

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

PART 175—GENERAL PROVISIONS

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§ 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 passengers 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]

§ 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

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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]

§ 175.118 Vessels operating under an exemption afforded in the Passenger Vessel Safety Act of 1993 (PVSA).

(a) The Passenger Vessel Safety Act of 1993 (PVSA) contained an allowance for the exemption of certain passenger vessels that are—

(1) At least 100 gross tons but less than 300 gross tons; or

(2) Former public vessels of at least 100 gross tons but less than 500 gross tons.

(b) The owner or operator of a vessel must have applied for an exemption under PVSA by June 21, 1994, and then brought the vessel into compliance with the interim guidance in Navigation and Inspection Circular (NVIC) 7-94 not later than December 21, 1996. The PVSA exemption is valid for the service life of the vessel, as long as the vessel remains certified for passenger service. If the Certificate of Inspection (COI) is surrendered or otherwise becomes invalid (not including a term while the vessel is out of service but undergoing an inspection for recertification), the owner or operator must meet the appropriate inspection regulations to obtain a new COI without the PVSA exemption.

(c) Except where the provisions of subchapter H of this chapter apply, the owner or operator must ensure that the vessel meets the requirements of this subchapter, meets any requirements the OCMI deems applicable, and meets any specific additions or exceptions as follows:

(1) If a vessel does not meet the intact stability requirements of subchapter S of this chapter, the vessel's route(s) will be limited to an area within 20 nautical miles from a harbor of safe refuge, provided the vessel has a history of safe operation on those wa-

ters. The OCMI may further restrict the vessel's routes if the vessel's service history, condition, or other factors affect its seaworthiness or safety.

(2) The vessel may not carry more than 150 passengers, and not more than 49 passengers in overnight accommodations.

(3) The owner or operator must crew the vessel under the requirements of this subchapter. All officers must be licensed for the appropriate vessel tonnage. The OCMI may require a licensed engineer for those vessels of at least 200 gross tons. Vessels carrying more than 50 passengers must have an additional deckhand, and all deckhands on vessels carrying more than 50 passengers must be adequately trained. The crew members on a vessel of at least 200 gross tons, except those operated exclusively on lakes and rivers, are required to hold merchant mariner documents and 50 percent of the unlicensed deck crew must be rated as at least an able seaman.

(4) The vessel owner or operator must comply with the lifesaving arrangements located in part 180 of this chapter, except that inflatable liferafts are required for primary lifesaving. A rescue boat or suitable rescue arrangement must be provided to the satisfaction of the OCMI.

(5) The vessel owner or operator must comply with the fire protection requirements located in part 181 of this chapter. When a vessel fails to meet the fire protection and structural fire protection requirements of this subchapter, the vessel owner or operator must meet equivalent requirements to the satisfaction of the cognizant OCMI or submit plans for approval from the Coast Guard Marine Safety Center.

(6) At a minimum, the owner or operator must outfit the vessel with portable fire extinguishers per 46 CFR 76.50. In addition, the vessel must meet any additional requirements of the OCMI, even if they exceed the requirements in 46 CFR 76.50.

(7) In addition to the means-of-escape requirements of 46 CFR 177.500, the vessel owner or operator must also meet the requirements for means of escape found in 46 CFR 78.47-40.

(d) The OCMI conducts an inspection and may issue a COI if the vessel meets

these requirements. The COI's condition of operation must contain the following endorsement: "This vessel is operating under an exemption afforded in The Passenger Vessel Safety Act of 1993 and as such is limited to domestic voyages and a maximum _____ of passengers and may be subject to additional regulations and restrictions as provided for in Sections 511 and 512 of the Act."

[USCG-1999-5040, 67 FR 34799, May 15, 2002]

§ 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 such chapter 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 com-

pliance 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.

Adequate hull protection system means a method of protecting the vessel's hull from corrosion. It includes, as a minimum, either hull coatings and a cathodic protection (CP) system consisting of sacrificial anodes, or an impressed current CP system.

Alternative Hull Examination (AHE) Program means a program in which an eligible vessel may receive an initial and subsequent credit hull examination through a combination of underwater surveys, internal examinations and annual hull condition assessment.

Anniversary date means the day and the month of each year, which corresponds to the date of expiration of the Certificate of Inspection.

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) Copper;
- (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 (incorporated by reference, see §175.600) 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.;

Drip-proof 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 drip-proof.

Drydock examination means hauling out a vessel or placing a vessel in a drydock or slipway for an examination of all accessible parts of the vessel's

underwater body and all through-hull fittings and appurtenances.

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 $V=3.7 \times \text{displ}^{.1667}$, 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.

Internal structural examination means an examination of the vessel while afloat or in drydock and consists of a complete examination of the vessel’s main strength members, including the major internal framing, the hull plating, voids, and ballast tanks, but not including cargo, sewage, or fuel oil tanks.

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 subchapter, 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 small 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, 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 (35 ft³) 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.

Remotely operated vehicle (ROV) team, at a minimum, consist of an ROV operator, a non-destructive testing inspector, an ROV tender or mechanic, and a team supervisor who is considered by the Officer in Charge, Marine Inspection (OCMI), have the appropriate training and experience to perform the

survey and to safely operate the ROV in an effective manner. The team must also have a hull-positioning technician present. This position may be assigned to a team member already responsible for another team duty.

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.

Shallow water is an ascertained water depth at which the uppermost deck(s) of a sunken vessel remain above the water's surface. The determination of the water's depth is made by the Officer in Charge, Marine Inspection (OCMI) who considers the vessel's stability (passenger heeling moment), the contour of the hull, the composition of the river bottom, and any other factors that would tend to prevent a vessel from resting on an even keel.

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.

Submersible vessel means a vessel that is capable of operating below the surface of the water.

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.

Third party examiner means an entity:

- (1) With a thorough knowledge of diving operations, including diving limitations as related to diver safety and diver supervision;
- (2) Having a familiarity with, but not limited to, the following—
 - (i) The camera used during the AHE; and
 - (ii) The NDT equipment used during the AHE, including the effect of water clarity, and marine growth in relation to the quality of the readings obtained;
- (3) Having a familiarity with the communications equipment used during the AHE;
- (4) Possessing the knowledge of vessel structures, design features, nomenclature, and the applicable AHE regulations; and
- (5) Able to present the Officer in Charge, Marine Inspection, with evidence of formal training, demonstrated ability, past acceptance, or a combination of these.

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.

Underwater Survey in Lieu of Drydocking (UWILD) means a program

in which an eligible vessel may alternate between an underwater survey and the required drydock examinations.

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.

Wood vessel means, for the purposes of subdivision and lifesaving equipment requirements in this subchapter, a traditionally-built, plank-on-frame vessel, where mechanical fasteners (screws, nails, trunnels) are used to maintain hull integrity.

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; 62 FR 64306, Dec. 5, 1997; 63 FR 65739, Dec. 15, 1997; USCG-1999-4976, 65 FR 6508, Feb. 9, 2000; USCG-2000-7790, 65 FR 58464, Sept. 29, 2000; USCG-2000-6858, 67 FR 21084, Apr. 29, 2002; USCG-1999-5040, 67 FR 34800, May 15, 2002; 69 FR 47384, Aug. 5, 2004; USCG-2004-18884, 69 FR 58351, Sept. 30, 2004; USCG-2005-22329, 70 FR 57183, Sept. 30, 2005]

§ 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.

(d) The Commandant may accept alternative compliance arrangements in lieu of specific provisions of the International Safety Management (ISM) Code (IMO Resolution A.741(18)) for the purpose of determining that an equivalent safety management system is in place on board a vessel. The Commandant will consider the size and corporate structure of a vessel's company when determining the acceptability of an equivalent system. Requests for determination of equivalency must be submitted to Commandant (G-MOC) via the cognizant OCMI.

[CGD 85-080, 61 FR 947, Jan. 10, 1996; 61 FR 24464, May 15, 1996, as amended by CGD 95-073, 62 FR 67515, Dec. 24, 1997]

§ 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 inspec-

tion zone in which the vessel operates must approve any special consideration granted to a vessel.

§ 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 U.S. Coast Guard, Office of Operating and Environmental Standards (G-MSO), 2100 Second Street SW., Washington, DC 20593-0001 and at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. All approved material 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:

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
H-33-89—Diesel Fuel Systems	182.130; 182.440; 182.445; 182.450; 182.455
P-1-93—Installation of Exhaust Systems for Propulsion 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, 16855 Northchase Drive, Houston, TX 77060	
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 Glazing Materials For Glazing Motor Vehicles Operating on Land Highways.	177.1030
American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959.	
ASTM B 96-93, Standard Specification for Copper-Silicon Alloy Plate, Sheet, Strip, and Rolled Bar for General Purposes and Pressure Vessels.	182.440
ASTM B 117-97, Standard Practice for Operating Salt Spray (Fog) Apparatus.	175.400
ASTM B 122/B 122M-95, Standard Specification for Copper-Nickel-Tin Alloy, Copper-Nickel-Zinc Alloy (Nickel Silver), and Copper-Nickel Alloy Plate, Sheet, Strip and Rolled Bar.	182.440
ASTM B 127-98, Standard Specification for Nickel-Copper Alloy (UNS NO4400) Plate, Sheet, and Strip.	182.440
ASTM B 152-97a, Standard Specification for Copper Sheet, Strip, Plate, and Rolled Bar.	182.440
ASTM B 209-96, Standard Specification for Aluminum and Aluminum-Alloy Sheet and Plate.	182.440
ASTM D 93-97, Standard Test Methods for Flash Point by Pensky-Martens Closed Cup Tester.	175.400
ASTM D 635-97, Standard test Method for Rate of Burning and or Extent and Time of Burning of Self-Supporting Plastics in a Horizontal Position.	182.440

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ASTM D 2863-95, Standard Method for Measuring the Minimum Oxygen Concentration to Support Candle-Like Combustion of Plastics (Oxygen Index).	182.440
ASTM E 84-98, Standard Test Method for Surface Burning Characteristics of Building 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 Electrical Installations on Shipboard.	183.340
International Maritime Organization (IMO), International Maritime Organization, Publications Section, 4 Albert Embankment, London SE1 7SR, United Kingdom	
Code of Practice for the Evaluation, Testing and Acceptance of Prototype Novel Life-Saving Appliances 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
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

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46 CFR Ch. I (10-1-06 Edition)

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; USCG-1999-5151, 64 FR 67186, Dec. 1, 1999; USCG-2000-7790, 65 FR 58465, Sept. 29, 2000; 69 FR 18803, Apr. 9, 2004]

§ 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, Superintendent 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]

§ 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)	1625-0057
176.202	1625-0057
176.204	1625-0057
176.302	1625-0057
176.306	1625-0057
176.310	1625-0057
176.500(a)	1625-0057
176.612	1625-0057
176.700	1625-0057
176.704	1625-0057
176.710	1625-0057
176.810(b)	1625-0057
176.920(c)	1625-0057
176.930	1625-0057
177.202	1625-0057
177.315	1625-0057
177.330	1625-0057
177.335	1625-0057
177.340	1625-0057
178.210	1625-0057
178.220	1625-0057
178.230	1625-0057
181.610	1625-0057
182.460(e)	1625-0057
182.610(f)	1625-0057
183.220(d)	1625-0057
183.320 (d) and (e)	1625-0057
184.420	1625-0057
184.506	1625-0057
185.202	1625-0001
185.206	1625-0001
185.208	1625-0057
185.220	1625-0057
185.230	1625-0057
185.280	1625-0057
185.340(c)	1625-0057
185.402	1625-0057
185.420	1625-0057
185.502	1625-0057
185.503	1625-0057
185.504	1625-0057
185.506	1625-0057
185.510	1625-0057
185.514	1625-0057
185.516	1625-0057
185.518	1625-0057
185.520	1625-0057
185.524	1625-0057
185.602	1625-0057
185.604	1625-0057
185.606	1625-0057

46 CFR Section where identified	Current OMB Control Number
185.608	1625-0057
185.610	1625-0057
185.612	1625-0057
185.702	1625-0057
185.704(c)	1625-0057
185.728(c)	1625-0057

[CGD 85-080, 61 FR 947, Jan. 10, 1996, as amended by USCG-2004-18884, 69 FR 58351, Sept. 30, 2004]

PART 176—INSPECTION AND CERTIFICATION

Subpart A—Certificate of Inspection

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- 176.100 When required.
- 176.103 Description.
- 176.105 How to obtain or renew.
- 176.107 Period of validity for a Certificate of Inspection.
- 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

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

Subpart E—Reinspection

- 176.500 When required.
- 176.502 Certificate of Inspection: Conditions of validity.

Subpart F—Hull and Tailshaft Examinations

- 176.600 Drydock examination, internal structural examination, and underwater survey intervals.
- 176.610 Scope of drydock and internal structural examinations.