As at: 06/03/2025

Preamble

Draft Regulation
of the Federal Ministry for Digital and Transport
for a

Second Ordinance
amending the Inland Waterway Vessel Inspection Ordinance
and other provisions of maritime law

A. Problem and objective

With the Second Ordinance modifying the Inland Waterway Vessel Inspection Ordinance and other provisions of maritime law the:

- Inland Waterway Vessel Inspection Ordinance,
- Inland Waterway Navigation - Recreational Craft Rental Ordinance
- Ordinance on the Introduction of the Inland Waterway Navigation Ordinance
- Inland Waterway Navigation Ordinance
- Inland Waterway Vessel Calibration Ordinance,
- Inland Waterway Vessel Personnel Ordinance and the
- Inland Waterway Navigation Marking Ordinance

are amended and the:

- Inland Waterway Vessel Exhaust Emissions Ordinance
- Second Ordinance on the temporary derogation from the Inland Waterway Navigation - Recreational Craft Rental Ordinance and the
- Ordinance on the Performance of Official Competence Tests at Operational Level under the Inland Waterway Vessel Personnel Ordinance.

are repealed. In detail:

The Inland Waterway Vessel Inspection Ordinance of 21 September 2018 (BinSchUO) lays down technical requirements for vessels on the federal waterways. In addition to the creation of national regulations, the BinSchUO also serves to implement EU obligations or international obligations arising from the electricity commissions. The amendment also serves the following purposes:

- Introduction of new stability criteria for ferries,
- Revocation of the Inland Waterway Vessel Exhaust Emissions Ordinance, and
- Addition of existing regulations.

In addition, there is an amendment to the Inland Waterway Navigation Ordinance. This mainly concerns the carrying of certificates and documents, the positioning of side lights on a pushed convoy, the introduction of an obligation for the owner and equipment supplier to ensure that the Inland ECDIS equipment and electronic inland navigation cards used on board comply with the specified requirements, the carrying of lighters in a pushed convoy and coupled vessels, the specifications for the submission

Notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241, 17/9/2015, p. 1)

of electronic reports, the adaptation of unloading depths to the changed equivalent water level on the Rhine and the approval of larger vessel dimensions on the Leine and Ihme, as well as the extension of an anchoring ban on the Spree-Oder Waterway.

The Ordinance also serves to make minor amendments to the Inland Waterway Vessel Personnel Ordinance. To facilitate this, the possibility of replacing a seaman with a deckhand instead of an ordinary seaman is created in certain cases. The role of those responsible, such as owners, boatmasters, etc., is emphasised by obliging them, subject to fines, to ensure that only persons with the required attestations of competency are employed. Finally, it is stipulated that, in the event of an exchange of a previous patent into a Union patent, a special authorisation for large convoys is issued upon request. In addition, clarifications, adjustments and corrections are made.

B. Solution

The necessary amendments shall be implemented by amending or repealing the above provisions.

C. Alternatives

No amendment.

D. Budget expenditure exclusive of compliance costs

None.

E. Compliance costs

E.1 Citizens

The legislation does not impose any additional cost on citizens.

E.2 Businesses

The compliance costs are estimated at a one-off amount of EUR 1,257,000 and an annual amount of EUR 107,000. The expenditure is solely due to the implementation of the European Standard laying down Technical Requirements for Inland Navigation vessels (ES-TRIN).

E.3 Administration

The compliance costs for the administration can be estimated at a total amount of EUR 3,000. The expenditure is solely due to the obligation under EU and international law to implement ES-TRIN.
The continued possibility of using the Leine and Ihme waterways with wider vessels than permitted under a special permit will result in additional compliance costs for the administration in the event of corresponding applications. However, since it is not possible to estimate how often this will be used, because the previously permitted traffic no longer occurs, no statement can be made in this regard.

F. Other costs

None.

Second Ordinance amending the Inland Waterway Vessel Inspection Ordinance and other provisions of maritime law of... ..... 2025[1]

The Federal Ministry for Digital and Transport has decreed

- Article 3 paragraph 1 sentence 1 numbers 1 to 4 and 6 to 7, sentence 2, paragraph 2, paragraph 4 and paragraph 6 number 1 letters (a) and (b) and Article 14 of the Inland Navigation Federal Duties Act in the version published on 20 March 2023 (Federal Law Gazette. 2023 I No. 82, No. 126), which is amended by Article 14 of the Act of 22 December 2023 (Federal Law Gazette 2023 I No. 409),

- Article 3 paragraph 1 sentence 1 numbers 5 and 8 sentence 2 paragraph 5 sentence 2 paragraph 6 number 1 letters (a) and (b), and Article 14 of the Inland Navigation Federal Duties Act in agreement with the Federal Ministry of Labour and Social Affairs,

- Article 3 paragraph 1 sentence 1 numbers 1, 2 and 2a sentence 2 paragraph 2 paragraph 5 sentence 1 paragraph 6 number 1 letters (a) and (b), and Article 14 of the Inland Navigation Federal Duties Act together with the Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection:

Article 1

Amendment to the Inland Waterway Vessel Inspection Ordinance

The Inland Waterway Vessel Inspection Ordinance of 21 September 2018 (Federal Law Gazette I p. 1398, 2032), last amended by Article 2 paragraph 1 of the Ordinance of 22 November 2024 (Federal Law Gazette. 2024 I number 370), is amended as follows:

1.Article 2 is amended as follows:

a) Paragraph 1 is amended as follows:

aa) Number 2 is replaced by the following number 2:

"2. ES-TRIN:

[1] Notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241, 17.9.2015, p. 1).

European Standard laying down Technical Requirements for Inland Navigation vessels, edition 2023/1, adopted by the European Committee for drawing up standards in the field of inland navigation (CESNI) (notification of the Federal Ministry for Digital and Transport of 16 March 2023, BAnz AT 02.05.2023 B3); for the purposes of applying ES-TRIN, "Member State" shall mean a Member State of the European Union or of the Central Body for the Waterway Vessel of the Rhine."

bb) In number 4, the words "DNV GL" are replaced by the words "DNV".

b) Paragraph 2 is amended as follows:

aa) Number 8 is replaced by the following number 8:

"8. ADN:
the Ordinance of 10 November 2021 (Federal Law Gazette 2021 II p. 1150; 2022 II p. 436) annexed to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN), last amended in accordance with the Ninth ADN Amending Ordinance of 14 December 2022 (Federal Law Gazette 2022 II p. 690),"

bb) Number 16 is replaced by the following number 16:

"16. BMDV Waterways and Shipping Special Fee Ordinance:
BMDV Waterways and Shipping Special Fee Ordinance of 28 October 2021 (Federal Law Gazette I p. 4744), last amended by Article 2 of the Ordinance amending ship safety regulations for traditional navigation of 29 January 2025, in the currently valid version."

c) Paragraph 3, number 11 is replaced by the following number 11:

"11."passenger boat" means a vessel licensed to carry passengers, other than a passenger ship;"

2. Article 3 paragraph 3 is replaced by the following paragraph 3:

"(3) The Directorate-General for Waterways and Shipping shall be the competent authority for issuing

1.Type approvals of navigation radar systems and rate-of-turn indicators within the meaning of Article 7.06 number 1 of the ES-TRIN in conjunction with Section I, Article 6 and Section II, Chapter 1, Article 1.05 of Appendix 5 to the ES-TRIN,

2. Type approvals of Automatic Identification System (AIS) equipment within the meaning of Article 7.06 number 3 of the ES-

TRIN in conjunction with Section IV, Article 1 of Appendix 5 to the ES-TRIN,

3. Type-approvals of tachographs within the meaning of Section V, Article 1 of Appendix 5 to ES-TRIN,
4. Type approvals of Inland ECDIS equipment for displaying nautical charts in digital form within the meaning of Article 6.06 letter (d) of Annex III and
5. Type approvals with class IWA/IWP within the meaning of Article 6 paragraph 2 in conjunction with Article 4 paragraph 1 numbers 5 and 6 of Regulation EU 2016/1628."

3. Pursuant to Article 6, paragraph 10, the following paragraph 11 is inserted:

"(11) Engines installed in or otherwise used on ferries shall be type-approved in accordance with Article 6 paragraph 2 of Regulation (EU) 2016/1628."

4. In Article 23, paragraph 1, the words "Inland Waterway Shipping Costs Ordinance" are replaced by the words "BMDV Waterways and Shipping Special Fees Ordinance".

5. Article 29 is amended as follows:

(a) Pursuant to paragraph 2, the following paragraph 3 is inserted:

"(3) The Directorate-General for Inland Waterways and Shipping may derogate from the provisions of the ES-TRIN for vessels sailing within a demarcated area, provided that an equivalent level of safety is guaranteed. The exceptions may only be granted within the scope of this legal regulation and outside the Rhine."

b) The previous paragraph 3 becomes paragraph 4 and is replaced by the following paragraph 4:

"(4) The equivalences and derogations referred to in paragraphs 1, 2 and 3, as well as the area referred to in paragraph 3, shall be entered in the certificate of fitness."

c) The previous paragraph 4 becomes paragraph 5.

d) The previous paragraph 5 becomes paragraph 6 and is replaced by the following paragraph 6:

"(6) In the case of Annex II, the provisions of paragraphs 1, 2 and 3 shall, however, only apply if there is a corresponding recommendation from the Federal Ministry for Digital Affairs and Transport."

e) The previous paragraph 6 becomes paragraph 7.

6. In Article 30, sentence 2, the words "paragraphs 3, 4 and 5" are replaced by the words "paragraphs 4, 5 and 6".

7. In Article 31, sentence 1, before number 1, after the words "(passengers)", the words "in particular in a scheduled service or for single tickets" are inserted.

8. Article 34 is amended as follows:

a) In paragraph 1, sentence 1, the words ",with the exception of the Oder waterway," are deleted.

(b) Paragraph 5 is replaced by the following paragraph 5:

"(5) In addition, the provisions of inland navigation law applicable to recreational and small craft shall apply to a craft which may be operated in accordance with paragraphs 1 to 4. The competent authority may, in individual cases, authorise exceptions to these regulations, in particular to the regulations of the Inland Waterway Navigation Ordinance, provided that this is necessary for the proper operation of the vessel and does not conflict with concerns about safety or the efficiency of traffic."

9. Article 35 is amended as follows:

a) Paragraph 1, sentence 1 is amended as follows:

aa) In number 7 letter (b) double letter (ff), the term "fire alarm system" is replaced by the term "fire alarm installation".

bb) In number 8 letter (f), the words "Article 30.01 number 5 of the ES-TRIN" are replaced by the words "Article 30.03 number 3 of the ES-TRIN".

cc) Number 10 is replaced by the following number 10:

"10. a craft, floating installation or floating structure is put into service only if the markings required under Article 9.04 number 2 letter (c) of ES-TRIN or under Article 32 paragraph 1 of Regulation (EU) 2016/1628 or under Article 30.06 of ES-TRIN or under Article 18.05 number 1 of ES-TRIN are affixed to the units referred to therein,".

dd) In number 14(i), the words "Article 30.02 number 1 of the ES-TRIN" are replaced by the words "Article 30.11 number 1 of the ES-TRIN".

b) Paragraph 3 is amended as follows

aa) number 1 letter (b) is replaced by the following letter (b):

"b) Articles. 2.02, 2.03 numbers 1 and 2, sentence 1, also in conjunction with sentence 2, numbers 3, 4, 6 to 8, Articles. 2.05, 2.06 numbers 1 to 3, number 3, also in conjunction with number 4, Article 2.07 number 1, also in conjunction with number 2, and Arts. 2.08 and 2.09, all in conjunction with Article 8.01 number 1 of Annex II,".

bb) In number 7, the words "Article 15.06 number 7 of the ES-TRIN" are replaced by the words "Article 19.06 number 7 of the ES-TRIN".

cc) In number 12, the words "Article 19.13 number 3 letter (b) of the ES-TRIN" are replaced by the words "Article 19.13 number 4 of the ES-TRIN" and the words "Article 30.03 number 4 letter (b) of the ES-TRIN" are replaced by the words "Article 30.05 number 4 letter (b) of the ES-TRIN".

dd) In number 13, the words "Article 19.13, number 4, sentence 1 and 3 of the ES-TRIN" are replaced by the words "Article 19.13, number 5 of the ES-TRIN".

c) Paragraph 4 is amended as follows:

aa) In number 5, the words "Article 4.04(2) of ES-TRIN" are replaced by the words "Article 4.03 of ES-TRIN".

bb) In number 6 letter (b) double letter (ff), the term "fire alarm system" is replaced by the term "fire alarm installation".

cc) In number 7 letter (g), the words "Article 30.01(5) of the ES-TRIN" are replaced by the words "Article 30.03(3) of the ES-TRIN".

dd) In number 8, the words "Article 30.05 ES-TRIN in conjunction with Appendix 8, number 1.6 ES-TRIN" are replaced by the words "Article 30.06 of ES-TRIN".

(ee) In number 11 letter (i), the words "Article 30.02 number 4 of the ES-TRIN" are replaced by the words "Article 30.11 number 4 of the ES-TRIN".

(d) In paragraph 5 number 1 letter (g), the words "Article 30.01 number 5 of ES-TRIN" are replaced by the words "Article 30.03 number 3 of ES-TRIN".

10. In Article 36, number 10, the words "or paragraph 3, number 17" and the words "or a certificate" are deleted.

11. The following will be replaced:

a) in Article 4 paragraph 6, the words "The Federal Ministry of Transport and Digital Infrastructure" are replaced by the words "The Federal Ministry of Digital and Transport",
b) in Article 20, paragraph 2, sentence 1, number 3, letter (c), the words to "the Federal Ministry of Transport and Digital Infrastructure" are replaced by the words to "the Federal Ministry of Digital Affairs and Transport" and
c) in Article 40 and Article 6.06 letter (d) of Annex III, the words "from the Federal Ministry of Transport and Digital Infrastructure" are replaced by the words "from the Federal Ministry of Digital and Transport".

12. Annex I, Section "Zone 2 – Inland" is amended as follows:

a) the position "Lühe" is replaced by the following position:

"Lühe	From the northern edge of the Marschdamm Bridge in Horneburg (km 0.26) to the mouth of the Elbe.

b) the position "Pinnau" is replaced by the following position:

"Pinnau	From the western edge of the road bridge in Pinneberg (km 0.36) along Elmshorner Straße to the mouth of the Elbe.

c) The following position is inserted after the position "Stralsund port area":

"Selliner See	Selliner See and Baaber Bek to the mouth of the Having.

13. The following amendments are made to Annex II:

a) The table of contents is changed as follows:

aa) the information in Part I of Annex II is replaced by the following information in Part I:

"**Part I**
Ferries

Chapter 1
Special regulations for ferries, general information

Articles
1.01 Applicable regulations
1.02 Definitions
1.03 Ferry certificate
1.04 Ferry markings

Chapter 2
Construction, fitting and equipment of ferries
Subchapter 1:
Ferries that are not barge ferries and cable-hauled barge ferries
2.01 General Information
2.02 Ferry body
2.03 Proof of intact and leak stability
2.04 Draught marks
2.05 Strength of the car deck
2.06 Life-saving equipment
2.07 Anchor
2.08 Additional equipment
2.09 Landing flaps

Subchapter 2
Barge ferries and cable-hauled barge ferries
2.10 General Information
2.11 Ferry body
2.03 Proof of intact stability and leak stability
2.13 Equipment

Chapter 3
Additional requirements for cable linked or chain linked ferries
3.01 Definitions
3.02 Proof of intact and damage stability for cable linked or chain linked ferries
3.03 Draught marks
3.04 Calculation and design of cable systems and chain systems
3.05 Test
3.06 Test conditions and test contents

3.07 Attestation

Chapter 4
Transitional provisions for ferries
4.01 Transitional provisions for ferries already in operation

bb) the information in Annexes 1 and 2 is deleted.

b) Part 1 is replaced by the following Part I:

"Part I
Ferries

Chapter 1
Special regulations for ferries, general information

Article 1.01
Applicable provisions

1. For ferries other than barge ferries or cable-hauled barge ferries, Chapters 1, 2, Subchapter 1 and Chapter 4 and, where applicable, Chapter 3 shall apply.
2. For barge ferries and cable-hauled barge ferries, Chapters 1 and 2, Subchapter 2 shall apply.

Article 1.02
Definitions

In this Annex, the definitions are as follows:

1. "passenger ferry" means a ferry built solely for the carriage of persons;
2. "car ferry" means a ferry constructed and equipped for the transport of land vessels, persons and other loads;
3. "free-moving ferries" means barge ferries, passenger motor ferries, car motor ferries;
4. "barge ferry" means an open ferry built for the transport of persons and propelled by muscle power; in addition, an auxiliary operate may be installed to cope with special operating conditions;
5. "passenger motor ferry" means a passenger ferry with mechanical propulsion;
6. "car motor ferry" means a car ferry with mechanical propulsion;
7. "cable or chain ferries" means cross-cable-hauled barge ferries, cable-hauled barge ferries, cable-hauled barge ferries, chain ferries, yaw cable-hauled barge ferries;
8. "cross-cable ferry" means a passenger or car ferry guided by a cable attached to both banks and moved by hand or by a winch from one bank to the other either by this guide cable or by a second cable (haulage cable) (passenger cross-cable ferry, car cross-cable ferry);

9. "cable-hauled barge ferry" means a ferry propelled by hand on a cable, or alternatively by an auxiliary motor, including the cable system and the moorings;
10. "cable ferry" means a passenger or car ferry moved on a cable by a cable winch, including the cable system, guyed masts and anchorage (passenger cable-hauled barge ferry, car cable-hauled barge ferry);
11. "chain ferry" means a cable-hauled barge ferry equipped with chains instead of cables (passenger chain ferry, car chain ferry);
12. "yaw cable ferry" means a passenger or car ferry which is moved transversely to the flow of a river exclusively by adopting a yaw position, guided by a fixed cable, including the cable system as well as the guyed masts and the mooring (passenger yaw cable-hauled barge ferry, car yaw cable-hauled barge ferry);
13. "yaw cable ferry with auxiliary propulsion" means a yaw cable-hauled barge ferry which is additionally provided with its own propulsion;
14. "land vessel" means a motor vessel, a horse-drawn vessel, a piece of mobile equipment or a towing vessel; towing vessels together with their trailers are considered to be a land vessel;
15. "total weight of a land vessel" means the weight in tonnes of a land vessel, including its load, which can be placed in any number and in any arrangement on the available loading area of the ferry deck up to the carrying capacity;
16. "carrying capacity" means the total carrying capacity of a car ferry in tonnes with a homogeneous or mixed load;
17. "maximum gross weight of the heaviest land vessel" means the mass in tonnes of a land vessel, including its load, which can be carried alone and without any other payloads when positioned centrally on the deck of a car ferry;
18. "length in the waterline" or "LWL" is a term that is understood in the sense of the ES-TRIN, i.e. taking into account the landing flaps when they increase the lateral area during flight;
19. "landing flap" a tiltable bridge between the ferry deck and land;
20. "quay curb" means a wheel-repellent lateral road barrier;
21. "yaw sword" a submersible and retractable surface to enlarge the underwater lateral plan;
22. "ferry deck" means the continuous deck of the ferry on which the transported vessels or other cargo are placed and passengers are assembled.

For the application of the ES-TRIN, the ferry certificate replaces the vessel certificate, the Union certificate or the inland navigation certificate.

Article 1.03

Ferry certificate

1. The results of the stability and strength calculations must be entered in the ferry certificate and displayed in a prominent place on board the ferry.

2. For cable ferries and chain ferries, the entries for low water, mean water and high water must be made according to the flow velocities used in the stability calculations.

3. Ferry stops must be entered in the ferry certificate, stating the river kilometre at which they are located.

4. If the ferry is also used for other shipping traffic, in particular for changing ferry numbers or for travelling to or from a shipyard, this purpose must be entered in the ferry certificate. The commercial transport of persons or goods is prohibited.

Article 1.04

Marking of the ferries

All ferries must have a clearly visible "F" at least 30 cm high on both long sides as a marking, either in light colour on a dark background or in dark colour on a light background.

Chapter 2
Construction, fitting and equipping of ferries

Subchapter 1
Ferries that are not barge ferries and barge cable-hauled barge ferries

Article 2.01

General information

For ferries, ES-TRIN and Annexes III to VII shall apply with the provisions resulting from the following:

1. Chapter 5 of the ES-TRIN applies to free-propelled ferries with mechanical main propulsion.
2. Chapter 15 of the ES-TRIN applies if the continuous presence of crew members is required outside working hours.
3. Chapter 19 of the ES-TRIN applies with the following exceptions:
   a) Article 19.01 number 3 of the ES-TRIN shall not apply.
   b) where the circulation areas intended for use by persons with reduced mobility are located on the open ferry deck and are accessible via sufficiently wide landing flaps, only the places intended for persons with reduced mobility need to comply with the requirements of Article 19.01 number 4 of the ES-TRIN.
   c) Landing flaps are suitable as muster areas in accordance with Article 19.06 number 8 of the ES-TRIN if their strength and stability are demonstrated and the landing flaps are secured by fixed locking devices in accordance with Article 2.08 number 1 of the ES-TRIN.
   d) Gangways as referred to in Article 19.06 number 12 letter (e) of the ES-TRIN may be replaced by at least two opposing landing flaps if these are suitable for fulfilling the function of

the gangways; in the case of passenger ferries, one landing flap is sufficient.

e) Toilets as referred to in Article 19.06 number 17 of the ES-TRIN are only required when the journey time from one bank to the other exceeds ten minutes. Where toilets are not required, installations for the collection and disposal of domestic wastewater are not required in accordance with Article 19.14 of ES-TRIN.

f) A second independent propulsion system as defined in Article 19.07 of ES-TRIN is not required for cable and chain linked ferries.

g) By way of derogation from Article 19.10 number 7 of the ES-TRIN, alternators may be used as an emergency power source if the following conditions are met:

aa) there are at least three independent main engine rooms, each with a propulsion engine and a corresponding alternator,

bb) each of these alternators can, if necessary, take over the function of the emergency power generator and

cc) the main engine rooms cannot be flooded simultaneously.

4. Annex III applies with the following derogations:

a) Article 6.05 does not apply to ferries on inland waterways of Zone 2,

b) the Chapters 3 and 4 and Article 6.05 shall not apply to ferries on Zone 2-Sea waterways,

c) Articles 10.02 to 10.04 shall not apply to ferries on Zone 1 waterways.

5. Articles 3.02 and 3.03 of Annex IV shall not apply to Zone 4 waterways.

6. Cable and chain ferries are not permitted on Zone 1 and Zone 2-Sea waterways.

7. On ferries licensed to carry fewer than 100 passengers and whose L_{WL} 25 m, is different from the ES-TRIN the following is sufficient:

a) a motor-driven bilge pump in accordance with Article 19.08 number 5 of ES-TRIN,

b) a portable fire pump in accordance with Article 19.12 number 2 of ES-TRIN and

c) a hydrant at the wheelhouse in accordance with Article 19.12 number 3 letter (a) of the ES-TRIN

8. The following provisions do not apply to passenger ferries that are authorised to carry up to twelve passengers and whose length does not exceed 15 m:

a) Article 19.08, numbers 4 to 6 and numbers 9 and 10 of ES-TRIN,

b) Article 19.09, number 1, sentence 1 and number 11 of ES-TRIN,

c) Article 19.12 numbers 1 to 8 of the ES-TRIN.

Article 2.02

Ferry body

1. A collision bulkhead in accordance with Article 3.03 number 1 letter (a) of the ES-TRIN must be provided at both ends of the ferry hull. If the ferry docks sideways, sentence 1 applies to the end of the ship facing against the current.
2. The ferry deck must be watertight and self-draining.

Article 2.03

Proof of intact and leak stability

1. The applicant shall demonstrate by means of a calculation that the intact stability of the ferry meets the following requirements. The calculation must be carried out in accordance with Article 19.03 number 1, 3 to 6 of ES-TRIN in conjunction with Articles 1.02 number 1 letter (a), or 7.03 or Article 10.08 of Annex III. It must be carried out depending on the waterway to be navigated.
2. If the heeling test does not produce sufficient angles of heel or if the performance of the heeling test results in unreasonable difficulties, Article 22.06 number 2 of the ES-TRIN may be applied.
3. In the calculation for persons, land vessels and livestock, at least the following load and measurement assumptions must be used:

The mean height of the centre of gravity of the cargo and the centre of gravity of the wind attack surface of the cargo shall be related to the deepest point of the ferry deck at half the length of the ferry and, in the case of non-continuous, higher decks, to half the length of the deck in question. The lateral distance between vessels must be planned so that the vessels can be exited in an emergency.

Payload	Load assumptions [t]	Dimensions L•W•H [m]	mean height of the load above deck [m]	mean height of the centre of mass above deck [m]	mean height of the centre of gravity of the wind attack area of the cargo above deck [m]
persons	0.075	---	1.8	1.0	0.85
Heavy goods vehicle with load	32	12·2.55·4	4.0	1.6	2.00
Semi-trailer truck with load	44	15.5·2.55·4	4.0	1.6	2.00
Passenger cars without passengers	1.7	4.2·1.9·1.7	1.7	0.8	0.75
Livestock	0.75	2.5·1·1.7	1.7	1.0	1.00

4. In derogation from Article 19.03 number 2 of ES-TRIN, the calculation of intact stability must cover at least the following loading conditions:

a) ferry loaded exclusively with persons,

aa) maximum number of persons in the most unfavourable formations, which shall be determined as follows:

To calculate the most unfavourable position of the centres of gravity with respect to the heeling, the maximum lateral positions of the crowd S_{Bb} and S_{Stb} are determined.

To calculate the most unfavourable position of the centres of gravity with regard to the trim, the maximum possible positions of the crowd S_a and S_v are determined in the longitudinal direction.

To calculate the most unfavourable position of the centres of gravity with regard to heeling and trim, the four coordinates are denoted by SL and SQ are determined and calculated as follows:

$$S_L = \frac{S_v + S_a}{2} \pm \frac{S_v - S_a}{\sqrt{8}}$$

$$S_Q = \frac{S_P - S_{Stb}}{2} \pm \frac{S_P + S_{Stb}}{\sqrt{8}}$$

With:

Sv = Centre of gravity of the gathering of people with minimum distance to the bow,

Sa = Centre of gravity of the gathering of people with minimum distance to the stern,

SBb= Centre of gravity of the gathering of people shifted as far as possible to the port,

SStb = Centre of gravity of the gathering of people shifted maximally to the starboard,

SL = Longitudinal centre of gravity,

SQ = Centre of gravity in the transverse direction.

Of the two centre of gravity points Sv or Sa is the position with the greater distance to the centre of buoyancy should be used to calculate the intact stability.

Of the two centre of gravity points SBb or SStb the position with the greater distance to the centre of buoyancy should be used to calculate the intact stability.

Of the four centre of gravity points determined using the formulas for SL and SQ, the position with the greatest distance to the centre of buoyancy shall be used to calculate the intact stability.

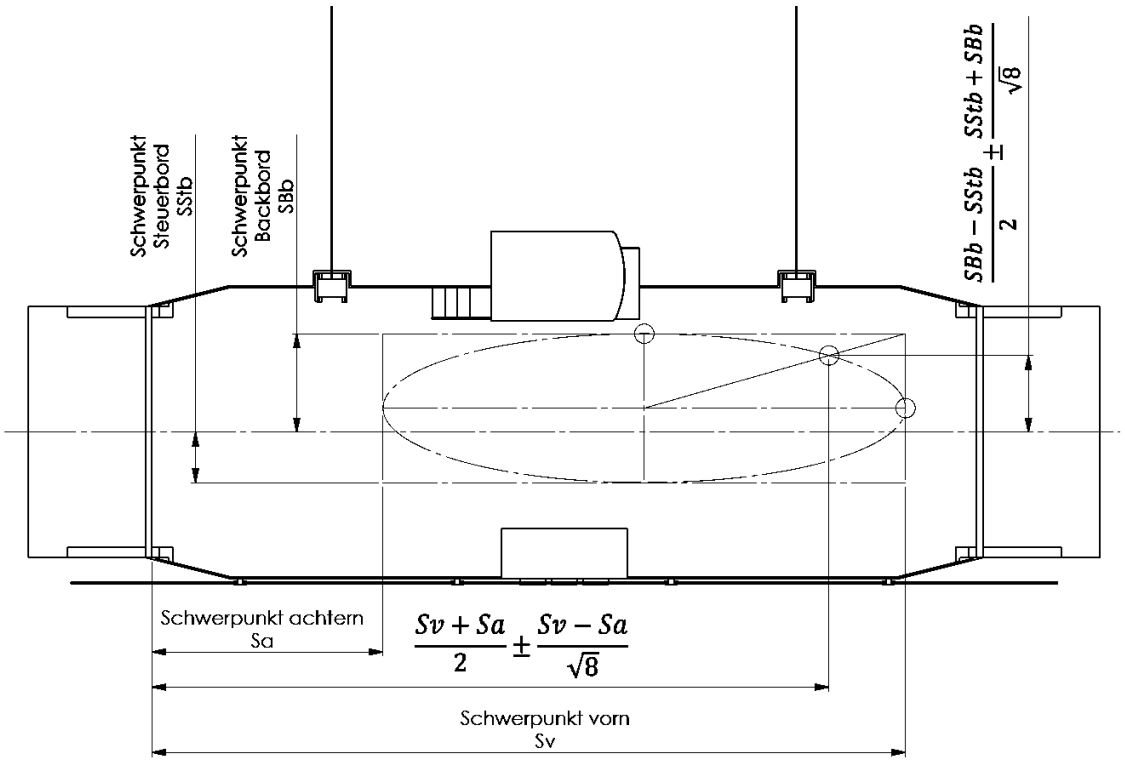

Figure 1 – Sketch of the maximum number of people "in the most unfavourable configurations"

bb) all tanks are 50% full,

b) ferry loaded on one side to starboard and to port,

aa) with land vessels in the most unfavourable positions possible, determined in accordance with number (a), up to the middle of the ferry, whereby the remaining space on the loaded side is to be filled with smaller land vessels and persons,

bb) all tanks are 50% full,

c) ferry loaded exclusively with land vessels,

aa) land vessels "in the most unfavourable positions possible", determined in accordance with number (a),

bb) all tanks are 50% full,

d) ferry loaded with the heaviest land vessel,

aa) heaviest land vessel according to Article 1.02 number 17 in central position on the ferry deck,

bb) all tanks are 50% full,

e) ferry loaded to the limit of its carrying capacity,

aa) maximum number of persons,

bb) maximum number of land vessels,

cc) fuel and fresh water tanks filled to 98%,

dd) waste water tank 10% full,

f) ferry empty,

aa) without persons and without land vessels,

bb) fuel and fresh water tanks filled to 10%,

cc) storage rooms and waste water tanks empty.

In the case of number 4 letters (b) and (c), it is sufficient to assume that the land vessels are displaced no more than to the quay curb. In order to fulfil the intact stability requirement under number 1, the loading conditions under number 4 letters (a) to (f) must be demonstrated. In the above-mentioned loading cases, in car ferries

a) the ferry deck must be made slip-resistant and

b) in accordance with Article 19.03 number 5 of the ES-TRIN, the loading of lorries or passenger cars, for example, must be taken into account in the lateral plan.

The Directorate-General for Waterways and Shipping may request evidence of further loading conditions.

5. The following must be specified in the ferry certificate as a result of the stability calculation:

   a) if the ferry is loaded exclusively with persons,

      aa) the maximum number of passengers,

      bb) the displacement (m^3),

   b) when the ferry is loaded with persons, land vessels or other loads,

      aa) the maximum number of passengers,

      bb) the carrying capacity in tonnes (t),

      cc) the maximum permissible weight in tonnes (t) of one of several land vessels,

      dd) the maximum total weight of the heaviest land vessel in tonnes (t).

6. The applicant must demonstrate by calculation that the damage stability of the ferry is adequate. The calculation must be carried out in accordance with Article 19.03 numbers 7, 9 to 13 of ES-TRIN in conjunction with paragraphs 1.02, 7.03 or 10.08 of Annex III and Article 4.03 of Annex IV. It must be carried out depending on the waterway to be navigated. Here

   a) by way of derogation from Article 19.03, number 8, sentence 1 of ES-TRIN, the loading conditions referred to in number 4 must be demonstrated,

   b) the ferries need not comply with the 1-compartment status according to Article 19.03(9) of the ES-TRIN if the 2-compartment status according to Article 19.03 of the ES-TRIN is complied with,

   (c) the B/3 distance may be reduced to a B/5 distance in accordance with Article 19.03, number 9(a) of the ES-TRIN.

   For ferries licensed to carry more than 50 and less than 100 passengers and whose LWL 25 m, Article 19.15(1) of ES-TRIN shall apply accordingly.

7. During the journey and when loading or unloading the ferry, the permissible angle of heel pursuant to Article 19.03, numbers 2 and 3, of the ES-TRIN must not be exceeded and the residual freeboard permitted for the respective zone must not be undercut. During loading or unloading, the ferry is to be considered as

floating freely, unless the ferry vessel is held in a fixed position by a positive connection when supported on the ramp.

8. For passenger ferries carrying up to twelve passengers, whose length does not exceed 15 m, the following requirements must be verified by calculation in a symmetrically flooded state:

   a) the ferry may only submerge to the diving line and

   b) the remaining metacentric height GM_R must not be less than 0.10 m.

   The required residual buoyancy is guaranteed by:

   a) the appropriate choice of hull material,

   b) buoyancy bodies made of closed-cell foam, which are firmly attached to the hull,

   c) local subdivisions forming watertight compartments,

   d) a 1-compartment status according to Article 19.03 number 9 of the ES-TRIN or

   e) a combination of the options referred to in sentence 2 letters (a) to (d).

Article 2.04

Draught marking

Article 4.03 number 10 of the ES-TRIN shall apply; however, at least two pairs of draught marks shall be provided, each covering one-third of the length.

Article 2.05

Strength of the car deck

For car ferries, the applicant must demonstrate the strength of the car deck by means of a calculation. The calculation is based on a load of the permissible land vessels resulting from the stability calculations. The result of the strength calculation determines:

(a) the permissible axle load of a single axle of land vessels in tonnes (t),

b) the permissible axle load of a tandem axle of land vessels in tonnes (t).

Article 2.06

Life-saving equipment

1. Individual life-saving equipment in accordance with Article 19.09, number 4 of the ES-TRIN may be replaced by collective life-saving equipment in accordance with Article 19.09, number 5 of the ES-TRIN in conjunction with Article 19.09, numbers 7 to 9 of the ES-TRIN.

2. Landing flaps may be considered as transitional devices in accordance with Article 19.09 number 3 of ES-TRIN, provided they are suitable for this purpose.

3. Passenger ferries approved for more than 250 passengers, as well as car ferries approved for more than 250 passengers or for more than 150 tonnes dead weight, must, in addition to number 1, be

equipped with a dinghy in accordance with Article 13.07 of the ES-TRIN.

4. In the case of ferries, the inspection body may waive the requirement of number 3 in the cases referred to in Article 19.15 numbers 5 and 6 of the ES-TRIN; in this case, the landing flaps shall be considered as comparable devices to platforms if they meet the requirements and provisions described in Article 19.15 numbers 5 and 6 of the ES-TRIN.

Article 2.07

Anchor

1. For ferries that have at least two independent propulsion systems that are fully effective in each direction, only one anchor is sufficient.
2. The locally responsible waterways and shipping administration may exempt cable linked or chain linked ferries on the waterways of Zone 4 from the requirement to be equipped with an anchor if the safety and ease of traffic is not endangered.

Article 2.08

Additional equipment

1. By way of derogation from Article 19.06 number 10 and number 12 letters (b) and (c) of ES-TRIN, the on-board access and exit openings of passenger ferries or car ferries must be secured by fixed or flexible locking devices as follows:
   a) all locking devices must:
      aa) have a height of at least 1.10 m,
      bb) be clearly marked and
      cc) be provided with suitable intermediate rails or suitable panelling;
   b) fixed locking devices such as swing beams, barriers and railings must meet at least the following strength requirements:
      aa) load assumption of 1 000 N/m,
      bb) maximum deflection without permanent deformation and without taking into account the bearing clearance of 50 mm;
   (c) flexible locking devices such as locking chains and plastic cables may be used on ferry decks if
      aa) there is at least 2 m of deck area or landing flap behind the locking device,
      bb) the deck area of 0.80 m in front of the chain or cable is marked as closed to passengers by clearly visible markings and
      cc) the chain or cable has a minimum breaking force of 40 kN.
2. Landing flaps can be used as locking devices if they reach a height of 1.10 m above the ferry deck when raised and can be locked.

Article 2.09

Landing flaps

The strength of landing flaps must correspond to their intended use. The landing flaps must be provided with suitable safety devices on the sides.

Subchapter 2
Barge ferries and cable-hauled barge ferries

Article 2.10

General information

The following requirements apply to barge ferries and cable-hauled barge ferries:

1. For all barge and cable-hauled barge ferries, Article 2.08 and Articles 3.04 to 3.07 apply accordingly, if applicable.
2. The following applies to all barge and cable-hauled barge ferries:
   a) Chapter 3 of the ES-TRIN mutatis mutandis,
   b) Article 8.08, numbers 1 and 2 of ES-TRIN, where a manual bilge pump or a scoop is sufficient,
   c) Chaps. 10 to 12 of the ES-TRIN mutatis mutandis,
   d) Article 13.02 number 2 letter (b) of ES-TRIN, where one container shall be sufficient,
   e) Article 13.02 number 3 letters (a), (c) and (e) to (h) of the ES-TRIN,
   f) Article 13.08 number 2 of the ES-TRIN,
   g) Article 19.01 number 2 of ES-TRIN,
   h) Article 19.06 numbers 10 and 12 letters (a), (b), (c) of the ES-TRIN, as far as structurally reasonable,
   i) Article 19.09 number 1 of ES-TRIN, two lifebuoys being sufficient,
   j) Article 19.09 numbers 4, 8 and 9 of ES-TRIN and
   k) in accordance with Chaps. 8 and 9 of the ES-TRIN and Article 13.03 of the ES-TRIN, whereby one fire extinguisher shall be sufficient if the barge ferry or cable-hauled barge ferry is equipped with an auxiliary propulsion or engine.
3. Permanent seating must be available for all passengers.
4. The inspection body may impose additional requirements for all barge ferries and cable-hauled barge ferries, particularly to take into account special local or structural conditions.

Article 2.11

Ferry body

Barge ferries and cable-hauled barge ferries must be equipped with air boxes or other buoyancy devices. Air boxes must be provided with a screw cap to carry out leak tests.

Article 2.12

Proof of intact and leak stability

For barge ferries and cable-hauled barge ferries, the following is sufficient proof

1. Intact stability shall be determined by a load test carried out with half the weight of the maximum permissible number of passengers and with the fuel and water tanks at the most unfavourable level; the passengers shall be assumed to be standing and their weight shall be distributed as far as possible laterally on the space available for passengers. In this case, a heeling angle of 7° must not be exceeded and a residual freeboard and a residual safety distance of 0.20 m in Zone 4 and 0.30 m in Zone 3 and Zone 2 inland must not be undercut;
2. Leak stability is a mathematical proof, whereby when the ferry is fully loaded and flooded, a reserve buoyancy of 100 Newton per person and a stable upright floating position must remain, in which the remaining metacentric height GM_R 0.10 m must not be exceeded.

Article 2.13

Equipment

1. Each barge ferry or cable-hauled barge ferry must be equipped with an anchor weighing at least 25 kg and an anchor chain or cable of at least 30 m in length. In addition, the provisions of Article 13.01 of ES-TRIN apply.
2. The locally responsible waterways and shipping administration may, upon request, exempt vessels from the requirement of anchoring equipment on Zone 4 waterways if the safety and ease of traffic is not endangered.
3. Barge ferries and cable-hauled barge ferries must be equipped with a pair of oars or similar propulsion devices. An auxiliary propulsion must be provided to cope with special operating situations.

Chapter 3
Additional requirements for cable linked or chain linked ferries

Article 3.01

Definitions

Notwithstanding Article 1.02, the following shall apply for the purposes of this chapter:

1. "carrying capacity" means the total carrying capacity with homogeneous or mixed load in tonnes as a function of specific water levels;
2. "total weight of a land vessel" means the weight in tonnes of a land vessel, including its cargo, which, depending on specific water levels, can be placed in any number in any arrangement on

the available loading area of the ferry deck up to the carrying capacity;

3."maximum gross weight of the heaviest land vessel" means the weight in tonnes of a land vessel, including its cargo, which can be carried on its own and without the simultaneous carriage of certain payloads, depending on certain water levels, when positioned exclusively centrally on the ferry deck;

4. "backwater" means the course of the water surface on the upstream side of the ship;

5."residual freeboard" means the vertical distance between the lowest number of the watertight deck or of the watertight deck extension and the imaginary waterline passing through the highest number of the embankment in the case of upstream inclinations;

6."deck extension" means a low-height, non-deck-to-deck structure, common only on cable-guided ferries, which restricts the width of the ferry deck on one side, increases the side height on one side and extends over the entire length of the ferry deck;

7. "discard readiness" is the condition at which the cable or chain must be taken out of service, particularly due to wear, elongation, cracks, corrosion or breakage.

Article 3.02

Proof of intact and leak stability for cable linked or chain linked ferries

1.In addition to Article 2.03, the proof of sufficient intact stability for cable linked or chain linked ferries must include calculations for inclinations of the cable or chain linked ferry upstream and downstream.

2. Proof of sufficient intact stability is provided if the requirements of sentence 2 are met under the simultaneous influence of the following factors:

a) a lateral displacement of land vessels and persons,

b) wind resistance,

c) a lateral flow and

d) the gradient resistance.

The following requirements must be met:

a) when heeling upstream with $M_{KrO}=0$ there is a residual freeboard of at least 0.1 m;

b) when heeling upstream with $M_{KrO}=0$ a heeling angle of 5° is not exceeded;

c) when heeling downstream with $M_{KrU}=0$ there is a residual freeboard of at least 0.0 m;

d) when heeling downstream with $M_{KrU}=0$ a heeling angle of 10° is not exceeded;

(e) the cable linked ferry or chain linked ferry shall be calculated using the loads from number 3 and the heeling moments from number 4. Cable linked ferries or chain linked ferries

with auxiliary propulsion must also be calculated with half-filled fuel tanks.

$$W_{Oges} = W_Q - W_w$$
$$W_{Uges} = W_Q + W_w$$
$$M_{md} = 1.5 \cdot W_{Oges} \cdot \left(Z_F - \frac{T}{2} \right) - \tan(\alpha) \cdot W_{Oges} \cdot Y_F + 0.44145 \cdot backwater \cdot L \cdot B^2 + M_A[\Phi] + M_{ZO} + M_W$$
$$M_{KrU} = 1.5 \cdot W_{Uges} \cdot \left(Z_F - \frac{T}{2} \right) - \tan(\alpha) \cdot W_{Uges} \cdot Y_F + 0.44145 \cdot backwater \cdot L \cdot B^2 + M_A[\Phi] + M_{ZU} - M_W$$
$$F_{SO} = H - T_S$$
$$F_{SU} = H - 2 \cdot T + T_S$$

In these formulas (see also Figure):

- $W_Q = \left(c¿¿¿WQ \cdot A_{Lat} + 2 \cdot A_{Yaw} \right) \cdot \frac{\rho}{2000} \cdot v^2 + \frac{\Delta \, i \, g}{1000}$;
- $T_S = \left(1 + 5.8995 \cdot F_{nB}^2 \cdot \left(\frac{L}{B} \right)^{\frac{1}{5}} \cdot \left(\frac{B}{h} \right)^{\frac{1}{2}} \right) \cdot \left(T + \frac{\tan(\Phi) \cdot B}{2} \right)$;
- $Backwater = 5.8995 \, F_{nB}^2 \cdot \left(\frac{L}{B} \right)^{\frac{1}{5}} \cdot \left(\frac{B}{h} \right)^{\frac{1}{2}} \cdot \left(T + \frac{\tan(\Phi) \cdot B}{2} \right)$;
- $c¿¿_{WQ} = 2.8322 \cdot c¿¿_{WQ0} \cdot f_h \cdot f_\Phi \cdot F_{nB}^{\frac{1}{4}} - \frac{1}{2} + \frac{Vegetation}{2}$
- $c¿¿_{WQ0} = \left(-0.002 \cdot \frac{L}{B} + 0.003 \right) \cdot \frac{L}{T} + \left(0.11 \cdot \frac{L}{B} + 0.92 \right)$;
- $f_h = 1 + 0.03 \cdot \frac{L}{T} \cdot \left(1 - \left(1 - \frac{T}{h} \right)^{0.6} \right)$;
- $f_\Phi = 1 + \frac{|\Phi|}{5} \cdot \left(\left(-0.006 \cdot \frac{L}{B} + 0.035 \right) \cdot \frac{L}{T} + 0.45 \right)$;
- $F_{nB} = \frac{v}{\sqrt{g * B}}$;
- $W_Q = Resistance\ due\ ¿\ cross\ flow\ [kN]$;
- $W_W = Wind\ resistance\ according\ ¿\ Article\ 19.03\ number\ 5\ ES-TRIN\ [kN]$;
- $W_{Oges} = Total\ resistance\ when\ heeling\ upstream\ [kN]$;
- $W_{Uges} = Total\ resistance\ when\ heeling\ downstream\ [kN]$
- $A_{Lat} = Lateral\ plane\ surface \in flow\ direction\ without\ yaw\ blade\ [m^2]$;
- $A_{Yaw} = Additional\ lateral\ plane\ surface\ through\ a\ yaw\ blade\ [m^2]$;
- $\rho = density\ of\ water\ \left[\frac{kg}{m^3} \right]$;
- $v = flow\ velocity\ of\ the\ water\ body\ [\frac{m}{s}]$;
- $\Delta = Mass\ of\ displacement\ [t]$;
- $i = gradient\ of\ the\ water\ body\ [\frac{m}{km}]$;

- $Vegetation = 1\ for\ heavy\ vegetation\ on\ the\ outer\ skin, 0\ for\ light\ vegetation;$
- $L = length\,[m];$
- $B = width\,[m];$
- $T = draught\ with\ possible\ yaw\ blade\,[m];$
- $H = lateral\ height \neg the\ lowest\ point\ of\ the\ ferry\ deck\,[m];$
- $h = water\ depth\,[m];$
- o $\Phi = Heel\ angle\,[°];$
- $g = acceleration\ due \neg gravity = 9.81 \frac{m}{s^2};$
- $Backwater = Hydrodynamic\ increase \in the\ draught\ upstream\,[m];$
- $T_S = Draught\ increased\ by\ heeling \wedge backwater\,[m]$
- $F_{SO} = Freeboard\ upstream, reduced\ by\ heeling \wedge backwater\,[m];$
- $F_{SU} = Freeboard\ downstream, reduced\ by\ heeling \wedge backwater\,[m];$
- o $M_A[\Phi] = Righting\ hydrostatic\ moment\ at\ heeling\ angle\ \Phi\,[kNm];$
- o $M_{QKr} = Heeling\ moment \neg the\ transverse\ flow\,[kNm];$
- $M_W = Heeling\ moment \neg wind\ pressure\,[kNm];$
- o $M_{ZO} = Heeling\ moment\ load\ displacement\ towards\ upstream\,[kNm];$
- o $M_{ZU} = Heeling\ moment\ load\ displacement\ towards\ downstream\,[kNm];$
- o $M_{md} = \sum\ of\ heeling\ moments\ upstream\,[kNm];$
- o $M_{KrU} = \sum\ of\ heeling\ moments\ downstream\,[kNm];$
- $Z_F = Vertical\ point\ of\ application\ of\ the\ guide\ cable \neg the\ base\,[m];$
- $Y_F = Attachment\ point\ of\ the\ guide\ cable \neg the\ middle\ of\ the\ ship\,(MS)\,[m];$
- $\propto = Direction\ of\ the\ guide\ cable\ at\ the\ point\ of\ application\ relative \neg the\ horizontal\,[°]$;
- $\propto$ *is positive as shown, negative if the cable leads* $\neg$ *the bottom of the water.*

For values with "o" as a bullet point, a positive value points towards the upstream and a negative value points towards the downstream.

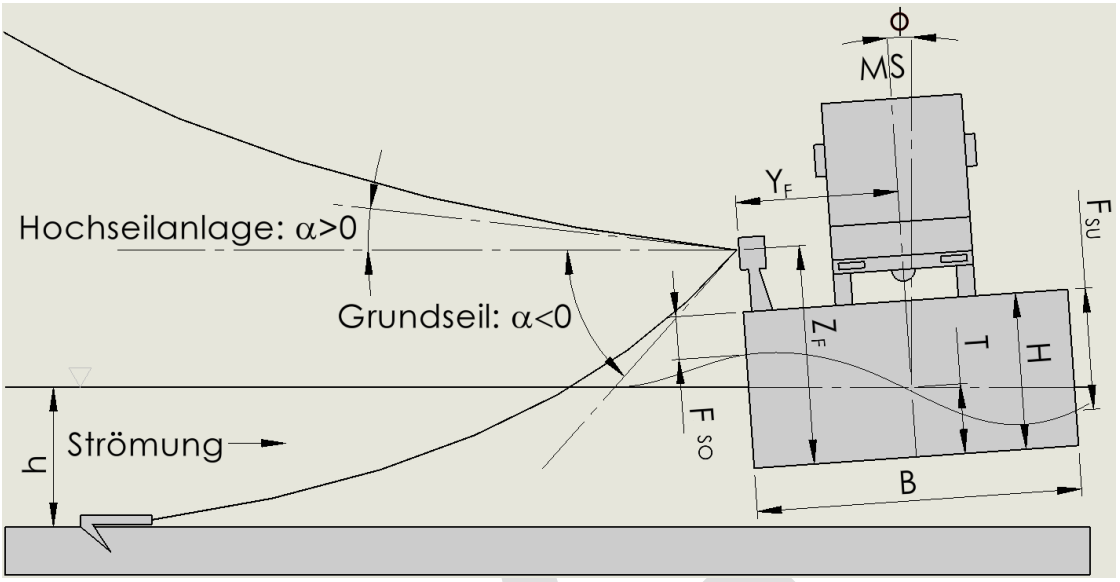

Figure 2 - Representation of angles and statement values for the verification of intact stability

3. For the calculations pursuant to number 2, a mixed load L consisting of land vessels and persons in a homogeneous distribution shall be assumed. It is to be divided into

   a) $Z_1 = (0 \cdot P_F) + (0 \cdot P_{P1})$ (cable or chain ferry empty),

   b) $Z_2 = (0.5 \cdot P_F) + (1 \cdot P_{P2})$ (half payload),

   c) Z3 = (1 · PF) + (1 · PP3) (full payload),

   where Z is the weight of the payload in tonnes, PF the weight of land vessels in tonnes and PP the weight of the people in tons.

   The number of people PP1, PP2 and PP3 may be determined within the framework in which the conditions for intact stability set out in number 2 are met.

4. The moment from the lateral displacement of the payload is to be calculated using the following formula:

   $M_Z = Z_n \cdot e$

   In this formula:

   Zn = Weight of the payload Z2 or Z3 in tonnes (t),

   e = maximum lateral displacement of the payload from the central longitudinal axis of the cable or chain-linked ferry in metres (m).

   If the quay curbs are positioned in such a way that lateral displacement of the land vehicles is not possible, only the lateral displacement of the persons should be included in the calculation according to the following formula:

   $M_Z = P_P \cdot e$

5. In the calculations according to number 2, the average flow velocity of the water shall be taken into account primarily at

   a) high water level (HW),

   b) mean water level (MW) and

   c) low water level (LW).

   The values must be verifiably related to the ferry number and must be confirmed by the responsible waterways and shipping

administration. A cross-section drawing of the ferry number must be attached to the invoice.

6. The results of the calculation are to be determined as follows:
   a) when the cable or chain linked ferry is loaded exclusively with persons
      aa) the maximum number of passengers,
      bb) the displacement (m3),
   b) when the cable or chain linked ferry is loaded with persons, land vessels or other loads
      aa) the maximum number of passengers,
      bb) the carrying capacity in tonnes (t) including the persons referred to in number 3,
      cc) the maximum permissible weight in tonnes (t) of one of several land vessels,
      dd) the maximum total weight of the heaviest and only land vessel in tonnes (t),
      ee) the permissible axle load of a single axle and a tandem axle of land vessels in tonnes (t)

   at low water level, medium water level and high water level.

7. During the journey and when loading and unloading the ferry, the maximum permissible angle of heel according to Article 3.02 number 2 must not be exceeded and the residual freeboard according to Article 3.02 number 2 must not be undercut, whereby the ferry is to be considered free-floating during loading and unloading, unless the ferry vessel is held in a fixed position by a force-locking connection when supported on the ramp.

8. Proof of sufficient leak stability must be provided in accordance with Article 2.03 number 6. The heeling moment and the residual freeboard from the cross flow must be taken into account.

Article 3.03

Draught marking

1. Article 4.03 of ES-TRIN shall not apply.

2. On both long sides of the cable or chain linked ferry, a draught mark shall be affixed for the draughts corresponding to the carrying capacities according to Article 3.02, number 6, letter (b).

3. The draught marking must be executed in accordance with Article 4.03, paragraph 10 of the ES-TRIN. If different draughts are permitted for low water level, mean water level and high water level, appropriately marked draught marks must be provided for each water level.

Article 3.04

Calculation and design of cable systems and chain systems

1. Cable systems of cable linked ferries and chain systems of chain linked ferries essentially comprise cables and chains including the associated guyed masts and anchorages.

2. All components of cable systems and chain systems must be suitable for ferry operations and must be designed and constructed in accordance with the latest technical standards.
3. The applicant must provide evidence of sufficient strength determination for cable systems or chain systems by means of a calculation. The calculation and design of the cable systems or chain systems must be carried out in accordance with the generally accepted rules for structural engineering. It is presumed that the applicant has complied with the rules referred to in sentence 2 if he has observed the rules published by the Federal Ministry for Digital Affairs and Transport in the Federal Gazette.
4. When calculating cable structures and chain systems, both the acting concentrated loads or line loads as well as the dead weight of the cables or chains must be taken into account. The calculations for high cable systems must be carried out using a geometrically non-linear 3rd order calculation in order to correctly determine the deformations resulting from the load.

Article 3.05

Verification

Cable systems and chain systems are to be checked by an expert:

1. before the first commissioning,
2. before commissioning after a significant change or repair and
3. upon each renewal of the attestation pursuant to Article 3.07

in order to determine whether the system complies with the requirements of this chapter. An acceptance report of the test shall be drawn up in accordance with template 5 of Annex V, signed by the expert, showing the date of the test and the period of validity. A copy of this must be submitted by the expert to the Inspection Body

Article 3.06

Test conditions and test contents

The cable systems and chain systems must be tested as follows:

1. Suspension cables, travel cables and guide cables must be checked for their internal and external condition. The inspection must include the detection of wire breaks, corrosion, wear, loosening of wires, other changes in the cable structure and damage. Generally accepted rules of technology must be applied to assess the discard readiness.
2. The suspension cable must be inspected at intervals of no more than ten years after manufacture by an officially recognised body or by an expert recognised by the Directorate-General for Waterways and Shipping using non-destructive (magnetic inductive) cable testing. The results must be documented in a report.
3. The test of the tension cables, tensioning cables and guyed cables must include externally detectable wire breaks and wear of the wires within a part of cable. Generally accepted rules of technology must be applied to assess the discard readiness.

4. The cable end moorings must be checked to ensure that their design complies with generally accepted technical standards.
5. Chains must be checked for wear, elongation and pitch increase. The discard readiness is according to the DIN 685 Part 3, February 2001 edition.
6. Guyed masts must be checked for deformation, damage, corrosion (including internal corrosion in the case of hollow sections), proper connection of the support cable and mast, and proper transition from the mast to the foundation.
7. The anchorage must be checked for deformation and damage as well as for corrosion on the mooring elements and in the area of the transition to the foundation.
8. In the case of high-wire systems, a mark must be placed on each of the masts for visual inspection from mast to mast. This mark serves as a control number to check the sag of the supporting cable and, in particular, to correct it to the level specified in the certificate of conformity after major temperature changes.

Article 3.07

Attestation

1. The conformity of each cable and chain system with the requirements of this chapter shall be attested in the ferry certificate.
2. This attestation shall be entered in the ferry certificate by the inspection body following the test in accordance with Article 3.05.
3. This attestation is valid for a maximum of five years. A renewal must be preceded by a new test in accordance with Article 3.05. By way of exception, the inspection body may, upon reasoned request from the owner or their representative, extend the validity of the attestation for a maximum of three months without prior inspection in accordance with Article 3.05. This extension must be entered in the ferry certificate.

Chapter 4
Transitional provisions for ferries

Article 4.01

Transitional provisions for ferries already in operation

Ferries already in operation that do not comply with the requirements of Chapters 1 to 3 must be adapted to the transitional provisions set out in the table below. The following provisions take precedence over Article 37 paragraphs 1 to 5 and 6 number 1. In the table below, the following definitions apply:

– "N.R.C.":

The regulation does not apply to ferries already in operation unless the affected components are replaced or rebuilt, i.e. the regulation only applies to new builds and when the affected components or areas are replaced or rebuilt. If existing components are replaced by replacement components of the same

technology and design, this does not mean a replacement "R" within the meaning of these transitional provisions.

– "Issuance or renewal of the ferry certificate":

The requirement must be met when the ferry certificate is issued or the next renewal of its validity period.

Articles and number	Contents	Deadline or comments
2.01 No. 3	automated external defibrillator	N.R.C., at the latest upon renewal of the certificate of fitness to operate".
02:01 No. 3	Safety organization	N.R.C., at the latest upon renewal of the certificate of fitness to operate".
2.01 No. 3	Equipment with wastewater collection tanks or on-board sewage treatment plants	N.R.C., at the latest when the certificate of fitness to operate is renewed after 30 December 2029
2.02 No. 2	Ferry deck	N.R.C. at the latest upon renewal of the ferry certificate after 30 December 2029
2.03	Proof of intact and leak stability	N.R.C. at the latest upon renewal of the ferry certificate after 30 December 2049
2.08 No. 1	Requirements for shut-off devices	N.R.C., at the latest upon renewal of the ferry certificate
03:02	Proof of intact and leak stability for cable linked ferries or chain linked ferries	N.R.C. at the latest upon renewal of the ferry certificate after 30 December 2049
3.04 No. 3	Proof of sufficient strength by calculation	N.R.C. at the latest upon renewal of the ferry certificate after 30 December 2029
4.05	Verification	N.R.C., at the latest upon renewal of the ferry certificate
4.06	Test conditions	N.R.C., at the latest upon renewal of the ferry certificate
4.07	Attestation	N.R.C., at the latest upon renewal of the ferry certificate

".

c) In Article 5.02, the following number 5 is inserted:

"5.If pipes from the toilet pass through watertight bulkheads or compartments, Article 19.02, number 13 of ES-TRIN shall apply accordingly."

d) Article 5.03 are replaced by the following Article 5.03:

Article 5.03
Stability

1.The applicant must demonstrate by means of a stability calculation that the intact stability of the fully crewed and equipped passenger barge is adequate. All calculations must be performed with free trim and free dive. The lightship data on which the stability calculations are based must be determined by a heeling test.

2.The applicant must prove by calculation that the damage stability of the fully crewed and equipped passenger barge is adequate. The calculation method based on "lost buoyancy" is to be used for the final stage of flooding and the calculation method based on "weight gain" is to be used for the intermediate stages of flooding. All calculations must be performed with free trim and free dive.

3. The buoyancy in the event of a leak of the fully occupied and equipped passenger barge must be demonstrated for three intermediate states of flooding (25%, 50% and 75% of the filling of the final state of flooding) and for the final state of flooding, mathematical proof of sufficient stability must be provided.

4. By way of derogation from Article 19.02 number 2 of ES-TRIN, a passenger barge authorised to sail in Zone 1 or 2 Sea must be subdivided by watertight bulkheads in such a way that, after flooding of any watertight compartment, it meets the requirements of number 6.

5.A passenger barge authorised for navigation in Zone 2 Inland, Zone 3 or 4 need not meet the requirements for the position of the internal floor and the drainage system according to Article 5.02 number 1 if sufficient buoyancy is provided after flooding of any watertight compartment, any watertight cell or any watertight cockpit according to number 6

a) by a bulkhead division in accordance with number 4,

b) through watertight cavities,

c) by buoyancy bodies permanently attached to the hull,

d) in any other appropriate manner or

e) by a combination of letters (a) to (d).

6. In all intermediate stages and in the final stage of flooding, the following criteria must be met:

a) the passenger barge may only submerge to the diving line;

b) any unprotected opening must be at least 0.40 m above the water level;

c) the remaining metacentric height GM_R must not be less than 0.10 m."

e) Article 6.01 is replaced by the following Article 6.01:

"Article 6.01

Transitional provisions for barges already in operation

Barges that do not comply with the requirements of Chapter 5 must be adapted to the transitional provisions set out in the table below. In the table below, the following definitions apply:

– "EU":

The regulation does not apply to barges that are already in operation unless the affected components are replaced or modified, i.e. the regulation only applies if the affected components or areas are replaced or modified. If existing components are replaced by replacement components of the same technology and design, this does not mean a replacement "R" within the meaning of these transitional provisions.

Articles and number	Contents	Deadline or comments
5.01 No. 1	General information	EU
5.03	Stability	EU
5.08 No. 3	automated external defibrillator	EU, at the latest upon renewal of the certificate of fitness to operate after 01.01.2024".

f) Article 7.01, number 1 are replaced by the following number 1:

"1. Passenger boats are not permitted on the waterway according to Annex I Zone 1 and on the Rhine waterway according to Annex I Zone 3."

g) Annexes 1 and 2 are deleted.

14. The following amendments are made to Annex III:

a) In Article 10.04, number 1, the words "Article 4.05" are replaced by the words "Article 4.03, number 11".

b) In the heading of the appendix, the word "1" is deleted.

15. In Annex V, the Templates 1 to 5 are replaced by the following Templates 1 to 5:

"Template 1
Template of the Request for Inspection

Request for Inspection

The inspection of the vessel described below will be carried out by the Inspection Body

.....

for an initial inspection / special inspection / recurring test inspection / voluntary inspection(*)

.....

1.Name of vessel .....

2. Type of vessel .....

3. Uniform European vessel number .....

4. Name and address of owner .....

.....

.....

5. Place and number of registration .....

6. Town 7.....Year of production; .....

8. Name and location of shipyard .....

9. Load capacity/water displacement t(*) / m3(*)

10.Total main propulsion power kW

11.Special fitness .....

.....

12.The certificate of fitness to operate is applied for for travel on the inland waterways of the zones:

- 1 ☐ 2 ☐ 3 ☐ R ☐ 4 ☐ in the European Community
- 1 ☐ 2 ☐ 2.Inland ☐ 3 ☐ R ☐ 4 ☐ in (name of state) .....
- ☐ Rhine (R) between .....and .....
- ☐ Miscellaneous .....

13.The vessel

has not yet been inspected(*) / was last inspected(*)

in .....on .....

14.The vessel has an attestation from the recognised classification society according to Article 6 paragraph 10 of the BinSchUO.....

issued on .....valid until .....

15.The vessel has a certificate of approval issued in accordance with the provisions of the ADN through .....

issued on .....valid until .....

(*) Delete as appropriate.

16.Proposed location, date and time for the test:

.....

.....

17.Name and address to which the reply and any communications should be sent

.....

.....

18.Name and address to which the invoice should be sent

.....

.....

19.The following documents are attached to this application for your inspection:

a) Ship registration document(*);
b) Certificate of allocation of the unique European vessel identification number(*);
c) Calibration licence(*);
d) Certificate of steam boilers and other pressure vessels(*);
e) Certificate of approval for the transport of dangerous goods(*);
f) Certificate of preliminary inspection(*);
g) Attestation according to Article 6 paragraph 10 BinSchUO, issued by the recognised classification society(*);
h) Plan of electrical installations and controls(*);
i) Attestation of permanently installed fire extinguishing systems(*);
k) Attestation of liquefied gas installations(*);
l) Plans and calculation documents for passenger ships(*);
m) Other calculation documents and evidence(*);
n) Type-approval certificate(*);
o) Engine parameter protocol and manufacturer's instructions for checking exhaust-relevant components and engine parameters(*).

....., ...
(Place) (Date) (Signature of the owner or their representative)

Notes

Re: Number:

2: For ships, the following information: Tugboat, pusher boat, motor cargo vessel, motor tanker, cargo barge, tank barge, cargo pusher barge, tank pusher barge, ship-carrying barge, passenger ship, seagoing vessel or other type to be described.
For floating equipment: precise information about the type of equipment.
For ferries: Information about the main building material.

9:If the vessel is not calibrated, estimated.

11: Indication of whether the vessel is to be used for purposes other than those for which it is designed: such as being suitable as a tugboat, a pusher boat, a coupling vessel, a pushed barge, a barge, or a passenger vessel.

19 letter l:
In the case of passenger ships, the plans (deck plans, longitudinal section, main frame cross-section) provide information on the dimensions and construction of the ship; they are accompanied by sketches of the areas to be measured at a scale suitable for entering the dimensions.

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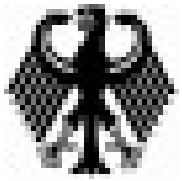
If you are unable to access the privacy policy, it can also be sent to you in text form upon request.

(*) Delete as appropriate.

Template 2
Template of the Attestation for Inland Waterway Vessels

ATTESTATION FOR INLAND WATERWAY VESSELS



Federal Republic of Germany

Appendix to the Union Certificate(*) No. .....

Appendix to the Ship Attestation(*) No. .....

1.Name of vessel	2.Type of vessel	3. Uniform European vessel number

4.The vessel is suitable for the following operating modes

A(*) B(*) C(*) D(*)

5.Equipment and minimum crew of the vessel

The vessel fulfils(*) / does not fulfil(*) Part 3 Chapter 3 Article ..... BinSchPersV.

The minimum crew was determined according to Part 3 Chapter 3 Article ..... BinSch-PersV increased(*) / not increased(*):

Crew (Capability and number)	Operating mode			
	A	**B**	**C**	**D**
Boatmaster				
Helmsman				
Boatswain	.....	.....	.....	.....
Seaman	.....	.....	.....	.....
Ordinary Seaman	.....	.....	.....	.....
.....	.....	.....	.....	.....
Mechanical Engineer	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

Remarks (conditions and requirements): .....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

(*) Delete as appropriate.

Appendix to the Union Certificate for Inland Waterway Vessels(*) / Ship Attestation(*) No. .....

6.The minimum crew size is not regulated in the regulations and is determined taking into account the size, design, fittings, equipment and intended purpose of the vessel as follows:

Crew (Capability and number)	Operating mode			
	A	**B**	**C**	**D**
Boatmaster				
....				
Helmsman				
....				
Boatswain.....				
Seaman.....	.....	.....	.....	.....
Ordinary Seaman	.....	.....	.....	.....
.....	.....	.....	.....	.....
Mechanical Engineer	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

Remarks (conditions and requirements):

.....

.....

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.....

7.The minimum crew size of the vessel when moving in formations is determined in accordance with the appendix to this attestation.(*)

8.The validity of this attestation on the crew expires on .....

....., ...

(Place) (Date) Inspection Body

.....

Stamp (signature)

(*) Delete as appropriate.

Template 3
Template of the Ferry Certificate

FERRY CERTIFICATE

Federal Republic of Germany

FERRY CERTIFICATE No. .....

....., ...
(Place) (Date)

.....
Inspection body

Stamp .....

.....
(signature)

Remarks:

Based on this certificate, the ferry may only be used for shipping as long as it is in the condition specified therein.

Pursuant to any significant modification, the ferry may only be put back into service after it has been re-authorised following a special inspection.

The owner or their authorised representative must notify an inspection body of any amendment of name, ownership, registration or place of residence. They must present the ferry certificate for registration of the amendment.

Ferry Certificate No. ..... of the inspection body .....

.....

1.Name of ferry	2.Type of ferry	3. Uniform European vessel number .....
4.1. Name and address of owner	.....	
4.2. Name and address of ferry owner (if different from 4.1)	.....	
5.Place and number of registration	6.Town	
7.Year of production;	8.Name and location of shipyard	
9.This ferry certificate replaces the ferry certificate issued by the Inspection Body with number:	.....	.....

10.The ferry described above is by reason of

own inspection of(*) .....

the attestation of the recognised classification society(*) ..... from the .....(*)

a) for travel in ferry traffic

No.	Ferry stops		
	at	between	and
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

with the specified maximum permissible draught, the equipment specified below and the additional requirements for the respective zones or waterways.

b) for travel in other shipping traffic without the transport of passengers or goods (e.g. change of ferry number, journey to or from a shipyard)(*)

- on the waterways of the zone(s)(*) ..... in the Federal Republic of Germany

with the exception of: .....

.....

- on the following waterways in (name of state)(*) .....
.....
found to be suitable with the equipment and crew specified below.

11.The validity of this ferry certificate expires on .....

_____(*) Delete as appropriate.

- Page 3 -

Ferry Certificate No. ..... of the inspection body .....
.....

12.Length	13.Width	14.Draught
a) Lüa ..... m	a) Büa ..... m	a) Tüa ..... m
) L ..... m	b) B ..... m	b) T ..... m
c) LWL ..... m	c) BWL..... m	15.Lateral height ..... m
16.Number of watertight transverse bulkheads	17.Loading surface area ..... m²	18.Loading height ..... m

19.Maximum permissible loading cases

		Free-roaming ferries	Cable ferries or chain ferries		
			Low water(*)	Mean water(*)	High water(*)
Freeboard	(cm)				
Number of passengers					
Displacement	(m³)				
Load capacity	(t)				
permissible total weight of a vessel	(t)				
permissible total weight of the heaviest land vessel	(t)				
permissible single/double axle load	(t)				

20. The maximum permissible depth of the draught is indicated on each side of the ferry by one/two/..... pair(s) of draught marks marked(*).
two draught indicators are installed(*).

21.number of engines for main ship propulsion	22.total main propulsion power ..... kW	23. number of main propellers .....

24. engines for ship operation

Installation date	Producer	Engine type	Type approval No.	Engine identification number	Power (kW)	Purpose of use

_____(*) Delete as appropriate.

Ferry Certificate No. ..... of the inspection body .....
.....

<table>
<tr><td colspan="4">25. Rudder systems</td></tr>
<tr><td>Number of main rudder blades
.....</td><td colspan="3">Main rudder propulsion - manually-operated(*) - electric(*)
- electric/hydraulic(*) - hydraulic(*)</td></tr>
<tr><td>Bow steering device
Yes / No(*)</td><td>- bow rudder(*)
- bow thruster(*)
- other device(*)</td><td>- remote controlled
Yes / No(*)</td><td>Commissioning remotely
Yes / No(*)</td></tr>
<tr><td>Other mechanism:
Yes / No(*)</td><td colspan="3">Type:
.....</td></tr>
<tr><td colspan="4">26.Bilge pump
Number of bilge pumps ....., of which motorised .....
Minimum flow rate first bilge pump ..... l/min
second bilge pump ..... l/min</td></tr>
<tr><td colspan="4">27. Number and location of locking devices with seals/locks in bilge pumps:
.....
.....
.....</td></tr>
<tr><td colspan="4">28.Anchor device
Bow Bow anchor winches Number ..... of which power driven .....
Bow anchor Number ..... Total mass ..... kg
Bow anchor chains Number ..... Length per chain ..... m Breaking force per chain ..... kN

Stern Stern anchor winches Number ..... of which power driven .....
Stern anchor Number ..... Total mass ..... kg
Stern anchor chains Number ..... Length per chain ..... m Breaking force per chain ..... kN</td></tr>
<tr><td colspan="4">29. Chains for mooring
First - cable with a length of ..... m and a breaking strength of ..... kN
Second - cable with a length of ..... m and a breaking force of ..... kN
Third - cable with a length of ..... m and a breaking force of ..... kN</td></tr>
<tr><td colspan="4">30.Visual and acoustic signals
The lights, flags, balls, semaphores and sound devices for identifying the vessel and for giving the visual and acoustic signals prescribed by the shipping police regulations are on board, as are the backup lights for the berth lights in accordance with the shipping police regulations, which are independent of the on-board power supply.</td></tr>
<tr><td colspan="4">31.Additional equipment on waterways of Zones 1, 2-Sea or 2-Inland
.....
.....
.....
.....
.....
.....</td></tr>
</table>

(*) Delete as appropriate.

Ferry Certificate No. ..... of the inspection body ....

32. Other equipment

Throwing line(*)

Gangway according to Article 13.02 number 3 d ES-TRIN(*) / according to Article 19.06 number 12 e ES-TRIN(*), Length.....m

Boat hook(*)

Number of first aid kits .....(*)

Double glazing(*)

Placard concerning the rescue of drowning persons(*)

Headlights operated from the helm(*)

Number of fire-resistant containers .....(*)

Outboard stairs/ladder(*)

Voice connection Intercom(*)
Intercom system(*)
Internal operational voice connection(*)

Radio system Traffic circle ship to ship(*)
Traffic circle - nautical information(*)
Traffic Circle Ship to Port Authority(*)

Cranes according to Article 14.12 number 9 ES-TRIN(*)
others with a theoretical payload of up to 2 000 kg(*)

33. Fire fighting installations

Number of portable fire extinguishers ....., fire pumps ....., fire hydrants .....

Permanently installed fire extinguishing systems in accommodation dwellings etc. No / Number .....(*)

Permanently installed fire extinguishing systems in engine rooms etc. No / Number .....(*)

The motor bilge pump replaces a fire pump Yes / No(*)

34.Life-saving equipment

Number of life buoys ..... , of which with light ..... , with floating line .....(*)

One life jacket for each person normally on board
DIN EN ISO 12402-2, edition April 2021, or DIN EN ISO 12402-3, edition April 2021,
or DIN EN ISO 12402-4, edition April 2021 or SOLAS Chapter III Regulation 7.2 and International Life-Saving Appliances (LSA) Code paragraph 2.2(*)

A dinghy with 1 set of oars, 1 mooring line, 1 scoop according to DIN EN 1914, December 2016 edition(*)

Platform or facility for the rescue of persons(*)

Number, type and location(s) of the transitional facility or facilities:
.....
.....
.....

Number of individual life-saving equipment for on-board personnel ..... of which according to Article 13.08 number 2 ES-TRIN .....(*)

Number of individual life-saving equipment for passengers .....(*)

Collective life-saving equipment, counted towards the number of individual rescue equipment(*)

two breathing apparatus, two sets of equipment, number ..... Escape hoods(*)

The safety roll and safety plan are displayed as follows: ....
35.Special facility in the wheelhouse for one person to operate the ferry during radar operation The ferry has a radar one-man control station(*). (*) Delete as appropriate.

Ferry Certificate No. ..... of the inspection body .....
.....

36. Equipment of the ferry with regard to the crew

The ferry fulfils(*) / does not fulfil(*) Standard S1 according to Article 31.02 ES-TRIN

The ferry fulfils(*) / does not fulfil(*) Standard S2 according to Article 31.03 ES-TRIN

37. Minimum crew size of the ferry in crossing traffic

Crew	
Qualification	Number
Ferry guide	.....
Deckhand 180	.....
Deckhand	.....
.....	.....
.....	.....

The ferry has a mooring device

- at all ferry terminals(*)

- at the following ferry numbers:

.....

.....

Remarks (conditions and requirements):

.....

.....

.....

.....

38. The ferry is suitable for other shipping traffic for the operating mode

.....

39. Minimum crew of the ferry in **other shipping traffic**

Crew (Capability and number)	Operating mode			
	.....	.....	.....	.....
Boatmaster	.....	.....	.....	.....
Helmsman	.....	.....	.....	..
Boatswain	.....	.....	.....	.....
Seaman	.....	.....	.....	..
Ordinary Seaman	.....	.....	.....	.....
Mechanical Engineer	.....	.....	.....	..
.....	.....	.....	.....	.....
....	.....	.....	.....	..
				.....
				..
				.....
				..
				.....
				..
				.....

				..

Remarks (conditions and requirements):

.....

.....

.....

.....

_____

(*) Delete as appropriate.

Ferry Certificate No. ..... of the inspection body .....
.....

40. Extension(*) / Confirmation(*) of the Validity of the Ferry Certificate(*)
Attestation of a recurring inspection(*) / a special inspection(*)

The inspection body inspected the ferry on .....(*).
The inspection body was presented with an attestation from the recognised classification society
..... submitted by .....[(*)].

Reason for the inspection / attestation:

.....
Based on the inspection result / attestation(*) the validity period of the ferry certificate remains consist /

the validity period of the ferry certificate extended until .....[(*)].

....., ...
(Place) (Date) Body of Inquiry

Stamp .....
(signature)

_____
(*) Delete as appropriate.

40. Extension(*) / confirmation(*) of the validity of the Ferry Certificate(*)
Attestation of a recurring inspection(*) / a special inspection(*)

The inspection body inspected the ferry on .....(*).
The inspection body was presented with an attestation from the recognised classification society
..... submitted by .....[(*)].

Reason for the inspection / attestation:

.....
Based on the inspection result / attestation(*) the validity period of the ferry certificate remains /

the validity period of the ferry certificate is extended until .....(*).

....., ...
(Place) (Date) Inspection Body

Stamp .....
(signature)

_____
(*) Delete as appropriate.

40. Extension(*) / confirmation(*) of the validity of the Ferry Certificate(*)
Attestation of a recurring inspection(*) / a special inspection(*)

The inspection body inspected the ferry on .....(*).
The inspection body was presented with an attestation from the recognised classification society
..... submitted by .....[(*)].

Reason for the inspection / attestation:

.....
Based on the inspection result / attestation(*) the validity period of the ferry certificate remains /

the validity period of the ferry certificate is extended until .....(*).
....., ...
(Place) (Date) Inspection Body

Stamp .....
(Signature)

_____(*) Delete as appropriate.

Ferry Certificate No. ..... of the inspection body .....
.....

41. **Attestation for LPG system(s)**

The liquefied gas system(s) on the ferry is/are(*) by the expert(*)

.....

been tested and corresponds/correspond(*) according to his acceptance report dated .....

the prescribed conditions.

The system(s) includes/include(*) the following consumption equipment:

Appendix number	Serial number	Type	Brand	Type	Location

This attestation is valid until .....

....., ...
(Place) (Date) Inspection Body

.....
Stamp (signature)

(*) Delete as appropriate.

Ferry Certificate No. ..... of the inspection body .....
.....

42.Attestation for cable systems and chain systems on cable linked or chain linked ferries

The cable / chain system(*) of the ferry has been tested by the expert
.....

and, according to their acceptance report, dated ....., complies with the prescribed conditions.

The cable / chain system(*) includes the following components:

Cables and cable moorings or chains and chain moorings

Designation of the cable (S) of the chain (K)	Date of commissioning	Length (m)	Cable diameter or link diameter	Minimum breaking load (kN)	Type of mooring

Lifting gear, rollers and operating devices

Name/Type	Date of commissioning	Type or shape	Place of installation / use	Minimum holding force (kN)	Operating mode

Buildings, supporting structures and anchorages (including ground anchors)

Type of building or supporting structure / anchoring	Place / Position	Anchor mass (kg) / Holding force of the anchor (kN)	Other characteristic parameter (with value)	Next inspection or land revision

Remarks (conditions and requirements):

.....

.....

.....

.....

This attestation is valid until .....

....., ...
(Place) (Date) Inspection Body

.....
Stamp (signature)

(*) Delete as appropriate.

Ferry Certificate No. ..... of the inspection body .....
.....

43.Appendix to the Ferry Certificate

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Continued on page(*) .....
End of the ferry certificate(*)

(*) Delete as appropriate.

Template 4
Template of the Provisional Ferry Certificate

Provisional Ferry Certificate

No.: .....

1.Name of ferry	2.Type of ferry	3. Uniform European vessel number .....
4.1. owner	.....	
4.2 Name and address of ferry holder (if different from 4.1)	.....	

5.Length L..... m Number of passengers	Displacement(*) ..... m^3(*) Load capacity(*) ..... t(*)

6.The ferry described above is approved

a) for travel in ferry traffic

No.	Ferry stops		
	at	between	and
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

b) for travel in other shipping traffic without the transport of passengers or goods (e.g. change of ferry number, journey to or from a shipyard)(*)

- on the waterways of the zone(s)(*) ..... in the Federal Republic of Germany

with the exception of: .....

.....

- on the following waterways in (name of the state)(*) .....

.....

.....

7.LPG system(s) The attestation is valid until	8.Cable systems and chain systems The attestation is valid until .....

_____ (*) Delete as appropriate.	

Provisional Ferry Certificate No. ..... of the inspection body .....
.....

9.Ferry crew

9.1 Equipment of the ferry with regard to the crew

The ferry fulfils(*) / does not fulfil(*) Standard S1

The ferry fulfils(*) / does not fulfil(*) Standard S2

9.2 Minimum crew of the ferry in ferry traffic

Crew	
Qualification	Number
Ferry guide	.....
Deckhand 180	.....
Deckhand	.....
.....	.....

9.3 The ferry is suitable for other shipping traffic for the operating mode

.....

9.4 Minimum crew of the ferry in other shipping traffic

Minimum crew (Capability and number) the ferry in other shipping traffic	Operating mode			
	.....	.....	.....	.....
Boatmaster	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

10.Special conditions:

.....
.....
.....
.....
.....
.....
.....

11.The provisional ferry certificate is valid until

.....

....., ...
(Place) (Date) Inspection Body

.....
Stamp (signature)

(*) Delete as appropriate.

Template 5
Template of the Acceptance Report for the Testing of Cable Systems and Chain Systems of cable linked ferries and chain linked ferries

Acceptance Report according to Annex II Article 3.05 of the Inland Vessel Inspection Regulations for the test the cables/chains including the associated guyed masts and Anchoring for cable ferries and chain ferries	Place, date
Name of expert	
Address Tel. No.	

Name of ferry	Type of ferry	Uniform European vessel number
Ferry Certificate No.	Date of last inspection of ferry	Ferry certificate valid until
Location of ferry terminal (body of water, km)	between	and

1.Description and sketches of the cable system and/or chain system

Type of cable and/or chain system	Year of production
Alterations/renovations to fixed components (with year)	Date of calculation of the system
Description:	

Sketches:

2.Cables and cable moorings or chains and chain moorings

2.1 Components

No.	Designation of the cable (S) / of the chain (K)	Date of commissioning	Length (m)	Cable/link diameter (mm)	Minimum breaking load (kN)	Type of mooring
1						
2						
3						
4						
5						
6						

(S) Designation of cables (e.g.): - high cable systems: ferry cable (=high cable), yaw cable (=bridging cable), guyed cable
- cross cable systems: guide cable (=cross cable), traction cable
- yaw cable systems: yaw cable, scissor cable, centre cable

(K) Designation of chains (e.g.): - chain ferries: Cross chains
- yaw cable systems:Connecting chains, anchor chains (=holding chains)

2.2 Test

No.	Condition of the cables and cable moorings / chains and chain moorings			
1	☐ OK	☐ Defects identified	Degree of discard readiness:	☐ Replacement required
2	☐ OK	☐ Defects identified	Degree of discard readiness:	☐ Replacement required
3	☐ OK	☐ Defects identified	Degree of discard readiness:	☐ Replacement required
4	☐ OK	☐ Defects identified	Degree of discard readiness:	☐ Replacement required
5	☐ OK	☐ Defects identified	Degree of discard readiness:	☐ Replacement required
6	☐ OK	☐ Defects identified	Degree of discard readiness:	☐ Replacement required
Defects/Remarks:				

3.Lifting gear, rollers and operating devices

3.1 Components

No.	Name / Type	Date of commissioning	Type or shape	Place of installation / use	Minimum holding force (kN)	Operating mode
1						
2						
3						
4						

3.1 Test

No.	Condition of the lifting gear, rollers and operating devices			
1	☐ OK	☐ Defects identified	☐ Repair required	☐ Replacement required
2	☐ OK	☐ Defects identified	☐ Repair required	☐ Replacement required
3	☐ OK	☐ Defects identified	☐ Repair required	☐ Replacement required
4	☐ OK	☐ Defects identified	☐ Repair required	☐ Replacement required
Defects/Remarks:				

4.Buildings, supporting structures and anchorages (including ground anchors)

4.1 Components

No.	Type of building or supporting structure / anchoring (1)	Place / Position	Anchor mass (kg) / holding force of the anchor (kN)	Other characteristic parameter (with value)	Type of test
1					
2					
3					
4					

(1) Types of anchors (e.g.): - Anchor in the river, anchor on land, ring on land
(2) Types of testing (e.g.): - Visual inspection
- Weighing
- non-destructive testing methods: Magnetic inductive testing, X-ray, ultrasound Material thickness measurement, penetrant testing

4.2 Test

4.2.1 Condition of the high buildings ☐ Not applicable

☐ OK	☐ Defects identified	☐ Repair required	☐ Replacement required

Defects/Remarks:

4.2.2 Condition of the foundations ☐ Not applicable

☐ OK	☐ Defects identified	☐ Repair required	☐ Renovation required

Defects/Remarks:

Are the foundations geodata monitored?	☐ Yes	☐ no
Last survey/geodata determination was carried out	on:	through:
Next survey/geodata determination required	on:	

Defects/Remarks:

4.2.3 Condition of anchorages or ground anchors (including moorings) ☐ Not applicable

Type of mooring:

☐ OK	☐ Defects identified	☐ Repair required	☐ Renovation required

Defects/Remarks:

5.Result of the test

5.1 Result

The cable and chain system and all building and supporting structures as well as anchorages meet the requirements and the system is in an operational condition

☐ Yes, the system is **in operational condition**	☐ No, the system is **not in operational condition**	☐ Remarks/Defects **observe**

5.2 Remedy of defects

☐ Follow-up inspection is required by .....

☐ The elimination of the identified defects is to be proven by a Repairs Report up to .....

☐ The elimination of the identified deficiencies is to be reported in writing up to .....

5.3 Follow-up inspection

☐ Follow-up inspection took place on: .....

5.4 Validity of the test/this Acceptance Report

☐ The next test should take place no later than .....

☐ The Acceptance Report is valid until .....

6. Conditions and requirements

Place, date ....., the	Stamp/signature of the examining expert

Extract from Annex II of the Inland Vessel Inspection Regulation

Article 3.01 Definitions

By way of derogation from Article 1.02, the following definitions apply to this chapter:

...

7."discard readiness" is the condition at which the cable or chain must be taken out of service, particularly due to wear, elongation, cracks, corrosion or breakage.

Article 3.04 Calculation and design of cable systems and chain systems

1.Cable systems and chain systems of cable linked or chain linked ferries essentially comprise cables and chains including the associated guyed masts and anchorages.

2.All components of cable systems and chain systems must be suitable for ferry operations and must be designed and constructed in accordance with the latest technical standards.

3.The applicant must provide evidence of sufficient strength determination for cable systems or chain systems by means of a calculation. The calculation and design of the cable systems or chain systems must be carried out in accordance with the generally accepted rules for structural engineering. It is presumed that the applicant has complied with the rules referred to in sentence 2 if they have observed the rules published by the Federal Ministry for Digital Affairs and Transport in the Federal Gazette.

4.When calculating cable structures and chain systems, both the acting concentrated loads or line loads as well as the dead weight of the cables or chains must be taken into account. The calculations for high cable systems must be carried out using a geometrically non-linear 3rd order calculation in order to correctly determine the deformations resulting from the load.

Article 3.05 Test

Cable systems and chain systems are to be tested by an expert:

1. before the first commissioning,

2. before commissioning after a significant change or repair and

3. upon each renewal of the attestation pursuant to Article 3.07

in order to determine whether the system complies with the requirements of this chapter. An acceptance report of the test shall be drawn up in accordance with Template 5 of Annex V, signed by the expert, showing the date of the test and the period of validity. A copy of this must be submitted by the expert to the Inspection Body

Article 3.06 Test conditions and test contents

The cable systems and chain systems must be tested as follows:

1.Suspension cables, travel cables and guide cables must be checked for their internal and external condition. The inspection must include the detection of wire breaks, corrosion, wear, loosening of wires, other changes in the cable structure and damage. Generally accepted rules of technology must be applied to assess the discard readiness.

2.The suspension cable must be inspected at intervals of no more than ten years after manufacture by an officially recognised body or by an expert recognised by the Directorate-General for Waterways and Shipping using non-destructive (magnetic inductive) cable testing. The results must be documented in a report.

3.The test of the tension cables, tensioning cables and guyed cables must include externally detectable wire breaks and wear of the wires within a part of cable. Generally accepted rules of technology must be applied to assess the discard readiness.

4.The cable end moorings must be checked to ensure that their design complies with generally accepted technical standards.

5.Chains must be checked for wear, elongation and pitch increase. The discard readiness must be assessed in accordance with DIN 685 Part 3, February 2001 edition.

6.Guyed masts must be checked for deformation, damage, corrosion (including internal corrosion in the case of hollow sections), proper connection of the support cable and mast, and proper transition from the mast to the foundation.

7.The anchorage must be checked for deformation and damage as well as for corrosion on the mooring elements and in the area of the transition to the foundation.

8.In the case of high-wire systems, a mark must be placed on each of the masts for visual inspection from mast to mast. This mark serves as a control number to check the sag of the supporting cable and, in particular, to correct it to the level specified in the certificate of conformity after major temperature changes.

Article 3.07 Attestation

1.The conformity of each cable and chain system with the requirements of this chapter shall be attested in the ferry certificate.

2.This attestation shall be entered in the ferry certificate by the inspection body following the test in accordance with Article 3.05.

3.This attestation is valid for a maximum of five years. A renewal must be preceded by a new test in accordance with Article 3.05. By way of exception, the inspection body may, upon reasoned request from the owner or his representative, extend the validity of the attestation for a maximum of three

months without prior inspection in accordance with Article 3.05. This extension must be entered in the ferry certificate. Page 5 of 5".

16.In Annex IX, the following reference "Moselle" is inserted after the words "Werbelliner Gewässer":

Waterway	Travel area
"Moselle	From the German-French border near Apach to the Rhine."

Article 2

Amendment to the
Inland Waterway Navigation - Recreational Craft Rental Ordinance

The Inland Waterway Recreational Craft Rental Ordinance of 18 April 2000 (BGBl. I p. 572), last amended by Article 3 of the Ordinance of 5 January 2022 (Federal Law Gazette I S. 2) is amended as follows:

1.Article 2 paragraph 2 is amended as follows:

(a) In number 1, after the words "applicable", the words "and applicable" are inserted.

(b) Number 6 is replaced by the following number 6:

"6. ES-TRIN:
European Standard laying down Technical Requirements for Inland Navigation vessels, edition 2023/1, adopted by the European Committee for drawing up standards in the field of inland navigation (CESNI) (announcement of the Federal Ministry of Transport and Digital Infrastructure of 16 March 2023, BAnz AT 02.05.2023 B3). For the purposes of applying ES-TRIN, a Member State shall be understood to mean a Member State of the European Union or of the Central Body for the Waterway Vessel of the Rhine.

2.Article 4 is amended as follows:

a) Paragraph 2 is replaced by the following paragraph 2:

"(2) Without prejudice to paragraph 1, a boat certificate may be issued for a recreational craft not subject to Directive 2013/53/EU if the recreational craft has sufficient residual buoyancy to keep it afloat even when flooded, unless other appropriate measures, such as increased equipment with life-saving equipment or restrictions on navigation, ensure an equivalent level of safety for the area of navigation in question."

b) In paragraph 4, the words "Recreational Sea Craft Rental Regulations" are replaced by the words "Recreational Sea Craft Regulations".

c) In paragraph 5, sentence 1, the words "Federal Ministry of Transport and Digital Infrastructure" are replaced by the words "Federal Ministry of Digital Affairs and Transport".

3.Article 5 is amended as follows:

a) Paragraph 1, numbers 2 and 3 are replaced by the following numbers 2 and 3:

"2. a valid acceptance report from a publicly appointed and sworn expert or a boat and yacht expert certified by an accredited body in accordance with DIN EN ISO/IEC 17024, November 2012 edition, with the content of Appendix 2 or

3. a valid EU declaration of conformity in accordance with the template set out in Annex IV to Directive 2013/53/EU."

(b) Paragraph 2 is replaced by the following paragraph 2:

"(2) By way of derogation from paragraph 1, the seaworthiness of recreational craft not subject to Directive 2013/53/EU may be certified by the Waterways and Shipping Administration by means of an acceptance report containing the content of Appendix 3. For new recreational boats that are produced in series and have a serial number, the manufacturer can have a prototype inspected by the Waterways and Shipping Administration. For recreational craft of this series, proof of seaworthiness is a copy of the acceptance certificate for the prototype together with the manufacturer's attestation confirming the identical design to the other recreational craft of this series, provided that the acceptance certificate lists the serial numbers of the recreational craft to which it is intended to apply."

(c) In paragraph 3, the words "paragraph 1(3) at the time of placing on the market" are replaced by the words "paragraph 1(3) at the time of making available on the market or putting into service".

(b) Paragraph 4 is replaced by the following paragraph 4:

"(4) Acceptance reports pursuant to paragraph 1 number 2 for new recreational craft shall be valid for ten years. The period of validity of the acceptance certificates for the other recreational craft referred to in paragraph 1, number 2, shall be determined by the expert, but for a maximum of ten years. Recreational craft as defined

in paragraph 1, number 3, must submit an acceptance certificate as defined in paragraph 1, number 2, to the competent waterways and shipping administration after ten years; sentence 2 shall apply with regard to validity. Acceptance reports pursuant to paragraph 2 for new recreational craft are valid for six years. The period of validity of the acceptance certificates for the other recreational craft referred to in paragraph 2 shall be determined by the competent waterways and shipping administration, but for a maximum of six years.

4.Article 3 paragraph 2 is replaced by the following paragraph 2:

"(2) The rental marking, which must also comply with Article 2 paragraph 3 sentence 1 of the Inland Waterway Navigation Marking Ordinance, shall consist of a combination of

1. one or more identification letters in accordance with Article 4 paragraph 1 sentence 1 number 1 in conjunction with sentence 2 of the Inland Waterway Navigation Marking Ordinance for the competent Waterways and Shipping Administration,

2. the number of the boat certificate, which must be followed by a hyphen, and

3. the identification letter "V".

The markings issued on the basis of the version of this regulation in force on 30 May 2021 shall continue to be valid."

5.Article 8 paragraph 8 sentence 1 is replaced by the following sentence:

"If the boat certificate for a recreational craft does not require the equipment with life jackets or does not stipulate otherwise, the company must have at its premises a sufficient number of life jackets in various sizes that comply at least with DIN EN ISO 12402-2: April 2021 edition DIN EN ISO 124023: April 2021, DIN EN ISO 124024: April 2021."

6.Appendix 1 is replaced by the following Appendix 1:

"Appendix 1 (to Article 3)

Recreational craft

(Mark)

with the following identity characteristics

1.Company name and address:

2.Permanent establishment ☐ **Yes** ☐ **no**

Address:

3. Technical data of the boat:
- Vessel type:
- Vessel producer:
- Manufacturer:
- Construction/Serial No., Boat Identification No.:
- Main construction material:
- LengthDraught: Width:
- Year of construction;
- Maximum number of people:

4.Technical data of the engine:

	1. Engine:	2. Engine*):
- No.:		
- Producer:		
- Manufacturer:		
- Propulsion type:		
- Power:		
- Year of construction;		
- Type:		

may, under the conditions of numbers 6 to 8, be used on the following Waterways are rented commercially

*) Further engines on the attached sheet.

The fitness to operate was proven by

☐ Certificate of fitness to operate pursuant to the Inland Waterway Vessel Inspection Ordinance

☐ Acceptance report (expert, WSA)

☐ Declaration of conformity

5.CE marking ☐ **yes** ☐ **no**

Producer's Certificate of

Prototype Acceptance ☐ **yes** ☐ **no**

6. The following equipment must be carried on board:

7.Minimum crew size:

8. The following conditions/requirements must be observed:

The boat certificate is valid until:

Waterways and Shipping Office

_____
(place, date)

On behalf of

Official stamp

_____
(Signature)

Official notes (e.g. changes):

Waterways and Shipping Administration

On behalf of

_____
(place, date)

Official stamp

_____
(Signature)

.....

The validity of the Boat Certificate is extended until:

_____

Waterways and Shipping Administration

On behalf of

_____
(place, date)

Official stamp

_____
(Signature)

Federal Republic of Germany

Waterways and Shipping Administration of the Federal Government

Boat Certificate

No."

7. In Appendix 2, in footnote 1, the words "from the Federal Ministry of Transport and Digital Infrastructure" are replaced by the words "from the Federal Ministry of Digital Affairs and Transport".

8. Appendix 5 is amended as follows:

a) Numbers 2 to 2.4 are replaced by the following numbers 2 to 2.4:

Se- No.	Waterway	from (km)	to (km)	Restrictions
"2.	Havel-Oder Waterway (HOW)			
2.1	Oranienburg Canal	21.01	28.77	
2.2	Oranienburg Havel	0.13	3.91	
2.3	Finow Canal	89.30 (Liepe Lock)	57.10 (Unter-tor Lock Zerpen-schleuse)	Crossing the Havel-Oder waterway only if no vessel is in sight on the Havel-Oder water-way
2.4	Werbellin waters	2.73	19.80	Crossing the Havel-Oder waterway only if no vessel is in sight on the Havel-Oder water-way."

b)) number 2.5 is deleted.

9. Appendix 6 is amended as follows:

(a) Number 5 letter (a) is replaced by the following letter (a):

"a) One life jacket in accordance with Article 8, paragraph 8, sentence 1 on board for each authorised person."

(b) Annex 2 is replaced by the following Annex 2:

"Annex 2
(see Appendix 6)

Information sheet on conduct in locks

General information

Locking is a particular experience for beginners. The initial uneasiness can be avoided if one considers the basic rules to be observed and visualises how it is handled in practice.Life jackets must always be worn while passing through locks.

Basic rules

- Entry into the lock is controlled by signal lights. Even just one red light means: - no entry yet Therefore, slow down when approaching the lock area and stop if necessary, at the latest where the stop sign is.

- Enter or approach lock chambers only on the instructions of the lock personnel, if there are no boat locks. At self-service locks, pay attention to the information signs in the lock forecourts.
- As a rule, small vessels are not channelled individually, but together with other small vessels. If they are channelled together with large vessels, e.g. passenger ships, they enter first.

Rules of navigation and conduct in the lock area and when entering and exiting

- Overtaking is prohibited.
- Keep berths clear of ferries and passenger ships.
- Take equipment inboard.
- Reduce speed so that a safe stop is possible even without engine power and a collision with the lock gates or other vessels is ruled out.

- Persons required to pass through the lock must be at the entry from the start and at the exit until the end, if necessary also on the chamber wall.

- Navigate in and position yourself so that following vessels are not obstructed. As from The last vehicle entering the water must drive forward far enough to ensure that it cannot hit the quay wall.

- Keep sufficient distance from other vessels.
- Moor until the exit is cleared. Operate lines in such a way that impacts against lock walls, gates, protective devices or other vessels are avoided.

- Use fenders.
- Pursuant to mooring, do not use the engine until the exit is cleared.
- Permission to exit is indicated by green lights or signs. If this is not the case, exiting is prohibited without special instructions from the lock staff.

The following applies: Instructions from the lock supervisor take priority!

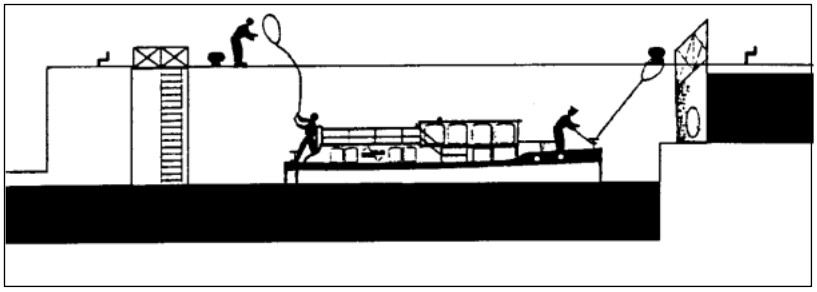
Conduct in the lock chamber – practice

Upstream locks

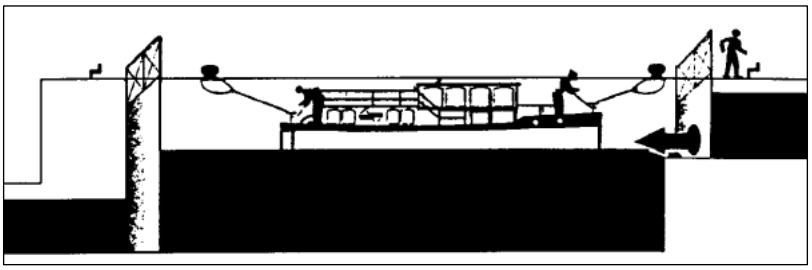
Drive in slowly.

Place the lines around a bollard and take the ends back onto the boat.

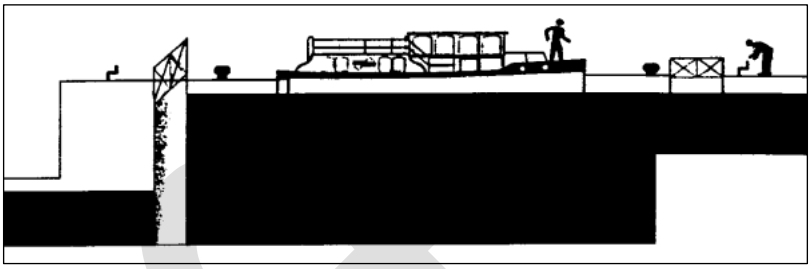
At self-service locks proceed according to the information on the display board.



One person at a time takes on board the front and rear lines and retrieves these when the boats are becoming increasingly dense. Hold the boat close to the chamber wall.

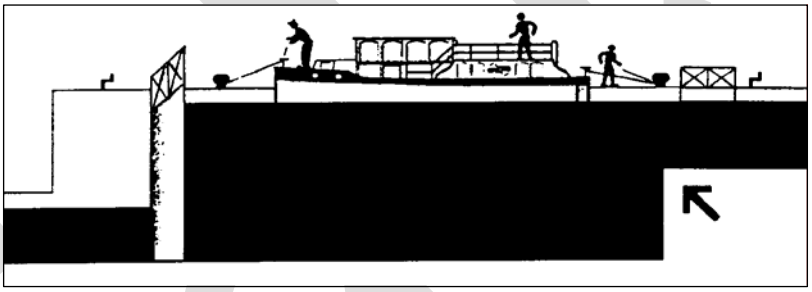


After receiving permission to exit or after receiving a signal from the display board, haul in the lines; ensure that no lines fall into the water and become caught in the vessel ´s propeller. Navigate out slowly and carefully.



Downward locks

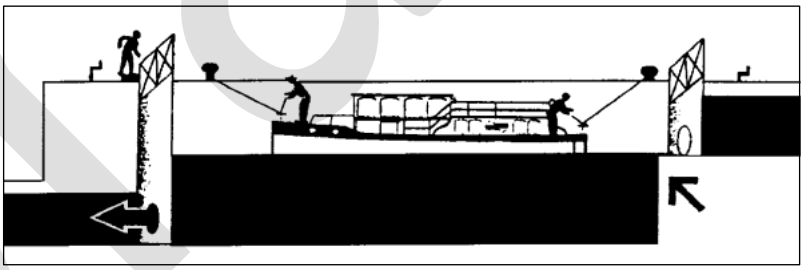
Navigate in slowly. Stop the boat with the engine.



Place the lines around a bollard and take the ends back onto the boat.

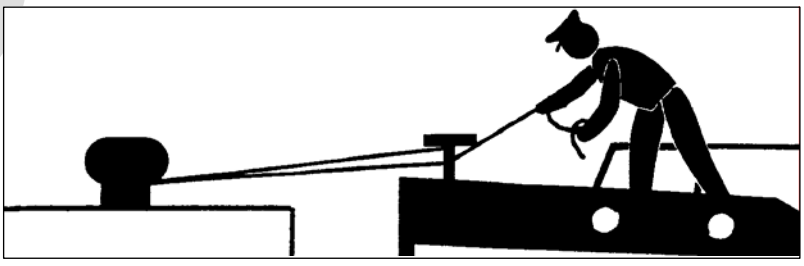
At self-service locks proceed according to the information on the display board.

One person operates each line. During the descent, let it run loose. Keep a distance from the quay wall and the lock gates.



Pursuant to permission to exit haul in the lines: ensure that no line falls into the water and becomes caught in the vessel's propeller. Navigate out slowly and carefully.

If you hold a line by hand always fold its end around a cleat on board to secure the boat so that it can hold it even under heavy load: Risk of injury "bruises."



Article 3

Amendment to the Ordinance on the Introduction of the Inland Waterway Navigation Ordinance

The Ordinance on the Introduction of the Inland Waterway Navigation Ordinance of 16 December 2011 (Federal Law Gazette 2012 I p. 2, 1717), last amended by Article 1 of the Ordinance of 23 July 2024 (Federal Law Gazette 2024 I number 253, number 336) is amended as follows:

1. Article 12 is amended as follows:

a) Paragraph 3 is amended as follows:

aa) The following number 5 is inserted after number 4:

"5. contrary to Article 4.07 number 10 letter (a) double letter (cc), does not ensure that the Inland ECDIS device or the electronic inland navigation chart complies with the requirements specified therein."

bb) The previous number 5 becomes number 6 and the words "double letter (cc)" are replaced by the words "double letter (dd)".

cc) The previous number 6 becomes number 7.

b) Paragraph 4 is amended as follows:

aa) In number 4, the words "is occupied" are replaced by the words "is occupied, or".

bb) The numbers 5 and 6 are replaced by the following number 5:

"5. orders or permits the commissioning of a vessel contrary to Article 4.07 number 11."

2. Article 22 paragraph 1 number 1 is replaced by the following number 1:

"1. contrary to Article 6.35 number 3, fails to comply with an order or prohibition mentioned therein or fails to ensure that it is complied with."

Article 4

Amendment to the Inland Waterway Navigation Ordinance

The Inland Waterway Navigation Ordinance (appendix to Article 1, paragraph 1 of the Ordinance on the Introduction of the Inland Waterway Navigation Ordinance of 16 December 2011) (Federal Law Gazette. 2012 I p. 2, 1666), last amended by Article 5 of the Ordinance of 18 September 2024 (Federal Law Gazette 2024 I number 286) is amended as follows:

1.Article 1.01 is amended as follows:

a) In number 44, in the sentence before letter (a), the words "federally owned" are deleted.

(b) Number 57 is replaced by the following number 57:

"57. "ES-TRIN":
European Standard laying down Technical Requirements for Inland Navigation vessels, edition 2023/01, adopted by the European Committee for drawing up standards in the field of inland navigation (CESNI) (announcement of the Federal Ministry of Transport and Digital Infrastructure of 16 March 2023, BAnz AT 02.05.2023 B3). For the purposes of applying ES-TRIN, a Member State shall be understood to be a Member State of the European Union or of the Central Body for the Waterway Vessel of the Rhine."

2.Article 1.10 is amended as follows:

a) Number 1 is amended as follows:

a) Sentence 1 is amended as follows:

aaa) Letter (b) double letter (gg) is replaced by the following double letter (gg):

"gg) Proof of special authorization for radar in accordance with the Inland Waterway Vessel Personnel Ordinance, equivalent proof in accordance with the Inland Waterway Vessel Personnel Ordinance or the radar certificate still valid in accordance with the Inland Waterway Vessel Personnel Ordinance;"

bbb) Letter (f) is replaced by the following letter (f):

"f) Certificates and documents relating to the cargo and operating materials:

aa) the certificates and documents required under subsections 8.1.2.1, 8.1.2.2 and 8.1.2.3 of ADN;

bb) for container transport

aaa) the stability documentation of the vessel, verified by the Waterways and Shipping General Administration;

bbb) the result of the stability test and the current stowage plan; the result of the stability test and the current stowage plan may also be carried electronically if they can be made readable at any time;

cc) the duly completed oil control book;

dd) the proof of purchase of gasoil, including receipts for the SPE-CDNI payment transactions for a period of at least 12 months; if the last purchase of gasoil was more than 12 months ago, the last proof of purchase of gasoil;

ee) the unloading attestation."

bb) Sentences 3 to 5 are replaced by the following sentences:

"The certificates and documents referred to in sentence 1, letter (b), double letter (ff), letters (c) and (d), double letters (aa) to (dd), letters (e) and (f), double letters (bb) and (dd) may also be carried on board in a readable, electronic text version in PDF file format at any time, and the document referred to in sentence 1, letter (f), double letter (ee) may also be carried on board in a readable, electronic text version with a forgery-proof signature in accordance with Article 26 of Regulation (EU) No 910/2014 in the version of 23 July 2014. The transport document referred to in sub-section 8.1.2.1 letter (b) of ADN and the vessel's substance list referred to in sub-section 8.1.2.3 letter (g) of ADN may also be carried on board in a readily readable electronic text version in a format that meets the requirements of sub-section 5.4.0.2 of ADN in conjunction with the Guide for the application of sub-section 5.4.0.2 of ADN. The document referred to in sentence 1, letter (d), double letter (ee), and the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways, including the Regulation annexed to the Agreement (subsection 8.1.2.1, letter (d) of the ADN), may also be carried in an electronic text version that can be read at any time."

b) In number 7(a), the words "and letter (f), double letter (bb)" are replaced by the words "and letter (f), double letters (bb), (dd) and (ee)".

c) In number 9(b), the words "and letter (f), double letter (aa)" are replaced by the words "and letter (f), double letters (aa), (dd) and (ee)".

3.Article 3.10, number 1, letter (b) is replaced by the following letter (b):

"b) Sidelights

as far aft as possible on the widest part of the pushed convoy, not more than 1.00 m from the outer sides of the pushed convoy and not less than 2.00 m above the water level;".

4.Article 3.14 is amended as follows:

a) In paragraph 1, sentence 1, the statement "A vessel in motion carrying certain flammable substances in accordance with Chapter 3.2, Table A of ADN shall, in addition to the other marking prescribed by this Ordinance, bear the following marking in accordance with ADN sub-section 7.1.5.0 or 7.2.5.0:" is replaced by the statement "A vessel in motion carrying certain flammable substances in accordance with Chapter 3.2, Table A of ADN shall, in addition to the other marking prescribed by this Regulation, bear the following marking in accordance with ADN subsections 7.1.5.0 or 7.2.5.0:".

b) In paragraph 2, sentence 1, the statement "A vessel in motion carrying certain harmful substances as defined in Chapter 3.2, Table A of ADN, shall, in addition to the other marking prescribed by this Ordinance, bear the following marking as defined in ADN subsection 7.1.5.0 or 7.2.5.0" are replaced by the words "A vessel in motion carrying certain harmful substances as defined in Table A of Chapter 3.2 of ADN shall, in addition to the other marking prescribed by this Ordinance, bear the following marking as defined in subsection 7.1.5.0 or 7.2.5.0 of ADN:".

c) In paragraph 3, sentence 1, the statement "A vessel in motion carrying certain explosive substances as defined in Chapter 3.2, Table A of ADN shall, in addition to the other marking prescribed by this Ordinance, bear the following marking as prescribed in ADN subsection 7.1.5.0 or 7.2.5.0" by the statement "A vessel in motion carrying certain explosive substances as defined in Table A of Chapter 3.2 of ADN shall, in addition to the other marking prescribed by this Ordinance, bear the following marking as required by subsection 7.1.5.0 or 7.2.5.0 of ADN:" is replaced by

(d) In number 7, sentence 1, the words "ADN Article 1.16.1" are replaced by the words "Article 1.16.1 of the ADN".

5.Article 4.07 is amended as follows:

a) Number 10 letter (a) is amended as follows:

aa) In double letter (bb), the words "will and" are replaced by the words "will,".

bb) Pursuant to double letter (bb), the following double letter (cc) is inserted:

"cc) The Inland ECDIS device and the electronic inland navigation chart meet the requirements of the regulations referred to in number 3, sentence 3, and"

cc) The previous double letter (cc) becomes double letter (dd).

b) Number 11 is amended as follows:

aa) In letter (a) double letter (cc), the words "is and" are replaced by the words "is,".

bb) In letter (b), the words "corresponds to." are replaced by the words "corresponds to and".

cc) Pursuant to letter (b), the following letter (c) is inserted:

"c) The Inland ECDIS device and the electronic inland navigation chart meet the requirements of the provisions referred to in number 3, sentence 3."

6. Article 6.21 number 2 is amended as follows:

a) Sentence 2 is replaced by the following sentence:

"Where one or more vessels are carried in a pushed convoy or in a coupled convoy, they may be located on both the port and starboard sides of the power-driven vessel propelling the convoy."

b) Sentence 3 is deleted.

7. In Article 6.28, number 11, the words "ADN subsection 7.1.1.18" are replaced by the words "subsection 7.1.1.18 of the ADN".

8. In Article 6.35, number 3, the words "Article 6.21 numbers 1 to 3" are replaced by the words "Article 6.21 number 1, number 2 sentence 1 and number 3".

9. In Article 7.07, number 2, letter (b), the words "ADN Article 1.16.1" are replaced by the words "Article 1.16.1 of the ADN".

10. In Article 11.15, number 2, the following sentence is inserted after sentence 3:

"If the boatmaster or any other body or person reports electronically, the report must be made in accordance with the provisions of Annex 1 to Implementing Regulation (EU) 2019/1744, as amended on 17 September 2019."

11. In Article 11.29 number 2 letter (b) double letter (ee), the words "sentences 2 and 3" are replaced by the words "sentences 2 to 4".

12. Article 15.02 number 1 is amended as follows:

a) The numbers 1.1.2 to 1.1.4 are replaced by the following numbers 1.1.2 to 1.1.4:

Inland Waterway Navigation		Length m	Width m	Loading depth m
"1.1.2	km 0.00 (Ruhr estuary) to km 0.80			
	a) Vessel	135.00	12.00	3.00
	b) Convoy	193.00	22.90	3.00
	- the permissible unloading depth may be exceeded if the water level of the Rhine permits a greater unloading depth; the provision of Article 1.07, number 1 remains unaffected. The permissible unloading depth is reduced if the water level of the Rhine at the Ruhrort gauge falls below the 295 mark by the amount of the respective drop in the water level -			
1.1. 3	km 0.80 to km 1.90			
	a) Vessel	135.00	12.00	3.00
	b) Convoy	186.50	12.00	3.00
	- the permissible unloading depth may be exceeded if the water level of the Rhine permits a greater unloading depth; the provision of Article 1.07, number 1 remains unaffected. The permissible unloading depth is reduced if the water level of the Rhine at the Ruhrort gauge falls below the 295 mark by the amount of the respective drop in the water level -			
1.1.4	km 1.90 to km 2.80 (Ruhr lock Duisburg)			
	a) Vessel	135.00	12.00	3.00
	b) Convoy	186.50	12.00	3.00
	- the permissible unloading depth is reduced if the water level of the Rhine at the Ruhrort gauge falls below the 295 mark by the amount of the respective drop in the water level -			

(b) the numbers 1.2.1 and 1.2.2 are replaced by the following numbers 1.2.1 and 1.2.2:

Inland Waterway Navigation		Length m	Width m	Loading depth m
"1.2.1	km 0.16 (Ruhrorter Hafen) to km 45.60 (Dortmund-Ems-Kanal) with **Connecting canal to the Ruhr**	110.00	9.65	2.60
	a) Vessel		11.45	2.50
		135.00		2.60
	b) Convoy		9.65	2.50
		165.00	11.45	
		186.50		
	- from km 0.16 (Ruhrort port) to km 0.65 (Duisburg-Meiderich lock)			
	(a) the permissible unloading depth of 2.60 m, if the water level of the Rhine at the Ruhrort gauge falls below the 222 mark, and			
	b) the permissible unloading depth of 2.50 m, if the water level of the Rhine at the Ruhrort gauge falls below the 212 mark,			
	Is reduced by the amount of the respective drop in the water level,			
	- between km 39.97 (Port Victor) and km 45.60 (Dortmund-Ems Canal), a vessel with a width exceeding 9.65 m or a convoy with a length exceeding 165.00 m or a width exceeding 9.65 m may only navigate at the time and in the direction specified in Article 15.06, number 6, letter (b) -			
	unless otherwise specified below			
1.2.2	km 0.16 to km 0.65 (Duisburg-Meiderich lock)	135.00	11.45	3.00
	a) Vessel			3.00
	b) Convoy	186.50	11.45	
	- the permissible loading depths are reduced when the water level of the Rhine at the Ruhrort gauge			
	a) with a loading depth of 3.00 m below the mark 262,			
	b) with a loading depth of 2.80 m below the mark 242,			
	c) with a loading depth of 2.60 m below the mark 222 and			
	d) with a loading depth of 2.50 m below the mark 212,			
	by the amount of the respective drop in the water level –".			

(c) Numbers 1.3.1 and 1.3.2 are replaced by the following numbers 1.3.1 and 1.3.2:

Inland Waterway Navigation		Length m	Width m	Loading depth m
"1.3.1	km 0.24 (Rhine) to km 60.23 (Dortmund-Ems Canal)			
	a) Vessel	135.00	11.45	2.80
	b) Convoy	186.50	11.45	2.80
	- from km 0.24 (Rhine) to km 0.90 (Rhine-Lippe Port), the permissible unloading depth may be exceeded if the water level of the Rhine permits a greater unloading depth; the provision of Article 1.07 number 1 remains unaffected, From km 0.24 to km 1.85 (Friedrichsfeld lock), the permissible unloading depth is reduced if the water level of the Rhine at the Wesel gauge falls below the 219 mark, by the amount of the respective drop in the water level - unless otherwise specified below			
1.3.2	km 0.24 to km 0.90 (Rhine-Lippe port)			
	Convoy	193.00	22.90	2.80
	- the permissible unloading depth may be exceeded if the water level of the Rhine permits a greater unloading depth, the provision of Article 1.07, number 1 remains unaffected; the permissible unloading depth shall be reduced if the water level of the Rhine at the Wesel gauge falls below the 219 mark, by the amount of the respective fall in the water level -".			

13. Article 16.02 numbers 6 to 7 are replaced by the following numbers 6 to 7:

Inland Waterway Navigation		Length m	Width m	Shipping channel depth/ Loading depth m
"6.	**Leine**			
6.1	km 20.89 (Ihme estuary) to km 22.29 (mouth of the connecting canal to the Leine)			
	Vessel/pushed convoy	73.00	8.20	depending on Water level

Inland Waterway Navigation	Length m	Width m	Shipping channel depth/ Loading depth m
6.2 km 110.00 (Hademstorf lock canal confluence of the Aller) to km 112.08 (Leine estuary) Vessel/pushed convoy	58.00	9.50	depending on Water level
7. **Ihme** km 20.50 to km 20.89 (Ihme estuary) Vessel/pushed convoy	73.00	9.50	depending on water level".

14. In paragraph 20.11, number 3, the words "number 2" are replaced by the words "number 1".

15. In Article 20.29 number 2 letter (b) double letter (ee), the words "sentences 2 and 3" are replaced by the words "sentences 2 to 4".

16. In Article 21.09, sentence 1, the words "km 26.50" are replaced by the words "km 24.40".

17. In Article 22.15, the following number 5 is inserted after number 4:

"5. If the boatmaster reports electronically, the report must be made in accordance with the provisions of Implementing Regulation (EU) 2019/1744."

18. In Article 29.04, number 1, the words "28.03" are replaced by the words "29.03".

19. In Article 14.15 number 2, Article 15.15 number 2, Article 16.15 number 2 and Article 20.15 number 3, the following sentence is inserted after sentence 3:

"If the boatmaster or any other administration or person reports electronically, the report must be made in accordance with the provisions of Implementing Regulation (EU) 2019/1744."

20. In Article 14.29 number 2 letter (b) double letter (bb), Article 15.29 number 2 letter (b) double letter (cc) and Article 16.29 number 2 letter (b) double letter (bb), the words "sentences 2 and 3" are replaced by the words "sentences 2 to 4".

Article 5

Amendment to the

Inland Waterway Vessel Calibration Ordinance,

The Inland Waterway Vessel Calibration Ordinance in the version published on 1 March 2022 (Federal Law Gazette Article 220 paragraph 1384 is amended as follows:

1. In the table of contents, the following information is inserted after the information on Appendix 6:

   "Appendix 7 Template of Calibration Register for Calibration Licences and Calibration Attestations"

2. Article 1 number 7 is replaced by the following number 7:

   "7. Measurement and Calibration Act
   Measurement and Calibration Act of 25 July 2013 (Federal Law Gazette I p. 2722, 2723), last amended by Article 1 of the Act of 27 January 2024 (Federal Law Gazette. I number 26), as amended from time to time;"

3. In Article 3, paragraph 2, the words "the Federal Ministry of Transport and Digital Infrastructure" are replaced by the words "the Federal Ministry of Digital Affairs and Transport".

4. Article 4 paragraph 2 sentence 2 is deleted.

5. Article 8 is amended as follows:

   (a) In paragraph 2, after the words "calibration register", the words "according to Appendix 7" are inserted.

   (a) The following paragraph 6 is inserted after paragraph 5:

   "(6) The Central Administration shall retain the original or a copy of each calibration licence, each provisional calibration attestation and each calibration attestation for recreational craft which it has issued. All corrections and changes as well as declarations of invalidity and new grants must be entered here. It updates the calibration register of calibration licences and calibration attestations accordingly."

6. In Article 33 paragraph 5, the words "according to Appendix 7" are inserted after the words "calibration register".

7. In Article 35 paragraph 3, the words "according to Appendix 7" are inserted after the words "calibration register".

8. After Appendix 6, the following Appendix 7 is inserted:

"Appendix 7

Template of the Calibration Register for Calibration Licences and Calibration Attestations

List of calibration licences and calibration attestations
Central Administration – GDWS/Ship Calibration Office

Year .....

List of calibration licences for inland waterway vessels:

Left side

Calibration licence for inland vessels			Type of calibration procedure					Boatmaster Name Address
Calibration mark	of	Valid until	New calibration on	Extension to	Pursuant to-calibration to	Amendment Name/ Slogan to	Rectification to	

Right side

Vessel				Entries regarding confiscation of calibration licences and other comments
Name	Type	Carrying capability (t)	Water-displacement (m^3)	

List of calibration attestations for recreational craft:

Left side

Calibration attestation for recreational crafts						Boatmaster Name Address
Calibration mark	of	Calculation of the Water displacement after		Type model design-Calibration to	Check of Replicas to	
		Simpson rule to	formula to			

Right side

Recreational craft			Other remarks".
Name	Type	Water-displacement	

		(m³)	

Article 6

Amendment to the Inland Waterway Vessel Personnel Ordinance

The Inland Waterway Vessel Personnel Ordinance of 26 November 2021 (Federal Law Gazette 2012 I p. 4982, 5204), last amended by Article 5 of the Ordinance of 23 July 2024 (Federal Law Gazette. 2024 I number 253) is amended as follows:

1.The table of contents is changed as follows:

a) The reference to Article 137 is deleted.

b) Pursuant to the information on Article 142, the following information is inserted:

"Article 143 Conversion of navigation licences of classes D1 and D2

Article 144 Acquisition of special authorization for large convoys in exchange".

2.Article 16 paragraph 1 sentence 2 is replaced by the following sentence:

"sentence 1 number 2 applies only to
1.Vessels listed in Article 25 paragraph 3 or 4 sentence 2,
2.Passenger boats,
3.Government vessels and recreational vessels over 20 m in length."

3.Article 22 paragraph 4 sentence 1 is replaced by the following sentences:

"If facts justify the assumption that the medical fitness of a crew member no longer exists, the following bodies may order them to submit a current certificate of fitness within the meaning of Article 21 paragraph 1 sentence 1 concerning the corresponding fitness:

1. their employer,

2. the boatmaster,

3. the competent authority or

4. any waterways and shipping administration for entry-level and operational level certificates.

The crew member must prove to the authority that he or she has presented the current certificate of fitness to the employer or the ship's captain."

4.Article 25 paragraph 4 sentence 2 is replaced by the following sentence:

"For the purposes of the Union patent, only sailing times acquired on freely sailing ferries are recognised

1. with a length of 20 metres or more,

2. whose product of length, width and draught results in a volume of 100 cubic metres or more or

3. which are built and equipped to carry more than twelve passengers."

5.Article 118 paragraph 1 is replaced by the following paragraph 1:

"(1) If the minimum crew includes two or more helmsmen, seamen or boatswains, in operating mode A one deckhand may be replaced by two entry-level crew members. The crew may not include more than two entry-level crew members. Two entry-level crew members may be replaced by one seaman if the crew also includes a seaman or a boatswain.

6.In Article 119, paragraph 3, the following number 3 is inserted after number 2:

"3. only persons who hold the certificate of competency required for the function to be performed are employed as crew members,"

7.Article 120 is amended as follows:

a) The following number 12 is inserted after number 11:

"12. contrary to Article 119 paragraph 3 number 3, does not ensure that only the persons named therein are employed."

b) The previous numbers 12 to 16 will become numbers 13 to 17.

8.Article 137 is deleted.

9.Article 139 is amended as follows:

a) paragraph 1 is deleted.

(b) In paragraph 2, the words "(2)" is deleted.

10.Pursuant to Article 143, the following Article 144 is inserted:

"Article 144 Acquisition of special authorization for large convoys when exchanging

With the exchange of a class A or B driving licence according to the Inland Waterway Vessel Licence Ordinance or a large Rhine licence, a special authorisation for large convoys will be issued upon application.

Article 7
Amendment to the Inland Waterway Navigation Marking Ordinance

The Inland Waterway Navigation Marking Ordinance of 21 February 1995 (BGBl. I p. 226), last amended by Article 6 of the Ordinance of 18 March 2024 (Federal Law Gazette 2024 I number 100, number 115) is amended as follows:

In the Appendix, in the figure below, number 3 of the Special Instructions is replaced by the following number 3:

"3. Amendments must be reported immediately to the Waterways and Shipping Administration. The ID card must be presented for correction. If an amendment is communicated electronically, the previous ID card must be rendered unusable. As proof, it is sufficient to send a clear picture of the rendered unusable ID card to the Waterways and Shipping Administration."

Article 8
Repeal

On the day following the promulgation of this Ordinance, the following shall cease to apply:

1. the Inland Waterway Vessel Exhaust Emissions Ordinance of 20 August 2005 (Federal Law Gazette I p. 2487), last amended by Article 9 of the Ordinance of 31 October 2019 (Federal Law Gazette I p. 1518) has been amended,

2. Second Ordinance on the temporary derogation from the Inland Waterway Vessel Recreational Craft Rental Ordinance of 31 March 2021 (VkBl. p. 587), which was amended by the Ordinance of 13 September 2023 (Federal Law Gazette 2023 II number 249) has been amended,"

3. Ordinance on the performance of official competence tests at operational level under the Inland Waterways Vessel Personnel Ordinance of 21 June 2022 ((BAnz AT 05.07.2022 V2).

Article 9
Effective date

This Ordinance shall enter into force on 1 July 2025.

EU legal acts:

1. Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal water craft and repealing Directive 94/25/EC (OJ L 354, 28.12.2013, p. 90; L 287, 13.11.2015, p. 9)

2. Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73; L 23, 29.1.2015, p. 19; L 155, 14.6.2016, p. 44), as last amended by Regulation (EU) 2024/1183

3. Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 on requirements relating to gaseous and particulate pollutant emission limits and type-approval for internal combustion engines for non-waterway mobile machinery and devices, amending Regulations (EU) No 1024/2012 and (EU) No 167/2013, and amending and repealing Directive 97/68/EC (OJ L 252, 16.9.2016, p. 53; L 231, 6.9.2019, p. 29), as last amended by Regulation (EU) 2022/992 (OJ L 169, 27.6.2022, p. 43)

4.Commission Implementing Regulation (EU) 2019/1744 of 17 September 2019 on technical specifications for electronic reporting in inland waterway navigation and repealing Regulation (EU) No 164/2010 (OJ L 273, 25.10.2019, p. 1)

Second Ordinance
amending the Inland Waterway Vessel Inspection Ordinance
and other provisions of maritime law
(2. BinSchUOÄndV)

Grounds

A. General information

I. Essential content

With the Second Ordinance modifying the Inland Waterway Vessel Inspection Ordinance and other provisions of maritime law the:

- Inland Waterway Vessel Inspection Ordinance,
- Inland Waterway Navigation - Recreational Craft Rental Ordinance
- Ordinance on the Introduction of the Inland Waterway Navigation Ordinance
- Inland Waterway Navigation Ordinance
- Inland Waterway Vessel Calibration Ordinance,
- Inland Waterway Vessel Personnel Ordinance and the
- Inland Waterway Navigation Marking Ordinance

are amended and the:

- Inland Waterway Vessel Exhaust Emissions Ordinance
- Second Ordinance on the Temporary Derogation from the Inland Waterway Navigation - Recreational Craft Rental Ordinance and the
- Ordinance on the Performance of Official Competence Tests at Operational Level under the Inland Waterway Vessel Personnel Ordinance.

are repealed. In detail:

The Inland Waterway Vessel Inspection Ordinance of 21 September 2018 (BinSchUO) lays down technical requirements for vessels on the federal waterways. In addition to the creation of national regulations, the BinSchUO also implements international legal obligations of electricity commissions and Union law. The amendment serves to:

- implement the European Standard laying down Technical Requirements for Inland Navigation vessels (ES-TRIN) in the 2023/1 edition,
- Introduction of new stability criteria for ferries,
- Revocation of the Inland Waterway Vessel Exhaust Emissions Ordinance, and
- Addition of existing regulations.

The BinSchUO implements Directive (EU) 2016/1629 of the European Parliament and of the Council of 14 September 2016 laying down Technical Requirements for Inland Navigation vessels and the Rhine Vessel Inspection Regulations (RheinSchUO) of the Central Body for the Waterway Vessel of the Rhine (CCNR). Both sets of rules delegate the definition of technical standards to the European Committee for Drawing Up Standards in the Inland Waterway Vessel Sector (CESNI), which regularly revises the ES-TRIN. With the revision of the BinSchUO, the current ES-TRIN standard in edition 2023/1 will come into force nationally. In addition, the references within the BinSchUO will be adapted to the new ES-TRIN standards.

Ferries are not covered by the Directive (EU) 2016/1629 of the European Parliament and of the Council of 14 September 2016 and the ES-TRIN and are therefore regulated in Annex II of the BinSchUO. The technical requirements for these will be reorganised and new standards for the stability criterion will be introduced. The term stability refers to the ability of a ship to maintain an upright position or to regain it after a moment of torque. With the research project "Determination of scientific basis for ferry regulations", (FKZ): VB 300354, the previous calculation bases for hull and stability criteria were reviewed and new calculation bases were determined based on current scientific standards. The newly determined calculation methods are now being implemented to introduce a precise technical standard.

Furthermore, the calculations of the intact and damage stability of barges should be made clearer. A separate regulation is essential in order to take into account the special characteristics of barges.

Furthermore, the regulations on passenger transport clarify that scheduled services or journeys on the basis of single tickets may only be operated by vessels that meet the specifically stated requirements. In addition, it is clarified that for vessels operated in accordance with Article 34 paragraphs 1 to 4 of the Inland Waterway Vessel Inspection Ordinance, the regulations applicable to recreational and small craft continue to apply.

In addition, the Inland Waterway Vessel Exhaust Emissions Ordinance of 20 August 2005 is repealed. The regulatory gap for ferries associated with the revocation will be avoided by extending the scope of Regulation (EU) 2016/1628 of

the European Parliament and of the Council of 14 September 2016 and making it applicable to ferries as well.

In addition, there is an amendment to the Inland Waterway Navigation Ordinance. On the one hand, this also affects the adaptation of the rules to ES-TRIN 2023/1. This mainly concerns the carrying of certificates and documents, the positioning of side lights on a pushed convoy, the introduction of an obligation for the owner and equipment supplier to ensure that the Inland ECDIS equipment and electronic inland navigation cards used on board comply with the specified requirements, the carrying of lighters in a pushed convoy and coupled vessels, the specifications for the submission of electronic reports, the adaptation of unloading depths to the changed equivalent water level on the Rhine and the approval of larger vessel dimensions on the Leine and Ihme, as well as the extension of an anchoring ban on the Spree-Oder Waterway.

The Ordinance also amends the Inland Waterway Recreational Craft Rental Regulations. These changes also include the adaptation of the rules to ES-TRIN 2023/1. In addition, regulations will be adapted to Directive 2013/53/EU, the regulations on the technical inspection of recreational vessels intended for rental will be revised and supplemented, rental vessels will be marked, the relevant standards for life jackets will be updated, the template for the boat certificate and the leaflet on conduct in locks when driving a vessel with charter attestation will be revised, and the waterways approved for navigation with a charter attestation will be supplemented to include the option of crossing the Havel-Oder waterway to connect the Finow Canal to the "Langer Trödel" state waterway.

The Ordinance also serves to make minor amendments to the Inland Waterway Vessel Personnel Ordinance. To facilitate this, the crew regulations provide for the possibility of replacing a seaman with a deckhand instead of an ordinary seaman in certain cases. This closes a gap in the obligations and administrative offences. The transitional provisions provide that, upon request, a special authorisation for large convoys will be issued when an A or B patent is exchanged for a Union patent. In this way, the requirements of the qualifications guidelines are to be fully taken into account. It is also clarified that the special authorization for high-risk routes is required for all vessels falling within the scope of Directive (EU) 2017/2397. It is also regulated that all competent authorities can request proof of fitness on occasion, and not just the issuing authority. Furthermore, adjustments and corrections will be made.

Ordinance on the performance of official competence tests at operational level under the Inland Waterway Vessel Personnel Ordinance The tests regulated therein have now been taken over as separate tasks by the Chambers of Industry and Commerce, which have issued their own statutory law for this purpose.

The Ordinance also adapts the template of the ID card of small vessel marking to an amendment to the Inland Waterway Navigation Marking Ordinance that came into force on 1 May 2024.

II Alternatives

None. The changes are necessary in the interest of legal clarity and to ensure the safety and efficiency of shipping.

III Regulatory competence

The responsibility of the Federal Ministry for Digital Affairs and Transport, partly in agreement with the Federal Ministry of Labour and Social Affairs and partly jointly with the Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection, results from Article 3 paragraph 1 sentence 1 numbers 1 to 6a, sentence 2 paragraph 5 sentences 1 and 2, paragraph 6 number 1 letters (a) and (b) and Article 14 of the Inland Waterway Vessel Tasks Act.

For details, see the introductory wording of the Ordinance.

IV. Compatibility with European Union law and international treaties

The draft ordinance is compatible with European Union law and the international treaties concluded by the Federal Republic of Germany. A proportionality test under Directive (EU) 2018/958 on a proportionality test before the adoption of new professional regulations is not required. The amendments to the Inland Waterway Vessel Personnel Ordinance contained in Article 7 concern, in paragraph 10, the exercise of the profession of boatmaster. However, the proposed amendment does not provide for any restriction, but rather an adaptation to the requirements of Directive (EU) 2017/2397 on the recognition of professional qualifications in inland waterway navigation, specifically Article 38 paragraphs 1 and 2 thereof.

V. Regulatory consequences

1.Sustainability aspects

The proposed regulation is expected to have an impact on several global Sustainable Development Goals (SDGs) of the United Nations 2030 Agenda: in the area of safe and environmentally friendly "mobility" (SDG 11.2) and "good governance" (SDG 16.3). In addition, the project complies with the principles of sustainable development. This includes consistently applying sustainable development as a guiding principle in all areas and in all decisions in order to permanently secure the Earth's natural resources and to enable all people to live in dignity now and in the future (Principle 1). The principle of preserving natural resources is also affected (Principle 3): In order to preserve natural resources and respect planetary boundaries, circular flow of materials must be secured as quickly as possible or brought into harmony with ecosystem processes and functions.

With the revision, the regulatory administration assumes responsibility for safety and working and living conditions on inland waterways vessels as well as for the preservation and maintenance of the ecological balance of inland waterways. The project contains rules for a ship-related safety standard that corresponds to the current state of the art. The higher safety standard reduces the risk for those on board and the unintentional release of harmful substances. In

addition, the legal situation is significantly simplified by the repeal of the Inland Waterway Vessel Exhaust Emissions Ordinance and the Second Ordinance on the Temporary Derogation from the Inland Waterway Recreational Craft Rental Ordinance.

In order to simplify the legal landscape and thus the application of the law, the Inland Waterway Vessel Exhaust Emissions Ordinance and the Second Ordinance on the Temporary Derogation from the Inland Waterway Recreational Craft Rental Ordinance will be abolished. The regulations to be retained will be integrated into the existing regulations.

There are no disadvantages for the service life. There is no need for concern about pollution from pollutants as a result of the amendment.

2. Impact on medium-sised enterprises (SMEs)

The majority of German inland waterway transport companies are medium-sised enterprises. The compliance costs will particularly affect them. However, there are no adverse effects to be feared. The compliance costs are based on the mandatory implementation of ES-TRIN under EU and international law. Because the standard is implemented uniformly on European inland waterways, domestic companies do not face a competitive disadvantage. In addition, the compliance costs are estimated to be low considering the size of the fleet.

3.Budget expenditure without compliance costs

None. The approval of vessels is the responsibility of the inspection body. Where newer regulations must be observed, the inspection will be carried out by the river police as part of the existing inspections.

4.Compliance costs

4.1 Compliance costs for citizens

The "Second Ordinance Amending the Inland Vessel Inspection Regulations and Other Shipping Law Provisions" does not contain any requirements for citizens.

4.2 Compliance costs for businesses; of which bureaucratic costs from information obligations

The compliance costs are estimated at a one-off amount of EUR 1,257,000 and an annual amount of EUR 107,000. The expenditure is solely due to the implementation of ES-TRIN.

With regard to the new stability calculation for ferries, the compliance costs cannot be determined. In individual cases, the new regulations for ferries may require a new stability calculation or lead to the determination of a different load limit. It is currently not possible to estimate whether and how many ferries are affected.

4.3 Compliance costs for the administration

The compliance costs for the administration can be estimated at a total amount of EUR 3,000. The expenditure is solely due to the obligation under EU and international law to implement ES-TRIN.

The continued possibility of using the Leine and Ihme waterways with wider vessels than permitted under a special permit will result in additional compliance costs for the administration in the event of corresponding applications. However, since it is not possible to estimate how often this will be used, because the previously permitted traffic no longer occurs, no statement can be made in this regard.

5. Further regulatory consequences

No impact on social security systems is expected. There will be no additional costs for the German economy, in particular for medium-sised German inland waterway companies and citizens. There will be no impact on retail and consumer prices.

VI. Limitation; evaluation

A time limit is not possible because the decisions of the Central Body for the Waterway Vessel of the Rhine and of ES-TRIN are binding pursuant to Directive 2016/1629 of the European Parliament and of the Council of 14 September 2016. Furthermore, a time limit is not appropriate. The regulations are intended to provide planning security. A system diagnosis is not provided.

VII. Stakeholder participation

The amendments to ferries in Annex II of the BinSchUO are based on the research project "Determination of scientific basis for regulations of ferries", (FKZ): VB 300354. In a final presentation, the results were presented to all interested parties and the resulting proposed changes were then sent out. The circle of participants was public and not restricted, so that the affected associations (BDB, VSM, VBW, ferry association), authorities (GDWS, BAW, BG Verkehr) and companies (shipyards) were given the opportunity to be informed in advance about the upcoming possible changes. No requests for amendments were made.

Furthermore, stakeholders were not involved.

B. Special Part

Re: Article 1:

Number 1:
Re: Letter a
The amendment will bring into force the current European Standard laying down Technical Requirements for Inland Navigation vessels, edition 2023/1. In addition, the name of the classification society, which has since been renamed, will be updated.

Re: Letter b

The references to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) and the Fee Ordinance are being updated.

Re: Letter c
The revised definition of passenger boat makes legal application easier. The passenger boat is expressly separated from the passenger ship. At the same time, the definition is used consistently with the Inland Waterway Vessel Personnel Ordinance. There are no changes in substantive law.

Re: Number 2
The amendment is intended to simplify the application of the law. The responsibility of the Directorate-General for Waterways and Shipping for the type approvals listed is directly regulated in this legal order. The previously required separate publication of the competent authority in the Verkehrsblatt or Federal Gazette will no longer be necessary.

Re: Number 3
In the future, only engines with type approval in accordance with Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 will be installed or used in ferries. Until now, the limit values for ferries were regulated in the Inland Waterway Vessel Exhaust Emissions Ordinance of 20 August 2005. This implements Directive 2004/26/EC of the European Parliament and of the Council of 21 April 2004. With the introduction of the NRMM Regulation, the Directive was largely replaced. The Inland Waterway Vessel Exhaust Emissions Ordinance therefore only applied to a few vessel types, such as ferries. With the amendment, engines for ferries will also be subject to the NRMM Regulation. By integrating the regulation into the BinSchUO and limiting it to a few permissible forms of type approval, the application of the law is made easier and a further contribution is made to reducing bureaucracy.

Re: Number 4
The reference to the fee regulations is updated.

Re: Number 5
The new derogation in paragraph 3 allows for deviations from the ES-TRIN on a case-by-case basis if the vessel is travelling in a demarcated area and an equivalent level of safety is guaranteed. The regulation allows for economically reasonable solutions in individual cases if the local risk profile allows for deviations.

The remaining changes are consequential changes.

Number 6:
This is a consequential amendment.

Number 7:
Number 7 clarifies that, in the case of passenger transport, scheduled services or journeys for the sale of single tickets, in contrast to the recreational craft tolerated for the transport of passengers under Article 34 paragraphs 1 to 4 within the framework of a grandfathering scheme, may only be carried out with vessels that meet the relevant technical requirements for the transport of passengers.

Number 8:
Number 8 clarifies the intention of the regulatory authority that, in principle, all inland waterway regulations governing recreational and small craft apply to those vessels which may be used as recreational craft for the carriage of passengers for a transitional period within the framework of protection of existing rights. This clarification is particularly necessary under traffic law, as the vessels in question are, both externally and technically, recreational vessels, but

could also be classified as commercial shipping due to their commercial use. At the same time, the competent authority is given the option of deviating from this.

Number 9:
The references to the ES-TRIN are updated.

Number 10:
The administrative offence is being editorially reworded. In addition, the conformity of the LPG system is no longer subject to administrative offence.

Number 11:
The amendment will be adapted to the current department name.

Number 12:
With the amendment, the Lühe and Pinnau waterways are adapted to the scope of federal waterways within the meaning of the Federal Waterways Act (WaStrG).

Number 13:
Re: Letter a
The table of contents will be adapted to the following changes.

Re: Letter b
The technical requirements for ferries in Part 1, Annex II of the BinSchUO are being revised. Essentially, the stability requirements are redefined. The term stability refers to the ability of a ship to maintain an upright position or to regain it after a moment of torque. With the research project "Determination of scientific basis for ferry regulations", (FKZ): VB 300354 reviewed the previous calculation bases for hull and stability criteria and also determined new calculation bases based on current scientific standards. The newly determined calculation methods are now being implemented in order to provide a more precise calculation basis and thus contribute to the highest possible level of safety.

Re: Letter c
Annexes 1 and 2 can be repealed, as the regulations will be published in the Federal Gazette in the future.

Re: Letter d
The reference to ES-TRIN ensures a minimum level of leak stability.

Re: Letter e
The requirements for the stability of barges are being revised. The amendment is editorial in nature and serves to provide more precise wording to facilitate the application of the law.

Re: Letter f
The transitional provisions for barges are being extended with regard to stability requirements. The extension of the transitional provisions ensures the protection of existing barges. This protects companies from sudden investment needs.

Re: Letter g
With the amendment, passenger boats may also be used on the Oder waterway.

Number 14:
The amendment is intended to adapt to the now modified ES-TRIN.

Number 15:
The templates will be amended to update the references to the ES-TRIN and, in the case of an application, to implement a legally required notice of data processing.
Number 16:

With the amendment, vessels operating on the Moselle waterway can also rely on the transitional provision of Article 34 of the BinSchUO.

Re: Article 2:

Article 2 amends the Inland Waterways Recreational Craft Rental Ordinance.

Re: Number 1
Letter (a) extends the definition of the Inland Vessel Inspection Regulation to take into account the possibility of issuing regulations of a temporary nature as stipulated therein.

Letter (b) adapts the definition of the European Standard laying down Technical Requirements for Inland Navigation vessels to the 2023/1 edition of the standard.

Re: Number 2
Letter (a) converts the provision to the regulation into Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal water craft and repealing Directive 94/25/EC (OJ L 354, 28.12.2013, p. 90).

Letter (b) contains an editorial correction by referring to the currently applicable Sea Recreational Craft Ordinance.

Letter (c) adapts the name of the responsible federal department to its current name.

Re: Number 3
Letter (a) converts the provisions of the regulation to Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal water craft and repealing Directive 94/25/EC (OJ L 354, 28.12.2013, p. 90). An acceptance report from a notified body is no longer required as a possible proof of seaworthiness. This is unnecessary because the conformity assessment procedure of a notified body results in an EU declaration of conformity. This is also accepted as proof of fitness to operate.

Letter (b) converts the provision to Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal water craft and repealing Directive 94/25/EC (OJ L 354, 28.12.2013, p. 90). At the same time, editorial clarifications are made.

Letter (c) adapts the wording to Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal water craft and repealing Directive 94/25/EC (OJ L 354, 28.12.2013, p. 90).

Letter (d) adapts the provisions on the period of validity of seaworthiness evidence. The EU declaration of conformity is valid without restriction. Therefore, in order to prove the seaworthiness of recreational craft that have demonstrated this through the EU declaration of conformity, this must be changed to the submission of an acceptance certificate from an expert when the boat certificate is extended. Furthermore, editorial clarifications are made.

Re: Number 4
Number 4 of the Inland Waterway Vessel Recreational Craft Rental Ordinance corrects a reference to the no longer existing Appendix 1 of the Inland Waterway Navigation Marking Ordinance in connection with the marking of recreational craft approved for rental. Since it cannot be ruled out that companies have continued to affix the rental license plates on the basis of the old Appendix 1 of the Inland Waterway Navigation Marking Ordinance, rental license plates affixed up to 30 May 2021 should be allowed to continue to be used. The date 30 May 2021 is due to the fact that the regulation introduced with number 4 was already introduced with the Second Ordinance on the Temporary Derogation from the Inland Waterway Recreational Craft Rental Ordinance of 31 March 2021 (VkBl. p. 587) as a temporary arrangement.

Re: Number 5
Number 5 updates the standards used for life jackets in the Inland Waterways Recreational Craft Rental Regulations.

Re: Number 6
Number 6 revises the Template of the Boat Certificate. The reason for the new version is the removal of the lines that originally served as guidelines for completing the boat certificate, but are no longer required today. Boat certificates have been printed using laser printers for some time now. The waterproof paper is now blank. The additional printing of guidelines makes the text more difficult to read.

Re: Number 7
Number 7 adapts the name of the responsible Federal Ministry to its current name.

Re: Number 8
Number 8 introduces the permanent possibility of crossing the Havel-Oder waterway with a charter attestation in order to connect the Finow Canal, which may be navigated with a charter attestation, with the state waters "Langer

Trödel", thus making navigation on both waterways continuous. The option was first introduced with the First Ordinance on the Temporary Derogation from the Inland Waterway Vessel Recreational Craft Rental Ordinance of 14 June 2019 (BAnz AT 24.06.2019 V1) and with the Second Ordinance on the Temporary Derogation from the Inland Waterway Vessel Recreational Craft Rental Ordinance of 31 March 2021 (VkBl. p. 587) was extended.

Re: Number 9
Letter (a) corrects an incorrect reference.

Letter (b) revises the leaflet on conduct in locks for boatmasters operating a vessel with a charter attestation. In practice, compliance with the previous leaflet has repeatedly led to accidents because recreational boaters have disembarked at the ladders in the locks and fallen. These ladders are rescue ladders and should only be used in cases of rescuing drowning persons or for self-rescue. Therefore, it is advisable to delete most of the pictograms and change the corresponding texts in the leaflet.

Re: Article 3:

Article 3 amends the Ordinance on the Introduction of the Inland Waterway Navigation Ordinance. The fines applicable to the use of Inland ECDIS devices and electronic inland navigation charts will be supplemented by further fines, and existing fines will be adjusted due to changes in the substantive legal provisions.

Re: Article 4:

Article 4 amends the Inland Waterway Navigation Ordinance.

Re: Number 1
Letter (a) makes a correction.

With regard to Article 1.14 of the Inland Waterway Navigation Ordinance and the associated obligation of the boatmaster to report damage to installations, it has been noticed that the definition in Article 1.01 number 44 of the Inland Waterway Navigation Ordinance can lead to misunderstandings.

The definition of "installation" in Article 1.01 was introduced with the Inland Waterway Navigation Ordinance of 1998. Presumably, the definition of "federally owned" follows the definition in Article 1 paragraph 6 of the Federal Waterways Act.

The aim of the obligation to report any damage of an installation is to eliminate the damage, since this could lead to further hazards, for example in the event of a bridge collision. From this point of view, the term "installation" should cover all installations on the navigable inland waterways, not just those owned by the federal government. The current form of the regulation only covers federally owned installations and thus the obligation to report damage under Article 1.14 of the Inland Waterway Navigation Ordinance only applies to federally owned installations.

For inland waterways outside the scope of the Inland Waterway Navigation Ordinance, the term "installation" is currently not defined. With regard to these waterways, reference is generally made to the relevant commentary on the Rhine Waterway Vessel Police Ordinance (Bemm/von Waldstein, Guttentag Collection, Commentary on the Rhine Waterway Vessel Police Ordinance, 3rd, revised edition, de Gruyter, 1996), which states the following and covers all approved installations.

"Installations are understood to mean only artificial structures in, on and above the river which have been erected with the approval of the competent authority. In addition to the systems mentioned in the text, the following belong here: Embankments and their devices such as bollards and rings, weirs and dolphins. High-voltage power lines could also be damaged in the event of a shipping disaster. They too must be classified under the term "system", as the term "system" must be understood comprehensively. (Article 114, marginal no. 2, aaO)"

Although the current definition in Article 1.01 number 43 of the Inland Waterway Navigation Ordinance has not caused any problems in the past regarding the omission of necessary notifications, the expansion of the definition of installation is appropriate in the interest of legal certainty and clarity.

Letter (b) adapts the definition of the European Standard laying down Technical Requirements for Inland Navigation vessels to the 2023/1 edition of the standard.

Re: Number 2
With letter (a) double letter (aa), the documents and records to be carried and handed over to the persons authorised to carry out the checks are supplemented by

- a certificate equivalent to the special authorization for radar according to the Inland Waterway Vessel Personnel Ordinance,
- under the Convention on the Collection, Disposal, and Reception of Waste in the Rhine and Inland Waterways, proof is required of purchase of gas oil and
- the discharge certificate also required under the Convention on the collection, deposit and reception of waste during transport on the Rhine and inland waterways

With regard to the special authorization for radar, the term "equivalent proof" and not "equivalent authorization" or "equivalent attestation" is chosen, because equivalent certificates from the water police are also affected. However, these are only valid in conjunction with other certificates/licences.

Letter (a) double letter (bb) standardises the possibility of carrying the proof of purchase for gas oil and the attestation of unloading in an electronic text version.

Letter (a) double letters (cc) and (dd) are used to make a legal correction. In the sentences, the wording "in the subsections of the ADN" is replaced by "ADN subsections".

Letter (b) assigns the carrying of the proof of purchase for gas oil and the attestation of unloading to the substantive legal provision, which is subject to a fine under the Inland Waterway Navigation Ordinance.

Letter (c) assigns the handing over of the proof of purchase for gas oil and the attestation of unloading to the persons authorised to carry out the inspection to the provision which is not subject to a fine under the Inland Waterway Navigation Ordinance, because the failure to hand over the documents is already subject to a fine under the implementing law to the aforementioned Convention.

Re: Number 3
The current requirement to position the side lights in the middle of the pushed convoy means that, in the particular case of a pushed convoy where the pushing vessel is a motorised cargo vessel whose length is approximately half the total length of the pushed convoy, it is difficult for an inland waterway vessel to determine the actual length of the pushed convoy. According to the inland waterway industry, this positioning of the lights has even played a role in accidents. Therefore, it is better to place the side lights on the rear part of the pushed convoy so that the overall length of the pushed convoy can be clearly seen.

Re: Number 4
The proposed amendment in number 4 letters (a) to (d) makes corrections to a formal legal reference and changes the previous wording "ADN subsection" to "subsection of the ADN".

Re: Number 5
Number 5 introduces the obligation for the boatmaster, the owner and the equipment supplier to ensure that the Inland ECDIS device is on board and that the electronic inland navigation chart used with it complies with the relevant regulations.

Re: Number 6
Number 6 adapts the Inland Waterway Navigation Ordinance to the Rhine Waterway Navigation Police Regulations. It is permitted for a pushed convoy or coupled vessels to carry vessels on both the port and starboard sides of the vessel propelling the convoy.

Re: Number 7
The proposed amendment in number 7 letters (a) to (b) makes corrections to a legal reference and changes the previous wording "ADN subsection" to "subsection of the ADN".

Re: Number 8
Number 8 contains a consequential amendment following the adaptation of the Inland Waterway Navigation Ordinance to the Rhine Waterway Navigation Police Regulations in number 6.

Re: Number 9
The proposed amendment in paragraph 9 letters (a) and (b) makes corrections to a legal reference and changes the previous wording "ADN subsection" to "subsection of the ADN".

Re: Numbers 10 and 19
Numbers 10 and 19 set out the requirements for submitting electronic reports.

Re: Number 13
Adjustments of the unloading depths to the new determination of the uniform water level on the Rhine.

Re: Number 14

Number 14 reduces the permitted width for vessels and pushed convoys on sections of the Leine and Ihme. For economic reasons and because traffic of the valid dimensions no longer occurs, collision protection of the bridge piers on a bridge on the Leine and Ihme for vessels larger than 8.20 m wide was omitted. Due to the reduction of this collision protection, the bridge is no longer safe with the currently permitted ship dimensions (width) and the resulting collision. This must therefore be followed by a downgrading of the Leine and Ihme from waterway class IV to III and a reduction in the permitted width, as otherwise larger collision protection structures would have to be built. If it is necessary in an individual case, it must be examined whether the passage of a vessel with the dimensions currently in force could be permitted with appropriate ancillary provisions.

Re: Number 14
Number 14 corrects a reference.

Re: Number 15
Number 15 extends a general anchoring ban that already exists on the Spree-Oder Waterway (SOW). There are a total of seven culverts between SOW km 24.40 and SOW km 26.50. For these culverts, navigation signs A.6 have been placed on both banks in accordance with Article 7.03 number 1 letter (b) of the Inland Waterway Navigation Ordinance, prohibiting anchoring. By extending the general anchoring ban by 2.1 kilometres, this marking effort with navigation signs is no longer necessary. In the past, only small recreational vessels anchored in this area. These will continue to be subject to no restrictions in the future due to the exception in Article 21.09, sentence 2 of the Inland Waterway Navigation Ordinance.

Re: Numbers 11, 15 to 20
The amendments serve to reinforce the fines described in Article 3 for violations of the reporting obligation.

Re: Number 14
Number 14 updates the reference.

Re: Article 5:

Article 5 amends the Inland Waterway Vessel Calibration Ordinance.

Re: Numbers 1, 5(a), 6 and 7
Numbers 1 and 5 letter (a), 6 and 7 take into account the information and references to the new Appendix 7.

Re: Number 2
The definition of the Measurement and Calibration Act, which is mentioned in Article 13 of the BinSchEO, is being updated.

Re: Number 3
Number 3 adapts the name of the responsible federal department to its current name.

Re: Number 4
The previous option of involving the Federal Maritime and Hydrographic Agency can no longer be applied. It dates back to the time when the Federal Maritime and Hydrographic Agency was responsible for ship calibration offices. Since the reorganization of the ship calibration offices in 1998 and the establishment of the Directorate-General for Waterways and Shipping in 2013 and the transfer of responsibility to it, this option is no longer necessary.

Re: Number 8
Number 8 adds a new Appendix 7 to the Inland Waterway Vessel Calibration Ordinance.

Re: Article 6:
Article 6 amends the Inland Waterway Vessel Personnel Ordinance

Re: Number 1
Number 1 adapts the table of contents to the changes in this ordinance. At the same time, an adjustment is made, since the "First Ordinance Amending the Inland Waterway Navigation Ordinance and Other Provisions of Shipping Law", which entered into force on 1 May 2024, supplemented the Inland Waterway Vessel Personnel Ordinance with Article 143.

Re: Number 2
The amendment to Article 16, paragraph 1, sentence 2 brings it into line with the requirements of the EU Qualifications Directive (EU) 2017/2397 of the European Parliament and of the Council of 12 December 2017. Since the Federal Republic of Germany has designated risk routes on the basis of the Directive, special authorizations are required for all vessels that fall within the scope of the Directive. Therefore, the new Article 16, paragraph 1, sentence 2, number 1 refers to the provisions in which the vessels of the Directive are listed. In this way, in future, a special authorization for high-risk routes will also be required for pusher boats and tug boats, while it will be clarified that no special authorization for high-risk routes is required for cable ferries and chain ferries. In addition, the new Article 16, paragraph 1, sentence 2, numbers 2 and 3 maintains the rule that a special risk route authorization is required for passenger boats, government vessels, and recreational vessels over 20 m in length. The passenger ships and ferries previously referred to in Article 16(1), sentence 2, fall within the scope of the Directive, but in the latter case only in the case of free-moving ferries.

Re: Number 3
The amendment serves to expand Article 22 paragraph 4. Currently, only the issuing authority of a certificate can order a subsequent fitness to operate inspection. In particular for entry-level and operational level qualifications, this means that only the issuing Waterways and Shipping Office can make a corresponding order. In addition, German authorities have not yet been able to order a fitness to operate inspection for foreign EU certificates. Therefore, the previous regulation for fitness to operate orders was possible under significantly narrower jurisdiction requirements than the (significantly more intrusive) suspension, which can be ordered by any waterways and shipping administration

and also for foreign EU certificates. The amendment to Article 22 paragraph 4 sentence 1 also creates harmonisation with the Rhenish certificates, since according to Article 8.01 number 2 RheinSchPersV, any competent authority can already make such an order.

Re: Number 4
The amendment to Article 25(4), paragraph 4, sentence 2, clarifies that in all cases referred to in Article 25(4), sentence 2, the ferries must be free-moving, in accordance with the scope of Directive (EU) 2017/2397, cf. Article 2(2)(b) thereof.

Re: Number 5
The amendment to Article 118 paragraph 1 adapts the possibility of replacement in the situation in inland waterway navigation, which is also characterised by a shortage of young talent, and at the same time ensures greater flexibility. With the "First Ordinance Amending the Inland Waterway Navigation Ordinance and Other Provisions of Shipping Law", the word "ordinary seamen" was replaced by "deckhands" in the ordinance, contrary to the original regulation in Article 3.15 number 1 in Annex VI of the BinSchUO aF, which provided for "ship ´s boys". With the current amendment, a seaman can be replaced by both ordinary seamen and deckhands. Both functions belong to the entry level, see Article 2 number 34 BinSchPersV.

Re: Number 6
The new Article 119 paragraph 3 number 3 closes a gap. Currently, only the owner and the equipment supplier are prohibited from employing a boatmaster without a certificate of competency, see Article 119 paragraph 1 number 1. However, such an obligation does not exist with regard to the other crew members. Owners, equipment suppliers and the boatmasters are therefore currently not obliged to ensure that only those with the appropriate certificate of competency are employed as crew members. For the Rhine, however, such a requirement, designed as a prohibition, applies; see Article 8 paragraph 2 number 1 of the Rhine Vessel Personnel Introduction Ordinance. Since the owner and the equipment supplier have overall responsibility for the operation of the ship and the boatmaster has overall responsibility for the ship under maritime police law and also allocates the crew on board on a daily basis, they all have a duty to ensure that the crew is sufficiently qualified.

Re: Number 7
In order to enforce the newly introduced obligation to ensure the necessary qualifications, any violation of this obligation will be classified as an administrative offence. The responsibility for committing an administrative offence does not lie with the crew member who works without the required certificate, see Article 120 number 1, since the responsibility for the deployment of persons on board lies elsewhere.

Re: Number 8
Due to the passage of time, Article 137 has become obsolete, so the provision is deleted.

Re: Number 9
Due to the passage of time, Article 139 paragraph 1 has become obsolete, so the provision is deleted. Due to the repeal of Article 139 paragraph 1, the paragraph designation "(2)" is deleted.

Re: Number 10
The newly inserted Article 144 takes into account the provisions of Article 38 paragraphs 1 and 2 of Directive (EU) 2017/2397 of the European Parliament and of the Council of 12 December 2017 on the recognition of professional qualifications in inland waterway navigation and repealing of the Directives 91/672/EEC and 96/50/EC. Thereafter, patents issued under Directive 96/50/EC will be exchanged for Union patents, with acquired rights being protected as far as possible. Patents under the 1996 directive authorise the operator to operate all vessels, including large convoys, without any size restrictions. These rights should be safeguarded in accordance with Union law. Large convoys are not permitted on German federal waterways. The possibility of acquiring the special authorization for large convoys upon application at the time of exchange already exists under the regulations in Hungary, where large convoys operate.

Re: Article 7:
Article 7 adjusts the Template of the Identification of the Small Vessel Marking to an amendment to the Inland Waterway Navigation Marking Ordinance that came into force on 1 May 2024.

Re: Article 8

Re: Number 1
The Regulation of the European Parliament and of the Council of 14 September 2016 on requirements relating to emission limits for gaseous and particulate pollutants and type-approval for internal combustion engines to be used in non-waterway mobile machinery and devices, amending Regulations (EU) No 1024/2012 and (EU) No 167/2013 and amending and repealing Directive 97/68/EC, have largely replaced the Inland Waterway Vessels Exhaust Emissions Ordinance. Since this Regulation will now also apply to ferries, the Regulation referred to in number 1 can be repealed. The ruling simplifies the application of the law and contributes to reducing bureaucracy.

Re: Number 2
The Second Ordinance on the Temporary Derogation from the Inland Waterway Navigation Recreational Craft Ordinance is repealed because its provisions are being incorporated into permanent law.

Re: Number 3
The Ordinance on the Introduction of Official Competency Tests at Operational Level pursuant to the Inland Waterway Vessel Personnel Ordinance is repealed. In the meantime, the GDWS is no longer responsible for this test, but rather the Chambers of Industry and Commerce, which have issued their own statutory law for this purpose. With the amendment of jurisdiction, the GDWS´s legal basis for issuing the ordinance has been repealed, so that the repeal by the BMDV takes place on the basis of Article 3 paragraph 1 number 6a BinSchAufgG.

Article 9 (Entry into force)
Article 9 regulates the entry into force of the ordinance in accordance with Article 82 paragraph 2 sentence 1 of the Basic Law.