

§ 25.50-1

(i) The storage or use of CNG containers within the accommodation area, machinery spaces, bilges, or other enclosed spaces is prohibited.

(ii) LPG or CNG must be odorized in accordance with ABYC A-1.5.d or A-22.5.b, respectively.

(iii) The marking and mounting of LPG cylinders must be in accordance with ABYC A-1.6.b.

(iv) LPG cylinders must be of the vapor withdrawal type as specified in ABYC A-1.5.b.

(4) Continuous pilot lights or automatic glow plugs are prohibited for an LPG or CNG installation using ABYC A-1 or A-22 as the standard.

(5) CNG installations using ABYC A-22 as the standard must meet the following additional requirements:

(i) The stowage or use of CNG containers within the accommodation area, machinery spaces, bilges, or other enclosed spaces is prohibited.

(ii) The CNG cylinders, regulating equipment, and safety equipment must meet the installation, stowage, and testing requirements specified in paragraph 6-5.12 of NFPA 302.

(iii) The use of stowage of stoves with attached CNG cylinders is prohibited as specified in paragraph 6-5.1 of NFPA 302.

(6) If the fuel supply line of an LPG or CNG system enters an enclosed space on the vessel, a remote shut-off valve must be installed that can be operated from a position adjacent to the appliance. The valve must be located between the fuel tank and the point where the fuel supply line enters the enclosed portion of the vessel. A power operated valve installed to meet this requirement must be of a type that will fail closed.

(7) The following variances from ABYC A-1.11.b(1) are allowed for CNG:

(i) The storage locker or housing access opening need not be in the top.

(ii) The locker or housing need not be above the waterline.

(8) The following variances from NFPA 302 are allowed:

(i) The storage locker or housing for CNG tank installations need not be above the waterline as required by paragraph 6-5.12.1.1(a).

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(ii) Ignition protection need not be provided as required by paragraph 6-5.4.

[CGD 83-013, 54 FR 6402, Feb. 10, 1989, as amended by CGD 83-013, 55 FR 3960, Feb. 6, 1990; CGD 95-072, 60 FR 50461, Sept. 29, 1995; CGD 96-041, 61 FR 50726, Sept. 27, 1996]

Subpart 25.50—Garbage Retention

§25.50-1 Criteria.

Each uninspected vessel must meet the garbage discharge, waste management plan, and placard requirements of 33 CFR part 151 applicable to the vessel.

NOTE: 33 CFR 151.67 prohibits the discharge of plastic or garbage mixed with plastic into the sea or the navigable waters of the United States. "Plastic" and "garbage" are defined in 33 CFR 151.05.

[CGD 88-002A, 56 FR 8880, Mar. 1, 1991]

PART 26—OPERATIONS

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AUTHORITY: 46 U.S.C. 3306, 4104, 6101, 8105; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277.; 49 CFR 1.46.

SOURCE: CGFR 65-50, 30 FR 16656, Dec. 30, 1965, unless otherwise noted.

Subpart 26.01—Application

§ 26.01-1 Applicable to all vessels.

(a) The provisions of this part shall apply to all vessels except as specifically noted.

Subpart 26.03—Special Operating Requirements

§ 26.03-1 Safety orientation.

(a) Before getting underway in any vessel carrying 6 or fewer passengers for hire, the operator in charge shall ensure that suitable public announcements, instructive placards or both are provided in a manner which affords all passengers the opportunity to become acquainted with:

(1) Stowage locations of life preservers;

(2) Proper method of donning and adjusting life preservers of the type(s) carried on the vessel;

(3) The type and location of all life-saving devices carried on the vessel; and

(4) The location and contents of the *Emergency Checkoff List* required by § 26.03-2.

(b) Vessels subject to this subpart engaged in tender service at yacht clubs and marinas, and vessels being demonstrated for a potential purchaser by a yacht broker, are excluded from the requirements of § 26.03-1 and § 26.03-2.

[CGD 78-009, 45 FR 11109, Feb. 19, 1980]

§ 26.03-2 Emergency instructions.

(a) The operator in charge of each vessel carrying 6 or fewer passengers for hire shall ensure that an emergency checkoff list is posted in a conspicuous, continuously accessible place to serve as a notice to the passengers

and a reminder to the crew of precautionary measures which may be necessary in the event of an emergency situation.

(b) Except where any part of the emergency instructions are deemed unnecessary by the Officer in Charge, Marine Inspection, the emergency check-off list must contain not less than the applicable portions of the sample emergency checkoff list which follows:

SAMPLE EMERGENCY CHECKOFF LIST

Measures to be considered in the event of:

- (a) *Rough weather at sea or crossing hazardous bars.*
- All weathertight and watertight doors, hatches and airports closed to prevent taking water aboard.
 - Bilges kept dry to prevent loss of stability.
 - Passengers seated and evenly distributed.
 - All passengers wearing life preservers in conditions of very rough seas or if about to cross a bar under hazardous conditions.
 - An international distress call and a call to the Coast Guard over radiotelephone made if assistance is needed (if radiotelephone equipped).
- (b) *Man overboard.*
- Ring buoy thrown overboard as close to the victim as possible.
 - Lookout posted to keep the victim in sight.
 - Crewmember, wearing a life preserver and lifeline, standing by ready to jump into the water to assist the victim back aboard.
 - Coast Guard and all vessels in the vicinity notified by radiotelephone (if radiotelephone equipped).
 - Search continued until after radiotelephone consultation with the Coast Guard, if at all possible.
- (c) *Fire at Sea.*
- Air supply to the fire cut off by closing hatches, ports, doors, and ventilators, etc.
 - Portable extinguishers discharged at the base of the flames of flammable liquid or grease fires or water applied to fires in combustible solids.
 - If fire is in machinery spaces, fuel supply and ventilation shut off and any installed fixed firefighting system discharged.
 - Vessel maneuvered to minimize the effect of wind on the fire.
 - Coast Guard and all vessels in the vicinity notified by radiotelephone of the fire and vessel location (if radiotelephone equipped).
 - Passengers moved away from fire and wearing life preservers.

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(c) When in the judgment of the cognizant Officer in Charge, Marine Inspection, the operation of any vessel subject to this section does not present the hazards listed on the emergency checkoff list or when any vessel has no suitable mounting surface, an exclusion from the requirements of § 26.03-2(a) and (b) is granted by letter.

[CGD 78-009, 45 FR 11109, Feb. 19, 1980]

§ 26.03-5 Action required after accident.

(a) Whenever an undocumented vessel is involved in a marine casualty, the master or individual in charge shall:

(1) Render necessary assistance to each individual affected to save that affected individual from danger caused by a marine casualty, so far as the master or individual in charge can do so without serious danger to the master's or the individual's vessel or to individuals on board; and

(2) Give the mater's or individual's name and address and identification of the vessel to the master or individual in charge of any other vessel involved in the casualty, to any individual injured, and to the owner of any property damaged.

(b) Undocumented vessels involved in marine casualties shall report the casualty in accordance with the requirements of 33 CFR part 173, subpart C.

[CGD 95-028, 62 FR 51197, Sept. 30, 1997]

EFFECTIVE DATE NOTE: At 62 FR 51197, Sept. 30, 1997, § 26.03-5 was revised, effective Oct. 30, 1997. For the convenience of the user, the superseded text is set forth as follows:

§ 26.03-5 Action required after accident.

(a) Whenever an undocumented vessel is involved in a collision, accident, or other casualty, the operator shall:

(1) Comply with requirements in subsection 13(b) of the Act of April 25, 1940, as amended (46 U.S.C. 526l), which reads as follows:

In the case of collision, accident, or other casualty involving a motorboat or other vessel subject to this Act, it shall be the duty of the operator, if and so far as he can do so without serious danger to his own vessel, or persons aboard, to render such assistance as may be practicable and necessary to other persons affected by the collision, accident, or other casualty in order to save them from danger caused by the collision, accident, or casualty. He shall also give his name, ad-

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dress, and identification of his vessel to any person injured and to the owner of any property damaged. The duties imposed by this subsection shall be in addition to any duties otherwise provided by law.

(b) See subpart 173.01 of part 173 of subchapter S (Numbering of Undocumented Vessels, Statistics on Numbering, and *Boating Accident Reports* and Accident Statistics) of this chapter for requirements governing *boating accident reports*.

§ 26.03-10 Signaling light.

All vessels of over 150 gross tons, when engaged on an international voyage, shall be equipped with an efficient daylight signaling lamp in accordance with the requirements of subchapter J (Electrical Engineering) of this chapter.

[CGFR 68-32, 33 FR 5711, Apr. 12, 1968, as amended by CGD 97-057, 62 FR 51042, Sept. 30, 1997]

Subpart 26.08—Notice and Reporting of Casualty and Voyage Records

AUTHORITY: 46 U.S.C. 6101; 46 CFR 1.46.

§ 26.08-1 Notice and reporting of casualty and voyage records.

The requirements for providing notice and reporting of marine casualties and for retaining voyage records are contained in part 4 of this chapter.

[CGD 84-099, 52 FR 47535, Dec. 14, 1987; 53 FR 13117, Apr. 21, 1988]

Subpart 26.10—Assessment, Collection, Mitigation, Remission of Fines or Penalties

EFFECTIVE DATE NOTE: At 62 FR 51197, Sept. 30, 1997, subpart 26.10, consisting of §§ 26.10-1 and 26.10-5, was removed, effective Oct. 30, 1997.

§ 26.10-1 General.

(a) The assessment, collection, mitigation, and remission of any fine, penalty, or forfeiture incurred under the Act of April 25, 1940, as amended, are authorized by section 17 (46 U.S.C. 526p), which reads in part as follows:

* * * The Commandant of the Coast Guard or any officer of the Coast Guard authorized by the Commandant may, upon application

therefor, remit or mitigate any fine, penalty or forfeiture incurred under this Act or any regulations thereunder relating to motorboats or vessels, except the penalties provided in section 14 hereunder. * * *

(b) The assessment, collection, mitigation, and remission of penalties incurred under the Federal Boating Act of 1958 are authorized by subsection 8(b) (46 U.S.C. 527e), which reads as follows:

The Secretary may assess and collect any penalty incurred under this Act or any regulations prescribed pursuant to section 7 of this Act. The Secretary may, in his discretion, remit or mitigate any penalty imposed under this section, or discontinue prosecution therefor on such terms as he may deem proper.

§ 26.10-5 Procedures.

(a) Violations of maritime safety, navigation and vessel inspection laws, as well as rules and regulations prescribed thereunder, administered and enforced by the Coast Guard are reported by Coast Guard personnel detecting such violations to the Commander of the Coast Guard district in which the alleged violations occurred. The alleged offender will be informed of the nature of the violation.

(b) The procedures for the assessment, collection, remission, or mitigation are set forth in 33 CFR part 1.

[CGFR 65-50, 30 FR 16656, Dec. 30, 1965, as amended by CGD 74-68, 39 FR 19481, June 3, 1974]

Subpart 26.15—Boarding

§ 26.15-1 May board at any time.

(a) To facilitate the boarding of vessels by the commissioned, warrant, and petty officers of the U.S. Coast Guard in the exercise of their authority, every uninspected vessel, as defined in 46 U.S.C. 2101(43), if underway and upon being hailed by a Coast Guard vessel, must stop immediately and lay to, or must maneuver in such a way to permit the Coast Guard boarding officer to come aboard. Failure to permit a Coast Guard boarding officer to board a vessel or refusal to comply will subject the operator or owner of the vessel to the penalties provided in law.

(b) Coast Guard boarding vessels will be identified by the display of the

Coast Guard ensign as a symbol of authority and the Coast Guard personnel will be dressed in Coast Guard uniform. The Coast Guard boarding officer upon boarding a vessel will identify himself to the master, owner, or operator and explain his mission.

[CGFR 65-50, 30 FR 16656, Dec. 30, 1965, as amended by CGD 72-132R, 38 FR 5750, Mar. 2, 1973; CGD 95-027, 61 FR 25997, May 23, 1996]

Subpart 26.20—Exhibition of Motorboat Operator's License

§ 26.20-1 Must be available.

(a) Any person to whom a license as a motorboat operator has been issued shall have such license in his possession and available for immediate production to any Coast Guard boarding officer at all times during which any vessel which he is operating is carrying passengers for hire.

Subpart 26.25 [Reserved]

Subpart 26.30—Work Vest

SOURCE: CGFR 68-65, 33 FR 19982, Dec. 28, 1968, unless otherwise noted.

§ 26.30-1 Approved unicellular plastic foam work vests.

(a) Buoyant work vests carried under the permissive authority of this subpart shall be of an approved type, and shall be constructed, listed, and labeled in accordance with subpart 160.053 of subchapter Q (Specifications) of this chapter.

§ 26.30-5 Use.

(a) Approved buoyant work vests are considered to be items of safety apparel and may be carried aboard vessels to be worn by crew members when working near or over the water under favorable working conditions.

(b) When carried, approved buoyant work vests shall not be accepted in lieu of any portion of the required number of approved lifesaving appliances required by § 25.25-10 of this subchapter.

§ 26.30-10 Stowage.

(a) The approved buoyant work vests shall be stowed separately from the

regular stowage of required lifesaving equipment.

PART 28—REQUIREMENTS FOR COMMERCIAL FISHING INDUSTRY VESSELS

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