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Appendix A to Part 187—Participating Authorities

Appendix B to Part 187—Participating And Certified Titling Authorities

Authority: 46 U.S.C. 2103; 49 CFR 1.46.

Subpart A—General

§ 187.1 Applicability.

(a) This part establishes minimum requirements for States electing to participate in the vessel identification system (VIS) established under 46 U.S.C. chapter 125. This part also prescribes guidelines for State vessel titling systems and the procedures for obtaining certification of compliance with those guidelines for those States electing to establish titling systems to support preferred mortgages.

(b) This part applies only to vessels numbered or titled under the laws of a State. It does not apply to vessels documented under 46 U.S.C. chapter 121 and the regulations in 46 CFR parts 67 and 68.

§ 187.3 Definitions.

The following definitions apply to terms used in this part.

Certificate of Origin (COO) means a document establishing the initial chain of ownership, such as manufacturer's certificate of origin (MCO) or statement of origin (MSO), importer's certificate of origin (ICO) or statement of origin (ISO), and builder's certification (Form CG-1261; see 46 CFR part 67).

Commandant means the Commandant of the United States Coast Guard.

Dealer means any person who engages wholly or in part in the business of buying, selling, or exchanging new or used vessels, or both, either outright or on conditional sale, bailment, lease, chattel mortgage or otherwise, and who has an established place of business for the sale, trade, and display of such vessels.

Department or division means the State agency designated to issue certificates of number or title, or both for vessels, and its duly authorized representatives.

Documented vessel means a vessel documented under 46 U.S.C. chapter 121.

HIN means the hull identification number assigned to an undocumented vessel in accordance with subpart C of part 181 of this subchapter.

Issuing authority means a State that has a numbering system approved by the Coast Guard or the Coast Guard where a State numbering system has not been approved.

Lienholder means a person holding a security interest.

Manufacturer means any person engaged in the business of manufacturing or importing new vessels for the purpose of sale or trade.

Owner means a person who claims lawful possession of a vessel by virtue of legal title or equitable interest in it that entitles that person to such possession.

Participating State means a State that has elected to participate in VIS and has been certified as complying with the participation requirements in subpart C of this part. Certified States participating in VIS are listed in Appendix A of this part.

Person means an individual, firm, partnership, corporation, company, association, joint-stock association, or governmental entity and includes a trustee, receiver, assignee, or similar representative of any of them.

Security interest means an interest that is reserved or created by an agreement and that secures payment or performance of an obligation and is valid against third parties generally.

State means a State of the United States, Guam, Puerto Rico, the Virgin Islands, American Samoa, the District of Columbia, the Northern Mariana Islands, and any other territory or possession of the United States.

Titled vessel means a vessel titled in accordance with the laws of a State.

Titling authority means a State whose vessel titling system has been certified by the Coast Guard as complying with the guidelines for State vessel titling systems listed in this part. Titling authorities participating in VIS are listed in Appendix B of this part.

Vessel includes every description of watercraft other than a seaplane on the water, used or capable of being used, as a means of transportation on water.

§ 187.5 Vessel identifier.

(a) The vessel identifier is the hull identification number (HIN) assigned to an undocumented vessel in accordance with subpart C of part 181 of this subchapter. The vessel identifier for a documented vessel is the official number assigned by the Coast Guard in accordance with 46 U.S.C. chapter 121.

(b) If the vessel does not have an HIN, the vessel identifier for vessels subject

to the numbering requirements of parts 173 and 174 of this subchapter is the number issued on a certificate of number by the issuing authority for the State in which the vessel is principally operated.

(c) If a vessel subject to the numbering requirements of parts 173 and 174 of this subchapter is transferred to a new owner, or the vessel is required to be numbered in a new State of principal operation, or application for a title is made, a hull identification number meeting the format requirements of § 181.25 shall be assigned by the issuing authority for the State in which the vessel is principally operated in accordance with the State's established procedures if the vessel does not have a valid HIN.

§ 187.7 Participation procedures.

(a) To participate in VIS, a State official within the department must submit a written request to the Commandant (G-NAB) and certify that the State will comply with the VIS participation requirements in subpart C of this part.

(b) Appendix A of this part lists those States that have elected to participate in VIS and comply with the participation requirements prescribed in this part. A State will remain listed in Appendix A of this part as long as it continues to comply with the participation requirements in subpart C of this part.

§ 187.9 Procedures for certification of compliance with guidelines for State vessel titling systems.

(a) Under 46 U.S.C. 31322(d), a mortgage or instrument perfected under State law for a vessel titled under the law of a participating State is deemed to be a preferred mortgage if the State has been certified as complying with the guidelines in subpart D of this part.

(b) To obtain certification of compliance with the State titling guidelines, a State official within the department must submit a written request along with a copy of the State's titling laws, regulations and administrative procedures, to the Commandant (G-NAB), and certify that the State will comply with the participation requirements in subpart C of this part.

(c) The Commandant will review the material, and, if the State complies with the guidelines provided in subpart D of this part, certify compliance.

(d) Appendix B of this part indicates those States that participate in VIS and, have been certified by the Commandant as complying with the guidelines prescribed in subpart D of this part and the date of that certification. A State