



USCG Office of Commercial Vessel Compliance (CG-CVC) Mission Management System (MMS) Work Instruction (WI)



Category	Vessel Inspections				
Title	Laid up Inspected/Examined Vessels				
Serial	CVC-WI-018(1)	Orig. Date	1SEP20	Rev. Date	N/A
Disclaimer:	This guidance is not a substitute for applicable legal requirements, nor is it itself a rule. It is not intended to nor does it impose legally-binding requirements on any party. It represents the Coast Guard’s current thinking on this topic and may assist industry, mariners, the public, and the Coast Guard, as well as other federal and state regulators, in applying statutory and regulatory requirements. You can use an alternative approach for complying with these requirements if the approach satisfies the requirements of the applicable statutes and regulations. If you want to discuss an alternative approach (you are not required to do so), you may contact the Coast Guard Flag State Control Division (CG-CVC-4) at CG-CVCI@uscg.mil who is responsible for implementing this guidance.				
References:	(a) Title 46 United States Code, Section 3302 (b) Marine Safety Manual Vol. II COMDTINST M16000.7 (series) (c) CVC-PR-016 (series) Documenting a Vessel in Inactive or Laid up Status (d) USCG/MARAD MOU (series) (e) USCG/MSC MOA (series) (f) Marine Safety Manual Vol III COMDTINST M16000.8 (series)				

- A. **Purpose.** The purpose of this work instruction (WI) is to establish guidance for Captains of the Port (COTP), Officers in Charge, Marine Inspection (OCMI), Marine Inspectors (MI) and Port State Control Officers (PSCO) placing a vessel into a laid up or inactive status, and returning those vessels back to service. This WI is applicable to U.S. flag inspected vessels and foreign flag vessels subject to Coast Guard Port State Control, to include Mobile Offshore Drilling Units (MODU).
- B. **Action.** COTPs, OCMI, MIs and PSCOs should refer to this instruction as guidance when changing a vessels status or returning it to service. All local policies concerning laid up vessels should align with this guidance.
- C. **Background.** There are numerous local Coast Guard policies that address vessel laid up procedures. This guidance aims to promote consistency between OCMI zones via a nationalized approach.
- D. **Discussion.**
1. The status of a vessel determines whether the owner or operator is required to maintain or surrender the Certificate of Inspection (COI) or Certificate of Compliance (COC) and pay the applicable vessel inspection or examination fees.
 2. Pursuant to 46 U.S.C. § 3302(e) “a vessel laid up, dismantled, or out of commission is exempt from inspection” and therefore, under the law, cannot be subject to any inspection subchapter. Although a laid up vessel is no longer inspected, it remains the owner’s responsibility to maintain the safety and security of the vessel, regardless of its status. The Captain of the Port (COTP) still retains authority under 33 CFR part 6 to ensure the protection and security of vessels, harbors, and waterfront facilities and can exercise that authority with the use of a COTP Order, if necessary.
 3. Industry uses many terms for a vessel’s status when not active or actively operating, such as laid up, temporarily out of service, and stacked (cold and warm). For the purposes of this WI and to align with the Coast Guard’s Marine Information System and Law Enforcement (MISLE) database, a vessel can only be assigned one of the following statuses: Abandoned, Active,

Destroyed, Inactive, Laid-up, Scrapped, Stolen, Sunk-Not Recoverable, and Unknown. This WI will discuss vessels assigned as Laid-up or Inactive.

4. When determining if a vessel should be assigned in a laid up status or in an inactive status, COTPs, OCMI, and MIs should use the following guidelines:
 - a. Laid up: A vessel whose owner or operator has surrendered its COI or COC to the local OCMI and requests to be removed from service may be categorized as a laid up vessel. A vessel in this status ceases to be an inspected vessel in accordance with reference (a) and shall be “Laid-up” in MISLE and the COI or COC status changed to “Surrendered”.
 - b. Inactive: A vessel not actively operating, but maintaining a COI and other certificates in an “Active” status may be characterized as an “Inactive” vessel. The vessel may be moored or at anchor, the engines are secured (maybe seasonally), but are intended to be available for immediate commercial operations. This may include a vessel in a maintenance period or other reduced operating status that would not normally surrender its COI.¹ This should not include a vessel that is at a pier overnight or a period of time waiting for a contract, these are normal interim gaps between operational periods and do not require communication with the local OCMI or a change in vessel or COI status.

E. Laid up Vessels.

1. Entering laid up status.

- a. In accordance with 46 CFR § 2.01-3, if an owner or managing operator wants to enter a domestic vessel into a laid up status they must notify the local OCMI.
- b. If the owner of a U.S. flagged vessel surrenders its COI or the owner of a foreign-flagged vessel surrenders its COC (while in a U.S. waters) and requests the vessel be placed in a laid up status under this policy, the OCMI will change the vessel status in MISLE and follow the appropriate guidance within this WI.¹ Specific guidance for foreign-flagged vessels is found in Section E.16.
- c. In accordance with reference (b), a vessel is not restricted in its ability to transit, nor required to contact the local OCMI about movement, as long as:
 - i. The vessel is not operating in a manner which would require a Coast Guard COI (for example, carrying cargo or passengers), and
 - ii. It is in a safe condition (i.e. no hazardous condition present per 33 CFR 160.111), and
 - iii. If the intended route does not require a load line certificate or other international documents, per applicable conventions (for example, SOLAS, Load line, or the International Convention for the Prevention of Pollution from Ships (MARPOL)).
- d. If necessary, the OCMI may consider options including, but not limited to, Load Line exemption request, SOLAS² exemption request, or a Deadship Tow Permit to facilitate the transit.

2. Contact Information. OCMI shall verify accurate company contact information is documented in the MISLE vessel file prior to the vessel entering laid up status to ensure the

¹ This includes vessels in the U.S. Maritime Administration Ready Reserve Force (MARAD RRF) and Navy Military Sealift Command vessels in Reduced Operating Status (ROS).

² Load Line and SOLAS Exemption requests should be routed through respective Districts and/or COMDT as required for approval in accordance with reference (b).

owner or operator may be contacted in case of emergency. This information should be verified annually by the local OCMI.

3. Master's Log. Once the vessel has arrived at its laid up location and watches are broken, the Master should make an entry in the vessel's logbook stating the vessel is in laid up status. The Master should log that the vessel has instituted security measures per the Vessel Security Plan (VSP) or Alternate Security Program (ASP), if applicable, as a laid up vessel.
4. Financial Responsibility. The Oil Pollution Act of 1990 requires that an owner provide evidence of financial responsibility or compliance. To meet this requirement, the owner must provide suitable liability insurance OR a Certificate of Financial Responsibility (COFR), per 33 CFR Part 138, for each vessel. An owner can check the validity of a COFR at the National Pollution Funds Center website: <https://www.uscg.mil/Mariners/National-Pollution-Funds-Center/COFRs/>
5. Vessel Inspection Fees. Vessel inspection fees should be paid in full up to the date of the notification of the vessel going into a laid up status. Annual vessel inspection fees will not be charged or billed while the vessel is laid up.
6. Oil as Cargo and VRP. While the vessel itself is not subject to vessel inspection regulations, the requirements of 33 CFR part 155, Oil or Hazardous Material Pollution Prevention Regulations for Vessels, may still be applicable. For example, if the vessel is in laid up status and does not store or carry oil in bulk as cargo or oil cargo residue, the vessel no longer requires a Tank Vessel Response Plan (TVRP). However, the vessel may still be required to have a Non-tank Vessel Response Plan (NTVRP) under 33 CFR § 155.5015. The vessel may elect to keep a TVRP in lieu of switching to a NTVRP, if the vessel plans to carry oil in bulk as cargo or oil cargo residue in the future. For purposes of 33 CFR 155 requirements only, if the vessel is an "inactive vessel" as defined in 33 CFR § 155.5020, the vessel is not required to have a non-tank vessel response plan.
7. Hazardous Cargo. Owners or managing operators should provide assurance to the OCMI that all hazardous cargo tanks, pump rooms, cargo piping systems, and cargo venting arrangements are thoroughly clean and gas-free. The OCMI or COTP may require submission of a gas-free certificate provided by a qualified marine chemist as verification of this condition. Such situations include:
 - a. A vessel inspected under 46 CFR Subchapter D prior to entering a laid up status, shall provide objective evidence that the vessel is cleaned of all cargo residue and maintained in a gas free condition, per 46 CFR § 31.01-1(b), or
 - b. If the COTP can articulate a hazardous condition on board the vessel, a gas free certificate may be justified under the Ports and Waterways Safety Authority (PWSA) per 33 CFR § 160.111, or
 - c. In accordance with 33 CFR § 126.30, when requests are made for hot work to be performed on the vessel at a waterfront facility.
8. Fuel bunkering. The vessel should not load any new fuel while laid up, other than the fuel or consumables required to operate the vessel's main and auxiliary machinery.
9. Mooring and Navigation Lights.
 - a. For a vessel moored to a waterfront facility: the owner or operator will provide the local OCMI assurances that the mooring arrangement (for example, number, size, and arrangement) will be maintained in good condition. The mooring system shall be capable of holding the vessel securely, taking into account the vessel's freeboard, draft, and any extreme climatic, tidal and current conditions in the area.

- b. For vessels at anchor: in accordance with 33 CFR § 164.19, if applicable, the master or person in charge shall ensure an anchor watch and procedures are followed to detect a dragging anchor. The owner or operator will also provide assurance to the local OCMI that the vessel's anchoring arrangement will be maintained in good condition; the fittings will be capable of holding the vessel securely, taking into account the vessel's freeboard, draft, and any extreme climatic, tidal and current conditions in the area and that the prescribed navigation lights and shapes shall be exhibited.
10. Recognized Organization (RO) approval. Vessels with statutory certificates issued pursuant to applicable international convention to include Domestic or International Load Line Certificates, are required to meet all applicable regulations and standards. If the vessel has also requested a laid up status with an RO, the owner and operator should ensure that the vessel meets the RO's requirements in addition to any Coast Guard requirements. A vessel that is in a laid up status with an RO does not constitute a laid up status with the Coast Guard. It is owner or managing operator's responsible to notify the RO and the Coast Guard of a change in vessel status.
11. Alternate Compliance Program (ACP)/Maritime Security Program (MSP) vessels. Vessels enrolled in ACP³ or MSP⁴ that enter into a laid up status and surrender their COI can maintain their ACP or MSP eligibility status upon return to service. CG-CVC will evaluate the vessel's inspection standards for ACP and MSP, as part of the return to service process described in Section E.13 of this WI. The OCMI should issue COIs and international certificates for which the RO is not authorized to issue upon completion of any required RO reactivation surveys and CG examination and should, as far as practicable, harmonize those with classification society and international certificates issued by the RO not to exceed 5 years.
12. OCMI Documentation.
- a. The OCMI shall issue the owner or operator a letter acknowledging the vessel is in a laid up status and that the COI has been surrendered. The letter shall explain any limitations placed upon the vessel and include the requirements for returning the vessel to service.
- b. The OCMI shall document the vessel's laid up status in the MISLE database in accordance with reference (c).
13. Laid Up Vessels Returning to Service. If the owner or operator of a vessel with a previously surrendered COI seeks to return the vessel to service, they shall submit an Application for Inspection of U.S. Vessel (Form CG-3752) to the local OCMI and schedule a Coast Guard Marine Inspector to attend the vessel. If a laid up vessel was sold, the new owner should notify the local OCMI of any change in registry or ownership. The new owner should contact the local OCMI where the vessel entered laid up status if they want to change the status of the vessel. The following criteria should be considered prior to issuance of a new COI or statutory documents:
- a. Determination of applicable standards. Vessels returning to service shall meet all applicable U.S. regulations, classification society requirements, and International Conventions. The OCMI will review the Application for Inspection and conduct an evaluation to determine which standards to apply to the vessel prior to recertification. A vessel whose COI has lapsed may be required to meet inspection for certification requirements as a new vessel as determined to be appropriate by the OCMI. Per reference (b), B.1.B.2.g, the OCMI may require a formerly certificated vessel to be inspected as a new vessel. A vessel that was once certificated does not qualify

³ Per 46 CFR Part 8 and in accordance with [NVIC 02-95 \(series\)](#).

⁴ Per MARAD determination under 46 U.S.C. 53102 and in accordance with [NVIC 01-13 \(series\)](#).

indefinitely or automatically as an “existing” vessel, especially when it has been structurally modified or out of service for an extended period.

- b. When determining the applicability of existing or new standards for a previously laid up vessel, the local OCMI should consider the following:
 - 1) Existing or planned modifications that may result in the determination of a major conversion (per 46 U.S.C. § 2101);
 - 2) Status of unserviceable equipment and whether it can be replaced “in kind”;
 - 3) Applicability of new requirements for “all vessels,” regardless of build date;
 - 4) Any law, regulation, or Coast Guard policy that requires the application of current standards; and
 - 5) If is practicable for the alterations or modifications to meet current requirements.
- c. Vessel modifications and Major Conversion determination. Owners and operators should communicate their intentions for modifications to the local OCMI. If modifications to the vessel are planned (or have already been made without prior Coast Guard review or approval), then the owner or operator should request a Major Conversion determination from the Marine Safety Center (MSC) if applicable.⁵ This determination will be used by the OCMI in the evaluation of existing or current standards that should be applied to the vessel.
- d. Plan Review. If alterations were made during laid up status, the OCMI will coordinate with the owner and MSC to determine if the owner must submit any plans to the Coast Guard for review or approval to demonstrate compliance with applicable standards prior to recertification. Any plans submitted to the MSC must include a copy of the Application for Inspection (CG-3752) and clearly identify the standards to use for plan review.
- e. Changes in service. If the owner or operator of a vessel requests multi-service endorsements that were not on the pre-laid up COI, the vessel will have to meet current regulatory standards for each inspection subchapter (e.g. Subchapters M or T) that was not previously endorsed.
- f. Documentation. The OCMI will verify proof of a valid Certificate of Documentation (COD) and other required documentation, as applicable (for example, COFR), prior to a Marine Inspector attending the vessel.
- g. Vessel Inspection Fees. In accordance with 46 CFR § 2.10, the vessel inspection fee anniversary date will remain as originally assigned and fees for the current year must be paid prior to receiving any Coast Guard inspection services. If a vessel is past its annual inspection date and placed back in service, the owner or operator will be required to pay the full annual vessel inspection fee before the Coast Guard inspects the vessel.
- h. Inspection dates. A vessel may maintain the previous hull exam, Internal Structural Exam (ISE), Cargo Tank Internal Exam (CTIE), tail shaft exam, and other equipment exam cycle dates unless the OCMI has evidence that the condition of the vessel

⁵ The Coast Guard Marine Safety Center (MSC) makes major conversion determinations. Companies contemplating work that may constitute a major conversion are highly encouraged to contact MSC as soon as the company has a general concept of the work to be performed so it can be reviewed. The Coast Guard bases a major conversion determination on the definition of “major conversion” found within 46 U.S.C. § 2101 and the information within Navigation and Vessel Inspection Circulars (NVIC) [10-81](#), [NVIC 10-82](#), [NVIC 11-84](#), NVIC 02-95 (series).

necessitates additional exams. Annual and periodic inspection or examination cycles restart when vessel comes out of laid up status in accordance with the applicable inspection subchapters. All expired inspections or exams must be completed prior to receiving a new COI.

- i. Master's Logbook. When the vessel is ready for reactivation and watches are set, the Master should make an entry into the vessel's logbook stating the vessel has come out of laid up status and instituted the requirements of their VSP or ASP accordingly, if applicable.

14. Subchapter M Towing Vessels. As of July 20, 2018, towing vessels inspected under 46 CFR Subchapter M are required to comply with those regulations. However, these vessels may have not have yet received a COI.

- a. A Subchapter M towing vessel that was laid up before receiving a COI will be considered an existing vessel if it meets the definition in 46 CFR § 136.110 regardless of whether it returns to service during or after the phase-in period.
- b. A towing vessel in a laid up status will not be counted toward the required fleet phase-in percentages until it returns to service. If it returns to service prior to the end of the phase-in period, it will be added back to the fleet and may be required to obtain a COI in accordance with 46 CFR § 136.202.
- c. A towing vessel that comes out of laid up status after the phase-in period will be required to get a COI prior to conducting operations.

15. Foreign Vessel Laid Up in U.S. waters.

- a. If a foreign-flagged vessel surrenders its COC and requests to be placed in a laid up status in U.S. waters, then the OCMI will follow the appropriate guidance within this WI. The local OCMI will provide the owner or operator with correspondence acknowledging the vessel is in a laid up status.
- b. In addition to the items listed in Section E of this WI, the OCMI should also consider the following items for proposals received from foreign-flagged vessels:
 - 1) A foreign-flagged vessel requesting to be designated as laid up within a U.S. port or place, must receive correspondence from its Flag Administration or RO approving the request. Upon receipt of the Flag Administration or RO approval to enter a laid up status, the vessel should submit a request for approval to the local OCMI for the zone where the vessel will be laid up.
 - 2) Certain foreign vessels and the facilities that receive them are subject to requirements in 33 CFR parts 104 and 105 unless exempted by 33 CFR §§ 104.110 or 105.110.
 - 3) The ship's security plan must be updated to reflect the current status of the vessel, 24-hour emergency contact information, and approval by the Flag Administration or RSO, as applicable.
 - 4) The vessel must maintain all applicable convention certificates and Flag State documents. A laid up vessel cannot be stateless.
 - 5) In order to return to service vessel owner or operator shall:
 - i. Comply with all applicable international conventions and U.S. regulations, with the exception of any exemptions or requirements issued by the Flag State administration, Classification Society, RO, or RSO, as applicable.

- ii. Ensure current year, annual, overseas and other vessel inspection and examination fees are paid prior to the vessel inspection or examination.
- iii. Notify the local OCMI and complete a Port State Control Exam or Certification of Compliance (COC) Exam, if applicable, prior to returning to service or departing the local COTP zone.

F. Inactive Vessel Service. The following guidelines should be used to ensure vessels in inactive status remain compliant with the regulations necessary to maintain a COI⁶ or COC.

1. While Inactive:

- a. The owner or operator is required to maintain a valid: COI or COC, COD, and all applicable Convention certificates (such as SOLAS or MARPOL).
- b. Remain current on all vessel inspection and examination fees.
- c. If an Inactive vessel is sold, the new owner should notify the local OCMI of any change in registry or ownership. If the new owner wants to change the status of the vessel, the new owner should contact the local OCMI.
- d. The owner or operator is responsible for ensuring maintenance is completed in accordance with applicable regulations, the Safety Management System (SMS), if applicable, and the vessel's COI. If required maintenance is not in compliance, the Coast Guard may revoke the COI.
- e. All owners and operators are responsible for ensuring that the vessel's SMS and operations manual, address Inactive status procedures and reduced manning, if applicable.
- f. The owner or operator is responsible for completing all audits, verifications, inspections, and examinations of vessels in accordance with 33 CFR part 96, 46 CFR parts 137 and 138, and Chapter IX of SOLAS, if applicable.
- g. All inspections and examinations such as hull, drydock, internal structural exams, lifeboat cable, and pressure vessels, shall be completed and may include operational testing of machinery.
- h. All other required plans, such as Vessel Response Plan (VRP) and Vessel General Permit (VGP), shall be maintained onboard and updated accordingly.

2. Deferring Requirements. In inactive vessel status, the personnel maintaining the vessel (example: reduced crew or watchman) may or may not be the same crew as those getting the vessel underway for commercial operations. It is reasonable to allow drills and crew documentation verifications to be deferred until the intended operational crew will be onboard. The OCMI will issue a CG-835V documenting the deferred items in MISLE, requiring rectification, prior to carrying passengers or cargo (Code 701). The OCMI should discuss with the crew or watchman fire and egress procedures on the inactive vessel in case of an emergency on the vessel or at the pier. As the vessel is still carrying an active COI, lifesaving and firefighting servicing of equipment shall not be deferred.

3. Security.

- a. The owner or operator of a vessel is responsible for complying with the security requirements in 33 CFR § 104.200, if applicable, and vessel manning provisions clarified

⁶ MARAD Ready Reserve Force and vessels of the Navy's MSC fleet in Reduced Operation Status should use reference (d) and reference (e), as applicable.

in reference (f) Section B.5, for maintaining watch standing and shipboard working conditions. Owners and operators are responsible for implementing their SMS, VSP, or ASP, as applicable.

- b. The owner and operator of an Inactive vessel and the owners and operators of the facilities that receive these vessels are required to comply with the applicable security requirements under the facility regulations under 33 CFR part 105 and vessel security regulations under 33 CFR part 104.
- c. Per 33 CFR § 104.415, an owner and operator with an approved VSP may need to amend their VSP to address Inactive status and reduced manning, if applicable. The amendment must be submitted to MSC for approval in accordance with regulations.

4. Inactive Vessels Returning to Service. The owner or operator should notify the local OCMI within a reasonable timeframe before the vessel's return to service so that the local OCMI has ample time to assign a Marine Inspector to visit and clear any outstanding CG-835Vs prior to the vessel commencing operations.

G. U.S. Flagged Vessels Requesting a Change in Status While in a Foreign Country. Owners and operators of U.S. flagged vessels entering an inactive or laid up status while in a foreign port remain subject to foreign port state requirements, which may vary from country to country. As such, upon receiving a proposal, the local OCMI shall coordinate with the appropriate port state and RO, if applicable, for the retention of any and all certificates as required by the port state.

- 1. Proposals received from owners and operators notifying the local OCMI before becoming inactive or laid up, in a foreign port, should meet the requirements in Sections E or F of this WI, as appropriate, and additionally consider the following:
 - a. The proposed location (including whether vessel will be docked or at anchor, and whether the location is controlled by an ISPS-compliant facility). OCMI should pay special attention to proposals for vessels to reside in areas that have a high risk of piracy, review the security plans in more detail accordingly and communicate any concerns;
 - b. An attestation from the master, owner, or operator that the local port state authority has accepted the plan to become inactive or laid up and that the vessel will comply with any local policies, including, but not limited to, requirements for manning and maintenance of international certificates;
 - c. Whether each of the applicable international certificates will be maintained or surrendered. At no time may the vessel retain its COI when deferring required inspections and surveys past the intervals permitted by convention, law, or regulation; and
 - d. Proposals received from owners and operators who wish to surrender the COI or international certificates should include an attestation that lifesaving and firefighting systems will continue to be serviced at required intervals if crewmembers are to remain on board.
- 2. Returning to Service. In order to return to service, refer to section E.13 or F.4 of this work instruction, as appropriate.

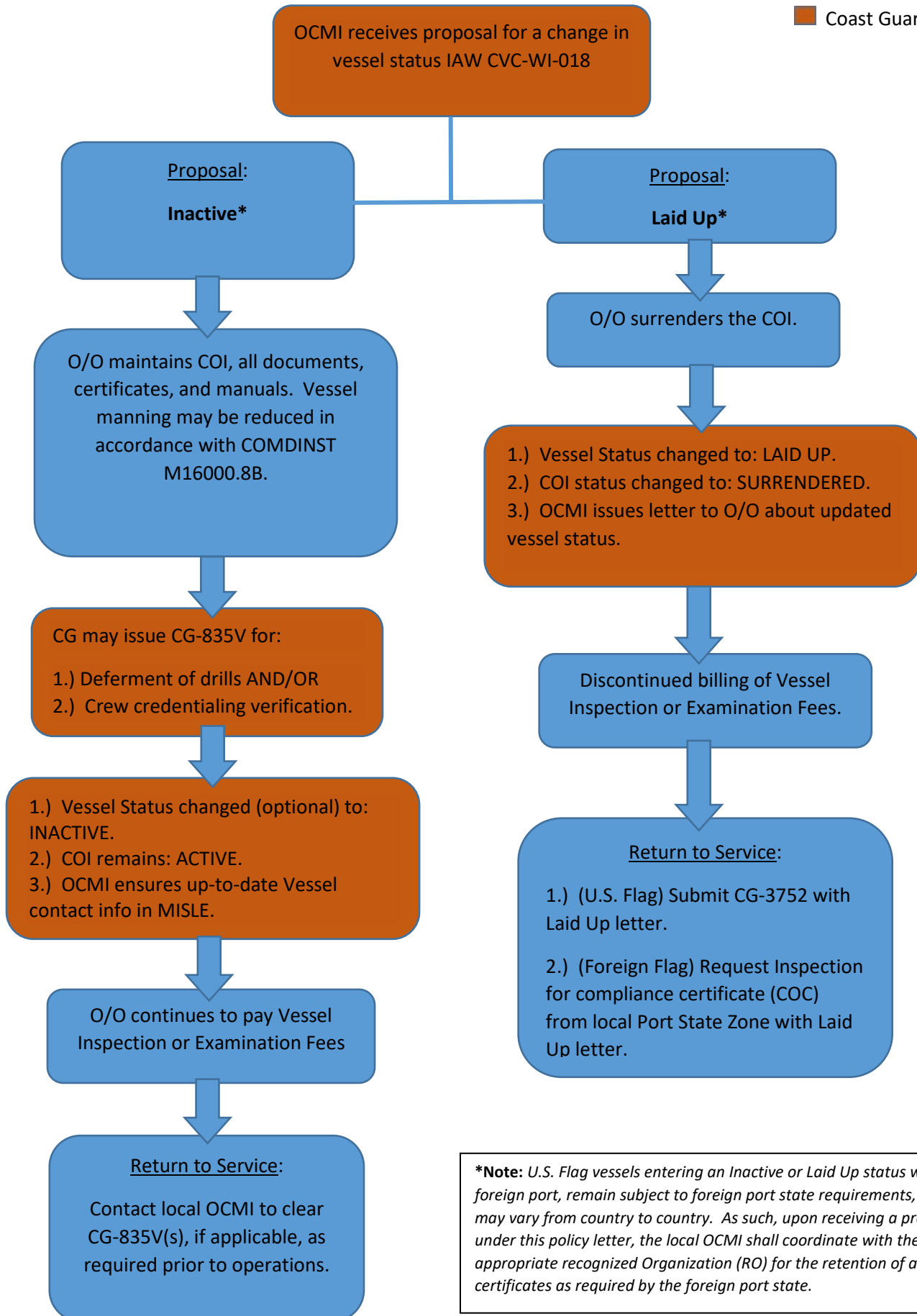
H. Request for Reduced Manning. Owners and operators who wish to maintain their COI or international certificates, but enter into an "inactive" status with reduced manning onboard, must request the manning reduction from the OCMI.

1. The owner or operator should provide an attestation from the master that the VSP and the SMS can be adhered to with the proposed reduced manning. If this is not possible, the vessel will be required to surrender the associated certificates.
 2. The OCMI may grant the manning reduction via official correspondence, and shall document the reduction in MISLE in accordance with reference (c).
- I. Questions. Questions concerning this Work Instruction and guidance should be directed to the Office of Commercial Vessel Compliance (CG-CVC) at CG-CVC@uscg.mil.

M. Edwards
Captain, U.S. Coast Guard
Chief, Office of Commercial Vessel Compliance
By direction

Enclosure: (1) Flowchart

■ Owner/operator (O/O)
 ■ Coast Guard



***Note:** U.S. Flag vessels entering an Inactive or Laid Up status while in a foreign port, remain subject to foreign port state requirements, which may vary from country to country. As such, upon receiving a proposal under this policy letter, the local OCMI shall coordinate with the appropriate recognized Organization (RO) for the retention of any and all certificates as required by the foreign port state.