

Translation. Only the Danish document has legal validity.

Order no. 1015 of 1 November 2011 issued by the Danish Maritime Authority

Order on technical regulation on the carriage of motor vehicles, etc. by passenger ships

In pursuance of section 1, section 3 and section 32(8) of the act on safety at sea (*lov om sikkerhed til søs*), cf. consolidated act no. 654 of 15 June 2010, the following provisions are laid down by authority:

Purpose

Section 1. The order shall ensure that the handling, placing and securing of vehicles in passenger ships is arranged so that the safety of the ship's crew and passengers is taken into consideration and so that it is possible to use the ship's fire-fighting equipment, etc. to its full extent.

Scope

Section 2. The order shall apply to both Danish passenger ships and foreign passenger ships calling at Danish ports on regular services.

Definitions

Section 3. For the purposes of this order, the following definitions shall apply:

- 1) "Regular service" shall mean a number of voyages carried out between the same or more ports or a number of voyages to and from the same port carried out without any intermediate calls,
 - a) either in accordance with a published timetable, or
 - b) with such regularity or frequency that they seem to represent a systematic number of voyages.
- 2) "Motor vehicle" shall mean a vehicle fitted with an engine for propulsion, such as a truck, tractor, bus, passenger car, motor cycle, etc.
- 3) "Passenger ship" shall mean any ship carrying more than 12 passengers.
- 4) "Safety management system" shall mean the safety management system laid down in accordance with the ISM Code.
- 5) "Car deck" shall mean car decks on the ship to which direct embarkation and disembarkation is possible for vehicles, etc.

Handling, placing and securing

Section 4. The shipping company and the master shall ensure that vehicles are handled, located and secured in a manner that is fully sound and secure in terms of safety.

Subsection 2. In consideration of subsection 1, the handling, placing and securing of vehicles shall be planned so that, among other things, the following conditions are considered:

- 1) That the crewmembers involved have been instructed and trained in this, and that they are able to carry out the operation in a safe manner, including by giving the necessary guidance and instructions.

- 2) That the crewmembers can attend to the driving on the car deck and the placing of vehicles in consideration of their own safety.
- 3) That marking is made on the car deck that, supplemented by instructions, indications from technical systems or similar, ensure that drivers of motor vehicles are led safely to the intended location in the ship, respectively can safely drive away from this location.
- 4) That it is ensured, by means of instructions, posters or the like, that vehicles are braked or secured when they have arrived at their final location on the car deck.
- 5) That it is ensured, by means of instructions, posters or the like, that combustion engines, including in auxiliary aggregates, heating installations, etc. are not used in vehicles that have been finally located in the ship.
- 6) That passengers have direct access from and to their seat in the motor vehicle and that this access can be provided in a safe manner.
- 7) That passengers have direct and safe access from their vehicles to and from accommodation areas, etc.

Subsection 2. Vehicles shall be located so that:

- 1) free access is provided to portable fire-extinguishing equipment on the car deck; and
- 2) efficient fire-fighting on the car deck by means of the ship's fixed and portable fire-extinguishing equipment is possible at any time.

Access to the car deck

Section 5. The shipping company shall, in cooperation with the ship's master, determine procedures for passengers' access to car deck during the voyage, including on:

- 1) how to ensure that passengers are not accommodated on the car deck during the voyage, and
- 2) how any consent to permit accommodation on the car deck is handled and the conditions hereof.

Handling in the ship

Section 6. The procedures laid down in this order shall form part of the ship's safety management system.

Penalty and entry into force, etc.

Section 7. Contraventions of sections 4-6 shall be liable to punishment by fine or imprisonment for a term not exceeding one year.

Subsection 2. Companies, etc. (legal persons) may be liable to punishment according to the provisions of chapter 5 of the penal code (*straffeloven*).

Section 8. This order shall enter into force on 1 February 2012.

Subsection 2. The technical regulation on the carriage of motor vehicles, etc. by passenger ships of 1 September 1988 issued by the Danish Maritime Authority shall be repealed.

Danish Maritime Authority, 1 November 2011
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