

## SUBCHAPTER T—SMALL PASSENGER VESSELS (UNDER 100 GROSS TONS)

EDITORIAL NOTE: For a document correcting amendments to parts 175, 177, 178, 180 and 185 published at 62 FR 51326, Sept. 30, 1997 see 62 FR 64306, Dec. 5, 1997.

### PART 175—GENERAL PROVISIONS

Sec.  
175.100 Purpose.  
175.110 General applicability.  
175.112 Specific applicability for individual parts.  
175.115 Applicability to offshore supply vessels.  
175.120 Vessels on an international voyage.  
175.122 Load lines.  
175.200 Gross tonnage as criterion for requirements.  
175.400 Definitions of terms used in this subchapter.  
175.540 Equivalents.  
175.550 Special consideration.  
175.560 Appeals.  
175.600 Incorporation by reference.  
175.800 Approved equipment and material.  
175.900 OMB control numbers.

AUTHORITY: 46 U.S.C. 2103, 3306, 3703; 49 U.S.C. App. 1804; 49 CFR 1.45, 1.46. Sec. 175.900 also issued under 44 U.S.C. 3507.

SOURCE: CGD 85-080, 61 FR 947, Jan. 10, 1996, unless otherwise noted.

#### §175.100 Purpose.

The purpose of this subchapter is to implement applicable sections of Subtitle II of Title 46, United States Code, which require the inspection and certification of small passenger vessels.

#### §175.110 General applicability.

(a) Except as in paragraph (b) of this section, this subchapter applies to each vessel of less than 100 gross tons that carries 150 or less passengers, or has overnight accommodations for 49 or less passengers, and that—

(1) Carries more than six passengers, including at least one for hire;

(2) Is chartered with a crew provided or specified by the owner or the owner's representative and is carrying more than six passengers;

(3) Is chartered with no crew provided or specified by the owner or the owner's representative and is carrying more than 12 passengers; or

(4) If a submersible vessel, carries at least one passenger for hire.

NOTE TO §175.110: For a vessel of less than 100 gross tons that carries more than 150 pas-

sengers or has overnight accommodations for more than 49 passengers, see subchapter K of this chapter.

(b) This subchapter does not apply to:

(1) A vessel operating exclusively on inland waters that are not navigable waters of the United States;

(2) An oceanographic research vessel;

(3) A boat forming part of a vessel's lifesaving equipment and that is not used for carrying passengers except in emergencies or during emergency drills;

(4) A vessel of a foreign country that is a party to the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS), to which the United States Government is currently a party, and that has on board a current valid SOLAS Passenger Ship Safety Certificate; or

(5) A vessel of a foreign country, whose government has inspection laws approximating those of the United States and that by its laws accords similar privileges to vessels of the United States, which has on board a current valid certificate of inspection, permitting the carrying of passengers, issued by its government.

[CGD 85-080, 61 FR 947, Jan. 10, 1996; 61 FR 20557, May 7, 1996, as amended at 62 FR 51355, Sept. 30, 1997]

EFFECTIVE DATE NOTE: By CGD 85-080, 62 FR 51355, Sept. 30, 1997, §175.110 was amended by revising paragraph (a), removing paragraphs (b) and (d), and redesignating paragraph (c) as paragraph (b), effective Oct. 30, 1997. For the convenience of the user, the superseded text is set forth as follows:

#### §175.110 General applicability.

(a) Except as provided in paragraphs (b) and (c) of this section, this subchapter applies to each vessel of less than 100 gross tons that carries more than six passengers.

(b) A vessel of less than 100 gross tons must comply with subchapter K of this chapter if it is:

(1) A vessel that carries more than 150 passengers;

(2) A vessel with overnight accommodations for more than 49 passengers; or

(3) A vessel of more than 61 meters (200 feet) in length that carries more than six passengers.

(d) The relationship between this subchapter and other subchapters pertaining to the inspection and certification of small passenger vessels is provided in the table below, which shows the breakpoints between subchapters T, K, and K' of this chapter.

\* \* \* \* \*

TABLE 175.110(d)

Subchapter T	Subchapter K	Subchapter ' K'
≤150 passengers or overnight accommodations for ≤49 passengers and ≤61 meters (200 feet).	151-600 passengers or overnight accommodations for 50-150 passengers and ≤61 meters (200 feet).	≥601 passengers or overnight accommodations for ≥151 passengers or >61 meters (200 feet).

<sup>1</sup>Vessels in this category are small passenger vessels (passenger vessels less than 100 GT) but are required to comply with parts 72 and 76 of subchapter H, parts 114, 115, 117, 121 of subchapter K, and the applicable requirements of subchapters F and J.

**§ 175.112 Specific applicability for individual parts.**

At the beginning of certain parts of this subchapter, a more specific application is given for all or particular portions of that part. This application sets forth the type, size, service, or age of a vessel to which certain portions of that part apply or particular dates by which an existing vessel must comply with certain portions of that part.

**§ 175.115 Applicability to offshore supply vessels.**

(a) Existing OSVs of more than 15 but less than 100 gross tons are subject to inspection under this subchapter. New OSVs of more than 15 but less than 100 gross tons are subject to inspection under subchapter L of this chapter.

(b) Each existing OSV permitted grandfathering under paragraph (a) of this section must complete construction and have a Certificate of Inspection by March 16, 1998.

[CGD 82-004 and CGD 86-074, 62 FR 49355, Sept. 19, 1997]

EFFECTIVE DATE NOTE: By CGD 82-004 and CGD 86-074, 62 FR 49355, Sept. 19, 1997, § 175.115 was added, effective Oct. 20, 1997.

**§ 175.120 Vessels on an international voyage.**

A mechanically propelled vessel that carries more than 12 passengers on an international voyage must comply with the applicable requirements of SOLAS, as well as this subchapter.

**§ 175.122 Load lines.**

A vessel of 24 meters (79 feet) in length or more, the keel of which was

laid or that was at a similar stage of construction on or after July 21, 1968, and that is on a voyage other than a domestic voyage is subject to load line assignment, certification, and marking under suchapter E (Load Lines) of this chapter.

**§ 175.200 Gross tonnage as criterion for requirements.**

(a) The regulations in this subchapter take into account a vessel's length, passenger capacity, construction, equipment, intended service, and operating area. The criterion for application of this subchapter is the gross tonnage of the vessel. When the Commandant determines that the gross tonnage of a particular vessel, which is attained by exemptions, reductions, or other devices in the basic gross tonnage formulation, will circumvent or be incompatible with the application of specific regulations for a vessel of such physical size, the Commandant will prescribe the regulations to be made applicable to the vessel.

(b) When the Commandant determines that the gross tonnage is not a valid criterion for the use of certain regulations based on the relative size of the vessel, the owner will be informed of the determination and of the regulations applicable to the vessel. The vessel must be brought into compliance with all additional requirements before a Certificate of Inspection is issued.

**§ 175.400 Definitions of terms used in this subchapter.**

The following terms are used in this subchapter:

*Accommodation space* means a space (including a space that contains a microwave oven or other low heat appliance with a maximum heating element temperature of less than 121°C (250°F)) used as a:

- (1) Public space;
- (2) Hall;
- (3) Dining room and mess room;
- (4) Lounge or cafe;
- (5) Public sales room;
- (6) Overnight accommodation space;
- (7) Barber shop or beauty parlor;
- (8) Office of conference room;
- (9) Washroom or toilet space;
- (10) Medical treatment room or dispensary; or
- (11) Game or hobby room.

*Approval series* means the first six digits of a number assigned by the Coast Guard to approved equipment. Where approval is based on a subpart of subchapter Q of this chapter, the approval series corresponds to the number of the subpart. A listing of approved equipment, including all of the approval series, is published periodically by the Coast Guard in Equipment Lists (COMDTINST M16714.3 series), available from the Superintendent of Documents.

*Beam* or *B* means the maximum width of a vessel from:

- (1) Outside of planking to outside of planking on wooden vessels; and
- (2) Outside of frame to outside of frame on all other vessels.

*Bulbous bow* means a design of bow in which the forward underwater frames ahead of the forward perpendicular are swelled out at the forefoot into a bulbous formation.

*Bulkhead deck* means the uppermost deck to which watertight bulkheads and the watertight shell extend.

*Cable* means single or multiple insulated conductors with an outer protective jacket.

*Cargo space* means a:

- (1) Cargo hold;
- (2) Refrigerated cargo space;
- (3) A trunk leading to or from a space listed above; or
- (4) A vehicle space.

*Coast Guard District Commander* or *District Commander* means an officer of the Coast Guard designated as such by the Commandant to command Coast Guard activities within a district.

*Coastwise* means a route that is not more than 20 nautical miles offshore on any of the following waters:

- (1) Any ocean;
- (2) The Gulf of Mexico;
- (3) The Caribbean Sea;
- (4) The Bering Sea;
- (5) The Gulf of Alaska; or
- (6) Such other similar waters as may be designated by a Coast Guard District Commander.

*Cockpit vessel* means a vessel with an exposed recess in the weather deck extending not more than one-half of the length of the vessel measured over the weather deck.

*Cold water* means water where the monthly mean low water temperature is normally 15 degrees Celsius (59 degrees Fahrenheit) or less.

*Commandant* means the Commandant of the Coast Guard or an authorized Headquarters staff officer designated in §1.01 of this chapter.;

*Consideration* means an economic benefit, inducement, right, or profit including pecuniary payment accruing to an individual, person, or entity, but not including a voluntary sharing of the actual expenses of the voyage, by monetary contribution or donation of fuel, food, beverage, or other supplies.

*Corrosion-resistant material* or *corrosion-resistant* means made of one of the following materials in a grade suitable for its intended use in a marine environment:

- (1) Silver;
- (2) Cooper;
- (3) Brass;
- (4) Bronze;
- (5) Aluminum alloys with a copper content of no more than 0.4 percent;
- (6) Cooper-nickel;
- (7) Plastics;
- (8) Stainless steel;
- (9) Nickel-copper; or
- (10) A material, which when tested in accordance with ASTM B-117 for 200 hours, does not show pitting, cracking, or other deterioration.

*Crew accommodation space* means an accommodation space designated for the use of crew members and that passengers are normally not allowed to occupy.;

*Custom engineered* means, when referring to a fixed gas fire extinguishing system, a system that is designed for a

specific space requiring individual calculations for the extinguishing agent volume, flow rate, piping, and similar factors for the space.

*Dead cover* means a metal cover to close or protect a port light to avoid glass breakage in case of heavy weather.

*Distribution panel* means an electrical panel that receives energy from the switchboard and distributes the energy to energy consuming devices or other panels.;

*Draft* means the vertical distance from the molded baseline of a vessel amidships to the waterline.;

*Dripproof* means enclosed equipment so constructed or protected that falling drops of liquid or solid particles striking the enclosure at any angle from 0 to 15 degrees downward from the vertical do not interfere with the operation of the equipment. A National Electrical Manufacturers Association type 1 enclosure with a dripshield is considered to be dripproof.

*Embarkation station* means the place on the vessel from which a survival craft is boarded.

*Enclosed space* means a compartment that is not exposed to the atmosphere when all access and ventilation closures are secured.

*Existing OSV* means an OSV that was contracted for, or the keel of which was laid, before March 15, 1996.

*Existing vessel* means a vessel that is not a new vessel.

*Exposed waters* is a term used in connection with stability criteria and means:

(1) Waters, except the Great Lakes, more than 20 nautical miles from a harbor of safe refuge;

(2) Those portions of the Great Lakes more than 20 nautical miles from a harbor of safe refuge from October 1 of one year through April 15 of the next year (winter season); and

(3) Those waters less than 20 nautical miles from a harbor of safe refuge that the cognizant Officer in Charge, Marine Inspection, determines are not partially protected waters or protected waters because they present special hazards due to weather or other circumstances.

*Ferry* means a vessel that:

(1) Operates in other than ocean or coastwise service;

(2) Has provisions only for deck passengers or vehicles, or both;

(3) Operates on a short run on a frequent schedule between two points over the most direct water route; and

(4) Offers a public service of a type normally attributed to a bridge or tunnel.

*Fiber reinforced plastic* means plastics reinforced with fibers or strands of some other material.

*Flash point* means the temperature at which a liquid gives off a flammable vapor when heated using the Pensky-Martens Closed Cup Tester method in accordance with ASTM D-93.

*Float-free* launching or arrangement means that method of launching a survival craft whereby the survival craft is automatically released from a sinking vessel and is ready for use.

*Flush deck vessel* means a vessel with a continuous weather deck located at the uppermost sheer line of the hull.

*Freeing port* means any direct opening through the vessel's bulwark or hull to quickly drain overboard water that has been shipped on exposed decks.

*Galley* means a space containing appliances with cooking surfaces that may exceed 121° C (250° F), such as ovens, griddles, and deep fat fryers.

*Great Lakes* means a route on the waters of any of the Great Lakes, except that for the purposes of parts 178 and 179 of this subchapter, "Great Lakes" means both the waters of the Great Lakes and of the St. Lawrence River as far east as a straight line drawn from Cap de Rosiers to West Point, Anticosti Island, and west of a line along the 63rd meridian from Anticosti Island to the north shore of the St. Lawrence River.

*Gross tonnage* and *gross tons* is an indicator of a vessel's approximate volume as determined in accordance with part 69 (Measurement of Vessels) of this chapter and recorded on the vessel's Tonnage Certificate (formerly Certificate of Admeasurement).

*Harbor of safe refuge* means a port, inlet, or other body of water normally sheltered from heavy seas by land and in which a vessel can navigate and safely moor. The suitability of a location as a harbor of safe refuge shall be determined by the cognizant Officer in

Charge, Marine Inspection, and varies for each vessel, dependent on the vessel's size, maneuverability, and mooring gear.

*Hazardous condition* means any condition that could adversely affect the safety of any vessel, bridge, structure or shore area or the environmental quality of any port, harbor, or navigable water of the United States. This condition could include but is not limited to, fire, explosion, grounding, leaking, damage, illness of a person on board, or a manning shortage.

*High seas* means all waters that are neither territorial seas (the waters in a belt 3 nautical miles wide, that is adjacent to the coast and seaward of the territorial sea baseline) nor internal waters of the United States or of any foreign country.

*High speed craft* means a craft that is operable on or above the water and has characteristics so different from those of conventional displacement ships, to which the existing international conventions, particularly SOLAS, apply, that alternative measures should be used to achieve an equivalent level of safety. In order to be considered a high speed craft, the craft must be capable of a maximum speed equal to or exceeding  $V=3.7 \times \text{displ}^{1/667}$  h, where "V" is the maximum speed and "displ" is the vessel displacement corresponding to the design waterline in cubic meters.

*Independent laboratory* means a laboratory accepted under part 159, Subpart 159.010 of this chapter.

*Inflatable survival craft* or "inflatable life jacket" means one that depends upon nonrigid, gas-filled chambers for buoyancy, and which is normally kept uninflated until ready to use.

*International voyage* means a voyage between a country to which SOLAS applies and a port outside that country. A country, as used in this definition, includes every territory for the international relations of which a contracting government to the convention is responsible or for which the United Nations is the administering authority. For the U.S., the term "territory" includes the Commonwealth of Puerto Rico, all possessions of the United States, and all lands held by the United States under a protectorate or mandate. For the purposes of this sub-

chapter, vessels are not considered as being on an "international voyage" when solely navigating the Great Lakes and the St. Lawrence River as far east as a straight line drawn from Cap des Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63rd meridian.

*Lakes, bays, and sounds* means a route on any of the following waters:

- (1) A lake other than the Great Lakes;
- (2) A bay;
- (3) A sound; or
- (4) Such other similar waters as may be designated by a Coast Guard District Commander.

*Launching appliance* means a device for transferring a survival craft or rescue boat from its stowed position safely to the water. For a launching appliance using a davit, the term includes the davit, winch, and falls.

*Length* when used in terms of the vessel's length (excluding bow sprits, bumpkins, rudders, outboard motor brackets, handles, and other similar fittings, attachments, and extensions), means:

- (1) The length listed on the vessel's Certificate of Documentation issued under the provisions of part 67 (Documentation of Vessels) of this chapter or Certificate of Number issued under the provisions of 33 CFR part 173, subpart B (Numbering); or

(2) For a vessel that does not have a Certificate of Documentation or a Certificate of Number, the "registered length" as defined in §69.53 in subchapter G of this chapter or, for a vessel that is less than 24 meters (79 feet) in overall length and is measured using simplified admeasurement, the registered length as defined in §69.203 in subchapter G of this chapter; or

(3) For the purposes of part 179 in subchapter S, the "length" of a vessel with a bulbous bow means the larger of the length as defined in the first paragraph of this definition or the straight line horizontal measurement from the forwardmost tip of the bulbous bow to the aftermost part of the vessel measured parallel to the centerline.

*Length between perpendiculars* or *LBP* means the horizontal distance measured between perpendiculars taken at the forwardmost and aftermost points

on the waterline corresponding to the deepest operating draft.

*Limited coastwise* means a route that is not more than 20 nautical miles from a harbor of safe refuge.

*Machinery space* means a space including a trunk, alleyway, stairway, or duct to such a space, that contains:

- (1) Propulsion machinery of any type;
- (2) Steam or internal combustion machinery;
- (3) Oil transfer equipment;
- (4) Electrical motors of more than 10 hp;
- (5) Refrigeration equipment;
- (6) One or more oil-fired boilers or heaters; or
- (7) Electrical generating machinery.

*Main transverse watertight bulkhead* means a transverse bulkhead that must be maintained watertight in order for the vessel to meet the damage stability and subdivision requirements of this subchapter.

*Major conversion* means a conversion of a vessel that, as determined by the Commandant:

- (1) Substantially changes the dimensions or carrying capacity of the vessel;
- (2) Changes the type of vessel;
- (3) Substantially prolongs the life of the vessel; or
- (4) Otherwise so changes the vessel that it is essentially a new vessel.

*Marine inspector* or *inspector* means any civilian employee or military member of the Coast Guard assigned by an Officer in Charge, Marine Inspection, or the Commandant to perform duties with respect to the inspection, enforcement, and administration of vessel safety and navigation laws and regulations.

*Master* means the individual having command of the vessel and who is the holder of a valid license that authorized the individual to serve as master of a smaller passenger vessel.

*Means of escape* means a continuous and unobstructed way of exit travel from any point in a vessel to an embarkation station. A means of escape can be both vertical and horizontal, and include doorways, passageways, stairways, stairtowers, stairways, and public spaces. Cargo spaces, machinery spaces, rest rooms, hazardous areas determined by the cognizant Officer in

Charge Marine Inspection, escalators, and elevators must not be any part of the means of escape.

*New OSV* means an OSV—

- (1) That was contracted for, or the keel of which was laid, on or after March 15, 1996; or
- (2) That underwent a major conversion initiated on or after March 15, 1996.

*New vessel* means a vessel:

- (1) The initial construction of which began on or after March 11, 1996;
- (2) Which was issued an initial Certificate of Inspection on or after September 11, 1996;
- (3) Which underwent a major conversion that was initiated on or after March 11, 1996; or
- (4) Which underwent a major conversion that was completed and for which an amended Certificate of Inspection was issued on or after September 11, 1996.

*Noncombustible material* means any material approved in accordance with § 164.009 in subchapter Q, of this chapter or other standard specified by the Commandant.

*Non-self-propelled vessel* means a vessel that does not have installed means of propulsion, including propulsive machinery, masts, spars, or sails.

*Oceans* means a route that is more than 20 nautical miles offshore on any of the following waters:

- (1) Any ocean;
- (2) The Gulf of Mexico;
- (3) The Caribbean Sea;
- (4) The Bering Sea;
- (5) The Gulf of Alaska; or
- (6) Such other similar waters as may be designated by a Coast Guard District Commander.

*Officer In Charge, Marine Inspection*, or *OCMI* means an officer of the Coast Guard designated as such by the Commandant and who, under the direction of the Coast Guard District Commander, is in charge of a marine inspection zone, described in part 1 of this chapter, for the performance of duties with respect to the inspection, enforcement, and administration of vessel safety and navigation laws and regulations. The "cognizant OCMI" is the OCMI that has immediate jurisdiction

over a vessel for the purpose of performing the duties previously described.

*Offshore supply vessel (OSV)* means a vessel that—

- (1) Is propelled by machinery other than steam;
- (2) Is of above 15 gross tons and of less than 500 gross tons (as measured under the Standard, Dual, or Simplified Measurement System under part 69, subpart C, D, or E, of this chapter), or is less than 6,000 gross tons (as measured under the Convention Measurement System under part 69, subpart B, of this chapter); and
- (3) Regularly carries goods, supplies, or equipment in support of exploration, exploitation, or production of offshore mineral or energy resources.

*Open boat* means a vessel not protected from entry of water by means of a complete weathertight deck, or by a combination of a partial weathertight deck and superstructure that is structurally suitable for the waters upon which the vessel operates.

*Open deck* means a deck that is permanently open to the weather on one or more sides and, if covered, any spot on the overhead is less than 4.5 meters (15 feet) from the nearest opening to the weather.

*Open to the atmosphere* means a compartment that has at least 9,375 square millimeters (15 square inches) of open area directly exposed to the atmosphere for each cubic meter (foot) of net compartment volume.

*Operating station* means the principal steering station on the vessel from which the individual on duty normally navigates the vessel.

*Overnight accommodations or overnight accommodation space* means an accommodation space for use by passengers or by crew members, which has one or more berths, including beds or bunks, for passengers or crew members to rest for extended periods. Staterooms, cabins, and berthing areas are normally overnight accommodation spaces. Overnight accommodations do not include spaces that contain only seats, including reclining seats.

*Partially enclosed space* means a compartment that is neither open to the atmosphere nor an enclosed space.

*Partially protected waters* is a term used in connection with stability criteria and means:

- (1) Waters not more than 20 nautical miles from the mouth of a harbor of safe refuge, unless determined by the cognizant OCMI to be exposed waters;
- (2) Those portions of rivers, estuaries, harbors, lakes, and similar waters that the cognizant OCMI determines not to be protected waters; and
- (3) Waters of the Great Lakes from April 16 through September 30 of the same year (summer season).

*Passenger* means an individual carried on a vessel, except:

- (1) The owner or an individual representative of the owner, or in the case of a vessel under charter, an individual charterer or individual representative of the charterer;
- (2) The master; or
- (3) A member of the crew engaged in the business of the vessel who has not contributed consideration for carriage and who is paid for on board services.

*Passenger accommodation space* means an accommodation space designated for the use of passengers.

*Passenger for hire* means a passenger for whom consideration is contributed as a condition of carriage on the vessel, whether directly or indirectly flowing to the owner, charterer, operator, agent, or any other person having an interest in the vessel.

*Pilothouse control* means that controls to start and stop the engines and control the direction and speed of the propeller of the vessel are located at the operating station.

*Piping system* includes piping, fittings, and appurtenances as described in § 56.07-5 in subchapter F of this chapter.

*Port light* means a hinged glass window, generally circular, in a vessel's side or deckhouse for light and ventilation.

*Protected waters* is a term used in connection with stability criteria and means sheltered waters presenting no special hazards such as most rivers, harbors, and lakes, and that is not determined to be exposed waters or partially protected waters by the cognizant OCMI.

*Pre-engineered* means, when referring to a fixed gas fire extinguishing system, a system that is designed and tested to be suitable for installation without modification as a complete unit in a space of a set volume, regardless of the specific design of the vessel on which it is installed.

*Rivers* means a route on any of the following waters:

- (1) A river;
- (2) A canal; or
- (3) Such other similar waters as may be designated by a Coast Guard District Commander.

*Sailing vessel* means a vessel principally equipped for propulsion by sail even if the vessel has an auxiliary means of propulsion.

*Scantlings* means the dimensions of all structural parts such as frames, girders, and plating, used in building a vessel.

*Scupper* means a pipe or tube of at least 30 millimeters (1.25 inches) in diameter leading down from a deck or sole and through the hull to drain water overboard.

*Self-bailing cockpit* means a cockpit, with watertight sides and floor (sole), which is designed to free itself of water by gravity drainage through scuppers.

*Ship's service loads* means services necessary for maintaining the vessel in normal operational and habitable conditions. These loads include, but are not limited to, safety, lighting, ventilation, navigational, and communications loads.

*Short international voyage* means an international voyage where:

- (1) The vessel is not more than 200 nautical miles from a port or place in which the passengers and crew could be placed in safety; and
- (2) The total distance between the last port of call in the country in which the voyage began and the final port of destination does not exceed 600 nautical miles.

*Stairway* means an inclined means of escape between two decks.

*Steel or equivalent material* means steel or any noncombustible material that, by itself or due to insulation provided, has structural and integrity properties equivalent to steel at the end of the standard fire test.

*Survival craft* means a lifeboat, rigid liferaft, inflatable liferaft, life float, inflatable buoyant apparatus, buoyant apparatus, or a small boat carried aboard a vessel in accordance with § 180.200(b) of this subchapter.

*Switchboard* means an electrical panel that receives power from a generator, battery, or other electrical power source and distributes power directly or indirectly to all equipment supplied by the generating plant.

*Trunk* means a vertical shaft or duct for the passage of pipes, wires, or other devices except that for the purposes of part 179 of this chapter, "trunk" means a large enclosed passageway through any deck or bulkhead of a vessel.

*Vehicle space* means a space not on an open deck, for the carriage of motor vehicles with fuel in their tanks, into and from which such vehicles can be driven and to which passengers have access.

*Vessel* includes every description of watercraft or other artificial contrivance, used or capable of being used as a means of transportation on water.

*Vessel of the United States* means a vessel documented or numbered under the laws of the United States, the states of the United States, Guam, Puerto Rico, the Virgin Islands, American Samoa, the District of Columbia, the Northern Mariana Islands, and any other territory or possession of the United States.

*Warm water* means water where the monthly mean low water temperature is normally more than 15 degrees Celsius (59 degrees Fahrenheit).

*Watertight* means designed and constructed to withstand a static head of water without any leakage, except that "watertight" for the purposes of electrical equipment means enclosed so that water does not enter the equipment when a stream of water from a hose with a nozzle one inch in diameter that delivers at least 246 liters (65 gallons) per minute is sprayed on the enclosure from any direction from a distance of ten feet for five minutes.

*Weather deck* means a deck that is partially or completely exposed to the weather from above or from at least two sides, except that for the purposes of parts 178 and 179 of this chapter, "weather deck" means the uppermost

deck exposed to the weather to which a weathertight sideshell extends.

*Weathertight* means that water will not penetrate in any sea condition, except that "weathertight equipment" means equipment constructed or protected so that exposure to a beating rain will not result in the entrance of water.

*Well deck vessel* means a vessel with a weather deck fitted with solid bulwarks that impede the drainage of water over the sides or a vessel with an exposed recess in the weather deck extending more than one-half of the length of the vessel measured over the weather deck.

*Wire* means an individual insulated conductor without an outer protective jacket.

*Work space* means a space, not normally occupied by a passenger, in which a crew member performs work and includes, but is not limited to, a galley, operating station, or machinery space.

[CGD 85-080, 61 FR 947, Jan. 10, 1996; 61 FR 20557, May 7, 1996, as amended by CGD 82-004 and CGD 86-074, 62 FR 49356, Sept. 19, 1997; CGD 97-057, 62 FR 51049, Sept. 30, 1997; CGD 85-080, 62 FR 51355, Sept. 30, 1997]

EFFECTIVE DATE NOTE: 1. By CGD 82-004 and CGD 86-074, 62 FR 49356, Sept. 19, 1997, § 175.400 was amended by adding definitions of "Existing OSV", "New OSV", and "Off-shore supply vessel (OSV)", effective Oct. 20, 1997.

2. By CGD 85-080, 62 FR 51355, Sept. 30, 1997, § 175.400 was amended by revising the definitions of "Cold water", "High speed craft", "Means of escape", and "Weather deck" and adding, in alphabetical order, a definition of "Approval series", effective Oct. 30, 1997. For the convenience of the user, the superseded text is set forth as follows:

**§ 175.400 Definitions of terms used in this subchapter.**

\* \* \* \* \*

*Cold water* means water where the monthly mean low water temperature is normally 15 degrees Celsius (59 degrees Fahrenheit or less.

\* \* \* \* \*

*High speed craft* means a craft that is operable on or above the water and that has characteristics so different from those of conventional displacement ships, to which the ex-

isting international conventions, particularly SOLAS, apply, that alternative measures should be used to achieve an equivalent level of safety. Within the aforementioned generality, a craft that complies with the following characteristics would be considered a high speed craft:

The craft is capable of a maximum speed equal to or exceeding:  $V = 3.7 \times \text{Displ}^{.1667}$

Where V is the maximum speed and Displ is the vessel displacement corresponding to the design waterline in cubic meters.

\* \* \* \* \*

*Means of escape* means a continuous and unobstructed way of exit travel from any point in a vessel to an embarkation station. A means of escape can be both vertical and horizontal, and includes doorways, passageways, stairtowers, stairways, and public spaces. Cargo spaces, machinery spaces, auxiliary machinery spaces, rest rooms, hazardous areas determined by the cognizant OCMI, escalators, and elevators must not be any part of a means of escape. It consists of three distinct components.

- (1) The exit access;
- (2) The exit; and
- (3) The exit discharge.

\* \* \* \* \*

*Weather deck* means a deck that is partially or completely exposed to the weather from above or from at least two sides, except that for the purposes of parts 178 and 179 in subchapter S, "weather deck" means the uppermost deck exposed to the weather to which a weathertight sideshell extends.

\* \* \* \* \*

**§ 175.540 Equivalents.**

(a) The Commandant may approve any arrangement, fitting, appliance, apparatus, equipment, calculation, information, or test, which provides a level of safety equivalent to that established by specific provisions of this subchapter. Requests for approval must be submitted to the Marine Safety Center via the cognizant OCMI. If necessary, the Marine Safety Center may require engineering evaluations and tests to demonstrate the equivalence of the substitute.

(b) The Commandant may accept compliance by a high speed craft with the provisions of the International Maritime Organization (IMO) "Code of Safety for High Speed Craft" as an

equivalent to compliance with applicable requirements of this subchapter. Requests for a determination of equivalency for a particular vessel must be submitted to the Marine Safety Center via the cognizant OCMI.

(c) The Commandant may approve a novel lifesaving appliance or arrangement as an equivalent if it has performance characteristics at least equivalent to the appliance or arrangement required under this part, and:

(1) Is evaluated and tested under IMO Resolution A. 520(13), "Code of Practice for the Evaluation, Testing and Acceptance of Prototype Novel Life-Saving Appliances and Arrangements"; or

(2) Has successfully undergone an evaluation and tests that are substantially equivalent to those recommendations.

[CGD 85-080, 61 FR 947, Jan. 10, 1996; 61 FR 24464, May 15, 1996]

**§ 175.550 Special consideration.**

In applying the provisions of this subchapter, the OCMI may give special consideration to authorizing departures from the specific requirements when unusual circumstances or arrangements warrant such departures and an equivalent level of safety is provided. The OCMI of each marine inspection zone in which the vessel operates must approve any special consideration granted to a vessel.

American Boat and Yacht Council (ABYC), 3069 Solomons Island Rd., Edgewater, MD 21037

A-1-93—Marine Liquefied Petroleum Gas (LPG) Systems.	184.240
A-3-93—Galley Stoves .....	184.200
A-7-70—Boat Heating Systems .....	184.200
A-16-89—Electric Navigation Lights .....	183.130
A-22-93—Marine Compressed Natural Gas (CNG) Systems.	184.240
E-8-94—Alternating Current (AC) Electrical Systems on Boats.	183.130
E-9-90—Direct Current (DC) Electrical Systems on Boats.	183.130
H-2-89—Ventilation of Boats Using Gasoline .....	182.130; 182.460
H-22-86—DC Electric Bilge Pumps Operating Under 50 Volts.	182.130; 182.500
H-24-93—Gasoline Fuel Systems .....	182.130; 182.440; 182.445; 182.450; 182.455
H-25-94—Portable Gasoline Fuel Systems for Flammable Liquids.	182.130; 182.458
H-32-87—Ventilation of Boats Using Diesel Fuel .....	182.130; 182.465; 182.470

**§ 175.560 Appeals.**

Any person directly affected by a decision or action taken under this subchapter, by or on behalf of the Coast Guard, may appeal therefrom in accordance with §1.03 in subchapter A of this chapter.

**§ 175.600 Incorporation by reference.**

(a) Certain material is incorporated by reference into this subchapter with the approval of the Director of the Federal Register in accordance with Title 5 United States Code (U.S.C.) 552(a) and Title 1 Code of Federal Regulations (CFR) Part 51. To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish a notice of change in the Federal Register and make the material available to the public. All approved material is on file at the Office of the FEDERAL REGISTER, 800 North Capitol Street NW., Suite 700, Washington, DC, and at the U.S. Coast Guard, Office of Operating and Environmental Standards (G-MSO), 2100 Second Street SW., Washington, DC 20593-0001 and is available from the sources indicated in paragraph (b) of this section.

(b) The material approved for incorporation by reference in this subchapter and the sections affected are:

§ 175.600

46 CFR Ch. I (10–1–97 Edition)

H-33-89—Diesel Fuel Systems .....	182.130; 182.440; 182.445; 182.450; 182.455
P-1-93—Installation of Exhaust Systems for Propul- sion and Auxiliary Engines.	177.405; 177.410; 182.130; 182.425; 182.430
P-4-89—Marine Inboard Engines .....	182.130; 182.420
American Bureau of Shipping (ABS), ABS Plaza, Two World Trade Center, 106th Floor, New York, NY 10048	
Guide for High Speed Craft, 1997 .....	177.300
Rules for Building and Classing Aluminum Vessels, 1975.	177.300
Rules for Building and Classing Reinforced Plastic Vessels, 1978.	177.300
Rules for Building and Classing Steel Vessels, 1995 ...	182.410; 183.360
Rules for Building and Classing Steel Vessels Under 61 Meters (200 feet) in Length, 1983.	177.300
Rules for Building and Classing Steel Vessels for Service on Rivers and Intracoastal Waterways, 1995.	177.300
American National Standards Institute (ANSI), 11 West 42nd Street, New York, NY 10036	
A 17.1-1984, including supplements A 17.1a and b- 1985—Safety Code for Elevators and Escalators.	183.540
B 31.1-1986—Code for Pressure Piping, Power Piping	182.710
Z 26.1-1977, including 1980 supplement—Safety Glaz- ing Materials For Glazing Motor Vehicles Operat- ing on Land Highways.	177.1030
American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, West Conshohocken, PA 19428- 2959	
B-117-73 (Reapproved 1979)—Method of Salt Spray (Fog) Testing.	175.400
D-93-94—Flash Point By Pensky-Martens Closed Cup Tester.	175.400
D-635-91—Rate of Burning and/or Extent and Time of Burning of Self-Supporting Plastics in a Hori- zontal Position.	182.440
D-2863-91—Measuring the Minimum Oxygen Con- centration to Support Candle-like Combustion of Plastics (Oxygen Index).	182.440
E-84-94—Surface Burning Characteristics of Build- ing Materials.	177.410
Institute of Electrical and Electronics Engineers, Inc. (IEEE), IEEE Service Center, 445 Hoes Lane, Piscataway, NJ 08854	
Standard 45-1977—Recommended Practice for Elec- trical Installations on Shipboard.	183.340
International Maritime Organization (IMO), Inter- national Maritime Organization, Publications Sec- tion, 4 Albert Embankment, London SE1 7SR, United Kingdom	
Code of Practice for the Evaluation, Testing and Ac- ceptance of Prototype Novel Life-Saving Appli- ances and Arrangements—Resolution A.520(13), dated 17 November 1983.	175.540(c)
Use and Fitting of Retro-Reflective Materials on Life-Saving Appliances—Resolution A.658(16), dated 20 November 1989.	185.604

Coast Guard, DOT

§ 175.600

Fire Test Procedures For Ignitability of Bedding Components, Resolution A.688(17), dated 06 November 1991.	177.405
Symbols Related to Life-Saving Appliances and Arrangements, Resolution A.760(18), dated 17 November 1993.	185.604(g)
Lloyd's Register of Shipping, 17 Battery Place, Suite 1013, New York, NY 10004	
Rules and Regulations for the Classification of Yachts and Small Craft, as amended through 1983.	177.300
National Fire Protection Association (NFPA), 1 Batterymarch Park, Quincy, MA 02269-9101	
NFPA 10-1994—Portable Fire Extinguishers .....	176.810
NFPA 17-1994—Dry Chemical Extinguishing Systems.	181.425
NFPA 17A-1994—Wet Chemical Extinguishing Systems.	181.425
NFPA 70-1996—National Electrical Code (NEC)	
Section 250-95 .....	183.370
Section 310-13 .....	183.340
Section 310-15 .....	183.340
Article 430 .....	183.320
Article 445 .....	183.320
NFPA 302-1994—Pleasure and Commercial Motor Craft, Chapter 6.	184.200; 184.240
NFPA 306-1993—Control of Gas Hazards on Vessels ...	176.710
NFPA 1963-1989—Fire Hose Connections .....	181.320
Naval Publications and Forms Center, Customer Service Code 1052, 5801 Tabor Ave., Philadelphia, PA 19120	
Military Specification MIL-P-21929C (1991)—Plastic Material, Cellular Polyurethane, Foam-in-Place, Rigid (2 and 4 pounds per cubic foot).	179.240
Military Specification MIL-R-21607E(SH) (1990)	
Resins, Polyester, Low Pressure Laminating, Fire Retardant.	177.410
Society of Automotive Engineers (SAE), 400 Commonwealth Drive, Warrendale, PA 15096-0001	
SAE J-1475—Hydraulic Hose Fittings For Marine Applications, 1984.	182.720
SAE J-1928—Devices Providing Backfire Flame Control for Gasoline Engines in Marine Applications, August 1989.	182.415
SAE J-1942—Hose and Hose Assemblies for Marine Applications, 1992.	182.720
Underwriters Laboratories Inc. (UL), 12 Laboratory Drive, Research Triangle Park, NC 27709	
UL 19-1992—Lined Fire Hose and Hose Assemblies ....	181.320
UL 174-1989, as amended through June 23, 1994—Household Electric Storage Tank Heaters.	182.320
UL 217-1993—Single and Multiple Station Smoke Detectors.	181.450
UL 486A-1992—Wire Connectors and Soldering Lugs For Use With Copper Conductors.	183.340
UL 489-1995—Molded—Case Circuit Breakers and Circuit Breaker Enclosures.	183.380
UL 595-1991—Marine Type Electric Lighting Fixtures.	183.410

UL 710-1990, as amended through September 16, 1993—Exhaust Hoods For Commercial Cooking Equipment. 181.425

UL 1058-1989, as amended through April 19, 1994—Halogenated Agent Extinguishing System Units. 181.410

UL 1102-1992—Non integral Marine Fuel Tanks ..... 182.440

UL 1110-1988, as amended through May 16, 1994—Marine Combustible Gas Indicators. 182.480

UL 1111-1988—Marine Carburetor Flame Arresters ... 182.415

UL 1453-1988, as amended through June 7, 1994—Electric Booster and Commercial Storage Tank Water Heaters. 182.320

UL 1570-1995—Fluorescent Lighting Fixtures ..... 183.410

UL 1571-1995—Incandescent Lighting Fixtures ..... 183.410

UL 1572-1995—High Intensity Discharge Lighting Fixtures. 183.410

UL 1573-1995—Stage and Studio Lighting Units ..... 183.410

UL 1574-1995—Track Lighting Systems ..... 183.410

[CGD 85-080, 61 FR 947, Jan. 10, 1996, as amended by CGD 96-041, 61 FR 50734, Sept. 27, 1996; CGD 97-057, 62 FR 51049, Sept. 30, 1997; CGD 85-080, 62 FR 51355, Sept. 30, 1997]

EFFECTIVE DATE NOTE: By CGD 85-080, 62 FR 51355, Sept. 30, 1997, §175.600 was amended under the entry for American Bureau of Shipping, by adding a new entry for "Guide for High Speed Craft"; under the entry for National Fire Protection Association, by removing the words "NFPA 70-1993" and adding, in their place, the words "NFPA 70-1996"; and, under the entry for Naval Publications and Forms Center, removing the number "21929B (1970)" and adding, in its place, the number "21929C (1991)" and by adding a new entry for "Military Specification MIL-R-21607E", effective Oct. 30, 1997.

**§ 175.800 Approved equipment and material.**

(a) Equipment and material that is required by this subchapter to be approved or of an approved type, must have been manufactured and approved in accordance with the design and testing requirements in subchapter Q (Equipment, Construction, and Materials: Specifications and Approval) of this chapter or as otherwise specified by the Commandant.

(b) Coast Guard publication COMDTINST M16714.3 (Series) "Equipment Lists, Items Approved, Certificated or Accepted under Marine Inspection and Navigation Laws" lists approved equipment by type and manufacturer. COMDTINST M16714.3 (Series) may be obtained from New Orders, Su-

perintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954.

[CGD 85-080, 61 FR 947, Jan. 10, 1996, as amended at 62 FR 51355, Sept. 30, 1997]

EFFECTIVE DATE NOTE: By CGD 85-080, 62 FR 51355, Sept. 30, 1997, §175.800 was amended by revising paragraph (b), effective Oct. 30, 1997. For the convenience of the user, the superseded text is set forth as follows:

**§ 175.800 Approved equipment and material.**

\* \* \* \* \*

(b) Notice regarding equipment approvals is published in the FEDERAL REGISTER. Coast Guard publication COMDTINST M16714.3 (Series), "Equipment Lists, Items Approved, Certificated or Accepted under Marine Inspection and Navigation Laws," lists approved equipment by type and manufacturer. COMDTINST M16714.3 (Series) may be obtained from the Superintendent of Documents, Mail Stop: SSOP, Washington, DC 20402-9328.

**§ 175.900 OMB control numbers.**

(a) *Purpose.* This section lists the control numbers assigned to information collection and recordkeeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f) which requires that

agencies display a current control number assigned by the Director of OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR Section where identified	Current OMB Control Number
176.105(a)	2115-0578
176.202	2115-0578
176.204	2115-0578
176.302	2115-0578
176.306	2115-0578
176.310	2115-0578
176.500(a)	2115-0578
176.612	2115-0578
176.700	2115-0578
176.704	2115-0578
176.710	2115-0578
176.810(b)	2115-0578
176.920(c)	2115-0578
176.930	2115-0578
177.202	2115-0578
177.315	2115-0589
177.330	2115-0578
177.335	2115-0589
177.340	2115-0578
178.210	2115-0578
178.220	2115-0559
178.230	2115-0559
181.610	2115-0578
182.460(e)	2115-0578
182.610(f)	2115-0578
183.220(d)	2115-0578
183.320 (d) and (e)	2115-0578
184.420	2115-0578
184.506	2115-0578
185.202	2115-0003
185.206	2115-0003
185.208	2115-0578
185.220	2115-0578
185.230	2115-0578
185.280	2115-0578
185.340(c)	2115-0578
185.402	2115-0578
185.420	( <sup>1</sup> )
185.502	2115-0578
185.503	2115-0578
185.504	2115-0578
185.506	2115-0578
185.510	2115-0578
185.514	2115-0578
185.516	2115-0578
185.518	2115-0578
185.520	( <sup>1</sup> )
185.524	( <sup>1</sup> )
185.602	2115-0578
185.604	2115-0578
185.606	2115-0578
185.608	2115-0578
185.610	2115-0578
185.612	2115-0578
185.702	2115-0578
185.704(c)	2115-0578
185.728(c)	( <sup>1</sup> )

<sup>1</sup> Will be displayed when assigned by OMB.

**PART 176—INSPECTION AND CERTIFICATION**

**Subpart A—Certificate of Inspection**

Sec.

- 176.100 When required.
- 176.103 Description.
- 176.105 How to obtain or renew.
- 176.107 Period of validity.
- 176.110 Routes permitted.
- 176.112 Total persons permitted.
- 176.113 Passengers permitted.
- 176.114 Alternative requirements for a vessel operating as other than a small passenger vessel.
- 176.120 Certificate of Inspection amendment.

**Subpart B—Special Permits and Certificates**

- 176.202 Permit to proceed.
- 176.204 Permit to carry excursion party.

**Subpart C—Posting of Certificates, Permits, and Stability Letters**

- 176.302 Certificates and permits.
- 176.306 Stability letter.
- 176.310 Certification Expiration Date Stickers.

**Subpart D—Inspection for Certification**

- 176.400 General.
- 176.402 Initial inspection for certification.
- 176.404 Subsequent inspections for certification.

**Subpart E—Reinspection**

- 176.500 When required.
- 176.502 Scope.

**Subpart F—Hull and Tailshaft Examinations**

- 176.600 Drydock and internal structural examination intervals.
- 176.610 Scope of drydock and internal structural examinations.
- 176.612 Notice and plans required.
- 176.630 Tailshaft examinations.
- 176.670 Extension of examination intervals.

**Subpart G—Repairs and Alterations**

- 176.700 Permission for repairs and alterations.
- 176.702 Installation tests and inspections.
- 176.704 Breaking of safety valve seals.
- 176.710 Inspection and testing prior to hot work.

**Subpart H—Material Inspections**

- 176.800 Inspection standards.
- 176.801 Notice of inspection deficiencies and requirements.
- 176.802 Hull.
- 176.804 Machinery.
- 176.806 Electrical.
- 176.808 Lifesaving.
- 176.810 Fire protection.