

## Safety of Life at Sea Conventions (SOLAS)

{as amended 12/13/02}

### Chapter V, Regulation 19

2.4 All ships of 300 gross tonnage and upwards engaged on international voyages and cargo ships of 500 gross tonnage and upwards not engaged on international voyages and passenger ships irrespective of size shall be fitted with an automatic identification system (AIS), as follows:

- .1 ships constructed on or after 1 July 2002;
- .2 ships engaged on international voyages constructed before 1 July 2002:
  - .2.1 in the case of passenger ships, not later than 1 July 2003;
  - .2.2 in the case of tankers, not later than the first survey for safety equipment on or after 1 July 2003;
  - .2.3 in the case of ships, other than passenger ships and tankers, of 50,000 gross tonnage and upwards, not later than 1 July 2004;
  - .2.4 in the case of ships, other than passenger ships and tankers, of 300 gross tonnage and upwards, but less than 50,000 gross tonnage, not later than the first safety equipment survey<sup>1</sup> after 1 July 2004 or by 31 December 2004, whichever occurs earlier; and
- .3 ships not engaged on international voyages constructed before 1 July 2002, not later than 1 July 2008;
- .4 the Administration may exempt ships from the application of the requirements of this paragraph when such ships will be taken permanently out of service within two years after the implementation date specified in subparagraphs .2 and .3;
- .5 AIS shall:
  - .1 provide automatically to appropriately equipped shore stations, other ships and aircraft information, including the ship's identity, type, position, course, speed, navigational status and other safety-related information;
  - .2 receive automatically such information from similarly fitted ships;
  - .3 monitor and track ships; and
  - .4 exchange data with shore-based facilities;
- .6 the requirements of paragraph 2.4.5 shall not be applied to cases where international agreements, rules or standards provide for the protection of navigational information; and
- .7 AIS shall be operated taking into account the guidelines adopted by the Organization. Ships fitted with AIS shall maintain AIS in operation at all times except where international agreements, rules or standards provide for the protection of navigational information.

<sup>1</sup>The first safety equipment survey means the first annual survey the first periodical survey or the first renewal survey for safety equipment, whichever is due first after 1 July 2004 and, in addition, the case of ships under construction, the initial survey. [See SOLAS I/8].

## Title 46, U.S. Code

{P. Law 107-295 enacted 11/25/02}

### § 70114. Automatic identification system

#### (a) SYSTEM REQUIREMENTS.--

(1) Subject to paragraph (2), the following vessels, while operating on the navigable waters of the United States, shall be equipped with and operate an automatic identification system under regulations prescribed by the Secretary:

- (A) A self-propelled commercial vessel of at least 65 feet overall in length.
- (B) A vessel carrying more than a number of passengers for hire determined by the Secretary.
- (C) A towing vessel of more than 26 feet overall in length and 600 horsepower.
- (D) Any other vessel for which the Secretary decides that an automatic identification system is necessary for the safe navigation of the vessel.

#### (2) The Secretary may--

- (A) exempt a vessel from paragraph (1) if the Secretary finds that an automatic identification system is not necessary for the safe navigation of the vessel on the waters on which the vessel operates; and
  - (B) waive the application of paragraph (1) with respect to operation of vessels on navigable waters of the United States specified by the Secretary if the Secretary finds that automatic identification systems are not needed for safe navigation on those waters.
- (b) REGULATIONS.--The Secretary shall prescribe regulations implementing subsection (a), including requirements for the operation and maintenance of the automatic identification systems required under subsection (a).

### 46 USC § 70117. Civil Penalties

#### (e) PHASE-IN OF AUTOMATIC IDENTIFICATION SYSTEM.--

- (1) SCHEDULE.--Section 70114 of title 46, United States Code, as enacted by this Act, shall apply as follows:
- (A) On and after January 1, 2003, to any vessel built after that date.
  - (B) On and after July 1, 2003, to any vessel built before the date referred to in subparagraph (A) that is:
    - (i) a passenger vessel required to carry a certificate under the International Convention for the Safety of Life at Sea, 1974 (SOLAS);
    - (ii) a tanker; or
    - (iii) a towing vessel engaged in moving a tank vessel.
  - (C) On and after December 31, 2004, to all other vessels built before the date referred to in subparagraph (A).

## Title 33, Code of Federal Regulations

{as amended 07/01/03,, 07/16/03, and 10/22/03}

### § 164.46 Automatic Identification System (AIS)

(a) The following vessels must have a properly installed, operational, type approved AIS as of the date specified:

(1) Self-propelled vessels of 65 feet or more in length, other than passenger and fishing vessels, in commercial service and on an international voyage, not later than December 31, 2004.

(2) Notwithstanding paragraph (a)(1) of this section, the following, self-propelled vessels, that are on an international voyage must also comply with SOLAS, as amended, Chapter V, regulation 19.2.1.6, 19.2.4, and 19.2.3.5 or 19.2.5.1 as appropriate (Incorporated by reference, see § 164.03):

- (i) Passenger vessels, of 150 gross tonnage or more, not later than July 1, 2003;
- (ii) Tankers, regardless of tonnage, not later than the first safety survey for safety equipment on or after July 1, 2003;
- (iii) Vessels, other than passenger vessels or tankers, of 50,000 gross tonnage or more, not later than July 1, 2004; and
- (iv) Vessels, other than passenger vessels or tankers, of 300 gross tonnage or more but less than 50,000 gross tonnage, not later than the first safety survey for safety equipment on or after July 1, 2004, but no later than December 31, 2004.

(3) Notwithstanding paragraphs (a)(1) and (a)(2) of this section, the following vessels, when navigating an area denoted in table 161.12(c) of § 161.12 of this chapter, not later than December 31, 2004.

- (i) Self-propelled vessels of 65 feet or more in length, other than fishing vessels and passenger vessels certificated to carry less than 151 passengers-for-hire, in commercial service;
- (ii) Towing vessels of 26 feet or more in length and more than 600 horsepower, in commercial service;
- (iii) Passenger vessels certificated to carry more than 150 passengers-for-hire.

Note to § 164.46(a): "*Properly installed*" refers to an installation using the guidelines set forth in IMO SN/Circ.227 (incorporated by reference, see § 164.03). Not all AIS units are able to broadcast position, course, and speed without the input of an external positioning device (e.g. dGPS); the use of other external devices (e.g. transmitting heading device, gyro, rate of turn indicator) is highly recommended, however, not required except as stated in § 164.46(a)(2). "*Type approved*" refers to an approval by an IMO recognized Administration as to comply with IMO Resolution MSC.74(69), ITU-R Recommendation M.1371-1, and IEC 61993-2 (Incorporated by reference, see § 164.03). "*Length*" refers to "registered length" as defined in 46 CFR part 69. "*Gross tonnage*" refers to tonnage as defined under the International Convention on Tonnage Measurement of Ships, 1969.

(b) The requirements for Vessel Bridge-to-Bridge radiotelephones in §§ 26.04(a) and (c), 26.05, 26.06 and 26.07 of this chapter also apply to AIS. The term "effective operating condition" used in § 26.06 of this chapter includes accurate input and upkeep of AIS data fields.

(c) The use of a portable AIS is permissible only to the extent that electromagnetic interference does not affect the proper function of existing navigation and communication equipment on board and such that only one AIS unit may be in operation at any one time.

(d) The AIS Pilot Plug, on each vessel over 1,600 gross tons on an international voyage, must be available for pilot use, easily accessible from the primary conning position of the vessel, and near a 120 Volt, AC power, 3-prong receptacle.