

**MSM Volume II** (*excerpt*)  
**Section B Chapter 1 Paragraph B-8**

**Towing of Vessels Permanently Laid-Up, Dismantled, or Out-of-Commission**

a. Vessels are frequently towed for purposes of permanent removal from navigation or scrapping as these vessels reach the end of their useful lives. It has been generally determined that such vessels making a one-way voyage under tow; without crew, cargo, or passengers; and not holding documents as a merchant vessel, are not subject to inspection and certification requirements. Such vessels are "laid up, dismantled, or out of commission" under 46 U.S.C. 3302(e) and 46 CFR 90.05-1(a)(3). In accordance with this determination, when the OCMI is satisfied by documentary evidence or other means that certain conditions are met, such vessels do not require a COI. These conditions may include some or all of the following:

- (1) The vessel is not currently documented by the Coast Guard.
- (2) The vessel will carry no passengers or cargo.
- (3) The vessel will be towed and unmanned.
- (4) The vessel is making a one-way voyage for purposes of scrapping or permanent removal from navigation.
- (5) The vessel is not intended to be used in commerce during the voyage.
- (6) The vessel will pose no threat to life, property, or the environment while in U.S. waters.

**NOTE:** Such vessels require a Load Line Exemption Certificate. See MSM Volume IV, Technical, COMDTINST M16000.9 (series), Chapter 6 for guidance.

b. U.S. Customs and Border Protection has determined that, although such vessels require clearance before being towed to a foreign port, verification by the OCMI to the effect that "[name of vessel], being towed on a one-way voyage for purposes of scrapping, etc., is not required to hold a COI" will suffice for clearance purposes should appear on the loadline exemption certificate.

c. Carriage of scrap. Scrap metal carried for ballast in such vessels will not be classed as cargo as long as the amount, location, and method of stowage

of scrap is acceptable to the OCMII and does not exceed the tonnage of liquid ballast that would normally be employed. This is so that such vessels may meet the requirements given above. When the matter of what constitutes cargo is at issue, Commandant (CG-CVC) should be consulted.

d. Requirements for passage through the St. Lawrence Seaway. Vessels subject to the Load Line Acts 46 U.S.C. 5102 and transiting under their own power to a non-U.S. port for decommissioning require load line certificates, COIs, and all other applicable statutory certificates before leaving a U.S. port.

(1) This policy is not intended to contravene or supersede requirements of the Canadian government with respect to passage through Canadian waters and clearance from Canadian ports. Owners of vessels transiting under their own power for decommissioning should contact the Director, Marine Regulations Branch, Department of Transport, Ottawa, Ontario, Canada, for further information in this regard.

(2) Owners of such vessels intending to transit the waters of other countries should contact officials of those countries. The issuance of an International Load Line Exemption Certificate, by the local OCMII may be necessary. For further information and guidance, see MSM Volume IV, Technical, COMDINST M16000.9 (series), Chapter 6, and for applicable regulations, see 46 CFR 42.03-30(b)(3).