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From: Commandant
To: Distribution

Subj: FIVE-YEAR CERTIFICATE OF INSPECTION (COI) AND SOLAS SURVEY INTERVALS

Ref: (a) COMDT COGARD msg 111803Z FEB 00
(b) Protocol of 1988 Relating to the International Convention for the Safety of Life at Sea, 1974
(c) Protocol of 1988 Relating to the International Convention on Load Lines, 1966
(d) Federal Register/Vol. 65, No. 27/Wednesday, February 9, 2000, Frequency of Inspection: Final Rule, 46 CFR Parts 2, 30, et al., Pages 6494-6510

1. On February 3, 2000, the 1988 Protocols to the 1974 SOLAS Convention and the 1966 Load Line Convention entered into force for those vessels subject to the conventions. These Protocols introduce, *inter alia*, the harmonized system of survey and certification. On February 4, 2000, the vessel inspection regulations were amended to introduce a five-year inspection cycle for most inspected vessels. Passenger vessels (subchapter H) remain on a one-year inspection cycle. Small passenger vessels (subchapters T and K) which are authorized to operate on an international route also remain on a one-year inspection cycle.

2. The primary purpose of both the '88 Protocols and the regulatory change is to allow vessel owners/operators to harmonize inspections/examinations. It also allows for greater harmony with classification society survey intervals. In the past, some international certificates were issued for two years while others were issued for five. By harmonizing the inspection requirements, vessel owners/operators have increased flexibility in scheduling vessel inspections/surveys. This flexibility includes a window of three months before or after the anniversary date for annual or periodic surveys, the owner/operators' choice of whether to conduct the periodic survey at the second or third anniversary date, and provisions to conduct the renewal survey up to three months early without changing the anniversary date. The intent of the five-year certificate of inspection regulations is to incorporate this flexibility into our domestic certificates and to harmonize the domestic inspection requirements with the newly harmonized international surveys.

3. Initial guidance on implementing these new inspection/survey intervals was provided via reference (a). Currently valid COIs and international convention certificates on individual vessels will remain valid until they expire or are otherwise replaced. The introduction of the harmonized system of survey and certification for a specific vessel should be determined on a

case-by-case basis. For those vessels without international certificates, the first inspection for certification completed on or after February 4, 2000 should lead to a five-year COI. For vessels with international certificates, the issuance of a five-year COI should be coordinated with the issuance of the international certificates as discussed below.

4. In keeping with the philosophy outlined in references (b) and (c), the date of introduction of the harmonized system of survey and certification for an individual U.S. flag vessel should be agreed upon between the owner or operator, the issuer of the international certificates, and the cognizant OCMI. The agreed upon date may be the date of drydocking, the date of repairs or renovation, or another date chosen to accommodate the owner/operator's schedule. However, the date should be no later than the latest expiration date of the vessel's SOLAS, Load Line, or MARPOL certificates. Although not specifically required, the intention is to harmonize the five-year COI with the vessel's international certificates and with the vessel's classification society's surveys. However, in cases where there are minimal harmonization benefits the owner may ask to have the COI issued independently of the international certificates. The owner should be advised that following this course may require additional inspections/surveys.

5. The following issue related questions and answers provide additional guidance and policy in this matter:

Q. What are the main changes in the 5 year COI regulations?

A. A review of reference (d) will show that there are many places in the regulations that required modification to accommodate the changes noted in 1 and 2 below. These two concepts should be referred to should you encounter any inspection interval discrepancies in the regulations.

1. Biennial Exams. This term has been removed from the regulations. Exams that had heretofore been conducted on a biennial basis are now conducted during the issuance, renewal, and periodic inspections. Specific inspection requirements previously completed at the inspection for certification for vessels which were issued two-year COIs are now required twice in a five-year period at the inspection for certification and at the periodic inspection. Specific inspection requirements previously required annually remain an annual requirement.

2. Small Passenger Vessel (SPV) COIs. With the exception of SPVs on international voyages, SPV COIs moved to five year COIs. These COIs do not have a periodic inspection interval, instead they have four annual inspections. For these vessels, inspections which had heretofore been required at the inspection for certification remain at the inspection for certification with no intermediate requirement. A complete discussion of the reasons behind this is contained in reference (d). Specific inspection requirements previously required annually remain an annual requirement.

Q. What is the status of existing Certificates of Inspection and international certificates?

A. They remain valid until they expire or are otherwise replaced. The new "window" for annual reinspections (three months before or after the anniversary date) applies to existing certificates as well as any newly issued certificates.

Q. Is the validity of the new five-year COI tied to the term of SOLAS, Load Line or MARPOL (IOPP) certificates?

A. No. However, the point of the regulatory change, is a harmonization of all surveys/inspections and certificates. It is strongly recommended that the COI interval be in harmony with other vessel certificates.

Q. When a two or three year COI is revised with new information/authority (name change, new owner, revised route, new cargo authorization, etc.), should it be automatically upgraded to a five-year period of validity?

A. No. A five-year COI should not be issued unless an inspection for certification was successfully completed.

Q. I completed an inspection for certification, issued a temporary COI, but have not yet issued the full term COI. The vessel does not have international certificates. Can I issue a five-year COI?

A. Yes. However, if the inspection was completed prior to February 4, 2000, a five-year COI should not be issued unless requested by the vessel owner/operator as that issuance will set the anniversary date.

Q. Do I issue a five-year COI at the next inspection for certification?

A. In general, vessels with international certificates should have their first five-year COI issued at the agreed upon date for implementation of the harmonized system of survey and certification under the '88 Protocols (see discussion above). For other vessels a five-year COI should be issued.

Q. The COI form presently has only 3 blocks for the annual/reinspection endorsement. We will need 4 spaces. Will MSIS specify a new field on COI's that shows "Last/Previous Periodic Inspection" (similar to the one for hull examinations)?

A. No. MSIS will not be modified. The existing COI generated by MSIS data fields will not be changed to accommodate the five-year inspection cycle. However, MSIS is being replaced by the Marine Information for Safety and Law Enforcement (MISLE) system. Phase 1 of MISLE is focused on designing and building a Marine Safety Network (MSN) foundation that will enable us to unplug MSIS as early as possible. MSN 1.0 (targeted for early 2001 delivery) will include an updated COI form and data fields to reflect the new five-year inspection cycle.

Until MSN 1.0 is introduced, it will be necessary to document inspection activities in MSIS. A periodic inspection should be recorded in MSIS as a "Reinspection" and it

should be documented as a Certificate Amendment by the following line entry. "Periodic inspection completed [date]."

Q. The current version of SOLAS certificates doesn't allow for the endorsements required by the '88 Protocols. Are these forms being updated?

A. Coast Guard issued SOLAS documents (CG-967, CG-968, CG-968A, CG-3347, CG-3347B and CG-4359) have been revised to incorporate 1988 SOLAS Protocol changes. The new edition of these forms will be included in the next Jetform Filler CD update scheduled to be distributed in May 2000. Advance copies of these forms may be obtained by contacting Mr. Cohoon. His e-mail address is hcohoon@comdt.uscg.mil.

Q. The Small Passenger Vessel Inspection Sticker has punch-outs through year "05". With a five-year COI, year "06" will be needed next year. Are the stickers being undated?

A. Yes. However, existing stickers can be used for an additional year by punching out the "invisible" "06" which is just to the right of the "05".

Q. Although the preamble to the regulatory change states there is no impact on user fees, will a periodic (similar to a COI type inspection) still be conducted if the vessel's user fee payment is overdue?

A. Yes. The impact, if any, of the harmonized system of survey and certification including the introduction of a five-year certificate of inspection cycle will be addressed in a future user fee rulemaking. Until changed, the current user fee rules apply.

Q. Can we extend a five-year COI beyond its expiration date?

A. No. However, when an inspection for certification is conducted up to three months before the COI expires, the new COI expiration date is based on the previous anniversary date. Inspection for certification exams conducted more than three months before the COI expires will reset the anniversary date of the COI.

6. Recently we have had incidents of port state control officials of foreign governments questioning the validity of SOLAS and/or MARPOL certificates issued by the Coast Guard for U.S. vessels. These officials did not accept the preprinted seal on these documents and required the vessel master to provide documentation that the certificates were valid. In order to avoid disruption to U.S. vessels while in foreign ports, it is important that the signature of the issuing official be validated with an impression official seal on all certificates issued by the Coast Guard to vessels with an international route.

7. In summary, the 1988 Protocols to the 1974 SOLAS Convention and the 1966 Load Line Convention introduced the harmonized system of survey and certification for vessels subject to the provisions of the conventions. This system provides increased flexibility for vessel owners/operators in scheduling vessel surveys. In order to maximize these benefits, the U.S. vessel inspection regulations were amended to introduce a five-year inspection cycle for most inspected vessels. The purpose of the regulatory changes is to harmonize U.S. inspection

schedules with SOLAS surveys for those vessels subject to SOLAS and to extend the increased flexibility in vessel inspection schedules to most other inspected vessels.

8. A copy of Resolution A.746(18), adopted on 4 November 1993, Survey Guidelines Under the Harmonized System of Survey and Certification is enclosed. We fully endorse this resolution and it is provided for use as guidance when conducting surveys under the '88 Protocols. This policy is designed to fold the issuance of the COI into this system of survey and certification.

9. I trust this letter will answer most of your questions concerning implementation of the '88 Protocols and the five-year certificate of inspection cycle. However, if you have further questions or comments regarding this matter, please contact Mr. Hal Cohoon of my staff. He can be reached at (202) 267-0493, hcohoon@comdt.uscg.mil.

B. G. BASEL
By direction

Encl: (1) Resolution A.746(18)

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