

SUBCHAPTER C—UNINSPECTED VESSELS

PART 24—GENERAL PROVISIONS

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AUTHORITY: 46 U.S.C. 2103, 2113, 4302; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277, sec. 1-105; Department of Homeland Security Delegation No. 0170.1(II)(92)(a), (92)(b).

SOURCE: CGFR 65-50, 30 FR 16650, Dec. 30, 1965, unless otherwise noted.

Subpart 24.01—Purpose

§ 24.01-1 Purpose of regulations.

The purpose of the regulations in this subchapter is to set forth uniform minimum requirements for uninspected commercial vessels, certain motor vessels, vessels propelled by sail carrying passengers for hire, and barges carrying passengers for hire.

[CGD 95-028, 62 FR 51196, Sept. 30, 1997]

§ 24.01-7 Right of appeal.

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 subpart 1.03 of this chapter.

[CGD 88-033, 54 FR 50380, Dec. 6, 1989]

Subpart 24.05—Application

§ 24.05-1 Vessels subject to the requirements of this subchapter.

(a) This subchapter is applicable to all vessels indicated in column 5 of table 2.01-7(a), and is applicable to all such U.S.-flag vessels, and to all such foreign-flag vessels, except as follows:

(1) Any vessel operating exclusively on inland waters which are not navigable waters of the United States.

(2) Any vessel while laid up and dismantled and out of commission.

(3) 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.

[CGFR 65-50, 30 FR 16650, Dec. 30, 1965]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 24.05-1, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 24.05-5 Specific application noted in text.

(a) At the beginning of the various parts, subparts, and sections, a more specific application is generally given for the particular portion of the text involved. This application sets forth the types, sizes, or services of vessels to which the text pertains, and in many cases limits the application of the text to vessels contracted for before or after a specific date. As used in this subchapter, the term *vessels contracted for* includes not only the contracting for the construction of a vessel, but also the contracting for a material alteration to a vessel, the contracting for the conversion of a vessel to a passenger vessel, and the changing of service or route of a vessel if such change increases or modifies the general requirements for the vessel or increases the hazards to which it might be subjected.

(b) [Reserved]

Subpart 24.10—Definition of Terms Used in This Subchapter

SOURCE: USCG-1999-5040, 67 FR 34775, May 15, 2002, unless otherwise noted.

§ 24.10-1 Definitions.

Approved means approved by the Commandant, unless otherwise stated.

Barge means a non-self-propelled vessel.

Carrying freight for hire means the carriage of any goods, wares, or merchandise, or any other freight for a consideration, whether directly or indirectly flowing to the owner, charterer, operator, agent, or any other person interested in the vessel.

Coast Guard District Commander means an officer of the Coast Guard designated as such by the Commandant to command all Coast Guard activities within his or her district, which includes the inspection, enforcement, and administration of Subtitle II, Title 46 U.S. Code; Title 33 U.S. Code; and regulations issued under these statutes.

Commandant means the Commandant of the United States Coast Guard.

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.

Headquarters means the Office of the Commandant, United States Coast Guard, Washington, DC.

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.

Marine inspector or *inspector* means any person from the civilian or military branch of the Coast Guard assigned under the direction of an Officer in Charge, Marine Inspection, or any other person designated to perform duties related to the inspection, enforcement, and administration of Subtitle II, Title 46 U.S. Code; Title 33 U.S. Code; and regulations issued under these statutes.

Motor vessel means any vessel more than 65 feet in length, which is propelled by machinery other than steam.

Motorboat means any vessel indicated in column five of table 24.05-1(a) in § 24.05-1, 65 feet in length or less, which is equipped with propulsion machinery (including steam). The length must be measured from end-to-end over the deck, excluding sheer. This term includes a boat equipped with a detachable motor. For the purpose of this subchapter, motorboats are included under the term *vessel*, unless specifically noted otherwise.

(1) The various length categories of motorboats are as follows:

(i) Any motorboat less than 16 feet in length.

(ii) Any motorboat 16 feet or over and less than 26 feet in length.

(iii) Any motorboat 26 feet or over and less than 40 feet in length.

(iv) Any motorboat 40 feet or over and not more than 65 feet in length.

(2) The expression “length must be measured from end-to-end over the deck excluding sheer” 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. Bowsprits, bumpkins, rudders, outboard motor brackets, and similar fittings or attachments, are not to be included in the measurement. Length must be stated in feet and inches.

Oceans means a route that goes beyond 20 nautical miles offshore on any of the following waters:

(1) Any ocean.

(2) The Gulf of Mexico.

(3) The Caribbean Sea.

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- (4) The Bering Sea.
- (5) The Gulf of Alaska.
- (6) Such other similar waters as may be designated by a Coast Guard District Commander.

Officer in Charge, Marine Inspection or *OCMI* means any person from the civilian or military branch 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 an inspection zone for performance of duties related to the inspection, enforcement, and administration of Subtitle II, Title 46 U.S. Code; Title 33 U.S. Code; and regulations issued under these statutes.

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 onboard services.

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.

Survival craft, when used on an uninspected passenger vessel over 100 gross tons means a lifeboat, inflatable liferaft, inflatable buoyant apparatus, or small boat.

Vessel, as used in this subpart includes all vessels indicated in column five of table 24.05-1(a) in §24.05-1, unless otherwise noted in this subpart.

Uninspected passenger vessel means an uninspected vessel—

- (1) Of at least 100 gross tons;
 - (i) Carrying not more than 12 passengers, including at least one passenger-for-hire; or
 - (ii) That is chartered with the crew provided or specified by the owner or the owner's representative and carrying not more than 12 passengers; and
- (2) Of less than 100 gross tons;
 - (i) Carrying not more than six passengers, including at least one passenger-for-hire; or

- (ii) That is chartered with the crew provided or specified by the owner or the owner's representative and carrying not more than six passengers.

Subpart 24.15—Equivalents

§ 24.15-1 Conditions under which equivalents may be used.

(a) Where in this subchapter it is provided that a particular fitting, material, appliance, apparatus, or equipment, or type thereof, shall be fitted or carried in a vessel, or that any particular provision shall be made or arrangement shall be adopted, the Commandant may accept in substitution therefor any other fitting, material, apparatus, or equipment, or type thereof, or any other arrangement: *Provided*, That he shall have been satisfied by suitable trials that the fitting, material, appliance, apparatus, or equipment, or type thereof, or the provision or arrangement is at least as effective as that specified in this subchapter.

(b) In any case where it is shown to the satisfaction of the Commandant that the use of any particular equipment, apparatus, or arrangement not specifically required by law is unreasonable or impracticable, the Commandant may permit the use of alternate equipment, apparatus, or arrangement to such an extent and upon such conditions as will insure to his satisfaction, a degree of safety consistent with the minimum standards set forth in this subchapter.

§ 24.15-5 Canadian pleasure craft temporarily using navigable waters of the United States.

Uninspected Canadian pleasure craft (uninspected vessels) temporarily using navigable waters of the United States may carry in lieu of the equipment required by this subchapter, the equipment as required by the laws of the Dominion of Canada and the regulations of the Department of Transport, Ottawa, Canada.

[CGFR 65-50, 30 FR 16650, Dec. 30, 1965, as amended by CGD 95-028, 62 FR 51196, Sept. 30, 1997]

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Subpart 24.20—General Marine Engineering Requirements

§ 24.20-1 Marine engineering details.

All marine engineering details relative to the design, construction, and testing of boilers and machinery on steam-propelled motorboats of over 40 feet in length will be found in subchapter F (Marine Engineering) of this chapter.

[USCG-2012-0832, 77 FR 59775, Oct. 1, 2012]

PART 25—REQUIREMENTS

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Subpart 25.30—Fire Extinguishing Equipment

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- 25.30-10 Hand-portable fire extinguishers and semi-portable fire-extinguishing systems.
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Subpart 25.45—Cooking, Heating, and Lighting Systems

- 25.45-1 Heating and lighting systems on vessels carrying passengers for hire.
- 25.45-2 Cooking systems on vessels carrying passengers for hire.

Subpart 25.50—Garbage Retention

- 25.50-1 Criteria.

AUTHORITY: 33 U.S.C. 1903(b); 46 U.S.C. 2103, 3306, 4102, 4302; Department of Homeland Security Delegation No. 0170.1(II)(77), (92)(a), (92)(b).

SOURCE: CGFR 65-50, 30 FR 16653, Dec. 30, 1965, unless otherwise noted.

Subpart 25.01—Application

§ 25.01-1 Applicable to all vessels.

The provisions of this part shall apply to all vessels except as specifically noted.

NOTE TO § 25.01-1: 33 CFR parts 175, 177, 179, 181 and 183 contain additional regulations applicable to Uninspected Passenger Vessels.

[USCG-2012-0832, 77 FR 59775, Oct. 1, 2012]

§ 25.01-3 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a). To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish notice of change in the FEDERAL REGISTER and make the material available to the public. All approved material is on file at the Coast Guard Headquarters. Contact Commandant (CG-CVC), Attn: Office of Commercial Vessel Compliance, U.S. Coast Guard