

MAJOR CONVERSION DETERMINATIONS

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J. B. BYBEE, LCDR, Chief, Hull Division

Purpose

This Plan Review Guideline (PRG) provides general information on the Marine Safety Center (MSC) process for making major conversion determinations.

Contact Information

If you have questions or comments concerning this document, please contact the MSC by e-mail or phone. Please refer to Procedure Number GEN-06.

E-mail: msc@uscg.mil

Phone: 202-795-6729

Website: www.dco.uscg.mil/msc

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1. Applicability

This PRG is applicable to all U.S. vessels for which modifications are planned that may constitute a major conversion as defined in 46 U.S.C. § 2101(18) and implemented in 46 C.F.R. Chapter I.

2. Background

A major conversion (also referred to as a major modification) is a conversion of a vessel which satisfies the 46 U.S.C. § 2101(18) definition of the term “major conversion.” Under 46 U.S.C. § 2101(18), authority to determine whether a particular vessel modification constitutes a major conversion was delegated to the Secretary of Homeland Security. DHS Delegation No. 0170.1(92) further delegates that authority to the Commandant of the Coast Guard, who in turn delegated to the Commanding Officer of the Coast Guard MSC in 1996, who makes the major conversion determination.

When a vessel undergoes a major conversion, it is considered a “new” vessel as that term is used in Coast Guard regulations, and the entire vessel must be brought into compliance with all standards in effect on the contract date of the conversion, insofar as is reasonable and practicable. Although the concept of “grandfathering” is common in regulatory processes, major conversion determinations provide a counterbalance to this practice. The MSC adjudicates all major conversion determinations. Once it has been determined that planned modifications will constitute a major conversion, any requests to deviate from full compliance with current standards must be addressed to the cognizant Officer in Charge, Marine Inspection (OCMI), who will determine whether it is reasonable and practicable to require compliance with any particular standard.

NOTE: All planned modifications to certificated vessels, regardless of whether they constitute a major conversion, require pre-approval by the cognizant OCMI, and may require plan review and approval by the MSC or an authorized third party acting on behalf of the Coast Guard.

3. References

46 U.S.C. § 2101(18)

4. Definitions

Title 46 U.S.C. § 2101(18) defines major conversion as:

A conversion of a vessel that –

- (A) substantially changes the dimensions or carrying capacity of the vessel;
- (B) changes the type of the vessel;
- (C) substantially prolongs the life of the vessel; or
- (D) otherwise so changes the vessel that it is essentially a new vessel, as decided by the Secretary.

5. Guidance

Given the potential cost and schedule implications of a major conversion determination, MSC recommends that vessel owners seek a determination early in the planning process for any significant vessel alterations that are planned. Requests for formal determinations may be sent to msc@uscg.mil and should include, at minimum:

- a) outboard profile,
- b) general arrangement,
- c) estimated weight changes, and
- d) detailed description of the proposed alterations

The drawings should illustrate the “before and after” condition of the vessel. The description of modifications should include any changes in length, beam, depth, height, lightship displacement, deadweight capacity, passenger capacity, arrangements, extent of steel work, equipment replacement, removal, or addition, etc.

In the absence of a request from the vessel owner, any vessel alterations observed during Coast Guard vessel inspection activity, MSC plan review, or third party survey or plan review work that could potentially constitute a major conversion should be brought to the attention of the MSC so that, if appropriate, a formal major conversion determination may be rendered.

6. 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 general 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, you may contact MSC, the unit responsible for implementing this guidance.