

Subpart A—General Provisions**§ 178.115 Applicability to existing vessels.**

An existing vessel must comply with the intact stability and seaworthiness regulations which were applicable to the vessel on March 10, 1996, or, as an alternative, the vessel may comply with the regulations in this part.

Subpart B—Stability Instructions for Operating Personnel**§ 178.210 Stability information.**

(a) Stability information (stability details indicated on the Certificate of Inspection, a stability letter, or a stability booklet) is required on certain vessels by paragraphs (b) or (c) of this section. Enough stability information, including stability calculations and assumptions made to use them, must be provided to allow the master to be able to determine operating guidelines, loading restrictions, and ensure compliance with the applicable intact and damage stability regulations of this chapter.

(b) A vessel which, under § 178.310, must comply with requirements in subchapter S of this chapter, must have stability details on the vessel's Certificate of Inspection, a stability letter issued by the cognizant Officer in Charge, Marine Inspection (OCMI) or the Commanding Officer, Marine Safety Center, or an approved stability booklet. The form in which the stability information must be contained (*i.e.*, stability details on the Certificate of Inspection, a stability letter, or a stability booklet) will be determined by the Commanding Officer, Marine Safety Center.

(c) When necessary for safe operation, the cognizant OCMI may place specific stability restrictions in a stability letter or on the Certificate of Inspection of a vessel of not more than 19.8 meters (65 feet) in length, which, under § 178.310 of this part, must comply with the requirements of § 178.320 of this part.

§ 178.220 Stability booklet.

When the Commanding Officer, Marine Safety Center determines, in ac-

cordance with § 178.210(b), that a vessel must have a stability booklet, the owner or operator must prepare the booklet in accordance with subchapter S of this chapter, and submit it to the Commanding Officer, Marine Safety Center.

§ 178.230 Stability letter or Certificate of Inspection stability details.

(a) When the cognizant OCMI or the Commanding Officer, Marine Safety Center determines, in accordance with § 178.210, that a vessel must have stability details indicated on its Certificate of Inspection or a stability letter, the owner or operator must submit the information listed in paragraph (b) of this section:

(1) If § 178.210(c) is applicable, to the OCMI for approval; or

(2) If § 178.210(b) is applicable, to the Commanding Officer, Marine Safety Center for approval.

(b) The following applicable information, and the necessary calculations used to determine that information, must be submitted as required by paragraph (a) of this section:

(1) Allowable number of passengers and crew on each deck;

(2) Deepest waterline drafts or freeboard;

(3) Location of watertight bulkheads and openings in watertight bulkheads;

(4) Explanation of the vessel's subdivision and specific identification of the vessel's subdivision bulkheads;

(5) Location of openings through watertight bulkheads, such as watertight doors, which must be closed to limit flooding in an emergency;

(6) Location, type and amount of fixed ballast;

(7) Location and details of foam flotation material; and

(8) Maximum weight of portable equipment permitted on the vessel including diving equipment.

Subpart C—Intact Stability Standards**§ 178.310 Applicability based on length and passenger capacity.**

(a) A vessel of not more than 19.8 meters (65 feet) in length must meet the applicable requirements of § 178.320 or 178.325, or of §§ 170.170, 170.173, and

171.050 in subchapter S of this chapter, if:

- (1) Carrying not more than 150 passengers on a domestic voyage;
- (2) Carrying not more than 12 passengers on an international voyage; or
- (3) It has not more than one deck above the bulkhead deck, exclusive of a pilot house.

(b) The following vessels must meet the appropriate requirements of §§170.170, 170.173, 171.050, 171.055, and 171.057 in subchapter S of this chapter:

- (1) A vessel of more than 19.8 meters (65 feet) in length;
- (2) A vessel carrying more than 12 passengers on an international voyage; and
- (3) A vessel with more than 1 deck above the bulkhead deck exclusive of a pilot house.

[CGD 85-080, 61 FR 966, Jan. 10, 1996, as amended at 62 FR 51356, Sept. 30, 1997]

§ 178.320 Intact stability requirements.

(a) A vessel, except a pontoon vessel operating on protected waters, must undergo a simplified stability proof test in accordance with §178.330 of this part in the presence of a Coast Guard marine inspector.

(b) A pontoon vessel operating on protected waters must undergo a simplified stability proof test in accordance with §178.340 of this part in the presence of a Coast Guard marine inspector.

(c) The cognizant OCMI may dispense with the simplified stability proof test in §178.330 for a vessel carrying not more than 49 passengers where it can be established that, due to the form, arrangement, construction, number of decks, route, and operating restrictions of the vessel, the vessel's stability can be safely determined without such a test. Vessels which carry deck cargo must undergo a simplified stability proof test.

(d) A vessel whose stability is questioned by the cognizant OCMI must be shown by design calculations to meet the applicable stability criteria of §§170.170, 170.173, and 171.050 in subchapter S of this chapter in each condition of loading and operation.

(e) A simplified stability proof test in accordance with §178.330 is conducted to determine if a vessel, as built and

operated, has a minimum level of initial stability. Failure of the simplified test does not necessarily mean that the vessel lacks stability for the intended route, service, and operating condition, but that calculations or other methods must be used to evaluate the stability of the vessel.

[CGD 85-080, 61 FR 966, Jan. 10, 1996; 61 FR 20557, May 7, 1996]

§ 178.325 Intact stability requirements for a sailing vessel.

(a) Except as provided in paragraphs (b), (c) and (e) of this section, each sailing vessel must undergo a simplified stability proof test in accordance with §178.330 of this part in the presence of a Coast Guard marine inspector.

(b) Each of the following sailing vessels must meet the intact stability standards of §§170.170 and 171.055 in subchapter S of this chapter:

- (1) A vessel to be operated on exposed waters;
- (2) A vessel to be operated during non-daylight hours;
- (3) A vessel of unusual type, rig, or hull form, including vessels without a weathertight deck, such as open boats;
- (4) A vessel that carries more than 49 passengers;
- (5) A sailing school vessel that carries a combined total of six or more sailing school students or instructors;
- (6) A vessel on which downflooding occurs at angles of 60° or less; and
- (7) A vessel which has a cockpit longer than Length Over Deck (LOD)/5.

(c) A catamaran must meet the intact stability requirements of §171.057 in subchapter S of this chapter while under sail as well as the intact stability requirements of §170.170 in subchapter S of this chapter or §178.320 under barepoles (if an auxiliary sailing vessel) and with storm sails set and trimmed flat (if a sailing vessel).

(d) A sailing vessel that is not listed in paragraph (b) or (c) of this section and operates on partially protected waters must be equipped with a self-bailing cockpit.

(e) The cognizant OCMI may perform operational tests to determine whether the vessel has adequate stability and satisfactory handling characteristics