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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 the OMB for each approved agency information collection requirement.

(b) Display.

46 CFR part or section where identified or described	Current OMB control No.
\$91.27–13	1625-0065
\$91.40–3	1625-0032
\$91.40–5	1625-0032
\$97.15–7	1625-0064
\$97.15–17	1625-0064

[CGD 88-072, 53 FR 34297, Sept. 6, 1988, as amended by CGD 82-004a, 55 FR 2525, Jan. 25, 1990; CGD 89-037, 57 FR 41822, Sept. 11, 1992; USCG-2004-18884, 69 FR 58347, Sept. 30, 2004]

Subpart 90.05—Application

§ 90.05-1 Vessels subject to requirements of this subchapter.

(a) This subchapter is applicable to all U.S.-flag vessels indicated in Column 4 of Table 90.05–1(a) and to all such foreign-flag vessels which carry 12 or fewer passengers from any port in

the United States to the extent prescribed by law, except as follows:

- (1) Any vessel of a foreign nation signatory to the International Convention for Safety of Life at Sea, 1974, and which has on board a current, valid safety equipment certificate.
- (2) Any vessel operating exclusively on inland waters which are not navigable waters of the United States.
- (3) Any vessel while laid up and dismantled and out of commission.
- (4) With the exception of vessels of the U.S. Maritime Administration, any vessel with title vested in the United States and which is used for public purposes.
- (b) Notwithstanding the exception previously noted in paragraph (a)(1) of this section, foreign vessels of novel design or construction or whose operation involves potential unusual risks shall be subject to inspection to the extent necessary to safeguard life and property in United States ports, as further provided by §2.01–13 of subchapter A (Procedures Applicable to the Public) of this chapter.
- (c) Notwithstanding the exception noted in paragraph (a)(1) of this section, each foreign vessel shall report marine casualties occurring while the vessel is in the navigable waters of the United States as required by Subpart 97.07.

Table 90.05-1(a)

≥	Method of		Vessels inspected and certificated under-		Vessels subje	Vessels subject to the provisions of-	sions of
propu qualif size o other limita	propulsion, qualified by size or other limitation. ¹	Subchapter DTank Vessels. ²	Subchapter H-Passenger Vessels ^{2, 3, 4, and 5} or Subchapter K or TSmall Passenger Vessels. ^{2, 3, and 4}	Subchapter I Cargo and Miscellaneous Vessels. ^{2 and 5}	Subchapter C Uninspected Vessels. 2, 3, 6, 7, and 8	Subchapter U—Ocean- ographic Vessels.	Subchapter OCertain Bulk and Dangerous Cargoes. 10
0	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
ε	Motor, all vessels except seagoing motor vessels ≥ 300 gross tons.	All vessels combustible or flammable ilquid cargo in bulk.	in All vessels carrying more than 12 passengers on an international voyage, except recreational vessels not engaged in trade. A) Carry more than 6 passengers-for-hire whether chartered or not, or by carry more than 6 passengers when chartered with the crew provided, or C) Carry more than 12 passengers when chartered with no rewer provided, or D) Carry at least 1 passenger-for-hire and is a submersible vessel. iii) All vessels ≥ 100 gross tons that— A) Carry more than 12 passengers-for-hire whether chartered or not, or B) Carry more than 12 passengers-for-hire whether carry moved or or C) Carry more than 12 passengers when chartered with the crew provided, or D) Carry at least 1 passengers when chartered with no rew provided, or D) Carry at least 1 passenger-for-hire and is a submersible vessel. A) Recreational vessels not engaged in trade. B) Documented cargo or tank vessels issued a permit to carry 16 or lewer persons in addition to the coan or coastwise service, may carry persons on the legitimate business of the vessels in addition to the crew, as restricted by the definition of passenger.	All vessels > 15 gross tons carrying freight-for-hire, except those covered that covered when carrying dangerous cargoes when carrying dangerous cargoes when required by 46 CFR part 98.	All vessels not covered by columns 2, 3, 4, and 6.	None.	All vessels cararying cargose in bulk cargose in bulk that are listed in part 153, table 1, or part 154, table 4, or unlisted cargoses that would otherwise be subject to these parts."

Table 90.05-1(a) (continued)

Me	Method of		Vessels inspected and certificated under		Vessels subje	Vessels subject to the provisions of	sions of
siz di	propulsion, qualified by size or other limitation. ¹	Subchapter DTank Vessels. ²	Subchapter HPassenger Vessels ^{2, 3, 4, and 5} or Subchapter K or TSmall Passenger Vessels. ^{3, and 4}	Subchapter I Cargo and Miscellaneous Vessels.	Subchapter C Uninspected Vessels. 3, 6, 7, and 8	Subchapter U—Ocean- ographic Vessels. ^{2, 3,} 6, 7, and 9	Subchapter OCertain Bulk and Dangerous Cargoes.
O	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
(2)	Motor, seagoing motor vessels ≥ 300 gross tons.	All vessels carrying carrying from builded in flammable liquid cargo in bulk. ⁵	in flat wessels carrying more than 12 passengers on an international voyage, except recreational vessels not engaged in trade. (i) These regulations do not apply to— (A) Recreational vessels not engaged in trade. (B) Documented cargo or tank vessels issued a permit to carry 16 or fewer persons in addition to the crew. (C) Fishing vessels, not engaged in ocean or coastwise service, may carry persons on the legitimate business of the vessel' in addition to the crew, as restricted by the definition of passenger. (C) Passenger. (C) Expression addition to the crew, as restricted by the definition of passenger.	All vessels, including recreational recreational vessels not emgaged in trade. This does not include vessels covered by columns 2 and 3, and vessels engaged in the fishing industry.	All vessels not covered by columns 2. 3, 4, 6, and 7.	All vessels engaged in oceanographic research.	All vessels carrying cargoes in bulk that are listed in part 153, table 1, or part 154, table 4, or unlisted cargoes that would contenvise be subject to these parts.
(6)	Non-self- propelled , vessels < 100 gross tons.	All vessels carrying controlling on the fill did and bulk.	h) All vessels that- A) Carry more than 6 passengers-for-hire whether A) Carry more than 6 passengers-for-hire whether B) Carry more than 6 passengers when chartered with the crew provided, or C) Carry more than 12 passengers when chartered with no crew provided, or D) Carry at least 1 passenger-for-hire and is a submersible vessel. C) Carry more than 12 passengers on an international C) Carry more than 12 passengers on an international C) Carry more than 12 passengers on an international	All seagoing barges except those covered by columns 2 and 3.	All barges carrying passengers or passengers or passengers for hire, except those covered by column 3.	None.	All tank barges carrying cargoes listed in Table 151.05 of this chapter or unlisted cargoes that would would subject to part 1511.11.2012
(4)	Non-self- propelled , vessels ≥ 100 gross tons.	All vessels carrying combustible or flammable liquid cargo in bulk.	h) All vessels that— A) Carry more than 12 passengers-for-hire whether chartered or not, or B) Carry more than 12 passengers when chartered with the crew provided, or C) Carry more than 12 passengers when chartered with no crew provided, or D) Carry at least passenger-for-hire and is a submersible vessel, or C) Carry more than 12 passengers on an international C) Carry more than 12 passengers on an international C) Carry more than 12 passengers on an international C) Carry more than 12 passengers on an international	All seagoing barges except those covered by columns 2 and 3.	All barges carrying passentgers or passentgers or passentgers or covered those except those 3 and 6.	All seagoing barges engaged in oceanographic research.	All tank barges carrying cargoes listed in Table 151.05 of this chapter or unlisted cargoes that would when its besubject to part 151, 1.11, and 121

Table 90.05-1(a) (continued)

Method of propulsion, qualified by	Subchapter DTank	Vessels inspected and certificated under-Subchapter H-Passenger Vessels ^{2,3,4,and,5} or Subchapter K or T-Small Passenger Vessels. ²	Subchapter I Cargo and	<u>ie</u>	ct to the provis Subchapter U—Ocean-	sions of Subchapter OCertain
size or other imitation. ¹	Vessels. ²	3, and 4	Miscellaneous Vessels. ^{2 and 5}	Vessels. 2, 3, 5, 7, 8, 7, and 8	ographic Vessels. ^{2, 3,} 6, 7, and 9	Bulk and Dangerous Cargoes.
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Sall, 13 vessels 25 7000 gross forms.	All vessels carrying carrying carrying carrying carrying flammable irammable iramid cargo in bulk. ⁵	in All vessels carrying more than 12 passengers on an international voyage, except recreational vessels not engaged in trade. A) Carry more than 6 passengers-for-hire whether con b Carry more than 12 passengers when chartered with the Carry more than 12 passengers when chartered with the Carry more than 12 passengers when chartered with no crew provided, or color more than 12 passengers when chartered with no crew provided, or color more than 12 passengers when chartered with b) Carry more than 12 passengers when chartered with core was 100 gray at least 1 passengers-for-hire whether chartered or not, or more provided, or color than 12 passengers when chartered with the crew provided, or 2 passengers when chartered with no crew provided, or 2 passengers when chartered with no crew provided, or 2 passengers when chartered with no crew provided, or 2 passengers when chartered with no crew provided or 2 passengers when chartered with 2 passenger so the submersible vessel. (a) These regulations do not apply to-A) Recreational vessels in chargaged in trade. (b) Documented cargo of tank vessels issued a permit to carry 16 or fewer persons in addition to the crew. (c) Teshing vessels, not engaged in cosen or coastwise service, may carry persons on the legitimate business of the vessel in addition to the crew, as restricted by the definition of passenger.	Those vessels carrying dangerous carrying dangerous even required by 46 CFR part 98.	All vessels not covered by columns 2, 3, 4, and 6.	None.	All vessels carging cargoes in bulk cargoes in bulk that are listed in part 153, table 1. or part 154, table 4, or unlisted cargoes that would would otherwise be parts. ¹² these parts. ¹²
Sail, ¹³ vessels >700 gross tons.	All vessels carrying combustible or flammable iliquid cargo in bulk.	i) All vessels carrying passengers or passengers-for-hire, except recreational vessels."	Those vessels carrying dargerous cargoes when required by 46 CFH part 98.	None.	None.	All vessels carrying carrying cargoes in bulk cargoes in bulk that are listed in part 153, table 1 or Part 154, table 4, or unlisted cargoes that would cotherwise be subject to these parts.

Table 90.05-1(a) (continued)

et	Method of		Vessels inspected and certificated under		Vessels subje	Vessels subject to the provisions of	isions of
propula qualifie size or other imitati	propulsion, qualified by size or other limitation. ¹	Subchapter DTank Vessels. ²	Subchapter H-Passenger Vessels ^{2,3,4,and 5} or Subchapter K or T-Small Passenger Vessels. ^{2,}	Subchapter I Cargo and Miscellaneous Vessels. ^{2 and 5}	Subchapter C Uninspected Vessels. 2. 3. 6. 7.	Subchapter U—Ocean- ographic Vessels. ^{3,} 6, 7, and 9	Subchapter OCertain Bulk and Dangerous Cargoes. ¹⁰
Solu	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
(c)	Steam, state of the state of	All vessels carrying combustible or flammable ilquid cargo in bulk, 3 ago in bulk.	in All vessels carrying more than 12 passengers on an international voyage, except recreational vessels not engaged in trade. ii) All vessels < 100 gross fors that- chalded or Carry more than 6 passengers-for-hire whether A Carry more than 12 passengers when chartered with the Carry provided, or C) Carry more than 12 passengers when chartered with no crew provided, or D) Carry more than 12 passengers when chartered with no crew provided, or D) Carry more than 12 passengers when chartered with no crew provided, or D) Carry more than 12 passengers-for-hire whether chartered or not, or when the network provided, or D) Carry more than 12 passengers when chartered with the crew provided, or D) Carry more than 12 passengers when chartered with no crew provided, or D) Carry at least 1 passenger-for-hire and is a submersible vessel. D) Carry at least 1 passenger-for-hire and is a submersible vessel. D) Carry at least 1 passenger or coast or coastwise or or coastwise carry persons in addition to the crew. C) Fishing vessels, not engaged in rade. C) Fishing vessels, not engaged in coast or coastwise service, may carry persons on the legitimate business of the passenger. Everyenes a restricted by the definition of passenger.	All tugboats and towboats. All wessels carrying dangeous cargoes when required by 46 CFR Part 98.	All vessels not covered by columns 2. 3. 4, and 6.	None.	All vessels cargoes in bulk that are in bulk that are listed in part 153, table 1, or part 164, table 4, or unlisted cargoes that would cargoes otherwise be subject to these parts.
(a)	Steam, vessels > 19.8 meters (65 feet) in length.	All vessels carrying combustible or flammable liquid cargo in bulk. ⁵	i) All vessels carrying more than 12 passengers on an international voyage, except recreational vessels not engaged in trade." ii) All vessels < 100 gross tons that— A) Carry more than 6 passengers for thire whether chartered or not, or a gassengers when chartered with the B) Carry more than 6 passengers when chartered with the	All vessels not covered by columns 2, 3, 6, and 7	None.	All vessels engaged in oceanographic research.	All vessels carrying cargoes in bulk that are listed in part 153, table 1, or part 154, table 4, or unlisted cargoes that would

Table 90.05-1(a) (continued)

sions of	Subchapter OCertain Bulk and Dangerous Cargoes.	Column 7	subject to these parts. ⁷²
Vessels subject to the provisions of-	Subchapter 9	Column 6	
Vessels subje	Subchapter C Uninspected Vessels. ^{2, 3, 6, 7,} and 8	Column 5	
	Subchapter I Cargo and Miscellaneous Vessels. ^{2 and 5}	Column 4	
Vessels inspected and certificated under	Subchapter HPassenger Vessels ^{2, 3, 4, and 5} or Subchapter K or TSmall Passenger Vessels. ^{2, 3, and 4}	Column 3	crew provided, or crew provided, or crew provided, or crew provided, or any more than 12 passengers when chartered with no crew provided, or any more by a crew provided, or any crew provided, or any crew provided, or any more than 12 passengers-for-hire whether A) Carry more than 12 passengers when chartered with the crew provided, or B) Carry more than 12 passengers when chartered with no crew provided, or D) Carry and teast 1 passengers when chartered with no crew provided, or D) Carry at least 1 passenger-for-hire and is a submersible vessel. or any fall control and provided or the crew for the crew for crew for the crew for crew for the carry for or lever presson in the legitimate business of the vessel, in addition to the crew as restricted by the definition of passenger.
-	Subchapter DTank Vessels. ²	Column 2	All vessels combustible or flammable liquid cargo in bulk.
Method of	propulsion, qualified by size or other limitation. ¹	Column 1	(B) Steam, vessels > 19.8 m elers (65 feet) in length.

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Key to symbols used in this table: ≤ is less than or equal to, > is greater than, < is less than, and ≥ is greater than or equal to.

2 Subchapters E (Load Lines), F (Marine Engineering), J (Electrical Engineering), N (Dangerous Cargoes), S (Subdivision and Stability), and W (Lifesaving 1 Where length is used in this table, it means the length measured from end to end over the deck, excluding sheer. This expression means a straight line measurement of the overall length from the foremost part of the vessel to the aftermost part of the vessel, measured parallel to the centerline

3 Public nautical schoolships, other than vessels of the Navy and Coast Guard, must meet the requirements of part 167 of subchapter R (Nautical Schools) of this chapter, Civillan nautical schoolships, as defined by 46 U.S.C. 1331, must meet the requirements of subchapter H (Passenger Vessels) and part 168 of Appliances and Arrangements) of this chapter may also be applicable under certain conditions. The provisions of 49 CFR parts 171-179 apply whenever packaged hazardous materials are on board vessels (including motorboats), except when specifically exempted by law. subchapter R (Nautical Schools) of this chapter. 4 Subchapter H (Passenger Vessels) of this chapter covers only those vessels of 100 gross tons or more, subchapter T (Small Passenger Vessels) of this chapter covers only those vessels less than 100 gross tons, and subchapter K (Small Passenger Vessels) of this chapter covers only those vessels less than 100 gross tons carrying more than 150 passengers or overnight accommodations for more than 49 passengers.

5 Vessels covered by subchapter H (Passenger Vessels) or I (Cargo and Miscellaneous Vessels) of this chapter, where the principal purpose or use of the vessel is not for the carriage of liquid cargo, may be granted a permit to carry a limited amount of flammable or combustible liquid cargo in bulk. The portion of the vessel used for the carriage of the flammable or combustible liquid cargo must meet the requirements of subchapter D (Tank Vessels) in addition to the requirements of subchapter H (Passenger Vessels) or I (Cargo and Miscellaneous Vessels) of this chapter.

6 Any vessel on an international voyage is subject to the requirements of the International Convention for Safety of Life at Sea, 1974 (SOLAS).

7 The terms "passenger(s)" and "passenger(s)-for-hire" are as defined in 46 U.S.C. 2101(21)(21a). On oceanographic vessels, scientific personnel onboard shall not be deemed to be passengers nor seamen, but for calculations of lifesaving equipment, etc., must be counted as persons.

8 Boilers and machinery are subject to examination on vessels over 40 feet in length

in oceanographic research, **** Under 46 U.S.C. 443, "an oceanographic research vessel shall not be deemed to be engaged in trade or commerce." If or when an oceanographic vessel engages in trade or commerce, such vessel cannot operate under its certificate of inspection as an oceanographic vessel, but shall be inspected and certificated for the service in which engaged, and the scientific personnel aboard then become persons employed in the business of the vessel. 9 Under 46 U.S.C. 441 and oceanographic research vessel "* * * being employed exclusively in instruction in oceanography or linmology, or both, or exclusively in oceanographic research, * * * ...* Under 46 U.S.C. 443, "an oceanographic research vessel shall not be deemed to be engaged in trade or commerce." If or when an

10 Bulk dangerous cargoes are cargoes specified in table 151.01-10(b); in table 1 of part 153, and in table 4 of part 154 of this chapter

For manned tank barges, see § 151.01-10(c) of this chapter.

See § 151.01-15, 153.900(d), or 154.30 of this chapter as appropriate.

Sail vessel means a vessel with no auxiliary machinery on board. If the vessel has auxiliary machinery, refer to motor vessels 5. ₹

[CGFR 65–50, 30 FR 16970, Dec. 30, 1965, as amended by CGFR 67–83, 33 FR 1109, Jan. 27, 1968; CGFR 70–10, 35 FR 3711, Feb. 25, 1970; CGD 73–96, 42 FR 49025, Sept. 26, 1977; CGD 77–042, 42 FR 63643, Dec. 19, 1977; CGD 86–033, 53 FR 36025, Sept. 16, 1988; CGD 86–033, 53 FR 46871, Nov. 21, 1988; CGD 90–008, 55 FR 30661, July 26, 1990; USCG–1999–5040, 67 FR 34792, May 15, 2002]