

Coast Guard, DHS

§ 2.01-80

§ 2.01-45 Excursion permit.

(a) Under 46 U.S.C. 2113, the Coast Guard may issue a permit to the owner, operator, or agent of a passenger vessel, allowing the vessel to engage in excursions that carry additional numbers of passengers, extend an existing route, or both. Details concerning the application process for excursion permits for inspected passenger vessels are contained in §§ 71.10, 115.204, or 176.204 of this chapter. Details concerning the application process for special permits for uninspected passenger vessels are contained in § 26.03-6 of this chapter.

(b) For Marine Events of National Significance, as determined by the Commandant, U.S. Coast Guard, a vessel may be permitted to engage in these events while carrying passengers-for-hire for the duration of the event. Event sponsors must request this determination in writing from the Commandant (CG-54) at least 1 year prior to the event. Details concerning the application process for special permits for Marine Events of National Significance are contained in § 26.03-8 of this chapter.

(c) The application for an excursion permit is made by the master, owner, or agent of the vessel to the Officer in Charge, Marine Inspection, on Coast Guard Form CG-950, Application for Excursion Permit. If, after inspection, permission is granted, it is given on Coast Guard form CG-949, Permission to Carry Excursion Party. The permit describes the vessel, the route over which and the period during which the excursions may be made, and the safety equipment required for the additional persons indicated.

[USCG-1999-5040, 67 FR 34767, May 15, 2002]

§ 2.01-50 Persons other than crew on towing, oyster, or fishing steam vessels.

(a) A steam vessel engaged in towing, oyster dredging and planting, and fishing may be permitted to carry persons in addition to its crew.

(b) The application for a permit to carry such persons may be included in the application described in § 2.01-1. If

granted it is endorsed on the certificate of inspection.

[CGFR 65-50, 30 FR 16604, Dec. 30, 1965, as amended by CGD 95-028, 62 FR 51195, Sept. 30, 1997]

§ 2.01-60 Overtime compensation.

(a) *General.* Extra compensations for overtime services performed by inspectors of vessels and their assistants who may be required to remain on duty between the hours of 5:00 p.m. and 8:00 a.m. or on Sundays or holidays to perform services in connection with the inspection of vessels or their equipment, supplying or signing on or discharging crews of vessels is authorized by 46 U.S.C. 2111 and regulations in part 9 of this chapter, together with the method of computing such extra compensation.

(b) *Application and certification of time.* Application for the performance of such overtime services and certification of services performed is made by the master, owner, or agent of a vessel to the Officer in Charge, Marine Inspection, on Form CG-830, Application for and Certificate of Overtime Service.

(c) *Collection.* The bill for the collection of the overtime compensation is submitted by the Officer in Charge, Marine Inspection to the master, owner, or agent on whose vessel overtime services are performed on Form CG-832, Bill for Collection Overtime Services. Payment is made to the Collector of Customs of the port designated.

[CGFR 65-50, 30 FR 16604, Dec. 30, 1965, as amended by CGD 97-057, 62 FR 51041, Sept. 30, 1997; USCG-2000-7790, 65 FR 58458, Sept. 29, 2000]

§ 2.01-70 Right of appeal.

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

[CGD 88-033, 54 FR 50379, Dec. 6, 1989]

§ 2.01-80 Vessel inspections in Alaska.

(a) The waters of southeastern Alaska inside of the general trend of the shore from Cape Spencer, southeasterly to Cape Muzon, and thence easterly to Sitklan Island, shall be considered as

bays, sounds, and lakes other than the Great Lakes, for the purpose of administering the vessel inspection laws and applicable regulations in this chapter.

Subpart 2.10—Fees

SOURCE: CGD 91-030, 60 FR 13563, Mar. 13, 1995, unless otherwise noted.

§ 2.10-1 Applicability.

(a) This subpart establishes vessel inspection fees for all vessels required to have a Certificate of Inspection and vessel examination fees for all foreign vessels required to have a Certificate of Compliance.

(b) The fees in this subpart do not apply to:

- (1) Vessels being inspected for the initial issuance of a Certificate of Inspection;
- (2) Foreign passenger vessels;
- (3) Training vessels operated by State maritime academies;
- (4) Public vessels of the United States except for Maritime Administration vessels; and
- (5) Publicly owned ferries.

[CGD 91-030, 60 FR 13563, Mar. 13, 1995, as amended by CGD 96-067, 62 FR 19232, Apr. 21, 1997; USCG-2010-0759, 75 FR 60001, Sept. 29, 2010]

§ 2.10-5 Exemptions.

(a) Vessels owned or operated by a non-profit organization may be exempted from payment of the fees required by this subpart, only if the vessel is used exclusively for one or more of the following:

- (1) Training youth in boating, seamanship, or navigation skills;
- (2) Educating youth in a course of marine environmental studies;
- (3) Providing excursions for persons with disabilities as defined under the Americans with Disabilities Act (ADA) [42 U.S.C. 12102(2)]; or
- (4) Providing medical services.

(b) Vessels owned or operated by the Federal government or the government of any State or political subdivision thereunder may be exempted from the fees required by this subpart provided the vessel is used exclusively for one or more of the purposes listed in paragraph (a) of this section.

(c) The term *used exclusively* in paragraphs (a) and (b) of this section does not preclude:

- (1) The carriage of adult volunteers or crew, or
- (2) The vessel's use for fundraising activities without regard to the age of the participants aboard the vessel, provided revenues raised are for the operation and maintenance of the vessel and that such fundraising activities do not exceed one day of fundraising for each month of the vessel's operating season.

(d) Vessel owners or operators may submit a written request for exemption to the Officer in Charge, Marine Inspection, of the Marine Inspection Zone in which the vessel normally operates. The exemption request must provide the vessel name, the vessel identification number, and evidence that the organization and the vessel meet the criteria set forth in this section. The Officer in Charge, Marine Inspection will endorse and forward the request to Commandant (CG-DCO-83) for decision.

[CGD 96-067, 62 FR 19232, Apr. 21, 1997, as amended by CDG 96-067, 63 FR 59474, Nov. 4, 1998; USCG-2010-0759, 75 FR 60001, Sept. 29, 2010]

§ 2.10-10 Waivers.

The Commandant (CG-DCO-83) will waive collection of vessel inspection fees in this subpart for a Federally-owned or operated vessel if the fee would be directly paid by an agency acting as the vessel owner using Federal appropriated funds. By October 1 of each year, Federal agencies shall provide Commandant (CG-DCO-83) with a list of the names and vessel identification numbers of vessels for which a fee waiver is requested.

[CGD 91-030, 60 FR 13563, Mar. 13, 1995, as amended by CGD 95-072, 60 FR 50459, Sept. 29, 1995; CGD 96-041, 61 FR 50725, Sept. 27, 1996; USCG-2010-0759, 75 FR 60001, Sept. 29, 2010]

§ 2.10-20 General requirements.

(a) Unless otherwise specified, vessel owners must pay the fees required by this subpart before inspection or examination services are provided.

(b) Fees required by this subpart must be paid in U.S. currency by check or money order, drawn on a U.S. bank, and made payable to the U.S. Treasury.