whenever there is a change in the gross or net tonnage or dimensions of a documented vessel; or

(c) When the gross or net tonnage of a vessel returning to documentation has changed since the vessel was last documented.

**§ 67.107 System of measurement; evidence.**

(a) The gross and net tonnage and dimensions of a vessel for purposes of this part are determined in accordance with 46 CFR part 69.

(b) A Certificate of Measurement issued by an authorized official is the only acceptable evidence of the gross and net tonnage of a vessel measured in accordance with subpart B, C, or D of 46 CFR part 69. Because the gross and net tonnage of vessels measured under subpart E of 46 CFR part 69 are determined as part of the documentation process, no Certificate of Measurement is required.

### Subpart H—Designations and Assignments Required for Vessel Documentation

#### § 67.111 Assignment of official number.

(a) The owner of a vessel must submit an Application for Initial Issue, Exchange, or Replacement Certificate of Documentation; or Redocumentation (form CG-1258) to the documentation officer at the port of record of the vessel assigned in accordance with § 67.115, or the documentation office nearest where the vessel is located, to apply for an official number for the vessel when:

(1) Application is made for initial documentation of the vessel; and  
(2) An existing vessel has been severed, with two (2) or more vessels resulting. In this case, the official number of the original vessel is retired and the owner of each resulting vessel must apply for designation of a new official number.

(b) Upon receipt of form CG-1258, the documentation officer at the port where application for documentation is made will have an official number assigned to the vessel and furnish it to the vessel owner.

#### § 67.113 Managing owner designation; address; requirement to report change of address.

Every vessel must have a managing owner who shall be designated on the Application for Documentation, Exchange or Replacement of Document, or Redocumentation (CG-1258).

(a) The managing owner of a vessel owned by one person is the owner of the vessel.

(b) The managing owner of a vessel owned by more than one person must be one of the owners. The person designated as managing owner must have an address in the United States except where no owner of the vessel has an address in the United States.

(c) The managing owner of a vessel owned in a trust arrangement must be one of the trustees.

(d) The address of the managing owner is defined as follows:

(1) For an individual, any residence of the managing owner.

(2) For a partnership, its address:

(i) In the State under whose laws it is organized; or

(ii) Of its principal place of business.

(3) For a corporation, its address:

(i) Within the State of incorporation; or

(ii) Of its principal place of business.

(e) The managing owner must notify the documentation officer at the port of record of the vessel within ten days of a change of address.

#### § 67.115 Assignment of port of record.

(a) A port of record is assigned to a vessel:

(1) Upon initial documentation;

(2) When there is a change in the ownership of the vessel, in whole or in part; or

(3) When the owner requests to change the port of record of the vessel in accordance with the rules in paragraph (c) of this section. The owner shall not be required to change the port of record of the vessel solely because of a change of address of the managing owner.

(b) The same port of record will be assigned to all vessels owned by the same owner(s).

(c) The port of record of the vessel is:

(1) Boston, MA if the address of the managing owner is located within the Boston Marine Inspection Zone, the Portland, Maine Marine Inspection Zone, or the Providence Marine Inspection Zone in the First Coast Guard District;

(2) New York, NY if the address of the managing owner is located within the New York Marine Inspection Zone in the First Coast Guard District;

(3) St. Louis, MO, if the address of the managing owner as is located in the Second Coast Guard District;

(4) Philadelphia, PA, if the address of the managing owner is located within the Philadelphia Marine Inspection Zone in the Fifth Coast Guard District;

(5) Norfolk, VA if the address of the managing owner is within the Hampton Roads Marine Inspection Zone, the Baltimore Marine Inspection Zone, or the Wilmington Marine Inspection Zone in the Fifth Coast Guard District;

(6) Miami, FL if the address of the managing owner is located in the Seventh Coast Guard District;

(7) New Orleans, LA if the address of the managing owner is located in a State other than Texas or New Mexico, within the Eighth Coast Guard District;

(8) Houston, TX if the address of the managing owner is located in Texas or New Mexico within the Eighth Coast Guard District;

(9) Cleveland, OH if the address of the managing owner is located in the Ninth Coast Guard District;

(10) Los Angeles, CA if the address of the managing owner is located in the Los Angeles-Long Beach Marine Inspection Zone or the San Diego Marine Inspection Zone within the Eleventh Coast Guard District;

(11) San Francisco, CA if the address of the managing owner is located within the San Francisco Marine Inspection Zone within the Eleventh Coast Guard District;

(12) Portland, OR if the address of the managing owner is located in Oregon or

Idaho within the Thirteenth Coast Guard District;

(13) Seattle, WA if the address of the managing owner is located within the Fourteenth Coast Guard District, or in Washington or Montana within the Thirteenth Coast Guard District; or

(14) Juneau, AK if the address of the managing owner is located in the Seventeenth Coast Guard District.

Note: Geographical boundaries for the Coast Guard Marine Inspection Zones and Coast Guard Districts identified in this section can be found in 33 CFR part 2.

(d) For a vessel owned by a State, territory, possession, any political subdivision of the same, or any agency of a State, territory, possession or political subdivision, the port of record is the port of documentation serving the address in which the capital of the State, territory, or possession is located.

(e) For a vessel owned by the United States Government the port of record is Norfolk, VA.

(f) If the managing owner does not have an address within the United States the port of record may be any port of documentation.

#### § 67.117 Vessel name designation.

(a) The owner of a vessel must submit an Application for Initial Issue, Exchange, or Replacement Certificate of Documentation; or Redocumentation (form CG-1258) to the documentation officer at the port of record of the vessel assigned in accordance with § 67.115, or the documentation office nearest where the vessel is located, to designate a name for the vessel:

(1) Upon application for initial documentation of the vessel; or

(2) When the owner elects to change the name of the vessel.

(b) The name designated must be approved by the Secretary or Secretary's delegate, and may not be identical, actually or phonetically to any word or words used to solicit assistance at sea. The name, which must be composed of letters of the Latin alphabet or Arabic or Roman numerals, may not actually contain nor be phonetically identical to obscene, indecent, or profane language, or to racial or ethnic epithets.

(c) The name of a documented vessel may not be changed without the prior approval of the documentation officer at the port where application for name change is made, and payment of the fee specified in subpart Y of this part.

(d) Until such time as the owner of a vessel elects to change the name of a vessel, the provisions of paragraph (b) of this section do not apply to vessels



validly documented before [insert the effective date of the final rule].

**§ 67.119 Hailing port designation.**

(a) Upon application for any Certificate of Documentation in accordance with subpart K of this part, the owner of a vessel must designate a hailing port to be marked upon the vessel.

(b) The hailing port must be a place in the United States included in the U.S. Department of Commerce's Federal Information Processing Standards Publication 55DC.

(c) The hailing port must include the State, territory, or possession in which it is located.

(d) The OCMI for the port at which application for documentation is made has final authority to settle disputes as to the propriety of the hailing port designated.

(e) Until such time as a port of record assignment is required in accordance with § 67.115, or the owner elects to designate a new hailing port, the provisions of this section do not apply to vessels which are the subject of a Certificate of Documentation issued before July 1, 1982.

**Subpart I—Marking Requirements for Vessel Documentation**

**§ 67.120 General requirement.**

No Certificate of Documentation issued under this part will be deemed valid until the vessel is marked in accordance with the rules in this subpart.

**§ 67.121 Official number marking requirement.**

The official number of the vessel, preceded by the abbreviation "NO." must be marked in block type Arabic numerals not less than three (3) inches in height on some clearly visible interior structural part of the hull. The number must be permanently affixed to the vessel so that alteration, removal, or replacement would be obvious. If the official number is on a separate plate, the plate must be fastened in such a manner that its removal would normally cause some scarring of or damage to the surrounding hull area.

**§ 67.123 Name and hailing port marking requirements.**

(a) For vessels other than those covered in paragraphs (b) and (c) of this section, the name of the vessel must be marked on some clearly visible exterior part of the port and starboard bow and the stern of the vessel. The hailing port of the vessel must be marked on some clearly visible exterior part of the stern of the vessel.

(b) Vessels with square bow. For vessels having a square bow, the name of the vessel may be marked on some clearly visible exterior part of the bow in order to avoid obliteration. The name and hailing port must be marked on some clearly visible exterior part of the stern.

(c) Recreational vessels. For vessels documented exclusively for recreation, the name and hailing port must be marked together on some clearly visible exterior part of the hull.

(d) The markings required by paragraphs (a), (b), and (c) of this section, which may be made by the use of any means and materials which result in durable markings, must be made in clearly legible letters of the Latin alphabet or Arabic or Roman numerals not less than four (4) inches in height.

**§ 67.125 Disputes.**

The OCMI for the zone in which the vessel is located has final authority in any disputes concerning the permanence, durability, legibility, or placement of a vessel's markings.

**Subpart J—Application for Special Qualifications for Vessel Documentation**

**67.130 Submission of applications.**

(a) All applications made under this subpart and all subsequent filings to effect documentation, except as provided in § 67.133(b), must be submitted to the documentation officer at the port of record of the vessel assigned in accordance with § 67.115 or at the documentation office nearest where the vessel is located.

(b) Once a transmission under this subpart has been initiated at a documentation office, all subsequent filings for that transaction must be made at that same documentation office.

**§ 67.131 Forfeited vessels.**

(a) A forfeited vessel is:

- (1) One which has been adjudged forfeited by a federal district court to the federal government of the United States for a breach of its laws; or

- (2) One which has been forfeited under an administrative forfeiture action to the federal government of the United States for a breach of its laws; or

- (3) One which has been seized by the federal government of the United States for a breach of its laws and which has been sold at an interlocutory sale, the proceeds of which have been adjudged forfeited by a federal district court to the federal government of the United States. A vessel is considered forfeited within the meaning of this section even if the proceeds, though adjudged forfeited to

the United States, do not actually accrue to the United States.

(b) In addition to any other submissions required by this part, the owner of a forfeited vessel applying for a Certificate of Documentation for that vessel must submit the following:

(1) Where the vessel has been adjudged forfeit, or the proceeds of the sale of the vessel have been adjudged forfeit to the federal government of the United States by a federal district court, a copy of the court order certified by an official of the court;

(2) Where the vessel was forfeited to the federal government of the United States under an administrative forfeiture action, an affidavit from an officer of the agency which performed the forfeiture who has personal knowledge of the particulars of the vessel's forfeiture or a Declaration of Forfeiture issued by the agency which performed the forfeiture.

**§ 67.132 Special legislation.**

(a) Vessels not otherwise entitled to be operated in the coastwise trade, Great Lakes trade, or in the fisheries may obtain these privileges as a result of special legislation by the Congress of the United States.

(b) In addition to any other submissions required by this part, the owner of a vessel which is entitled to engage in a specified trade because it is the subject of special legislation must include a copy of the legislation to establish the entitlement.

**§ 67.133 Wrecked vessels.**

(a) Under the provisions of 46 U.S.C. app. 14, a wrecked vessel is one which:

- (1) Has incurred substantial damage to its hull or superstructure as a result of natural or accidental causes which occurred in the United States or its adjacent waters; and

- (2) Has undergone, in a shipyard in the United States or its possessions, repairs equaling three (3) times the appraised salved value of the vessel.

(b) The determinations of the appraised salved value (which will include consideration of the fact that the vessel, if found in compliance with the Act, will attain coastwise and fishery privileges) and that the repairs made upon the vessel are equal to three times that value must be made by a board of three (3) appraisers. The Commandant will appoint the members of the board, and the cost of the board must be borne by the applicant. The owner of a vessel requesting a determination that the vessel is wrecked within the meaning of 46 U.S.C. app. 14 must submit the following to the Commandant:

(1) Competent and persuasive evidence of the casualty and its location. Coast Guard situation or investigation reports are acceptable as casualty evidence. Other competent and persuasive evidence may be accepted at the discretion of the Commandant.

(2) A writing setting forth the physical location of the vessel, containing a guarantee that the requesting party assumes full responsibility for all costs, liabilities, and other expenses that arise in conjunction with the services performed by the board of appraisers, and stating that at the time of documentation the vessel will be owned by a citizen of the United States; and

(3) The fee specified in subpart Y of this part.

(c) In addition to other submissions required by this part, a vessel owner applying for a Certificate of Documentation for a vessel accorded privileges by the Wrecked Vessel Statute (R.S. 4136) must include a copy of the Commandant's determination that the vessel qualifies for documentation under 46 U.S.C. app. 14.

#### § 67.134 Captured vessels.

(a) A captured vessel is one which has been taken by citizens of the United States during a period of war and is thereafter condemned as a prize by a court of competent jurisdiction.

(b) In addition to other submissions required by this part, a vessel owner applying for a Certificate of Documentation of a vessel which qualifies as a captured vessel must include a copy of the court order stating that the vessel was lawfully captured and condemned as a prize.

#### Subpart K—Application for Documentation, Exchange or Replacement of Certificate of Documentation, or Return to Documentation; Mortgagee Consent; Validation

##### § 67.141 Application procedure; all cases.

The owner of a vessel applying for an initial Certificate of Documentation, exchange or replacement of a Certificate of Documentation, or return of a vessel to documentation after deletion from documentation must:

(a) Submit the following to the documentation officer at the port of record of the vessel assigned in accordance with § 67.115 or at the documentation office nearest where the vessel is located:

(1) Application for Initial Issue, Exchange, or Replacement Certificate of Documentation; or Redocumentation (form CG-1258);

(2) The fee specified in subpart Y of this part;

(3) Title evidence, if applicable; and

(4) If the application is for replacement of a mutilated document or exchange of documentation, the outstanding Certificate of Documentation.

(b) Upon receipt of the Certificate of Documentation and prior to operation of the vessel, ensure that the vessel is marked in accordance with the requirements set forth in subpart I of this part.

##### § 67.143 Restriction of withdrawal of application.

The owner of a vessel making application pursuant to § 67.141 may not withdraw that application if a mortgage has been filed against a vessel covered by the application unless the mortgagee consents to withdrawal of the application. Consent of the mortgagee is evidenced by filing a properly completed original Consent of Mortgagee to Exchange of Certificate of Documentation or Withdrawal of Application for Documentation (form CG-4593).

##### § 67.145 Restrictions on exchange; requirement and procedure for mortgagee consent.

(a) A Certificate of Documentation issued to a vessel which is the subject of an outstanding mortgage recorded pursuant to Subpart Q or predecessor regulations may not be exchanged for a cause arising under § 67.167(a) or § 67.167(b) (1) through (6) without the consent of the mortgagee, except as provided in paragraph (b) of this section.

(b) The provisions of paragraph (a) of this section do not apply to a vessel which is subject only to a mortgage filed or recorded before January 1, 1989, which had not attained preferred status as of that date.

(c) When the owner of a vessel applies for a Certificate of Documentation and the consent of the mortgagee is required under paragraph (a) of this section, the applicant must submit a properly completed original Consent of Mortgagee to Exchange of Certificate of Documentation or Withdrawal of Application for Documentation (form CG-4593) signed by or on behalf of the mortgagee to the documentation officer at the port where application for exchange is made.

(d) If an application for exchange is made to a documentation officer at a port of documentation other than the port of record, form CG-4593 must be accompanied by a certified copy of the vessel's Abstract of Title (form CG-1332) issued at the vessel's port of

record not more than fifteen (15) days prior to the date on which the application is made.

##### § 67.147 Exchange of certificate of documentation; special procedure for change of port of record.

When the owner of a documented vessel elects or is required to change the port of record of a vessel the owner must:

(a) Comply with the requirements of § 67.141;

(b) Comply with the requirements of § 67.145, if applicable; and

(c) In accordance with § 67.301, request that the documentation officer at the vessel's present port of record forward the vessel's General Index (form (CG-1332) to the new port of record assigned for the vessel in accordance with § 67.115.

**Note:** In the case of a simultaneous change of owner and port of record, these procedures must be followed by the new owner of the vessel.

##### § 67.149 Exchange of certificate of documentation; vessel at sea.

When exchange of a Certificate of Documentation issued to a vessel which is at sea is required pursuant to Subpart L, the procedures in this section may be followed while the vessel is still at sea.

(a) The vessel owner must:

(1) Comply with the requirements § 67.141(a) (1)-(3); and

(2) Mark the vessel with its new name or hailing port in accordance with subpart I, if applicable, when the vessel reaches its first port of call, wherever that may be.

(b) The documentation officer prepares a new Certificate of Documentation and forwards it for delivery to the vessel's next port of call. If the port of call is in the United States, the Certificate is forwarded to the nearest U.S. Coast Guard Marine Safety Office. If the port of call is in a foreign country, the Certificate is forwarded to the nearest American Consulate. The new Certificate is delivered only upon surrender of the old Certificate, which is then forwarded to the port of record of the vessel.

##### § 67.151 Replacement of certificate of documentation; special procedure for wrongfully withheld document.

When the owner of a documented vessel alleges that the Certificate of Documentation for that vessel is being wrongfully withheld by any person the owner must:

(a) Submit to the Commandant, via the documentation officer at the port of record of the vessel assigned in accordance with § 67.115, or at the

documentation office nearest where the vessel is located, a statement setting forth the reasons for the allegation; and

(b) Upon the Commandant's finding that the Certificate is being wrongfully withheld, apply for replacement of the Certificate in accordance with the requirements of § 67.141.

**Subpart L—Validity of Certificates of Documentation; for Renewal of Endorsement, Requirement for Exchange, Replacement, Deletion, Cancellation**

**§ 67.161 Validity of certificate of documentation.**

(a) Notwithstanding any other provision of this subpart, except as provided in paragraph (b) of this section, a Certificate of Documentation but no trade endorsement thereon, issued to a vessel which is the subject of an outstanding mortgage filed or recorded in accordance with subpart Q or any predecessor regulations, remains valid for purposes of:

(1) 46 U.S.C. chapter 125;

(2) 46 U.S.C. chapter 313 for an instrument filed or recorded before the date of invalidation, and an assignment or a notice of claim of lien filed after that date;

(3) Sections 9 and 37(b) of the Shipping Act, 1916 (46 U.S.C. app. 808, 835(b)); and

(4) Section 902 of the Merchant Marine Act, 1936 (46 U.S.C. app. 1242).

(b) The provisions of paragraph (a) of this section do not apply to a vessel which is subject only to a mortgage filed or recorded before January 1, 1989, which had not attained preferred status as of that date.

**§ 67.163 Renewal of endorsement.**

(a) *Requirement for renewal of endorsement.* Endorsements on Certificates of Documentation are valid for one year. Prior to the expiration of that year, the owner of a vessel which is not exempt from the requirement for documentation under paragraph (c) of § 67.9 must apply for renewal of the endorsement(s) by complying with paragraph (b) of this section. The owner of a vessel exempt from the requirement for documentation under paragraph (c) of § 67.9 must either:

(1) Apply for renewal of the endorsement by complying with paragraph (b) of this section; or

(2) Place the Certificate of Documentation on deposit in accordance with § 67.165.

(b) *Renewal application.* The owner of a vessel must apply for renewal of each endorsement by executing an original Notice of Expiration (CG-1280) or Final

Notice After Expiration (CG-1280-B) certifying that the information contained in the Certificate of Documentation and any endorsement(s) thereon remains accurate, and that the Certificate has not been lost, mutilated, or wrongfully withheld. The completed CG-1280 or CG-1280-B must be forwarded to the documentation officer at any port of documentation. The fee specified in subpart Y must be paid if:

(1) Application for renewal is made at a port other than the vessel's port of record;

(2) The owner requests that the renewal decal described in paragraph (c) of this section be forwarded to an address other than the vessel owner's address of record; or

(3) The application for renewal is not received within sixty (60) days after the date on which the endorsement(s) expired. —

(c) *Documentation officer procedure.* Upon receipt of a properly executed form CG-1280 or form CG-1280-B and any applicable fees, the documentation officer forwards a renewal decal, CG-1280-A, to the vessel owner at the owner's address of record or other address as requested by the owner.

(d) *Requirement to affix decal.* The owner must affix the renewal decal to the Certificate of Documentation. The presence of a current renewal decal is evidence that the endorsement has been renewed.

**§ 67.165 Deposit of certificate of documentation.**

(a) *Option for deposit in lieu of renewal of endorsement.* In lieu of renewing the endorsement(s) in accordance with § 67.163, the owner of a vessel which is exempt from the requirement for documentation under paragraph § 67.9(c) may deposit the vessel's outstanding Certificate of Documentation with the documentation officer at the vessel's port of record assigned in accordance with § 67.115.

(b) *Reporting requirement.* The owner of a vessel whose Certificate is on deposit in accordance with paragraph (a) of this section must make a written report to the documentation officer at the vessel's port of record:

(1) When exchange of the Certificate is required upon the occurrence of one or more of the events described in § 67.167(b), (c), or (d);

(2) The vessel is subject to deletion from the roll of actively documented vessels upon the occurrence of one or more of the events described in § 67.167(a)(1) through (8).

(c) *Validity of document on deposit.* A Certificate of Documentation placed on deposit in accordance with the

paragraph (a) of this section is valid for the purposes of:

(1) 46 U.S.C. chapter 125;

(2) 46 U.S.C. chapter 313;

(3) Sections 9 and 37(b) of the Shipping Act, 1916 (46 U.S.C. app. 808, 835(b)); and

(4) Section 902 of the Merchant Marine Act, 1936 (46 U.S.C. app. 1242).

**§ 67.167 Requirement for exchange of certificate of documentation.**

(a) When application for exchange of the Certificate of Documentation is required upon the occurrence of one or more of the events described in paragraphs (b), (c), or (d) of this section, or the owner of the vessel chooses to apply for exchange of the Certificate pursuant to paragraph (e) of this section, the owner must send or deliver the Certificate to the documentation officer at the port of record of the vessel assigned in accordance with § 67.115 or at the documentation office nearest where the vessel is located, and apply for an exchange of the Certificate in accordance with subpart K.

(b) A Certificate of Documentation together with any trade or recreational endorsement thereon becomes invalid immediately, except as provided in § 67.161, when:

(1) The ownership of the vessel changes in whole or in part;

(2) The general partners of a partnership change by addition, deletion, or substitution;

(3) The port of record of the vessel changes;

(4) The State of incorporation of any corporate owner of the vessel changes;

(5) The vessel is placed under the command of a person who is not a citizen of the United States;

(6) The hailing port of the vessel changes; or

(7) The name of the vessel changes.

(c) A Certificate of Documentation together with any trade or recreational endorsement thereon becomes invalid, except as provided in § 67.161 and in paragraph (f) of this section, immediately if the vessel is not at sea, or upon the vessel's next arrival in port anywhere in the world if the vessel is at sea, when:

(1) The gross or net tonnages or dimensions of the vessel change;

(2) Any beneficiary with an enforceable interest in a trust arrangement owning a vessel changes by addition or substitutions;

(3) The trustee of a trust arrangement owning a vessel changes by addition, substitution, or deletion;

(4) A tenant by the entirety owning any part of the vessel dies;

(5) The restrictions imposed on the vessel changes by addition or substitution;

(6) The legal name of any owner of the vessel changes;

(7) A self-propelled vessel becomes non-self-propelled or a non-self-propelled vessel becomes self-propelled;

(8) The endorsements for the vessel change by addition, deletion, or substitution; or

(9) A substantive or clerical error made by the issuing documentation officer is discovered.

(d) Although a Certificate of Documentation and all trade endorsements thereon remain valid, the owner of a documented vessel must apply for exchange of the Certificate upon an election to designate a new managing owner of the vessel in accordance with § 67.113.

(e) Although the trade or recreational endorsement(s) on a Certificate of Documentation remain valid, the owner may apply for exchange of the Certificate if:

(1) The restrictions imposed on the vessel change by deletion; or

(2) The vessel attains a special entitlement under Subpart J.

(f) A Certificate of Documentation which becomes invalid pursuant to paragraph (b) of this section remains valid for thirty (30) days for the purposes of 46 USC chapter 313.

**§ 67.169 Requirement for replacement of certificate of documentation.**

(a) The owner of a documented vessel must make application in accordance with subpart K for replacement of a Certificate of Documentation which is:

- (1) Lost;
- (2) Mutilated; or
- (3) Wrongfully withheld from the vessel owner.

(b) When application for replacement of a Certificate of Documentation is required because the Certificate has been mutilated, the existing Certificate must be physically given up to the documentation officer to whom application is made.

**§ 67.171 Deletion; requirement and procedure.**

(a) A Certificate of Documentation issued to a vessel, together with any endorsements thereon, is invalid, except as provided in § 67.161, and that vessel is subject to deletion from the roll of actively documented vessels when:

(1) The vessel is placed under foreign flag;

(2) The vessel is sold or transferred in whole or in part to a person who is not a citizen of the United States within the meaning of Subpart C of this part;

(3) Any owner of the vessel ceases to be a citizen of the United States within the meaning of subpart C of this part;

(4) The owner no longer elects to document the vessel;

(5) The vessel no longer measures at least five (5) net tons;

(6) The vessel ceases to be capable of transportation by water;

(7) The owner fails to exchange the Certificate as required by § 67.167;

(8) The owner fails to maintain the markings required by subpart I of this part; or

(9) The owner fails to:

(i) Renew the endorsement(s) as required by § 67.163; or

(ii) Comply with the provisions of § 67.165.

(b) Where a cause for deletion arises for any reason under paragraphs (a)(1) through (6) of this section, the owner must send or deliver the original Certificate of Documentation to any documentation officer together with a statement setting forth the reason(s) deletion is required.

(c) When a Certificate of Documentation is required to be deleted because the vessel has been placed under foreign flag or has been sold or transferred in whole or in part to a non-citizen of the United States, the owner of that vessel must comply with the requirements of paragraph (b) of this section, and file:

(1) Evidence of the sale or transfer, if any; and

(2) Evidence that the Maritime Administration has consented to the sale or transfer, except for vessels identified in § 67.11(b) of this part and vessels for which the Maritime Administration has granted general approval in 46 CFR part 221 for sale or transfer to non-citizens.

(d) A certificate evidencing deletion from U.S. documentation will be issued upon request of the vessel owner upon compliance with the applicable requirements of this subpart and payment of the fee specified in subpart Y of this part.

**§ 67.173 Cancellation; requirement and procedure.**

A Certificate of Documentation issued to a vessel, together with any endorsements thereon, is invalid, except as provided in § 67.161, and subject to cancellation upon a determination by the Commandant or a documentation officer that the issuance of the Certificate was improper for any reason. When a Certificate is subject to cancellation, the owner of the vessel upon being notified of such requirement must send or deliver the Certificate to a documentation officer at any port of

documentation. The vessel owner may submit an application for exchange in accordance with subpart K of this part to correct the error giving rise to cancellation. If the vessel for which the Certificate was cancelled was previously documented, it remains documented under the previous Certificate of Documentation, unless deleted under the provisions of § 67.171.

**Note:** Certificates of Documentation which have been canceled are retained at the last port of record of the vessel.

**Subpart M—Miscellaneous Applications**

**§ 67.175 Application for new vessel determination.**

(a) A vessel is new if:

(1) Its hull and superstructure are constructed entirely of new materials; or

(2) It is constructed using structural parts of an existing vessel, which parts have been torn down so that they are no longer advanced to a degree which would commit them to use in the building of a vessel.

(b) When the vessel has been constructed entirely of new materials, no application for a new vessel determination need be made under this section. Application for initial documentation must be made in accordance with subpart K of this part.

(c) When parts of an existing vessel have been used in the construction of a vessel and the owner wants a determination that the resulting vessel is new in accordance with paragraph (a)(2) of this section, the owner must file with the Commandant:

(1) A builder's certification, as described in § 67.99;

(2) A written statement describing the extent to which materials from the existing vessel were used in the construction and the extent to which those materials were torn down;

(3) Accurate sketches or blueprints of the hull and superstructure which must identify, where practicable, components of the old vessel; and

(4) The fee specified in subpart Y of this part.

**§ 67.177 Required application for rebuilt determination.**

(a) A vessel is rebuilt when any considerable part of its hull or superstructure is built upon or substantially altered.

(b) The owner of a vessel which has not previously permanently lost coastwise, Great Lakes, or fisheries privileges must file with the Commandant the items listed in paragraph (c) of this section if:

(1) The vessel is altered outside the United States in a manner which gives rise to a reasonable belief that the vessel is rebuilt; or

(2) A major component of the hull or superstructure not built in the United States is added to the vessel.

(c) The required submissions must consist of:

(1) A written statement outlining the work performed and naming the place where the work was performed;

(2) Accurate sketches or blueprints describing the work performed; and

(3) The fee specified in subpart Y of this part.

#### Subpart N—[Reserved]

#### Subpart O—Filing and Recording of Instruments—General Provisions

##### § 67.200 Instruments eligible for filing and recording.

Only the following listed instruments are eligible for filing and recording:

(a) Bills of sale and instruments in the nature of bills of sale;

(b) Deeds of gift;

(c) Chattel mortgages, and assignments, assumptions, supplements, amendments, subordinations, satisfactions, and releases thereof;

(d) Preferred mortgages, and assignments, assumptions, supplements, amendments, subordinations, satisfactions, and releases thereof;

(e) Interlender agreements affecting chattel and preferred mortgages and related instruments; and

(f) Notices of claim of lien, assignments, amendments, and satisfactions and releases thereof.

##### § 67.203 Restrictions on filing and recording.

(a) No instrument will be accepted for filing unless the vessel to which it pertains is the subject of:

(1) A valid Certificate of Documentation; or

(2) An application for initial documentation, exchange of Certificate of Documentation, return to documentation, or for deletion from documentation, which is in substantial compliance with the applicable regulations has been made at the port where the filing is made.

(b) An instrument identified as eligible for filing and recording under § 67.200 may not be filed and recorded if it bears a material alteration.

(c) An instrument identified as eligible for filing and recording under § 67.200 (a) or (b) may not be filed and recorded if any vendee or transferee under the instrument is not a citizen of the United States as defined in section 2 of the

Shipping Act, 1916, (46 U.S.C. app. 802) unless the Maritime Administration has consented to the grant to a non-citizen made under the instrument.

(d) The restriction imposed by paragraph (c) of this section does not apply to a bill of sale or deed of gift conveying an interest in a vessel which was neither documented nor last documented pursuant to these regulations or any predecessor regulations thereto at the time the instrument was executed, nor to an instrument conveying an interest in a vessel identified in § 67.11(b).

(e) An instrument identified as eligible for filing and recording under § 67.200(c) may not be filed and recorded if the mortgagee or assignee is not a citizen of the United States as defined in 46 U.S.C. app. 802 or a trustee as defined in 46 U.S.C. 31328, unless the Maritime Administration has consented to the grant to a non-citizen made under the instrument. This restriction does not apply to an instrument conveying an interest in a vessel identified in § 67.11(b).

(f) An instrument identified as eligible for filing and recording under § 67.200(d) may not be filed and recorded if the mortgagee or assignee is not a person described in 46 U.S.C. 31322(a)(1)(D). This restriction does not apply to an instrument conveying an interest in a vessel identified in § 67.11(b).

(g) No instrument will be accepted for filing if it is not accompanied by the fee specified in subpart Y of this part.

##### § 67.205 Requirement for vessel identification.

(a) Every instrument presented for filing and recording must contain sufficient information to clearly identify the vessel(s) to which the instrument relates.

(b) Instruments pertaining to vessels which have been documented must contain the vessel's name and official number, or other unique identifier.

(c) Vessels which have never been documented must be identified by one of the following:

(1) The vessel's Hull Identification Number assigned in accordance with 33 CFR 181.25; or

(2) Other descriptive information, which clearly describes the vessel. Such information may include length, breadth, depth, year of build, name of manufacturer, and any numbers which may have been assigned in accordance with 33 CFR part 173.

##### § 67.207 Requirement for date and acknowledgement.

(a) Every instrument presented for filing and recording must:

(1) Bear the date of its execution; and

(2) Contain an acknowledgment.

(b) No officer or employee of the Coast Guard is authorized to take such acknowledgments unless the instrument is executed on behalf of the Federal Government of the United States.

##### § 67.209 Required number of copies.

All instruments presented for filing and recording must be presented in duplicate; at least one copy must bear original signatures.

##### § 67.211 Requirement for citizenship declaration.

(a) Instruments in the nature of a bill of sale or deed of gift, mortgages, and assignments of mortgages, are not eligible for filing and recording, except as provided in paragraph (c) of this section, unless accompanied by a properly executed declaration stating information about the citizenship of the grantee.

(b) Citizenship declarations must be executed on the form prescribed by the Maritime Administration at 46 CFR 221.5. These forms are available from all Coast Guard documentation offices and from the Vessel Transfer and Disposal Officer (MAR-745.1), Maritime Administration, United States Department of Transportation, Washington, DC 20590.

(c) The requirement in paragraph (a) of this section for presentation of a citizenship declaration does not apply to instruments conveying an interest in a vessel:

(1) To a government of the United States or a political subdivision thereof or a corporate entity which is an agency of any such government or political subdivision;

(2) To a person making application for documentation; or

(3) Identified in § 67.11(b).

Note: If the grantee(s) of an ownership interest in a vessel described in paragraph (c)(2) of this section do(es) not make application for documentation, a declaration of citizenship may be required in order to ensure that the vessel so conveyed retains any coastwise or Great Lakes privileges to which it may be entitled.

##### § 67.213 Place of filing and recording.

(a) Instruments submitted for filing and recording at the same time that the vessel owner applies for issuance or a change to a Certificate of Documentation must be submitted to the documentation officer where the application is made; mortgages filed in conjunction with such applications may be filed at the same port at any time before the Certificate is issued or changed. All other instruments must be

submitted for filing and recording at the port of record of the vessel.

(b) All instruments are recorded at the port(s) of record of the vessel(s) affected by the instrument.

(c) Where the port of record of a vessel is being changed, recording is effected at the new port of record.

**§ 67.215 Date and time of filing and recording.**

(a) An instrument is deemed filed at the actual date and time at which the instrument is delivered to the documentation office where it is submitted for filing, except as provided in paragraph (b) of this section.

(b) If filing of an instrument is subject to termination in accordance with § 67.217(a) and a substitute for the original instrument is filed, the filing of the original instrument will be terminated in accordance with § 67.217(c) and the substitute instrument will be deemed filed at the actual time and date it is delivered to the documentation office where the original instrument was filed.

**§ 67.217 Termination of filing and disposition of instruments.**

(a) The filing of an instrument is subject to termination if:

(1) It is determined that the instrument cannot be recorded because the instrument itself is not in substantial compliance with the applicable regulations in this part;

(2) The filing was not made in compliance with the requirements of § 67.213;

(3) The application for issuance or exchange of a Certificate of Documentation was not made in substantial compliance with the applicable regulations of this part;

(4) The owner of the vessel submits a written request for withdrawal of the Application for Initial Issue, Exchange, or Replacement Certificate of Documentation, accompanied by consent of the mortgage, if any; or

(5) An instrument is filed evidencing satisfaction or release of any instrument described in subpart Q of this part.

(b) Ninety (90) days prior to terminating the filing pursuant to paragraphs (a)(1), (2), or (3) of this section, the documentation officer at the port where the filing was made will send written notice detailing the reasons the filing is subject to termination to the following persons(s) and any agent known to be acting on behalf of:

(1) The applicant for documentation, if a bill of sale, instrument in the nature of a bill of sale, or a deed of gift;

(2) The mortgagee or assignee, if a mortgage or assignment or amendment thereof;

(3) The claimant, if a notice of claim of lien; or

(4) The lender first named in an interlender agreement affecting a chattel or preferred mortgage or related instrument.

(c) If the reason(s) which subject the filing to termination remain uncorrected for a period of ninety (90) days after the notice described in paragraph (b) of this section is sent, or upon receipt of the request described in paragraph (a)(4) of this section, or satisfaction, or release described in paragraph (a)(5) of this section, the instrument will be returned to either:

(1) The applicant for documentation, if a bill of sale, instrument in the nature of a bill of sale, or a deed of gift;

(2) The mortgagee or assignee, if a mortgage or assignment or amendment thereof;

(3) The claimant, if a notice of claim of lien;

(4) The lender first named in an interlender agreement affecting a chattel or preferred mortgage or related instrument; or

(5) An agent for the appropriate party, provided that the agent has filed with the Coast Guard an original writing, signed by the appropriate party clearly identifying the instrument being returned stating that the instrument may be returned to the agent.

**Subpart P—Filing and Recording of Instruments—Bills of Sale and Related Instruments**

**§ 67.220 Requirements.**

An instrument in the nature of a bill of sale or a deed of gift must:

(a) Meet all of the requirements of subpart O of this part;

(b) Be signed by or on behalf of all the seller(s) or donor(s); and

(c) Recite the following:

(1) The name(s) and address(es) of the seller(s) or donor(s) and the interest in the vessel held by the seller(s) or donor(s); and

(2) The names(s) and address(es) of the buyer(s) or donee(s) and the interest in the vessel held by each buyer or donee.

**§ 67.223 Filing limitation.**

An instrument presented for filing and recording under this subpart may be filed only in conjunction with an application for initial documentation or redocumentation of the vessel or with an application for a change to or deletion of the vessel's outstanding Certificate of Documentation.

**Subpart Q—Filing and Recording of Instruments—Chattel Mortgages, Preferred Mortgages, and Related Instruments**

**§ 67.231 General requirements; optional application for filing and recording.**

(a) A mortgage or related instrument presented for filing and recording must meet all of the requirements of subpart O of this part in addition to the pertinent section(s) of this subpart.

(b) All instruments supplemental to mortgages must recite information which clearly identifies the mortgage to which the supplemental instrument is applicable. Such information will normally consist of the book and page where that mortgage is recorded and the date and time of filing. If the submission of the supplemental instrument is contemporaneous with submission of the mortgage, the information should include the names of all parties to the mortgage, the date of the mortgage, and the amount of the mortgage, so as to adequately identify the mortgage to which the supplemental instrument applies.

(c) An Optional Application for Filing (CG-5542) may be attached to a mortgage or related instrument. If form CG-5542 is properly completed with all information required for indexing the instrument and the signature(s) specified thereon, the instrument to which it is attached will be filed and recorded with no further review.

**§ 67.233 Restrictions on recording—mortgages, preferred mortgages, and related instruments.**

(a) A mortgage or assumption of mortgage which otherwise meets the requirements of this subpart is nonetheless not eligible for filing and recording if a mortgagor or assuming party(ies) did not actually hold legal title to the interest in the vessel being mortgaged or covered by the assumption at the time of filing of the mortgage or assumption, or if the vessel(s) which the mortgage cover(s) is (are) not documented or the subject of an application for documentation.

(b) No mortgage submitted for filing and recording as a preferred mortgage or supplemental instrument thereto which otherwise meets the requirements of this subpart is eligible for filing and recording, except as provided in paragraph (c) of this section, if it results in a mortgage interest being held by a person other than:

- (1) A State;
- (2) The United States Government;
- (3) A federally insured depository institution, unless disapproved by the

Secretary pursuant to regulations in 46 CFR part 221;

(4) An individual who is a citizen of the United States;

(5) A person qualifying as a citizen of the United States as defined in 46 U.S.C. app. 802; or

(6) A person approved by the Secretary pursuant to regulations in 46 CFR part 221.

(c) The requirements of paragraph (b) of this section do not apply to the mortgagee of a vessel identified in § 67.11(b) or to any other vessel to which the Maritime Administration has given general approval in 46 CFR part 221 for mortgage to a noncitizen.

#### § 67.235 Requirements for mortgages.

(a) A chattel mortgage presented for filing and recording must:

(1) Be signed by or on behalf of the mortgagor(s); and

(2) Recite the following:

(i) The name(s) and address(es) of the mortgagor(s) and the interest in the vessel held by the mortgagor(s);

(ii) The name(s) and address(es) of the mortgagee(s) and the interest in the vessel granted by the mortgage; and

(iii) The amount of the direct or contingent obligations that is or may become secured by the mortgage, excluding interest, expenses, and fees. The amount may be recited in one or more units of account as agreed to by the parties.

(b) A mortgage submitted for filing and recording as a preferred mortgage must cover the whole of a vessel.

(c) A mortgage which secures more than one (1) vessel may, at the option of the parties, provide for separate discharge of such vessels.

#### § 67.237 Requirements for assignments of mortgages.

An assignment of mortgage presented for filing and recording must:

(a) Be signed by or on behalf of the assignor(s); and

(b) Recite the following:

(1) The name(s) and address(es) of the assignor(s) and the interest in the mortgage held by the assignor(s); and

(2) The name(s) and address(es) of the assignee(s) and the interest in the mortgage granted to the assignee(s).

#### § 67.239 Requirements for assumptions of mortgages.

An assumption of mortgage presented for filing and recording must:

(a) Be signed by or on behalf of the original mortgagor(s), the mortgagee(s), and the assuming party(ies); and

(b) Recite the following:

(1) The name(s) and address(es) of the original mortgagor(s) and the interest in

the vessel mortgaged by the original mortgagor(s); and

(2) The name(s) and address(es) of the assuming party(ies) and the interest in the mortgage assumed by the assuming party(ies).

#### § 67.241 Requirements for amendments of or supplements to mortgages.

An amendment of or supplement to a mortgage presented for filing and recording must:

(a) Be signed by or on behalf of the mortgagor(s) and the mortgagee(s); and

(b) Recite the following:

(1) The name(s) and address(es) of the mortgagor(s) and mortgagee(s); and

(2) The nature of the change effected by the instrument.

#### § 67.243 Requirements for instruments subordinating mortgages.

An instrument subordinating a mortgage presented for filing and recording must:

(a) Be signed by or on behalf of the mortgagee whose mortgage is being subordinated; and

(b) Recite the following:

(1) The name(s) and address(es) of the mortgagee(s) whose mortgage is being subordinated; and

(2) The name(s) and address(es) of the parties holding the mortgage to which it is made subordinate.

#### § 67.245 Requirements for interlender agreements.

An interlender agreement between multiple mortgagees must:

(a) Be signed by or on behalf of all mortgagees who are party to the interlender agreement; and

(b) Recite the names and addresses of all parties to the interlender agreement.

### Subpart R—Filing and Recording of Instruments—Notices of Claim of Lien and Supplemental Instruments

#### § 67.250 General requirements.

(a) A notice of claim of lien or supplemental instrument thereto submitted for filing and recording must meet all of the requirements of subpart O of this part.

(b) An instrument assigning or amending a notice of claim of lien must recite information which clearly identifies the notice of claim of lien being assigned or amended. Such information will normally consist of the book and page where the notice of claim is recorded and the date and time of filing. If the submission of the assignment or amendment is contemporaneous with submission of the notice of claim of lien, the information should include the name(s) of the original claimant(s), the date of

the notice of claim, and the amount of the claim and other information, so as to adequately identify the notice of claim of lien being assigned or amended.

#### § 67.253 Requirements for notices of claim of lien.

A notice of claim of lien must:

(a) Be signed by or on behalf of the claimant(s); and

(b) Recite the following:

(1) The name(s) and address(es) of the claimant(s);

(2) The nature of the lien claimed;

(3) The date on which the lien was established; and

(4) The amount of the lien claimed.

#### § 67.255 Restrictions of filing and recording.

A notice of claim of lien is not entitled to filing and recording unless the vessel against which the lien is claimed is covered by a preferred mortgage filed or recorded in accordance with subpart Q of this part or predecessor regulations thereto.

#### § 67.257 Requirements for assignments of notices of claim of lien.

An assignment of a notice of claim of lien must:

(a) Be signed by or on behalf of the original claimant(s) or last assignee(s) of record; and

(b) Recite the following:

(1) The name(s) and address(es) of the claimant(s); and

(2) The name(s) and address(es) of the assignee(s) and the interest in the claim being assigned.

#### § 67.259 Requirements for amendments to notice of claim of lien.

An amendment to notice of claim of lien presented for filing and recording must:

(a) Be signed by or on behalf of the original claimant(s) or last assignee(s) of record; and

(b) Recite the nature of the change being effected by the instrument.

### Subpart S—Removal of Encumbrances

#### § 67.261 General requirements.

The filing of an instrument filed against a vessel in accordance with subparts Q or R of this part may be terminated, and if recorded removed from the record of that vessel by the filing of:

(a) A court order, affidavit, or Declaration of Forfeiture described in § 67.263; or

(b) A satisfaction or release instrument described in § 67.265 which meets the requirements of this part for filing and recording.

**§ 67.263 Requirement for removal of encumbrances by court order, affidavit, or Declaration of Forfeiture.**

The encumbrances described in subparts Q and R of this part are removed from the record upon filing of:

(a) A copy of the order from a court of competent jurisdiction certified by an official of the court declaring title to the vessel to be free and clear, or declaring the encumbrance to be of no effect, or ordering the removal of the encumbrance from the record;

(b) A copy of the order from a federal district court in an *in rem* action certified by an official of the court requiring the free and clear sale of the vessel at a marshal's sale accompanied by a copy of the order confirming such sale certified by an official of the court, where issued under local judicial procedures;

(c) A copy of an order from a federal district court certified by an official of the court declaring the vessel itself to be forfeited, or the proceeds of its sale to be forfeited to the federal government of the United States for a breach of its laws; or

(d) Where the vessel was forfeited under an administrative forfeiture action to the federal government of the United States, an affidavit from an officer of the agency which performed the forfeiture, who has personal knowledge of the particulars of the vessel's forfeiture, or a Declaration of Forfeiture issued by the agency which performed the forfeiture.

**§ 67.265 Requirements for instruments evidencing satisfaction or release.**

An instrument satisfying or releasing a mortgage, a notice of claim of lien, or a preferred mortgage presented for filing and recording must:

(a) Meet all the requirements of subpart O of this part;

(b) Be signed by or on behalf of:

(1) The mortgagee(s) if a mortgage; or  
(2) The claimant(s) if a notice of claim of lien; and

(c) Recite the following:

(1) The name(s) of the mortgagor(s), if any, and the name(s) of the mortgagee(s) or claimant(s);

(2) The amount of the mortgage or claim of lien; and

(3) Information which clearly identifies the mortgage or claim of lien being satisfied or released. Such information will normally consist of the book and page where that mortgage or claim of lien is recorded. If the recording information cannot be provided because the satisfaction or release is being submitted prior to recording of the mortgage or claim of lien, the instrument must recite other information sufficient

to clearly identify the encumbrance being satisfied or released.

**Subpart T—General Index and Abstracts of Title**

**§ 67.301 Requirement for general index.**

Whenever the port of record of a documented vessel changes, the owner of the vessel must apply to the documentation officer at the existing port of record of the vessel for forwarding to the new port of record the General Index of the vessel on form CG-1332.

**§ 67.303 Issuance of abstract of title.**

An Abstract of Title for a vessel will be issued by the documentation officer at the vessel's port of record upon the request of any person and payment of the fee specified in subpart Y of this part.

**Subpart U—Prohibitions**

**§ 67.311 Alteration of certificate of documentation.**

Except for affixing a new address label in accordance with the direction of a documentation officer or a renewal decal issued in accordance with § 67.163, no person other than a documentation officer shall intentionally alter a Certificate of Documentation.

**§ 67.313 Command by non-citizen.**

No documented vessel shall be commanded by other than a United States citizen.

**§ 67.315 Failure to have certificate of documentation on board.**

(a) The person in command of a documented vessel must have on board that vessel the original Certificate of Documentation currently in effect for that vessel.

(b) The requirement of paragraph (a) of this section does not apply:

(1) To non-self-propelled vessels not engaged in foreign trade;

(2) When the Certificate of Documentation is being submitted to a documentation officer exclusively for purposes of exchange for change of:

(i) port of record,  
(ii) name of vessel, or  
(iii) both; or

(3) When the vessel is in storage or out of the water.

**§ 67.317 Failure to produce certificate of documentation.**

(a) The person in command of a documented vessel must produce the original Certificate of Documentation currently in effect for that vessel upon the demand of any person acting in an official public capacity.

(b) The requirement of paragraph (a) of this section does not apply:

(1) To non-self-propelled vessels not engaged in foreign trade;

(2) When the Certificate of Documentation is being submitted to a documentation officer exclusively for purposes of exchange for change of:

(i) port of record,  
(ii) name of vessel, or  
(iii) both; or

(3) When the vessel is in storage or out of the water.

**§ 67.319 Failure to renew endorsements on the certificate of documentation.**

(a) Except as provided in paragraph (b) of this section, the owner of a documented vessel must annually renew the endorsement upon the current Certificate of Documentation for that vessel in accordance with § 67.163.

(b) The requirement of paragraph (a) of this section does not apply to Certificates of Documentation placed on deposit in accordance with § 67.165.

**§ 67.321 Failure to report change in vessel status and surrender certificate of documentation.**

The owner of a documented vessel must immediately report any change in vessel status which causes any Certificate of Documentation to become invalid under subpart L of this part and which must be exchanged, replaced, deleted, or canceled, to a documentation officer at any port of documentation. The outstanding Certificate must be surrendered in accordance with the requirements of subpart K and subpart L of this part.

**§ 67.323 Fraudulent application for certificate of documentation.**

(a) No owner of a vessel, nor person purporting to act on behalf of an owner, shall knowingly falsify or conceal a material fact in connection with the documentation of that vessel.

(b) No owner of a vessel, nor person purporting to act on behalf of an owner, shall knowingly make a false statement or representation in connection with the documentation of that vessel.

**§ 67.325 Fraudulent use of certificate of documentation.**

No person shall knowingly use a Certificate of Documentation in a fraudulent manner.

**§ 67.327 Operation without documentation.**

No vessel which is required by § 67.7 to be documented may engage in unlimited coastwise trade, the Great Lakes trade, or the fisheries without



being documented in accordance with the requirements of this part.

**§ 67.329 Violation of endorsement.**

A vessel may not be employed in any trade other than a trade endorsed upon

the Certificate of Documentation issued for that vessel. A vessel documented exclusively for recreation may not be used for purposes other than pleasure.

**§ 67.331 Operation under certificate of documentation with invalid endorsement.**

Except for vessels identified in § 67.9, no vessel may be operated under a Certificate of Documentation with endorsements.

**Appendix A to Part 67—Ports of Documentation**

Regional port of documentation	Location	CG district served
Boston, MA.....	USCG Marine Safety Office, Boston, MA.....	First District: Boston, Portland, ME, Providence Marine Inspection Zones.
New York, NY.....	USCG Marine Inspection Office, New York, NY.....	First District: New York Marine Inspection Zone.
St. Louis, MO.....	USCG Marine Safety Office, St. Louis, MO.....	Second District: all.
Norfolk, VA.....	USCG Marine Safety Office, Hampton Roads, Norfolk, VA.....	Fifth District: Hampton Roads, Baltimore, Wilmington Marine Inspection Zones.
Philadelphia, PA.....	USCG Marine Safety Office, Philadelphia, PA.....	Fifth District: Philadelphia Marine Inspection Zone.
Miami, FL.....	USCG Marine Safety Office, Miami, FL.....	Seventh District: all.
New Orleans, LA.....	USCG Marine Safety Office, New Orleans, LA.....	Eighth District: all except Texas and New Mexico.
Houston, TX.....	USCG Marine Safety Office, Houston, TX.....	Eighth District: Texas and New Mexico only.
Cleveland, OH.....	Commander, Ninth Coast Guard District (m).....	Ninth District: all.
Los Angeles, CA.....	USCG Marine Safety Office, Long Beach, CA.....	Eleventh District: Los Angeles-Long Beach Marine Inspection Zone.
San Francisco, CA.....	USCG Marine Safety Office, San Francisco, CA.....	Eleventh District: San Francisco Marine Inspection Zone.
Portland, OR.....	USCG Marine Safety Office, Portland, OR.....	Thirteenth District: Oregon or Idaho.
Seattle, WA.....	USCG Marine Safety Office, Seattle, WA.....	Thirteenth District: Montana or Washington. Fourteenth District: all.
Juneau, AK.....	USCG Marine Safety Office, Juneau, AK.....	Seventeenth District: all which have become invalid under subpart M.

**§ 67.333 Unauthorized name change.**

The owner of a documented vessel may not change or allow the change of the name of that vessel without applying for exchange of the Certificate of Documentation issued to the vessel in accordance with subpart K of this part. The new name of the vessel may be marked upon receipt of the new Certificate issued on the basis of that application.

**§ 67.335 Improper markings.**

The owner of a documented vessel must not permit the operation of that vessel unless it is marked in accordance with subpart I of this part.

**§ 67.337 Failure to report change of address of managing owner.**

The owner of a documented vessel must immediately report any change in the address of the managing owner.

**Subparts V—Y [Reserved]**

Dated: March 18, 1992.

**J.W. Klme,**

*Admiral, U.S. Coast Guard Commandant.*

Note: This appendix will not appear in the Code of Federal Regulations.

**APPENDIX A—Forms**

BILLING CODE 4910-14-M

OMB APPROVED  
2115-0110

DEPARTMENT OF TRANSPORTATION U.S. COAST GUARD CG-1258 (REV. 1-92)	<b>APPLICATION FOR INITIAL ISSUE, EXCHANGE, OR REPLACEMENT OF CERTIFICATE OF DOCUMENTATION; REDOCUMENTATION</b>	THIS SECTION FOR COAST GUARD USE ONLY  CASE NUMBER:  CHECK #:  FEE: \$  IPN:  PORT OF RECORD  APPROVED:  DATE:  PORT:								
NOTE: THIS IS AN APPLICATION ONLY AND DOES NOT OF ITSELF ENTITLE A VESSEL TO DOCUMENTATION NOR TO ANY CHANGES SOUGHT ON A CERTIFICATE OF DOCUMENTATION. OFFICIAL NUMBERS DESIGNATED ON THE BASIS OF THIS APPLICATION ARE NOT TRANSFERABLE. A COPY OF THIS APPLICATION IS NOT VALID FOR VESSEL OPERATION.										
<b>I. COMPLETE FOR ALL APPLICATIONS</b>										
A. VESSEL NAME	B. OFFICIAL NUMBER (IF AWARDED) OR HULL IDENTIFICATION NUMBER									
C. NAME OF MANAGING OWNER   TELEPHONE NUMBER (OPTIONAL):  SOCIAL SECURITY OR TAX ID NUMBER	D. ADDRESS OF MANAGING OWNER									
E. NAMES AND SOCIAL SECURITY OR TAX ID NUMBERS OF ALL OTHER OWNERS		F. HAILING PORT (TO BE MARKED ON VESSEL)								
ATTACH SHEET LISTING ADDITIONAL OWNERS IF NECESSARY										
G. CITIZENSHIP (SEE INSTRUCTIONS REGARDING STATUS OF ALIENS LAWFULLY ADMITTED FOR PERMANENT RESIDENCE)										
<table style="width:100%; border: none;"> <tr> <td style="width:35%; vertical-align: top;"> <input type="checkbox"/> VESSEL OWNED BY ONE OR MORE INDIVIDUALS   <input type="checkbox"/> VESSEL OWNED BY JOINT VENTURE OR ASSOCIATION   <input type="checkbox"/> VESSEL OWNED IN A TRUST ARRANGEMENT   <input type="checkbox"/> VESSEL OWNED BY A PARTNERSHIP                      A. GENERAL PARTNERSHIP                       B. LIMITED PARTNERSHIP   <input type="checkbox"/> VESSEL OWNED BY A CORPORATION                      A. STATE OF INCORPORATION _____                      B. CITIZENSHIP OF PRESIDENT (AND OTHER CHIEF EXECUTIVE OFFICER, IF ANY) _____                      C. CITIZENSHIP OF CHAIRMAN OF THE BOARD _____   <input type="checkbox"/> VESSEL OWNED BY A CORPORATION QUALIFIED AND APPLYING UNDER 46 CFR 68.01 (BOWATER)   <input type="checkbox"/> VESSEL OWNED OR OPERATED BY NOT-FOR-PROFIT OIL RECOVERY COOPERATIVE                 </td> <td style="width:65%; vertical-align: top; border: none;">                     I (WE) CERTIFY THAT ALL OWNERS OF THIS VESSEL ARE CITIZENS OF THE UNITED STATES.                       I (WE) CERTIFY THAT ALL MEMBERS OF THIS (JOINT VENTURE) (ASSOCIATION) ARE CITIZENS OF THE UNITED STATES, ELIGIBLE TO DOCUMENT THE VESSELS COVERED BY THIS APPLICATION WITH THE ENDORSEMENT(S) SOUGHT IN THEIR OWN RIGHT.                       I (WE) CERTIFY THAT ALL TRUSTEES AND ALL BENEFICIARIES WITH AN ENFORCEABLE INTEREST IN THIS TRUST ARRANGEMENT ARE CITIZENS OF THE UNITED STATES, ELIGIBLE TO DOCUMENT VESSELS WITH THE ENDORSEMENT(S) SOUGHT IN THEIR OWN RIGHT.                       I (WE) CERTIFY THAT ALL PARTNERS IN THIS PARTNERSHIP ARE CITIZENS OF THE UNITED STATES, ELIGIBLE TO DOCUMENT VESSELS IN THEIR OWN RIGHT, AND THAT THE PARTNERSHIP MEETS THE FOLLOWING EQUITY REQUIREMENT: EQUITY OWNED BY CITIZENS OF THE U.S.  <input type="checkbox"/> AT LEAST 50%    <input type="checkbox"/> MORE THAN 50%, LESS THAN 75%    <input type="checkbox"/> 75% OR MORE                       I (WE) CERTIFY THAT ALL GENERAL PARTNERS IN THIS PARTNERSHIP ARE CITIZENS OF THE UNITED STATES, ELIGIBLE TO DOCUMENT VESSELS IN THEIR OWN RIGHT AND THAT THE PARTNERSHIP MEETS THE FOLLOWING EQUITY REQUIREMENTS: EQUITY INTEREST OWNED BY CITIZENS OF THE U.S. ELIGIBLE TO DOCUMENT VESSELS IN THEIR OWN RIGHT WITH THE ENDORSEMENT SOUGHT.  <input type="checkbox"/> AT LEAST 50%    <input type="checkbox"/> MORE THAN 50%, LESS THAN 75%    <input type="checkbox"/> 75% OR MORE                       D. NUMBER OF DIRECTORS NECESSARY TO CONSTITUTE A QUORUM _____                       E. NUMBER OF ALIEN DIRECTORS _____                       F. PERCENTAGE OF STOCK OWNED BY U.S. CITIZENS ELIGIBLE TO DOCUMENT VESSELS IN THEIR OWN RIGHT, WITH THE ENDORSEMENT(S) SOUGHT ON THIS APPLICATION (APPLIES TO ALL TIERS OF OWNERSHIP)  <input type="checkbox"/> LESS THAN 50%    <input type="checkbox"/> AT LEAST 50%    <input type="checkbox"/> MORE THAN 50%, LESS THAN 75%    <input type="checkbox"/> 75% OR MORE                       CURRENT CERTIFICATE OF COMPLIANCE ATTACHED. I (WE) CERTIFY THAT THE CORPORATE STRUCTURE HAS NOT CHANGED SINCE ISSUANCE OF THAT CERTIFICATE, AND THAT THE VESSEL, IF SELF-PROPELLED, IS LESS THAN 500 GROSS TONS.                       COPY OF CURRENT LETTER OF QUALIFICATION ATTACHED. I (WE) CERTIFY THAT THE INFORMATION ON FILE WITH REGARD TO COOPERATIVE AND ISSUANCE OF THAT LETTER REMAINS UNCHANGED.                 </td> </tr> </table>			<input type="checkbox"/> VESSEL OWNED BY ONE OR MORE INDIVIDUALS  <input type="checkbox"/> VESSEL OWNED BY JOINT VENTURE OR ASSOCIATION  <input type="checkbox"/> VESSEL OWNED IN A TRUST ARRANGEMENT  <input type="checkbox"/> VESSEL OWNED BY A PARTNERSHIP A. GENERAL PARTNERSHIP  B. LIMITED PARTNERSHIP  <input type="checkbox"/> VESSEL OWNED BY A CORPORATION A. STATE OF INCORPORATION _____ B. CITIZENSHIP OF PRESIDENT (AND OTHER CHIEF EXECUTIVE OFFICER, IF ANY) _____ C. CITIZENSHIP OF CHAIRMAN OF THE BOARD _____  <input type="checkbox"/> VESSEL OWNED BY A CORPORATION QUALIFIED AND APPLYING UNDER 46 CFR 68.01 (BOWATER)  <input type="checkbox"/> VESSEL OWNED OR OPERATED BY NOT-FOR-PROFIT OIL RECOVERY COOPERATIVE	I (WE) CERTIFY THAT ALL OWNERS OF THIS VESSEL ARE CITIZENS OF THE UNITED STATES.  I (WE) CERTIFY THAT ALL MEMBERS OF THIS (JOINT VENTURE) (ASSOCIATION) ARE CITIZENS OF THE UNITED STATES, ELIGIBLE TO DOCUMENT THE VESSELS COVERED BY THIS APPLICATION WITH THE ENDORSEMENT(S) SOUGHT IN THEIR OWN RIGHT.  I (WE) CERTIFY THAT ALL TRUSTEES AND ALL BENEFICIARIES WITH AN ENFORCEABLE INTEREST IN THIS TRUST ARRANGEMENT ARE CITIZENS OF THE UNITED STATES, ELIGIBLE TO DOCUMENT VESSELS WITH THE ENDORSEMENT(S) SOUGHT IN THEIR OWN RIGHT.  I (WE) CERTIFY THAT ALL PARTNERS IN THIS PARTNERSHIP ARE CITIZENS OF THE UNITED STATES, ELIGIBLE TO DOCUMENT VESSELS IN THEIR OWN RIGHT, AND THAT THE PARTNERSHIP MEETS THE FOLLOWING EQUITY REQUIREMENT: EQUITY OWNED BY CITIZENS OF THE U.S. <input type="checkbox"/> AT LEAST 50% <input type="checkbox"/> MORE THAN 50%, LESS THAN 75% <input type="checkbox"/> 75% OR MORE  I (WE) CERTIFY THAT ALL GENERAL PARTNERS IN THIS PARTNERSHIP ARE CITIZENS OF THE UNITED STATES, ELIGIBLE TO DOCUMENT VESSELS IN THEIR OWN RIGHT AND THAT THE PARTNERSHIP MEETS THE FOLLOWING EQUITY REQUIREMENTS: EQUITY INTEREST OWNED BY CITIZENS OF THE U.S. ELIGIBLE TO DOCUMENT VESSELS IN THEIR OWN RIGHT WITH THE ENDORSEMENT SOUGHT. <input type="checkbox"/> AT LEAST 50% <input type="checkbox"/> MORE THAN 50%, LESS THAN 75% <input type="checkbox"/> 75% OR MORE  D. NUMBER OF DIRECTORS NECESSARY TO CONSTITUTE A QUORUM _____  E. NUMBER OF ALIEN DIRECTORS _____  F. PERCENTAGE OF STOCK OWNED BY U.S. CITIZENS ELIGIBLE TO DOCUMENT VESSELS IN THEIR OWN RIGHT, WITH THE ENDORSEMENT(S) SOUGHT ON THIS APPLICATION (APPLIES TO ALL TIERS OF OWNERSHIP) <input type="checkbox"/> LESS THAN 50% <input type="checkbox"/> AT LEAST 50% <input type="checkbox"/> MORE THAN 50%, LESS THAN 75% <input type="checkbox"/> 75% OR MORE  CURRENT CERTIFICATE OF COMPLIANCE ATTACHED. I (WE) CERTIFY THAT THE CORPORATE STRUCTURE HAS NOT CHANGED SINCE ISSUANCE OF THAT CERTIFICATE, AND THAT THE VESSEL, IF SELF-PROPELLED, IS LESS THAN 500 GROSS TONS.  COPY OF CURRENT LETTER OF QUALIFICATION ATTACHED. I (WE) CERTIFY THAT THE INFORMATION ON FILE WITH REGARD TO COOPERATIVE AND ISSUANCE OF THAT LETTER REMAINS UNCHANGED.						
<input type="checkbox"/> VESSEL OWNED BY ONE OR MORE INDIVIDUALS  <input type="checkbox"/> VESSEL OWNED BY JOINT VENTURE OR ASSOCIATION  <input type="checkbox"/> VESSEL OWNED IN A TRUST ARRANGEMENT  <input type="checkbox"/> VESSEL OWNED BY A PARTNERSHIP A. GENERAL PARTNERSHIP  B. LIMITED PARTNERSHIP  <input type="checkbox"/> VESSEL OWNED BY A CORPORATION A. STATE OF INCORPORATION _____ B. CITIZENSHIP OF PRESIDENT (AND OTHER CHIEF EXECUTIVE OFFICER, IF ANY) _____ C. CITIZENSHIP OF CHAIRMAN OF THE BOARD _____  <input type="checkbox"/> VESSEL OWNED BY A CORPORATION QUALIFIED AND APPLYING UNDER 46 CFR 68.01 (BOWATER)  <input type="checkbox"/> VESSEL OWNED OR OPERATED BY NOT-FOR-PROFIT OIL RECOVERY COOPERATIVE	I (WE) CERTIFY THAT ALL OWNERS OF THIS VESSEL ARE CITIZENS OF THE UNITED STATES.  I (WE) CERTIFY THAT ALL MEMBERS OF THIS (JOINT VENTURE) (ASSOCIATION) ARE CITIZENS OF THE UNITED STATES, ELIGIBLE TO DOCUMENT THE VESSELS COVERED BY THIS APPLICATION WITH THE ENDORSEMENT(S) SOUGHT IN THEIR OWN RIGHT.  I (WE) CERTIFY THAT ALL TRUSTEES AND ALL BENEFICIARIES WITH AN ENFORCEABLE INTEREST IN THIS TRUST ARRANGEMENT ARE CITIZENS OF THE UNITED STATES, ELIGIBLE TO DOCUMENT VESSELS WITH THE ENDORSEMENT(S) SOUGHT IN THEIR OWN RIGHT.  I (WE) CERTIFY THAT ALL PARTNERS IN THIS PARTNERSHIP ARE CITIZENS OF THE UNITED STATES, ELIGIBLE TO DOCUMENT VESSELS IN THEIR OWN RIGHT, AND THAT THE PARTNERSHIP MEETS THE FOLLOWING EQUITY REQUIREMENT: EQUITY OWNED BY CITIZENS OF THE U.S. <input type="checkbox"/> AT LEAST 50% <input type="checkbox"/> MORE THAN 50%, LESS THAN 75% <input type="checkbox"/> 75% OR MORE  I (WE) CERTIFY THAT ALL GENERAL PARTNERS IN THIS PARTNERSHIP ARE CITIZENS OF THE UNITED STATES, ELIGIBLE TO DOCUMENT VESSELS IN THEIR OWN RIGHT AND THAT THE PARTNERSHIP MEETS THE FOLLOWING EQUITY REQUIREMENTS: EQUITY INTEREST OWNED BY CITIZENS OF THE U.S. ELIGIBLE TO DOCUMENT VESSELS IN THEIR OWN RIGHT WITH THE ENDORSEMENT SOUGHT. <input type="checkbox"/> AT LEAST 50% <input type="checkbox"/> MORE THAN 50%, LESS THAN 75% <input type="checkbox"/> 75% OR MORE  D. NUMBER OF DIRECTORS NECESSARY TO CONSTITUTE A QUORUM _____  E. NUMBER OF ALIEN DIRECTORS _____  F. PERCENTAGE OF STOCK OWNED BY U.S. CITIZENS ELIGIBLE TO DOCUMENT VESSELS IN THEIR OWN RIGHT, WITH THE ENDORSEMENT(S) SOUGHT ON THIS APPLICATION (APPLIES TO ALL TIERS OF OWNERSHIP) <input type="checkbox"/> LESS THAN 50% <input type="checkbox"/> AT LEAST 50% <input type="checkbox"/> MORE THAN 50%, LESS THAN 75% <input type="checkbox"/> 75% OR MORE  CURRENT CERTIFICATE OF COMPLIANCE ATTACHED. I (WE) CERTIFY THAT THE CORPORATE STRUCTURE HAS NOT CHANGED SINCE ISSUANCE OF THAT CERTIFICATE, AND THAT THE VESSEL, IF SELF-PROPELLED, IS LESS THAN 500 GROSS TONS.  COPY OF CURRENT LETTER OF QUALIFICATION ATTACHED. I (WE) CERTIFY THAT THE INFORMATION ON FILE WITH REGARD TO COOPERATIVE AND ISSUANCE OF THAT LETTER REMAINS UNCHANGED.									
H. ENDORSEMENTS FOR WHICH APPLICATION IS MADE. (IF MORE THAN ONE, INDICATE ESTIMATED PERCENTAGE FOR EACH)										
<table style="width:100%; border: none;"> <tr> <td style="width:25%;"><input type="checkbox"/> RECREATIONAL</td> <td style="width:25%;"><input type="checkbox"/> COASTWISE</td> <td style="width:25%;"><input type="checkbox"/> FISHERY</td> <td style="width:25%;"><input type="checkbox"/> COASTWISE (BOWATER ONLY)</td> </tr> <tr> <td><input type="checkbox"/> REGISTRY</td> <td><input type="checkbox"/> GREAT LAKES TRADE</td> <td></td> <td><input type="checkbox"/> OIL SPILL RESPONSE</td> </tr> </table>			<input type="checkbox"/> RECREATIONAL	<input type="checkbox"/> COASTWISE	<input type="checkbox"/> FISHERY	<input type="checkbox"/> COASTWISE (BOWATER ONLY)	<input type="checkbox"/> REGISTRY	<input type="checkbox"/> GREAT LAKES TRADE		<input type="checkbox"/> OIL SPILL RESPONSE
<input type="checkbox"/> RECREATIONAL	<input type="checkbox"/> COASTWISE	<input type="checkbox"/> FISHERY	<input type="checkbox"/> COASTWISE (BOWATER ONLY)							
<input type="checkbox"/> REGISTRY	<input type="checkbox"/> GREAT LAKES TRADE		<input type="checkbox"/> OIL SPILL RESPONSE							

OMB APPROVED  
2115-0110

REVERSE OF CG-1258 (REV. 1-92)

## I. PURPOSE OF APPLICATION:

1. EXCHANGE OF CERTIFICATE OF DOCUMENTATION.

2. REPLACEMENT OF LOST, WRONGFULLY WITHHELD OR MUTILATED CERTIFICATE OF DOCUMENTATION

3. RETURN TO DOCUMENTATION FOLLOWING DELETION. NAME OF VESSEL WHEN LAST DOCUMENTED: \_\_\_\_\_

4. APPLICATION FOR OFFICIAL NUMBER AND FIRST CERTIFICATE OF DOCUMENTATION. VESSEL

WAS BUILT AT \_\_\_\_\_ IN \_\_\_\_\_

OR

IS UNDER CONSTRUCTION AT \_\_\_\_\_ AND IS SCHEDULED FOR COMPLETION IN \_\_\_\_\_

HULL MATERIAL:  WOOD  STEEL  FIBROUS REINFORCED PLASTIC  ALUMINUM  CONCRETE

OTHER (DESCRIBE) \_\_\_\_\_

APPROXIMATE LENGTH OF VESSEL \_\_\_\_\_

PREVIOUS NAMES, NUMBERS, OR FOREIGN REGISTRATIONS OF VESSEL \_\_\_\_\_

## J. CERTIFICATION:

I (WE) CERTIFY THAT:

(A) I AM (WE ARE) A CITIZEN(S) OF THE UNITED STATES AND LEGALLY AUTHORIZED TO EXECUTE THIS APPLICATION IN THE CAPACITY SHOWN;

(B) THAT THE VESSEL(S) TO WHICH THIS APPLICATION APPLIES:

(i)  HAS (HAVE) BEEN MARKED

OR

 WILL BE MARKED

IN ACCORDANCE WITH THE DIRECTIONS IN THE INSTRUCTION SHEET (CG-1258-A) FOR THIS APPLICATION;

(ii) WILL AT ALL TIMES REMAIN UNDER THE COMMAND OF A U.S. CITIZEN;

(iii) WILL NOT BE OPERATED IN A TRADE NOT AUTHORIZED BY THE ENDORSEMENT(S) ON THE CERTIFICATE(S) OF DOCUMENTATION;

(iv) HAS NOT BEEN REBUILT SINCE LAST DOCUMENTATION

(v) THE VESSEL IS NOT TITLED UNDER A STATE

(C) THE NAME(S) OF THE VESSEL(S) WILL NOT BE CHANGED WITHOUT APPROVAL OF A COAST GUARD DOCUMENTATION OFFICER; AND

(D) I (WE) WILL PROMPTLY NOTIFY THE DOCUMENTATION OFFICER AT THE VESSEL'S PORT OF RECORD OR THE PORT NEAREST THE VESSEL UPON A CHANGE IN ANY OF THE INFORMATION OR REPRESENTATIONS IN THIS APPLICATION.

PRINTED OR TYPED NAME	SIGNATURE	CAPACITY	(E.G., OWNER, AGENT, TRUSTEE, GENERAL PARTNER, CORPORATE OFFICER)
_____	_____	_____	_____
_____	_____	_____	_____

DATE: \_\_\_\_\_

## PRIVACY ACT STATEMENT

IN ACCORDANCE WITH 5 U.S.C. 552a, THE FOLLOWING INFORMATION IS PROVIDED TO YOU WHEN SUPPLYING PERSONAL INFORMATION TO THE U.S. COAST GUARD.

1. AUTHORITY. SOLICITATION OF THIS INFORMATION IS AUTHORIZED BY 46 U.S.C., CHAPTERS 121 AND 125; 46 U.S.C. APP. 802 AND 803.

2. THE PRINCIPAL PURPOSES FOR WHICH THIS INFORMATION IS TO BE USED ARE:

- (1) TO DETERMINE CITIZENSHIP OF THE OWNER OF THE VESSEL FOR WHICH APPLICATION FOR DOCUMENTATION IS MADE; AND
- (2) TO DETERMINE ELIGIBILITY OF THE VESSEL TO BE DOCUMENTED WITH THE TRADE ENDORSEMENT SOUGHT.

3. THE ROUTINE USES WHICH MAY BE MADE OF THIS INFORMATION INCLUDE RELEASE TO LAW ENFORCEMENT OFFICIALS, TO THE GENERAL PUBLIC UNDER FREEDOM OF INFORMATION ACT, AND TO PUBLISH INFORMATION ABOUT U.S. DOCUMENTED VESSELS.

4. DISCLOSURE OF THE INFORMATION REQUESTED ON THIS FORM IS VOLUNTARY. HOWEVER FAILURE TO PROVIDE THE INFORMATION REQUESTED WILL RESULT IN DENIAL OF THE APPLICATION FOR DOCUMENTATION, WHICH MAY PREVENT THE OWNER FROM OPERATING THE VESSEL(S) IN A SPECIFIED TRADE.

THE COAST GUARD ESTIMATES THAT THE AVERAGE BURDEN FOR THIS FORM IS 30 MINUTES. YOU MAY SUBMIT ANY COMMENTS CONCERNING THE ACCURACY OF THIS BURDEN ESTIMATE OR MAKE SUGGESTIONS FOR REDUCING THE BURDEN TO: COMMANDANT (G-MVI), U.S. COAST GUARD, WASHINGTON, DC 20593-0001 OR OFFICE OF MANAGEMENT AND BUDGET, OFFICE OF INFORMATION AND REGULATORY AFFAIRS, ATTENTION: DESK OFFICER FOR DOT/USCG, OLD EXECUTIVE OFFICE BUILDING, WASHINGTON, DC 20503.

DEPARTMENT OF  
TRANSPORTATION  
U.S. COAST GUARD  
CG-1261 (REV. 1-92)

**BUILDER'S CERTIFICATION  
AND FIRST TRANSFER OF TITLE**

OMB APPROVED  
2115-0110

**I. PHASE OF CONSTRUCTION COVERED BY THIS CERTIFICATE**

- ENTIRE CONSTRUCTION
- HULL ONLY
- COMPLETION ONLY (HULL BUILT BY ANOTHER)

YEAR PHASE OF CONSTRUCTION \_\_\_\_\_  
YEAR COMPLETED \_\_\_\_\_

**II. VESSEL DATA**

A. HULL IDENTIFICATION NUMBER  
OR HULL NUMBER \_\_\_\_\_

D. PLACE OF BUILD (CITY, STATE, COUNTRY) \_\_\_\_\_

B. VESSEL NAME (IF KNOWN) \_\_\_\_\_

C. EQUIPPED WITH ENGINE?

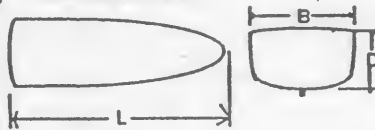
- YES  NO
- OUTBOARD  YES  NO

E. HULL MATERIAL:

- WOOD  STEEL  FIBROUS REINFORCED PLASTIC
- ALUMINUM  CONCRETE  OTHER

**III. DIMENSIONS  
(COMPLETE APPROPRIATE DIAGRAM)**

SHIP-SHAPE HULL



L= \_\_\_\_\_ B= \_\_\_\_\_ D= \_\_\_\_\_

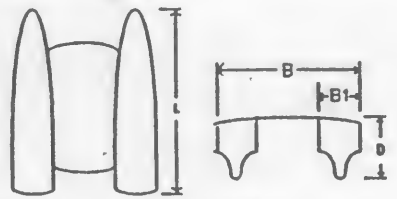
SAILBOAT



D1 only if actual hull depth (D) cannot be determined

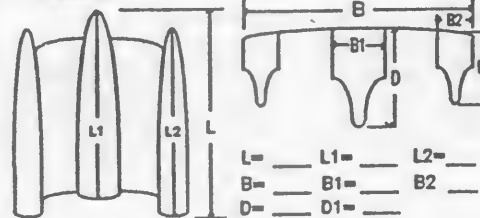
L= \_\_\_\_\_ B= \_\_\_\_\_ D= \_\_\_\_\_ D1= \_\_\_\_\_

CATAMARAN



L= \_\_\_\_\_ B= \_\_\_\_\_ B1= \_\_\_\_\_ D= \_\_\_\_\_

TRIMARAN



L= \_\_\_\_\_ L1= \_\_\_\_\_ L2= \_\_\_\_\_  
B= \_\_\_\_\_ B1= \_\_\_\_\_ B2= \_\_\_\_\_  
D= \_\_\_\_\_ D1= \_\_\_\_\_

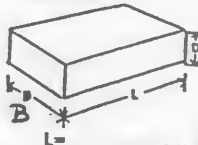
BARGE-SHAPED HULLS



L= \_\_\_\_\_ B= \_\_\_\_\_ D= \_\_\_\_\_

DECKHOUSES

Houseboats only



(AVERAGE DECKHOUSE  
DIMENSIONS MUST BE  
FURNISHED IN ADDITION  
TO HULL DIMENSIONS)

L= \_\_\_\_\_ B= \_\_\_\_\_ D= \_\_\_\_\_

**IV. UNITED STATES BUILD STATEMENT**

- ALL MAJOR COMPONENTS USED IN THE PHASE OF CONSTRUCTION COVERED BY THIS CERTIFICATE WERE FABRICATED IN THE UNITED STATES.
- ALL CONSTRUCTION AND ALL ASSEMBLY FOR THIS PHASE OF CONSTRUCTION WERE DONE IN THE UNITED STATES.

REVERSE OF CG-1261 (REV. 1-92)

V. NAME(S) AND ADDRESS(ES) OF PARTY(IES) FOR WHOM BUILT

IF BUILT FOR MORE THAN ONE PERSON, THE PERSONS NAMES ABOVE ARE TENANTS IN COMMON, EACH OWNING AN EQUAL UNDIVIDED INTEREST, UNLESS OTHERWISE INDICATED HEREIN: CHECK ONLY ONE OF THE FOLLOWING BLOCKS TO SHOW ANOTHER FORM OF OWNERSHIP.

- JOINT TENANCY WITH RIGHT OF SURVIVORSHIP       TENANCY BY THE ENTIRETIES       COMMUNITY PROPERTY  
 OTHER (DESCRIBE)

VI. CERTIFICATION

I, \_\_\_\_\_ DO HEREBY CERTIFY THAT THE FACTS RECITED HEREIN ARE TRUE AND THAT I HAVE PERSONAL KNOWLEDGE OF THESE FACTS BECAUSE I:

- OR  PERSONALLY PERFORMED THE CONSTRUCTION  
 SUPERVISED THE CONSTRUCTION AT AND ON BEHALF OF: \_\_\_\_\_ (NAME OF COMPANY)  
 ACTING IN MY CAPACITY AS \_\_\_\_\_ (TITLE) OF \_\_\_\_\_ (NAME OF COMPANY)  
\_\_\_\_\_  
SIGNATURE DATE

VII. FIRST SALE OR TRANSFER OF VESSEL

100% OF THE VESSEL IDENTIFIED HEREIN IS SOLD (TRANSFERRED) BY THE PARTY(IES) NAMED IN SECTION V TO THE FOLLOWING PERSON(S) (NAMES AND ADDRESSES)

IF SOLD (TRANSFERRED) TO MORE THAN ONE PERSON, THE PURCHASER(S) (TRANSFERREE(S)) ARE TENANTS IN COMMON, EACH OWNING AN EQUAL UNDIVIDED INTEREST, UNLESS OTHERWISE INDICATED HEREIN: CHECK ONLY ONE OF THE FOLLOWING BLOCKS TO SHOW ANOTHER FORM OF OWNERSHIP.

- JOINT TENANCY WITH RIGHT OF SURVIVORSHIP       TENANCY BY THE ENTIRETIES       COMMUNITY PROPERTY  
 OTHER (DESCRIBE)

VIII. SIGNATURE OF SELLER(S) (TRANSFEROR(S)) OR PERSONS SIGNING ON BEHALF OF SELLER(S) (TRANSFEROR(S)):

DATE SIGNED:

IX. NAME(S) OF PERSON(S) SIGNING ABOVE, AND LEGAL CAPACITY IN WHICH SIGNED (E.G., OWNER, AGENT, TRUSTEE, EXECUTOR)

X. ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME ON: \_\_\_\_\_ DATE \_\_\_\_\_ STATE: \_\_\_\_\_  
COUNTY: \_\_\_\_\_

BY THE PERSON NAMED ABOVE ACTING IN THEIR STATED CAPACITY(IES).

NOTARY PUBLIC  
MY COMMISSION EXPIRES: \_\_\_\_\_

PRIVACY ACT STATEMENT

IN ACCORDANCE WITH 5 USC 552(A), THE FOLLOWING INFORMATION IS PROVIDED TO YOU WHEN SUPPLYING PERSONAL INFORMATION TO THE U.S. COAST GUARD.

1. AUTHORITY. SOLICITATION OF THIS INFORMATION IS AUTHORIZED BY 46 USC, CHAPTER 313 AND 46 CFR, PART 67.
2. THE PRINCIPAL PURPOSES FOR WHICH THIS INSTRUMENT IS TO BE USED ARE:
  - (A) TO PROVIDE A RECORD, AVAILABLE FOR PUBLIC INSPECTION AND COPYING, OF THE SALE OR OTHER CHANGE IN OWNERSHIP OF A VESSEL WHICH IS DOCUMENTED, WILL BE DOCUMENTED, OR HAS BEEN DOCUMENTED PURSUANT TO 46 USC, CHAPTER 121.
  - (B) PLACEMENT OF THIS INSTRUMENT IN A BOOK FOR EXAMINATION BY GOVERNMENTAL AUTHORITIES AND MEMBERS OF THE GENERAL PUBLIC.
3. THE ROUTINE USE WHICH MAY BE MADE OF THIS INFORMATION INCLUDES DEVELOPMENT OF STATISTICAL DATA CONCERNING DOCUMENTED VESSELS.
4. DISCLOSURE OF THE INFORMATION REQUESTED ON THIS FORM IS VOLUNTARY. HOWEVER, FAILURE TO PROVIDE THE INFORMATION COULD PRECLUDE FILING OF A BILL OF SALE AND DOCUMENTATION OF THE VESSEL NAMED HEREIN PURSUANT TO 46 USC, CHAPTER 121. MOREOVER, BILLS OF SALE WHICH ARE NOT FILED ARE NOT DEEMED TO BE VALID AGAINST ANY PERSON EXCEPT THE GRANTOR OR A PERSON HAVING ACTUAL KNOWLEDGE OF THE SALE. (46 USC 31321(A)).

THE COAST GUARD ESTIMATES THAT THE AVERAGE BURDEN FOR THIS FORM IS 30 MINUTES. YOU MAY SUBMIT ANY COMMENTS CONCERNING THE ACCURACY OF THIS BURDEN ESTIMATE OR MAKE SUGGESTIONS FOR REDUCING THE BURDEN TO: COMMANDANT (3-3V), U.S. COAST GUARD, WASHINGTON, DC 20540-0001 OR OFFICE OF MANAGEMENT AND BUDGET, OFFICE OF INFORMATION AND REGULATORY AFFAIRS, ATTENTION DESK OFFICER FOR DOTUSCG, OLD EXECUTIVE OFFICE BUILDING, WASHINGTON, DC 20503.

DEPARTMENT OF TRANSPORTATION, USCG, CG-1270 (REV. 1-82)  
PREVIOUS EDITIONS ARE OBSOLETE

OMB APPROVED  
2115-0110



UNITED STATES OF AMERICA

DEPARTMENT OF TRANSPORTATION

UNITED STATES COAST GUARD

Certificate of Documentation

VESSEL NAME			OFFICIAL NUMBER		PORT OF RECORD	
GROSS			NET		LENGTH	
BREADTH			DEPTH		HULL MATERIAL	
PLACE BUILT					YEAR BUILT	
OWNER				THIS VESSEL IS PRESENTLY DOCUMENTED FOR		
COMPLETE RECORDS ON FILE AT PORT OF RECORD						
MANAGING OWNER						
RESTRICTIONS						
ENTITLEMENTS						
REMARKS						
ISSUED AT				SIGNATURE AND SEAL		
ISSUE DATE						
THIS CERTIFICATE EXPIRES ON THE LAST DAY OF UNLESS RENEWED BY DECAL ON REVERSE.						
DOCUMENTATION OFFICER						

REVERSE OF CG-1270 (REV. 1-92)

OMB APPROVED  
2115-0110

**CHANGES OF OWNER ADDRESS  
AFFIX LABEL ISSUED BY DOCUMENTATION OFFICER**

1.	2.
3.	4.

**CERTIFICATE OF DOCUMENTATION RENEWAL RECORD  
AFFIX ANNUAL RENEWAL DECALS SEQUENTIALLY  
IN THE SPACES PROVIDED BELOW**

1.	2.	3.	4.
5.	6.	7.	8.

**WHEN ALL RENEWAL SPACES ARE FILLED, GO BACK TO THE FIRST POSITION AND AFFIX  
CURRENT DECALS OVER OLD DECALS.**

**THIS VESSEL MUST BE MARKED WITH THE OFFICIAL NUMBER, NAME, AND HAILING PORT SHOWN ON THE FACE OF THIS CERTIFICATE. THIS ORIGINAL CERTIFICATE, WHICH MUST BE KEPT ABOARD THE VESSEL AT ALL TIMES WHEN THE VESSEL IS IN OPERATION, MUST BE SHOWN UPON THE DEMAND OF ANY PERSON ACTING IN AN OFFICIAL PUBLIC CAPACITY.**

**THE PERSON TO WHOM THIS CERTIFICATE IS ISSUED MUST SURRENDER IT TO A COAST GUARD DOCUMENTATION OFFICER UPON ONE OR MORE OF THE FOLLOWING CHANGES: OWNERSHIP OF THE VESSEL CHANGES IN WHOLE OR IN PART; GENERAL PARTNERS OF A PARTNERSHIP OWNING THE VESSEL CHANGE BY ADDITION, DELETION, OR SUBSTITUTION; PORT OF RECORD OF THE VESSEL CHANGES; THE GROSS OR NET TONNAGES OR DIMENSIONS OF THE VESSEL CHANGE; THE NAME OF THE VESSEL CHANGES; THE RESTRICTIONS IMPOSED ON THE VESSEL CHANGE BY ADDITION OR SUBSTITUTION; LEGAL NAME OF ANY OWNER OF THE VESSEL CHANGES; A TENANT BY THE ENTIRETY OWNING ANY PART OF THE VESSEL DIES; A SELF-PROPELLED VESSEL BECOMES NON-SELF-PROPELLED; THE TRADE ENDORSEMENTS FOR THE VESSEL MUST BE CHANGED BY A DOCUMENTATION OFFICER; THE DISCOVERY OF A SUBSTANTIVE OR CLERICAL ERROR MADE BY THE ISSUING DOCUMENTATION OFFICER; THE VESSEL IS PLACED UNDER THE COMMAND OF A PERSON WHO IS NOT A CITIZEN OF THE UNITED STATES; HAILING PORT OF THE VESSEL CHANGES; ANY CHANGE IN ADDRESS OF MANAGING OWNER MUST BE PROMPTLY REPORTED TO A COAST GUARD DOCUMENTATION OFFICE.**

CG-1280

OMB Approved  
2115-0110

## NOTICE:

THE CERTIFICATE OF DOCUMENTATION FOR THE VESSEL IDENTIFIED BELOW EXPIRES AT THE END OF THE MONTH INDICATED. TO OBTAIN YOUR RENEWAL DECAL, COMPLETE THE CERTIFICATION ON THE REVERSE OF THIS NOTICE AND RETURN IT PRIOR TO THE DATE OF EXPIRATION. FAILURE TO DO SO MAY RESULT IN PENALTIES AND THE REMOVAL OF THE VESSEL FROM DOCUMENTATION.

IF YOU ARE UNABLE TO COMPLETE THE CERTIFICATION BECAUSE ONE OR MORE OF THE ITEMS LISTED HAS CHANGED, YOU MUST CONTACT THE DOCUMENTATION OFFICE BEFORE THE CERTIFICATE OF DOCUMENTATION EXPIRES. FAILURE TO DO SO MAY RESULT IN PENALTIES AND REMOVAL OF THE VESSEL FROM DOCUMENTATION. OPERATION OF THE VESSEL WHILE THE CERTIFICATE REMAINS INACCURATE MAY ALSO RESULT IN PENALTIES.

IF YOUR ADDRESS HAS CHANGED, PLEASE INDICATE YOUR NEW ADDRESS ON THE REVERSE AND PRESENT THE CERTIFICATE OF DOCUMENTATION TO THIS OFFICE AS SOON AS POSSIBLE.

Reverse of CG-1280

OMB Approved  
2115-0110

I CERTIFY THAT THE RECITATIONS CONCERNING THE VESSEL NAME, TONNAGE, DIMENSIONS, PROPULSION, OWNERSHIP, HOME PORT, RESTRICTIONS, ENTITLEMENTS AND EMPLOYMENT CONTAINED IN THE CERTIFICATE OF DOCUMENTATION REMAIN ABSOLUTELY THE SAME. THE CERTIFICATE OF DOCUMENTATION HAS NOT BEEN LOST, MUTILATED, OR WRONGFULLY WITHHELD.

OWNER'S ADDRESS (if changed from that indicated on the Certificate of Documentation)

\_\_\_\_\_  
AUTHORIZED SIGNATURE\_\_\_\_\_  
CAPACITY OF PERSON SIGNING\_\_\_\_\_  
DATE

RETURN THIS NOTICE AND CERTIFICATION TO THE OFFICE INDICATED ON THE OTHER SIDE



OMB Approved  
2115-0110**U.S. COAST GUARD VESSEL DOCUMENTATION RENEWAL DECAL FORM**

Attached is a decal which indicates that the Certificate of Documentation for the vessel named above has been renewed for the next year. The Certificate of Documentation expires on the last day of the month and year indicated on the decal. The official number of your vessel is shown on the decal. Please verify that the number is the same as is shown on the document and report any discrepancies to this office.

Please remove the decal below from its backing and affix the new decal on the back of the Certificate of Documentation. If all the blocks on the back are filled with decals, place the new decal over the oldest decal. The placement of the decal is the last step in the renewal process. **THE DECAL MUST BE AFFIXED TO THE DOCUMENT TO INDICATE THE CURRENT STATUS OF THE VESSEL.** If any changes occur prior to next year's renewal (i.e., address, ownership, dimensions, etc.), please contact this office immediately in writing.

DEPT OF TRANSP USCG CO-1250A (REV 3-88)  
PREVIOUS EDITIONS ARE OBSOLETE

SN 7530-01-GF3-3080

CG-1280B

OMB Approved  
2115-0110

NOTICE:

OUR RECORDS INDICATE THAT THE CERTIFICATE OF DOCUMENTATION ISSUED TO THE VESSEL NAMED BELOW HAS EXPIRED.

FAILURE TO RENEW THE VESSEL'S CERTIFICATE OF DOCUMENTATION AND/OR OPERATION OF THE VESSEL WITH AN EXPIRED CERTIFICATE IS A VIOLATION OF FEDERAL LAW AND REGULATION, AND MAY RESULT IN A PENALTY OF UP TO \$500.00 PER DAY.

IF THE VESSEL HAS BEEN LOST, SOLD, ABANDONED, DESTROYED, OR PLACED UNDER STATE REGISTRATION, THE CERTIFICATE OF DOCUMENTATION MUST BE TURNED IN TO THIS OFFICE. IF THERE HAVE BEEN ANY CHANGES IN THE DATA RECITED IN THE CERTIFICATE OF DOCUMENTATION, YOU MUST CONTACT THIS OFFICE REGARDING STEPS TO UPDATE THE CERTIFICATE. IF THE CERTIFICATE OF DOCUMENTATION HAS BEEN LOST, YOU MUST ADVISE US OF THAT FACT, AND IF YOU DESIRE TO CONTINUE DOCUMENTATION OF THE VESSEL, TAKE THE NECESSARY STEPS TO REPLACE THE CERTIFICATE.

THE CERTIFICATION ON REVERSE MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS POSSIBLE. FAILURE TO RETURN THE FORM WITHIN THE NEXT TEN DAYS, OR TO ADVISE THIS OFFICE OF THE CURRENT STATUS OF THE VESSEL AND THE CERTIFICATE OF DOCUMENTATION, WILL RESULT IN THE VESSEL BEING REMOVED FROM DOCUMENTATION.

Reverse of CG-1280B

OMB Approved  
2115-0110

I CERTIFY THAT THE RECITATIONS CONCERNING THE VESSEL NAME, TONNAGE, DIMENSIONS, PROPULSION, OWNERSHIP, HOME PORT, RESTRICTIONS, ENTITLEMENTS AND EMPLOYMENT CONTAINED IN THE CERTIFICATE OF DOCUMENTATION REMAIN ABSOLUTELY THE SAME. THE CERTIFICATE OF DOCUMENTATION HAS NOT BEEN LOST, MUTILATED, OR WRONGFULLY WITHHELD.

OWNER'S ADDRESS (if changed from that indicated on the Certificate of Documentation)

\_\_\_\_\_  
AUTHORIZED SIGNATURE

\_\_\_\_\_  
CAPACITY OF PERSON SIGNING

\_\_\_\_\_  
DATE

RETURN THIS NOTICE AND CERTIFICATION TO THE OFFICE INDICATED ON THE OTHER SIDE

DEPARTMENT OF TRANSPORTATION U.S. COAST GUARD CG-1332 (REV. 1-92)	<b>GENERAL INDEX OR ABSTRACT OF TITLE</b>	OMB APPROVED 2115-0110			
VESSEL BUILT AT _____ (AND) _____ IN _____ BY _____ FOR _____ (5) _____ _____ (4) _____ BUILDER'S CERTIFICATE DATED _____ (3) _____ _____ (2) _____ TITLE ASSIGNED TO _____ (1) _____ <div style="text-align: right; margin-top: 5px;">NAME OF VESSEL _____</div>					
INSTRUMENT	% CONVEYED	DATE	AMOUNT	BOOK	PAGE
FILED PORT	DATE		TIME		DATE TERMINATED
GRANTOR					
GRANTEE					
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PORT:		PAGE OF _____			
DOCUMENTATION OFFICER					

DEPARTMENT OF TRANSPORTATION U.S. COAST GUARD CG-1332A (REV. 1-92)	<b>GENERAL INDEX OR ABSTRACT OF TITLE CONTINUATION SHEET NO. _____</b>	OFFICIAL NO.																						
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OMB APPROVED  
2115-0110

DEPARTMENT OF TRANSPORTATION U.S. COAST GUARD CG-1340 (REV. 1-92)	<h2 style="margin: 0;">BILL OF SALE</h2>	THIS SECTION FOR COAST GUARD USE ONLY
1. VESSEL NAME		2. OFFICIAL NUMBER OR HULL ID NUMBER
3. NAME(S) AND ADDRESS(ES) OF SELLERS:		RECORDED: BOOK: _____ PAGE: _____ PORT (IF NOT FILING PORT) DOCUMENTATION OFFICER: _____
3A. TOTAL INTEREST OWNED (IF LESS THAN 100%) _____%.		
4. NAME(S) AND ADDRESS(ES) OF BUYER(S) AND INTEREST TRANSFERRED TO EACH:		
4A. TOTAL INTEREST TRANSFERRED (100% UNLESS OTHERWISE SPECIFIED) _____%.		
4B. MANNER OF OWNERSHIP. UNLESS OTHERWISE STATED HEREIN, THIS BILL OF SALE CREATES A TENANCY IN COMMON, WITH EACH TENANT OWNING AN EQUAL UNDIVIDED INTEREST. CHECK ONLY ONE OF THE FOLLOWING BLOCKS TO SHOW ANOTHER FORM OF OWNERSHIP. <input type="checkbox"/> JOINT TENANCY WITH RIGHT OF SURVIVORSHIP <input type="checkbox"/> TENANCY BY THE ENTIRETIES <input type="checkbox"/> COMMUNITY PROPERTY <input type="checkbox"/> OTHER (DESCRIBE)		
5. CONSIDERATION RECEIVED:  (ONE DOLLAR AND OTHER VALUABLE CONSIDERATION UNLESS OTHERWISE STATED)		
6. I (WE) DO HEREBY SELL TO THE BUYER(S) NAMED ABOVE, THE RIGHT, TITLE AND INTEREST IDENTIFIED IN BLOCK 4 OF THIS BILL OF SALE, IN THE PROPORTION SPECIFIED HEREIN.  VESSEL IS SOLD FREE AND CLEAR OF ALL LIENS, MORTGAGES, AND OTHER ENCUMBRANCES OF ANY KIND AND NATURE, EXCEPT AS STATED ON THE REVERSE HEREOF. VESSEL IS SOLD TOGETHER WITH AN EQUAL INTEREST IN THE MASTS, BOWSPRIT, SAILS, BOATS, ANCHORS, CABLES, TACKLE, FURNITURE, AND ALL OTHER NECESSARIES THERETO APPERTAINING AND BELONGING, EXCEPT AS STATED ON THE REVERSE HEREOF.		
7. SIGNATURES OF SELLER(S) OR PERSON(S) SIGNING ON BEHALF OF SELLER(S).		8. DATE SIGNED
9. NAME(S) OF PERSON(S) SIGNING ABOVE, AND LEGAL CAPACITY IN WHICH SIGNED (E.G., OWNER, AGENT, TRUSTEE, EXECUTOR)		
10. ACKNOWLEDGMENT  SUBSCRIBED AND SWORN TO BEFORE ME ON: _____ STATE: _____ (DATE) COUNTY: _____ BY THE PERSONS NAMED ABOVE ACTING IN THEIR STATED CAPACITY(IES).  NOTARY PUBLIC _____ MY COMMISSION EXPIRES: _____ (DATE)		

OMB APPROVED  
2115-0110

REVERSE OF CG-1340 (REV. 1-92)

(COMPLETE THIS SECTION ONLY IF VESSEL DOES NOT HAVE AN OFFICIAL NUMBER OR HULL IDENTIFICATION NUMBER.)

## VESSEL DATA

A. BUILDER \_\_\_\_\_ B. BUILDER'S HULL NUMBER \_\_\_\_\_

C. FORMER NAME \_\_\_\_\_ D. FORMER MOTORBOAT NUMBERS \_\_\_\_\_

E. FORMER ALIEN REGISTRATIONS \_\_\_\_\_ F. DIMENSIONS \_\_\_\_\_

G. PERSON FROM WHOM SELLER OBTAINED VESSEL \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF SELLER

## REMARKS

## INSTRUCTIONS

1. INDICATE CURRENT DOCUMENTED NAME. (IF VESSEL HAS NEVER BEEN DOCUMENTED SELLER MUST COMPLETE AND SIGN DATA SECTION ABOVE.)
2. INDICATE OFFICIAL NUMBER AWARDED TO VESSEL OR HULL IDENTIFICATION NUMBER ASSIGNED BY MANUFACTURER. (IF THE VESSEL HAS NO HULL IDENTIFICATION NUMBER AND HAS NEVER BEEN DOCUMENTED, SELLER MUST COMPLETE AND SIGN THE VESSEL DATA SECTION ABOVE.)
3. INSERT NAMES AND ADDRESSES OF ALL PERSONS SELLING VESSEL, ALONG WITH TOTAL INTEREST OWNED BY THOSE PERSONS. IF MORE ROOM IS NEEDED, AN ATTACHMENT MAY BE MADE SHOWING THE ADDRESSES OF THE SELLERS.
- 3A. SELF-EXPLANATORY.
4. INSERT NAMES AND ADDRESSES OF ALL BUYERS, ALONG WITH THE INTEREST TRANSFERRED TO EACH. IF THERE IS MORE THAN ONE BUYER AND NO DIVISION OF INTEREST IS SHOWN, THIS BILL OF SALE WILL RESULT IN EACH BUYER HOLDING AN EQUAL INTEREST. (IF MORE ROOM IS NEEDED, AN ATTACHMENT MAY BE MADE SHOWING THE ADDRESSES OF THE BUYERS.)
- 4A. SELF-EXPLANATORY.
- 4B. CHECK ONE OF THE BLOCKS TO CREATE A FORM OF OWNERSHIP OTHER THAN A TENANCY IN COMMON. IF "OTHER" IS CHECKED, THE FORM OF OWNERSHIP MUST BE DESCRIBED.
5. OPTIONAL. IF THE AMOUNT PAID FOR THE VESSEL IS INSERTED, IT WILL BE NOTED ON THE VESSEL'S GENERAL INDEX.
6. SELF-EXPLANATORY. USE "REMARKS" SECTION ABOVE IF VESSEL IS NOT SOLD FREE AND CLEAR, OR TO LIST VESSEL APPURTENANCES WHICH ARE NOT SOLD WITH THE VESSEL.
7. SELF-EXPLANATORY.
8. SHOW THE DATE ON WHICH THE INSTRUMENT IS SIGNED.
9. IN ADDITION TO THE PRINTED OR TYPED NAME OF THE SIGNER, SHOW WHETHER THAT PERSON WAS ACTING AS AN OWNER, AS AN AGENT FOR AN OWNER, AS TRUSTEE, AS THE PERSONAL REPRESENTATIVE OR EXECUTOR OF AN ESTATE, OR OTHER CAPACITY WHICH ENTITLED THAT PERSON TO SIGN THE BILL OF SALE.

## PRIVACY ACT STATEMENT

IN ACCORDANCE WITH 5 USC 552(A), THE FOLLOWING INFORMATION IS PROVIDED TO YOU WHEN SUPPLYING PERSONAL INFORMATION TO THE U.S. COAST GUARD.

1. AUTHORITY. SOLICITATION OF THIS INFORMATION IS AUTHORIZED BY 46 USC, CHAPTER 313 AND 46 CFR, PART 67.
2. THE PRINCIPAL PURPOSES FOR WHICH THIS INSTRUMENT IS TO BE USED ARE:
  - (A) TO PROVIDE A RECORD, AVAILABLE FOR PUBLIC INSPECTION AND COPYING, OF THE SALE OR OTHER CHANGE IN OWNERSHIP OF A VESSEL WHICH IS DOCUMENTED, WILL BE DOCUMENTED, OR HAS BEEN DOCUMENTED PURSUANT TO 46 USC, CHAPTER 121.
  - (B) PLACEMENT OF THIS INSTRUMENT IN A BOOK FOR EXAMINATION BY GOVERNMENTAL AUTHORITIES AND MEMBERS OF THE GENERAL PUBLIC.
3. THE ROUTINE USE WHICH MAY BE MADE OF THIS INFORMATION INCLUDES DEVELOPMENT OF STATISTICAL DATA CONCERNING DOCUMENTED VESSELS.
4. DISCLOSURE OF THE INFORMATION REQUESTED ON THIS FORM IS VOLUNTARY. HOWEVER, FAILURE TO PROVIDE THE INFORMATION COULD PRECLUDE FILING OF A BILL OF SALE AND DOCUMENTATION OF THE VESSEL NAMED HEREIN PURSUANT TO 46 USC, CHAPTER 121. MOREOVER, BILLS OF SALE WHICH ARE NOT FILED ARE NOT DEEMED TO BE VALID AGAINST ANY PERSON EXCEPT THE GRANTOR OR A PERSON HAVING ACTUAL KNOWLEDGE OF THE SALE. (46 USC 31321(A)).

THE COAST GUARD ESTIMATES THAT THE AVERAGE BURDEN FOR THIS FORM IS 20 MINUTES. YOU MAY SUBMIT ANY COMMENTS CONCERNING THE ACCURACY OF THIS BURDEN ESTIMATE OR MAKE SUGGESTIONS FOR REDUCING THE BURDEN TO: COMMANDANT (G-MV), U.S. COAST GUARD, WASHINGTON, DC 20563-0001 OR OFFICE OF MANAGEMENT AND BUDGET, OFFICE OF INFORMATION AND REGULATORY AFFAIRS, ATTENTION: DESK OFFICER FOR DOT/USCG, OLD EXECUTIVE OFFICE BUILDING, WASHINGTON, DC 20503.

OMB APPROVED  
2115-0110

DEPARTMENT OF TRANSPORTATION U.S. COAST GUARD CG-1356 (REV. 1-92)	<b>BILL OF SALE BY GOVERNMENT ENTITY PURSUANT TO COURT ORDER OR ADMINISTRATIVE DECREE OF FORFEITURE</b>	THIS SECTION FOR COAST GUARD USE ONLY
1. VESSEL NAME	2. OFFICIAL NUMBER OR OTHER UNIQUE IDENTIFIER	RECORDING DATA: BOOK: _____ PAGE: _____ PORT (IF DIFFERENT FROM FILING PORT)
3. PERSON EXECUTING INSTRUMENT NAME: _____ TITLE: _____ NAME AND ADDRESS OF AGENCY REPRESENTED (AND DISTRICT, IF APPLICABLE)		
4. COURT OR FORFEITURE INFORMATION: <input type="checkbox"/> VESSEL SOLD PURSUANT TO ADMINISTRATIVE FORFEITURE (COPY OF DECREE ATTACHED) <input type="checkbox"/> VESSEL SOLD PURSUANT TO COURT ORDER NAME OF COURT _____ TITLE OF ORDER _____		
5. NAME(S) AND ADDRESS(ES) OF BUYER(S) AND INTEREST TRANSFERRED TO EACH:		
5A. TOTAL INTEREST TRANSFERRED (100% UNLESS OTHERWISE SPECIFIED) _____%.		
5B. MANNER OF OWNERSHIP. (CHECK ONLY ONE, IF APPLICABLE). UNLESS OTHERWISE STATED HEREIN, THIS BILL OF SALE CREATES A TENANCY IN COMMON, WITH EACH TENANT OWNING AN EQUAL UNDIVIDED INTEREST. <input type="checkbox"/> JOINT TENANCY WITH RIGHT OF SURVIVORSHIP <input type="checkbox"/> TENANCY BY THE ENTIRETIES <input type="checkbox"/> COMMUNITY PROPERTY <input type="checkbox"/> OTHER (DESCRIBE) _____		
6. CONSIDERATION RECEIVED:  (ONE DOLLAR AND OTHER VALUABLE CONSIDERATION UNLESS OTHERWISE STATED)		
7. BY VIRTUE OF THE AFORESAID COURT ORDER, A COPY OF WHICH IS ATTACHED HERETO, OR DECREE OF ADMINISTRATIVE FORFEITURE ATTACHED HERETO, I DO HEREBY GRANT, BARGAIN, AND SELL THE VESSEL DESCRIBED HEREIN, TOGETHER WITH ITS TACKLE, APPAREL, AND FURNITURE, TO THE BUYER(S) NAMED ABOVE.		
8. SIGNATURE AND ACKNOWLEDGMENT:  SIGNATURE: _____ DATE: _____  ACKNOWLEDGEMENT  STATE  COUNTY  SUBSCRIBED AND SWORN BEFORE ME ON: _____ (DATE)  _____ NOTARY PUBLIC MY COMMISSION EXPIRES _____ (DATE)		

OMB APPROVED  
2115-0110

REVERSE OF CG-1366 (REV. 1-92)

(COMPLETE THIS SECTION ONLY IF VESSEL DOES NOT HAVE AN OFFICIAL NUMBER OR HULL IDENTIFICATION NUMBER.)

## VESSEL DATA

A. BUILDER \_\_\_\_\_ B. BUILDER'S HULL NUMBER \_\_\_\_\_

C. FORMER NAME \_\_\_\_\_ D. FORMER MOTORBOAT NUMBERS \_\_\_\_\_

E. FORMER ALIEN REGISTRATIONS \_\_\_\_\_ F. DIMENSIONS \_\_\_\_\_

G. PERSON FROM WHOM SELLER OBTAINED VESSEL \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF SELLER

## INSTRUCTIONS

1. INDICATE CURRENT DOCUMENTED NAME. (IF VESSEL HAS NEVER BEEN DOCUMENTED SELLER MUST COMPLETE AND SIGN DATA SECTION ABOVE.)
2. INDICATE OFFICIAL NUMBER AWARDED TO VESSEL OR HULL IDENTIFICATION NUMBER ASSIGNED BY MANUFACTURER. (IF THE VESSEL HAS NO HULL IDENTIFICATION NUMBER AND HAS NEVER BEEN DOCUMENTED, SELLER MUST COMPLETE AND SIGN THE VESSEL DATA SECTION ABOVE.)
3. INSERT NAMES AND ADDRESSES OF ALL PERSONS EXECUTING INSTRUMENT AND THEIR CAPACITY. LIST THE NAME AND ADDRESS OF THE AGENCY IF APPLICABLE.
4. SELF-EXPLANATORY.
5. LIST THE NAME(S) AND ADDRESS(ES) OF THE BUYERS.
- 5A. LIST THE INTEREST TRANSFERRED TO THE BUYER(S) NAMED ABOVE.
- 5B. CHECK THE MANNER OF OWNERSHIP. UNLESS OTHERWISE STATED, THIS BILL OF SALE CREATES A TENANCY IN COMMON WITH EACH TENANT OWNING AN UNDIVIDED INTEREST.
6. SELF-EXPLANATORY. USE "REMARKS" SECTION ABOVE IF VESSEL IS NOT SOLD FREE AND CLEAR, OR TO LIST VESSEL APPURTENANCES WHICH ARE NOT SOLD WITH THE VESSEL.
7. SELF-EXPLANATORY.
8. THIS SECTION MUST BE COMPLETED BY A NOTARY PUBLIC OR OTHER PERSON AUTHORIZED TO TAKE ACKNOWLEDGMENTS OF DEEDS UNDER THE LAWS OF A STATE OR THE UNITED STATES. IF THERE ARE MULTIPLE SIGNATORIES TO THIS BILL OF SALE, EACH MUST MAKE AN ACKNOWLEDGMENT BEFORE A NOTARY. ATTACHMENTS SHOWING THOSE APPEARANCES ARE PERMITTED.

NOTE: THIS INSTRUMENT WILL BE INELIGIBLE FOR FILING AND RECORDING IF ALTERED AFTER EXECUTION AND ACKNOWLEDGMENT. ANY ALTERATIONS MADE PRIOR TO EXECUTION MUST BE ATTESTED BY THE PERSON TAKING THE ACKNOWLEDGMENT.

## PRIVACY ACT STATEMENT

IN ACCORDANCE WITH 5 USC 552(A), THE FOLLOWING INFORMATION IS PROVIDED TO YOU WHEN SUPPLYING PERSONAL INFORMATION TO THE U.S. COAST GUARD.

1. AUTHORITY. SOLICITATION OF THIS INFORMATION IS AUTHORIZED BY 46 USC, CHAPTER 313 AND 46 CFR, PART 67.
2. THE PRINCIPAL PURPOSES FOR WHICH THIS INSTRUMENT IS TO BE USED ARE:
  - (A) TO PROVIDE A RECORD, AVAILABLE FOR PUBLIC INSPECTION AND COPYING, OF THE SALE OR OTHER CHANGE IN OWNERSHIP OF A VESSEL WHICH IS DOCUMENTED, WILL BE DOCUMENTED, OR HAS BEEN DOCUMENTED PURSUANT TO 46 USC, CHAPTER 121.
  - (B) PLACEMENT OF THIS INSTRUMENT IN A BOOK FOR EXAMINATION BY GOVERNMENTAL AUTHORITIES AND MEMBERS OF THE GENERAL PUBLIC.
3. THE ROUTINE USE WHICH MAY BE MADE OF THIS INFORMATION INCLUDES DEVELOPMENT OF STATISTICAL DATA CONCERNING DOCUMENTED VESSELS.
4. DISCLOSURE OF THE INFORMATION REQUESTED ON THIS FORM IS VOLUNTARY. HOWEVER, FAILURE TO PROVIDE THE INFORMATION COULD PRECLUDE FILING OF A BILL OF SALE AND DOCUMENTATION OF THE VESSEL NAMED HEREIN PURSUANT TO 46 USC, CHAPTER 121. MOREOVER, BILLS OF SALE WHICH ARE NOT FILED ARE NOT DEEMED TO BE VALID EXCEPT AGAINST ANY PERSON EXCEPT THE GRANTOR OR A PERSON HAVING ACTUAL KNOWLEDGE OF THE SALE. (46 USC 31321(A)).

THE COAST GUARD ESTIMATES THAT THE AVERAGE BURDEN FOR THIS FORM IS 20 MINUTES. YOU MAY SUBMIT ANY COMMENTS CONCERNING THE ACCURACY OF THIS BURDEN ESTIMATE OR MAKE SUGGESTIONS FOR REDUCING THE BURDEN TO: COMMANDANT (G-MV), U.S. COAST GUARD, WASHINGTON, DC 20593-0001 OR OFFICE OF MANAGEMENT AND BUDGET, OFFICE OF INFORMATION AND REGULATORY AFFAIRS, ATTENTION: DESK OFFICER FOR DOT/USCG, OLD EXECUTIVE OFFICE BUILDING, WASHINGTON, DC 20503.



OMB APPROVED  
2115-0110

DEPARTMENT OF TRANSPORTATION U.S. COAST GUARD CG-4593 (REV. 1-92)	<b>APPLICATION, CONSENT, AND APPROVAL FOR WITHDRAWAL OF APPLICATION FOR DOCUMENTATION OR EXCHANGE OF CERTIFICATE OF DOCUMENTATION</b>	THIS SECTION FOR COAST GUARD USE ONLY  PORT:  DATE:  FEE:  SIGNATURE <small>APPROVAL GRANTED FOR EXCHANGE OF OUTSTANDING CERTIFICATE OF DOCUMENTATION OR WITHDRAWAL OF APPLICATION.</small>
<b>I. APPLICATION</b>		
1. NAME OF VESSEL	2. OFFICIAL NUMBER OR OTHER UNIQUE IDENTIFIER	
3. NAME(S) AND ADDRESS(ES) OF MORTGAGOR(S)		
4. NAME(S) AND ADDRESS(ES) OF MORTGAGEE(S)		
5. DATE OF MORTGAGE	6. AMOUNT OF MORTGAGE	7. DATE FILED
8. PURPOSE OF APPLICATION  <input type="checkbox"/> APPLICATION IS HEREBY MADE FOR APPROVAL OF WITHDRAWAL OF THE APPLICATION FOR (EXCHANGE OF) DOCUMENTATION DATED: _____  <input type="checkbox"/> APPLICATION IS HEREBY MADE FOR APPROVAL OF EXCHANGE OF THE OUTSTANDING CERTIFICATE OF DOCUMENTATION FOR THE ABOVE NAMED VESSEL.		
9. SIGNATURE OF OWNER OR PERSON ACTING FOR OWNER:  _____ DATE: _____		
<b>II. CONSENT</b>		
AS (ON BEHALF) OF THE MORTGAGEE(S), I (WE) CONSENT TO WITHDRAWAL OF THE APPLICATION FOR DOCUMENTATION OR EXCHANGE OF THE OUTSTANDING CERTIFICATE OF DOCUMENTATION.   MORTGAGEE: _____  TITLE: _____  DATE: _____		

REVERSE OF CG-4593 (REV. 1-92)

OMB APPROVED  
2115-0110

## INSTRUCTIONS

## I. APPLICATION

1. INDICATE CURRENT DOCUMENTED NAME.
2. INDICATE OFFICIAL NUMBER AWARDED TO VESSEL OR OTHER UNIQUE IDENTIFIER (E.G., HULL IDENTIFICATION NUMBER).
3. SELF-EXPLANATORY.
4. SELF-EXPLANATORY.
5. SELF-EXPLANATORY.
6. SELF-EXPLANATORY.
7. INSERT DATE MORTGAGE WAS FILED WITH USCG.
8. SELF-EXPLANATORY.
9. SELF-EXPLANATORY.

## II. CONSENT

1. SELF-EXPLANATORY.

## PRIVACY ACT STATEMENT

IN ACCORDANCE WITH 5 USC 552(A), THE FOLLOWING INFORMATION IS PROVIDED TO YOU WHEN SUPPLYING PERSONAL INFORMATION TO THE U.S. COAST GUARD.

1. AUTHORITY. SOLICITATION OF THIS INFORMATION IS AUTHORIZED BY 46 USC, CHAPTER 313 AND 46 CFR, PART 67.
2. THE PRINCIPAL PURPOSES FOR WHICH THIS INSTRUMENT IS TO BE USED ARE:
  - (A) TO PROVIDE A RECORD, AVAILABLE FOR PUBLIC INSPECTION AND COPYING, OF THE SALE OR OTHER CHANGE IN OWNERSHIP OF A VESSEL WHICH IS DOCUMENTED, WILL BE DOCUMENTED, OR HAS BEEN DOCUMENTED PURSUANT TO 46 USC, CHAPTER 121.
  - (B) PLACEMENT OF THIS INSTRUMENT IN A BOOK FOR EXAMINATION BY GOVERNMENTAL AUTHORITIES AND MEMBERS OF THE GENERAL PUBLIC.
3. THE ROUTINE USE WHICH MAY BE MADE OF THIS INFORMATION INCLUDES DEVELOPMENT OF STATISTICAL DATA CONCERNING DOCUMENTED VESSELS.
4. DISCLOSURE OF THE INFORMATION REQUESTED ON THIS FORM IS VOLUNTARY. HOWEVER, FAILURE TO PROVIDE THE INFORMATION COULD PRECLUDE FILING OF A BILL OF SALE AND DOCUMENTATION OF THE VESSEL NAMED HEREIN PURSUANT TO 46 USC, CHAPTER 121. MOVEOVER, BILLS OF SALE WHICH ARE NOT FILED ARE NOT DEEMED TO BE VALID AGAINST ANY PERSON EXCEPT THE GRANTOR OR A PERSON HAVING ACTUAL KNOWLEDGE OF THE SALE. (46 USC 31321(A)).

THE COAST GUARD ESTIMATES THAT THE AVERAGE BURDEN FOR THIS FORM IS 10 MINUTES. YOU MAY SUBMIT ANY COMMENTS CONCERNING THE ACCURACY OF THIS BURDEN ESTIMATE OR MAKE SUGGESTIONS FOR REDUCING THE BURDEN TO: COMMANDANT (G-MVI), U.S. COAST GUARD, WASHINGTON, DC 20593-0001 OR OFFICE OF MANAGEMENT AND BUDGET, OFFICE OF INFORMATION AND REGULATORY AFFAIRS, ATTENTION: DESK OFFICER FOR DOT/USCG, OLD EXECUTIVE OFFICE BUILDING, WASHINGTON, DC 20503.

OMB APPROVED  
2115-0110

DEPARTMENT OF TRANSPORTATION U.S. COAST GUARD CG-5542 (REV. 1-92)	<b>OPTIONAL APPLICATION FOR FILING (SEE INSTRUCTIONS AND PRIVACY ACT ON REVERSE)</b>	THIS SECTION FOR COAST GUARD USE ONLY
1. VESSEL NAME (ATTACH SCHEDULE IF MORE THAN ONE VESSEL)	2. OFFICIAL NUMBER OR OTHER UNIQUE IDENTIFIER	RECORDED BY PORT BOOK PAGE BY
3. INSTRUMENT TYPE: (CHECK ALL THAT APPLY)		
<input type="checkbox"/> PREFERRED MORTGAGE <input type="checkbox"/> CHATTEL MORTGAGE <input type="checkbox"/> OTHER (DESCRIBE)	<input type="checkbox"/> ASSUMPTION <input type="checkbox"/> SUPPLEMENT <input type="checkbox"/> AMENDMENT <input type="checkbox"/> SUBORDINATION <input type="checkbox"/> ASSIGNMENT	
4. NAME(S) AND ADDRESS(ES) OF GRANTOR(S) (MORTGAGOR(S), ASSIGNOR(S), ASSUMING PARTY(ES), OR OTHER(S) --SEE INSTRUCTIONS)		
INTEREST OWNED IN VESSEL OR HELD IN MORTGAGE AFFECTED BY ATTACHED INSTRUMENT _____%. (100% UNLESS OTHERWISE STATED)		
5. NAME(S) AND ADDRESS(ES) OF GRANTEE(S) (MORTGAGEE(S), ASSIGNEE(S), OR OTHER(S) -- SEE INSTRUCTIONS)		
PERCENTAGE OF VESSEL MORTGAGED OR MORTGAGE ASSIGNED _____%. (100% UNLESS OTHERWISE STATED)		
6. AMOUNT	7. IDENTIFICATION OF INSTRUMENT ASSUMED, ASSIGNED, AMENDED, SUPPLEMENTED, SUBORDINATED, OR OTHERWISE MODIFIED:	
	RECORDED BOOK:      PAGE:      FILED/RECORDED DATE:      TIME:	
	OTHER IDENTIFYING DATA:	
8. CERTIFICATION AND ATTESTATION:		
I (WE) HEREBY CERTIFY THAT THE FACTS RECITED HEREIN ARE TRUE AND CORRECT. I (WE) UNDERSTAND THAT THE U.S. COAST GUARD WILL RELY ON THOSE RECITATIONS IN INDEXING THE ATTACHED INSTRUMENT.		
SIGNATURE(S): (SEE INSTRUCTIONS)		
FOR THE GRANTOR(S)	FOR THE GRANTEE(S)	
_____ _____	_____ _____	
STATE:		
COUNTY:		
SUBSCRIBED AND SWORN BEFORE ME ON: _____		
NOTARY PUBLIC MY COMMISSION EXPIRES: _____ (DATE)		
WARNING: FALSE STATEMENT MAY RESULT IN FINE OR IMPRISONMENT PURSUANT TO TITLE 18 USC.		

REVERSE OF CG-5542 (REV. 1-92)

**INSTRUCTIONS**

1. SELF-EXPLANATORY. A SCHEDULE MAY BE ATTACHED IF MORE THAN ONE VESSEL IS AFFECTED BY THE INSTRUMENT ATTACHED.
2. LIST COAST GUARD ASSIGNED OFFICIAL NUMBER, MANUFACTURER'S HULL IDENTIFICATION NUMBER (HIN) ASSIGNED IN ACCORDANCE WITH RULES IN 33 CFR, OR OTHER UNIQUE IDENTIFIER. (STATE MOTORBOAT NUMBERS ARE NOT CONSIDERED UNIQUE IDENTIFIERS.)
3. SELF-EXPLANATORY.
4. GRANTOR. FOR PURPOSES OF THIS FORM, GRANTORS INCLUDE MORTGAGORS, ASSIGNORS, PERSONS ASSUMING MORTGAGES, PERSONS GRANTING SUBORDINATION OF MORTGAGES. LIST ALL GRANTORS AND ADDRESSES. A SEPARATE SCHEDULE MAY BE ATTACHED IF MORE ROOM IS NEEDED.
5. GRANTEE. FOR PURPOSES OF THIS FORM, GRANTEES INCLUDE MORTGAGEES, ASSIGNEES, PERSON FROM WHOM MORTGAGES ARE ASSUMED, AND PERSON TO WHOM SUBORDINATION OF MORTGAGES ARE GRANTED. LIST ALL GRANTEES AND ADDRESSES. A SEPARATE SCHEDULE MAY BE ATTACHED IF MORE ROOM IS NEEDED.
6. SELF-EXPLANATORY.
7. NOT USED FOR NEW CHATTEL OR PREFERRED MORTGAGES. MUST BE COMPLETED FOR ASSUMPTIONS, ASSIGNMENTS, AMENDMENTS, OR OTHER INSTRUMENTS MODIFYING CHATTEL OR PREFERRED MORTGAGE FILED PREVIOUSLY OR CONCURRENTLY.
8. REQUIRED SIGNATURES AND NOTARIZATION:
  - CHATTEL OR PREFERRED MORTGAGES, AMENDMENTS, OR SUPPLEMENTS: GRANTOR AND GRANTEE OR PERSONS ACTING ON BEHALF OF THOSE ENTITIES.
  - ASSUMPTION OF MORTGAGE: ASSUMING PARTY AS GRANTOR, ORIGINAL MORTGAGOR AND MORTGAGEE AS GRANTEE, OR PERSONS ACTING ON BEHALF OF THOSE ENTITIES.
  - SUBORDINATION AGREEMENT OR ASSIGNMENT: GRANTOR OF SUBORDINATION AGREEMENT OR ASSIGNMENT, OR PERSON ACTING ON BEHALF OF THAT ENTITY.

**PRIVACY ACT**

THE SECRETARY OF TRANSPORTATION AUTHORIZED THE COAST GUARD TO BE THE AGENCY WHICH (A) ACCEPTS APPLICATIONS FOR DOCUMENTATION OF VESSELS; (B) DETERMINES WHETHER A VESSEL WHICH IS THE SUBJECT OF APPLICATION IS ELIGIBLE FOR THE ENDORSEMENT OR ENDORSEMENTS REQUESTED; AND (C) ISSUES CERTIFICATES OF DOCUMENTATION TO ELIGIBLE VESSELS. (14 U.S.C. 664; 31 U.S.C. 9701; 42 U.S.C. 9118; 46 U.S.C. 2103, 2107, 2110; 46 U.S.C. APP. 841A, 876; 49 U.S.C. 332; 49 C.F.R. 1.46)

INFORMATION COLLECTED MAY BE ACCESSED BY FEDERAL, STATE, AND LOCAL AGENCIES, AS WELL AS MEMBERS OF THE GENERAL PUBLIC TO ASSIST LAW ENFORCEMENT OR FOR OTHER LAWFUL PURPOSES. THIS INFORMATION IS ALSO PUBLISHED IN ACCORDANCE WITH 46 U.S.C. APP. 12119.

PROVIDING THE INFORMATION IS VOLUNTARY. HOWEVER, THE COAST GUARD CANNOT PROCESS YOUR APPLICATION IF THE REQUESTED INFORMATION IS NOT COMPLETE. THE INFORMATION FURNISHED ON THE ASSOCIATED FORMS IS USED TO ENSURE THE REQUIREMENTS FOR DOCUMENTATION ARE MET.

PENALTIES FOR PROVIDING FALSE STATEMENTS OR REPRESENTATIONS ARE COVERED UNDER 18 U.S.C. 1001 AND 46 U.S.C. 12122.

THE COAST GUARD ESTIMATES THAT THE AVERAGE BURDEN FOR THIS FORM IS 10 MINUTES. YOU MAY SUBMIT ANY COMMENTS CONCERNING THE ACCURACY OF THIS BURDEN ESTIMATE OR MAKE SUGGESTIONS FOR REDUCING THE BURDEN TO: COMMANDANT (G-MVI), U.S. COAST GUARD, WASHINGTON, DC 20593-0001 OR OFFICE OF MANAGEMENT AND BUDGET, OFFICE OF INFORMATION AND REGULATORY AFFAIRS, ATTENTION: DESK OFFICER FOR DOT/USCG, OLD EXECUTIVE OFFICE BUILDING, WASHINGTON, DC 20503.

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