

# State Registered Vessels Operating Overseas



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# The Issue

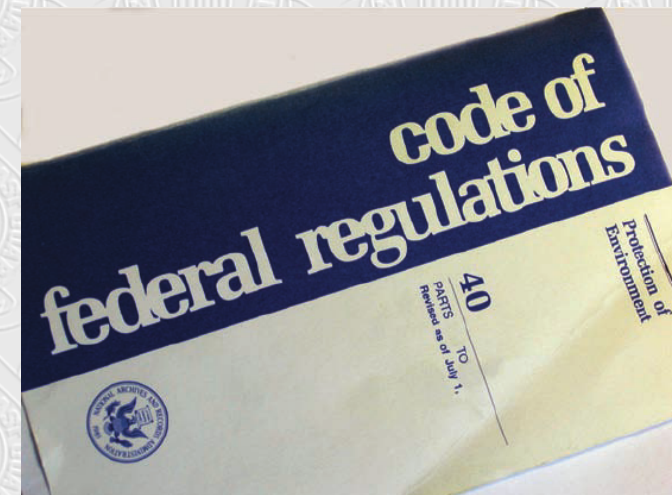
- State registered recreational vessels are operating overseas, flying the U.S. flag, and are suspected of being involved in illegal activities
- The Bella off Ibiza
- Why is this occurring?





# The Law

- States are given the authority to number (aka register) a vessel from 46 USC § 12301
- The Coast Guard promulgated regulations for the State numbering program under 46 USC § 12302(a) which is found in 33 CFR parts 173 and 174.
  1. 33 CFR 173.219(a)(1) requires that to register in a State that vessel must principally operate there
  2. 33 CFR 173.3/174.3 defines the State of principal operation as “the State in whose waters a vessel is or will be operated most during a calendar year.”
  3. Under 33 CFR 173.77(d) A certificate number becomes invalid 60 days after a vessel is no longer principally operated in the state where the certificate was issued.
  4. Additionally, the registration is invalid if the application for registration contains a false or fraudulent statement; which includes misrepresenting your intention of actually being in the state of registration to be principally operating there. See 33 CFR 173.77(c)(1)
- State registered vessel, exclusively abroad, must be in registered State for at least one day every year to “principally operate” there.





# Solutions

- Add attestations in the state registry forms, using perjury as an enforcement mechanism; holds
  1. Vessels operators criminal liable, and
  2. Third party registration companies to criminal/civil liability
- States proactively deregistering these vessels as reported

