

PROCEDURE FOR TRANSPORTING VEHICLES ON VESSELS

**(Regulation of Minister of Communications of R.I Number
PM 115 Year 2016, dated September 16, 2016)**

WITH THE BLESSING OF THE ONE AND ONLY GOD
MINISTER OF COMMUNICATIONS OF THE REPUBLIC OF INDONESIA,

Considering:

Whereas, to accomplish safety and security on vessels transporting vehicles with its load, it is necessary to stipulate Regulation of Minister of Communications concerning procedure for Transporting Vehicles on Vessels;

In view of:

1. Law Number 17 Year 2008, concerning Navigation (Statute Book of the Republic of Indonesia Year 2008 Number 64, Supplement to Statute Book of the Republic of Indonesia Number 4849);
2. Government Regulation Number 51 Year 2002, concerning Vesselping (Statute Book of the Republic of Indonesia Year 2002 Number 95, Supplement to Statute Book of the Republic of Indonesia Number 4227);
3. Presidential Decree Number 65 Year 1980, concerning Ratification of International Convention on Safety of Life at Sea, 1974;
4. Presidential Regulation Number 7 Year 2015, concerning Organization of State Ministry (Statute Book of the Republic of Indonesia Year 2015 Number 8);

5. Presidential Regulation Number 40 Year 2015, concerning Ministry of Communications (Statute Book of the Republic of Indonesia Number 75);
6. Regulation of Minister of Communications Number KM. 65 Year 2009, concerning Standard of Non Convention Vessel (Non-Convention Vessel Standard) carrying Indonesia Flag;
7. Regulation of Minister of Communications Number KM 62 Year 2010 concerning Organization and Work Procedure Office of Port Master as amended several times and lately by Regulation Minister of Communications Number PM 130 Year 2015 concerning Second Amendment to Regulation of the Minister of Communications Number KM 62 Year 2010, concerning Organization and work procedure of the Office of Port Master (State Gazette of the Republic of Indonesia Year 2015 Number 1400);
8. Regulation of Minister of Communications Number KM 65 Year 2010, concerning Organization and work procedure of the Office of Batam Port Master as amended by Regulation of Minister of Communications Number PM 47 Year 2011 concerning Amendment to Regulation of Minister of Communications Number KM 65 Year 2010 concerning Organization and work procedure of the Office of Batam Port Master;
9. Regulation Minister of Communications Number PM 34 Year 2012 concerning Organization and Work Procedure Kantor Kesyahbandaran Utama (State Gazette Republic of Indonesia Year 2012 Number 627);
10. Regulation Minister of Communications Number PM 36 Year 2012, concerning Organization and work procedure of the Office of Port Master and Port Authority (State Gazette of the Republic of Indonesia Year 2012 Number 629) as amended by Regulation of Minister of Communications Number PM 135 Year 2015, concerning Amendment to Regulation of Minister of Communications Number PM 36 Year 2012, concerning Organization and work procedure of the Office of Port Master and Port Authority (State Gazette of the Republic of Indonesia Year 2015 Number 1401);
11. Regulation of Minister of Communications Number PM 20 Year 2015, concerning Standard Navigation Safety (Statute Book of the Republic of Indonesia Year 2015 Number 272) Regulation of Minister of Communications Number PM 189 Year 2015, concerning Organization and work procedure of the Ministry of

Communications (State Gazette of the Republic of Indonesia Year 2015 Number 1844) as amended by Regulation of Minister of Communications Number PM 86 Year 2016, concerning Amendment to PM 189 Year 2015, concerning Organization and work pProcedure of Ministry of Communications (State Gazette of the Republic of Indonesia Year 2016 Number 1012);

DECIDES:

To stipulate:

REGULATION OF MINISTER OF COMMUNICATIONS CONCERNING PROCEDURE FOR TRANSPORTING VEHICLE BY VESSEL.

CHAPTER I

GENERAL PROVISION

Article 1

What is meant in this Regulation of Minister by:

1. Weighing device shall be a set of tools for detecting whether it may be fixed permanently or temporarily used to detect the weight of the vehicle and its load.
2. Vessel shall be water vehicle in particular form and type, operated by wind, mechanical power, other energy, by pulling or pushing, including vehicle equipped with dynamic power, vehicle under sub-surface, and permanent floating device.
3. Vessel Safety Inspector shall be Government official possessing qualification and expertise on vessel safety appointed by the Minister.
4. Public Transportation Company shall be legal entity that provides transportation service of passengers and / or goods using public motor vehicle.
5. Passenger vessel shall be vessel duly established and constructed with accommodation facilities to also transport up to 12 (twelve) persons.

6. Ro-ro Vessel shall be vessel equipped with one or more open or sheltered decks used to transport all types of vehicles constituting its load using "rampa door system" at the front part or at the rear part of the vessel and is loaded and unloaded from and onto the vessel using vehicle or platform equipped with wheels.
7. Ro-ro passenger vessel shall be Ro-ro vessel equipped with accommodation to transport passengers.
8. Landing Craft Tank vessel shall be vessel equipped with one deck to transport vehicle or heavy equipment on its deck.
9. Passenger shall be all persons other than the Captain and crews of the vessel or other persons working on the vessel according to their respective capacity in the interest of the vessel including children of the age below one (1) year old.
10. Navigation Safety and Security shall be compliance with the requirements for safety and security covering transportation on waters, ports, and marine environment.
11. Vessel Operability shall be condition of the vessel that complies with the requirements on Safety and Security on pollution to waters originating from the vessel, crews, load capacity, loading, and welfare of the Vessel's crews and health of the passengers, legal status of the vessel, and management of security of the vessel to sail on particular waters.
12. Vessel Safety shall be condition of the vessel that complies with the requirements on material, construction, engine and electric power, stability, structure, and equipment including supporting equipment and radio, vessel electronics, as proven by certificate issued after examination and testing.
13. Lashing gear (alat pengikat) shall be all devices either permanently installed or moveable tools, used to bind or tie and support the load units.
14. Waters Transportation Company shall be legal entity providing transportation service for passengers and/or goods by sea transportation..

15. Deck Load Capacity (or Kekuatan Geladak) shall be maximum limit that may be transported on deck in tonnage/m².
16. Directorate General shall be Directorate General of Sea Communication..
17. Director General shall be Director General of Sea Communication.
18. Minister shall be Minister of Communication.

CHAPTER II

SCOPE

Article 2

- (1) This Regulation of Minister shall constitute guideline for tying and weighing the vehicle and its load, the tying tool and procedure for tying when the vessel ready to sail on the sea with bad weather or good weather and other condition, that may disrupt stability of the vessel.
- (2) The guideline referred to in paragraph (1) shall be applied on the vessel transporting vehicles by:
 - a. ro-ro ferry that transports land vehicle either for short distant trip but not equipped with protection (during the trip) including Landing Vessel Tank (LST) or Landing Craft Tank (LCT) used to transport land vehicle;
 - b. vessel transporting land vehicle weighing between 3.5 (three comma five) tons up to 40 (forty) tons;
or
 - c. vessel transporting carriage weighing maximum 45 (forty-five) tons of each unit.
- (3) The guideline referred to in paragraph (1) does not replace the principle of seamen's skill or competence neither replace seamen's experience in loading and lashing / tying the load.

CHAPTER III

WEIGHING

Article 3

- (1) Every port used to transport vehicle by vessel must provide vehicle weighing device at the port area for weighing the vehicle before it is loaded on the vessel for transport.
- (2) The vehicle weighing device referred to in paragraph (1) may be permanent or portable weighing device.
- (3) The permanent and portable weighing device referred to in paragraph (2), shall use the type as shown in Example 1 in the Attachment that constitutes inseparable part of this Regulation of Minister.

Article 4

- (1) To prevent filed-u vehicle to be weighed before loaded onto the vessel, various types of weighing tools must be provided based on the type as needed.
- (2) The weighing device referred to in paragraph (1) must be provided at the port area so as to enable close supervision without interrupting smooth operation of the flow of goods.

Article 5

- (1) Every vehicle to be transported on the vessel must be supported with information or data as to the type and weight of the load.
- (2) The vehicle referred to in paragraph (1) must be weighed first before it is loaded on the vessel to ensure the gross weight of the vehicle and its load.
- (3) Gross weight as referred to in paragraph (2) shall be verified so as to justify with the load weight mentioned in the statement on the load weight.

Article 6

- (1) Vehicle that has been weighed that complies with the specified type and weight of the load may be loaded on the vessel.

- (2) The vehicle shall be positioned on the vessel based on the loading plan prepared therefor.

Article 7

- (1) Vehicle that has been weighed but not justifies with the data reported, must be marked and shall be prohibited to be loaded on the vessel as intended even if the vessel deck capacity still can accept such vehicle with such load.
- (2) If the deck of available vessel is not strong enough that justifies the load, the vehicle must be separated and wait until a vessel with strong deck is available.
- (3) If no vessel with strong deck that justify to transport vehicle as referred to in paragraph (2) is available, then if it is possible, the load of the vehicle must be partly unloaded so as to have gross weight that cope with the deck capacity.
- (4) Time loss and charges incurred from amendment made to loading planning due to the vehicle weight and load are not justified with what has been reported, shall be borne by Public Transportation Company.

Article 8

- (1) Waters Transportation Company shall be responsible for safety and security and the vehicle and passengers and/or goods being transported.
- (2) Waters Transportation Company shall ensure that its vessel has obtained data on the load weight and/or vehicle and load transported by the vessel before loading starts.

Article 9

- (1) Every Public Transportation Company shall be accountable on the authenticity of data including report on gross weight mentioned in the data on the weight of vehicle including the type and weight of the vehicle load.

- (2) Negligence in providing data and/or non-justified weight found out causing delay in processing of loading into the vessel, is subject to administrative penalty on the owner or operator of vehicle to be transported.

**CHAPTER IV
LASHING GEAR**

Article 10

- (1) Several types of lashing gear that may be used are as follows:
- a. vehicle lashing gear (rope automobile tiedown);
 - b. tying sling with wrench (ratchet strap assembly); or
 - c. chain with turnbuckle.
- (2) The types of tools referred to in paragraph (1) shall comply with the requirements below:
- a. in chain form or other tool made of steel or other material with strong and flexible character (elongation);
 - b. strength of lashing gear not causing permanent deformation not less than 120 KN;
 - c. lashing gear must be capable to be secured to securing points using hook or other tools that justify;
and
 - d. the angle between the lashing gear and the deck ground floor shall be horizontal between 200 up to 600.
- (3) The lashing gear referred to in paragraph (1) shall use Example 2 in the Attachment that constitutes inseparable part of this Regulation of Minister.

Article 11

- (1) Every vessel transporting land vehicle darat must possess point for lashing / tying on the provisions below:
- a. horizontal distance between the lashing point of maximum 2.5 meters;

- b. horizontal distance between the lashing point of 2.8 up to 3.0 meters;
- c. has strength without permanent deformation up to 120 kilo newton (KN).

(2) Point of lashing gear referred to in paragraph (1) shall use Example 3 in the Attachment that constitutes inseparable part of this Regulation of Minister.

Article 12

- (1) Every vessel must provide sufficient lashing gear for the load on the vessel.
- (2) The lashing gear referred to in paragraph (1) must justify with the condition of the vessel and the total number of vehicle loads transported.
- (3) Information on strength and instruction on the use and maintenance thereof for each specific type of lashing must be available on the guideline made available on the vessel;

Article 13

Factors need to be taken into consideration in using moveable lashing gear shall be as cited below:

- a. length of trip;
- b. geographical area of trip with special attention at operating temperature of trip with special attention to operational temperature permitted by moveable lashing gear;
- c. condition of the sea that may occur at any time;
- d. measurement, design and characteristics of the vessel;
- e. static and dynamic mode that may arise during the navigation;
- f. type and wrapping / packaging of each unit of load and vehicle;

- g. pattern of loading planned over the load unit including vehicle; and
- h. weight and size of each unit of load and vehicle.

Article 14

- (1) The load unit including vehicle must comply with the requirements for transportation and available spot to be connected to the lashing gear.
- (2) The load contained on the vehicle referred to in paragraph (1) must be properly lashed / tied up;

Article 15

- (1) Space for load must be clean from oil and grease spills.
- (2) Vessel must have lashing device that justifies the load to be transported and sufficient number.
- (3) Load unit and/or vehicle must possess document that provides information on the entire weight of the load units and/or vehicle including information on special maintenance that must be provided during the course of navigation on the sea.

Article 16

- (1) Each vessel is free to choose type of lashing gear to be used.
- (2) Selection of type of lashing gear referred to in paragraph (1) must justify with the condition of the vessel and the speed of lashing desired.

Article 17

- (1) Vehicle must be positioned lengthwise (membujur) towards the bow direction or the tail or rear direction of the vessel but not crosswise the vessel.
- (2) Space for positioning the vehicle must be free from passengers during navigation.

- (3) Distance between vehicle and the vessel wall must be in such form so as not to cover up the fire fighting tap or valve and access to personnel walking throughout the vessel surrounding.
- (4) Vehicle engine on off position, the driving wheel and hand-brake must be on on position (activated) and all vehicles must be lashed with lashing gear in line with the distance and condition of the weather at navigation and the vehicle wheels must propped up / wedged.
- (5) Placement of vehicle as referred to in paragraph (1) shall be guided by Example 4 in the Attachment constituting inseparable part of this Regulation of Minister.

CHAPTER V

LASHING PROCEDURE

Article 18

Vehicle lashing must comply with the following methods:

- a. vehicle which entire weight is between 3,5 (three comma five) tons through 20 (twenty) tons, must use at least two (2) lashing gears with safe work load that justifies the respective side of the vehicle;
- b. vehicle which the entire weight is between 20 (twenty) tons to 30 (thirty) tons must use at least three (3) lashing gears with safe work load that justifies the respective side of the vehicle;
- c. vehicle which with whole weight is between 30 (thirty) tons to 40 (forty) tons must use at least four (4) lashing gear with safe work load that justifies the respective sides of the vehicle;
- d. the lashing gear referred to in paragraph (1), paragraph (2), and paragraph (3) must comply with Indonesia National Standard.

Article 19

- (1) Every vehicle must be lashed when sailing / navigation.
- (2) The lashing referred to in paragraph (1) shall be conducted on vehicle located at the front side (bow or haluan) middle side (midvessel) and the rear part (buritan).

- (3) non-lashed vehicle as referred to in paragraph (2) must be clamped to the vehicle wheel.
- (4) The lashing referred to in paragraph (2) shall be guided by Example 5 in the Attachment constituting inseparable part of this Regulation of Minister.

Article 20

- (1) distance between either site of vehicle shall at least 60 cm.
- (2) distance between the front and back side of vehicles respectively shall be 30 cm.
- (3) distance for vehicle which side is next to the vessel wall shall be 60 cm counted from inner side of the wall or outer side of the rim / frame steel (gading-gading).

CHAPTER VI

ADMINISTRATIVE PENALTY

Article 21

- (1) Port operator has the right to reject vehicle that fails to comply with the provisions as governed in this Regulation of Minister.
- (2) Vehicle that fails to comply with the provision referred to in paragraph (1) shall be guided out from the queuing line entering the Vessel.
- (3) Port operator shall be obliged to guide vehicle from queuing on line when entering the port as referred to in paragraph (2).

Article 22

- (1) Every Public Transportation Company providing non-justified data will be charged time loss and charges, and administrative penalty.

(2) Administrative penalty as referred to in paragraph (1) shall be in the form of:

- a. written reminder;
- b. permit/license pending; or
- c. permit/license revocation.

Article 23

- (1) Administrative penalty will be charged three (3) written reminders consecutively as referred to in Article 22 paragraph (2) letter a.
- (2) Administrative penalty will be charged in the form of revocation of the license as referred to in Article 22 paragraph 2 letter b, if Public Transportation Company fails to comply with its obligation after having received written reminder.
- (3) The license referred to in Article 22 paragraph (2) letter b shall be revoked if Public Transportation Company fails to comply with its obligation after the license is revoked.

CHAPTER VII

TRANSITIONAL PROVISION

Article 24

- (1) This Regulation of Minister applies on vessels transporting vehicles duly established and takes effect as of July 1, 2017.
- (2) For vessels that are already in operation (existing vessels) this Regulation applies after having reviewed the amendment made thereto for the first time in the last two (2) years as of the date this Regulation of the Minister. Is stipulated.

Article 25

The Director General shall exercise management and supervision on implementation of technical matter of this Regulation Minister.

CHAPTER VIII
CLOSING PROVISION

Article 26

This Regulation of Minister takes effect on the date it is enacted.

For public cognizance, this Regulation of Minister shall be announced by placing it in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

Dated September 16, 2016

MINISTER OF COMMUNICATIONS
OF THE REPUBLIC OF INDONESIA,

sgd.

BUDI KARYA SUMADI

Enacted in Jakarta

Dated September 22, 2016

DIRECTOR GENERAL OF STATUTORY REGULATION
MINISTRY OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,

sgd.

WIDODO EKATUAHUANA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA
YEAR 2016 NUMBER 1428

Note from Editor:

- Due to technical reason, no Attachment is provided herein.

(BN)