

§ 169.112 Special consideration.

In applying the provisions of this part, the Officer in Charge, Marine Inspection, may give special consideration to departures from the specific requirements when special circumstances or arrangements warrant such departures and an equivalent level of safety is provided.

§ 169.113 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 50381, Dec. 6, 1989]

§ 169.115 Incorporation by reference.

(a) In this subchapter portions or the entire text of certain industrial standards and specifications are referred to as the governing requirements for materials, equipment, tests, or procedures to be followed. These standards and specification requirements specifically referred to in this subchapter are the governing requirements for the subject matters covered unless specifically limited, modified, or replaced by other regulations in this subchapter.

(b) These materials are incorporated by reference into this part with the approval of the Director of the Federal Register. The Office of the Federal Register publishes a table, "Material Approved for Incorporation by Reference," which appears in the Finding Aids section of this volume. In that table is found citations to the particular sections of this part where the material is incorporated with the approval by the Director of the Federal Register. To enforce any edition other than the one listed in paragraph (c) of this section, notice of change must be published in the FEDERAL REGISTER and the material must be made available. All approved material is on file at the Office of the Federal Register, Washington, DC 20408 and at the U.S. Coast Guard, Office of Design and Engineering Standards, Washington DC 20593.

(c) The materials approved for incorporation by reference in this part are:

- (1) American Boat and Yacht Council (ABYC), 3069 Solomons Island Road, Edgewater, MD 21037
 - P-1-73—"Safe Installation of Exhaust Systems for Propulsion and Auxiliary Engines" (1973)
 - H-24.9 (g) and (h)—"Fuel Strainers and Fuel Filters" (1975)
 - H-2.5—"Ventilation of Boats Using Gasoline—Design and Construction" (1981)
 - A-1-78—"Marine LPG—Liquefied Petroleum Gas Systems"
 - A-3-70—"Recommended Practices and Standards Covering Galley Stoves"
 - A-22-78—"Marine CNG—Compressed Natural Gas Systems"
- (2) National Bureau of Standards, c/o Superintendent of Documents, U.S. Government Printing Office, Washington D.C. 20402
 - Special Pub. 440 (SD Cat. No. C13.10:490), "Color: Universal Language and Dictionary of Names", 1976
- (3) National Fire Protection Association (NFPA), 1 Batterymarch Park, Quincy, MA 02269
 - 302—"Pleasure and Commercial Motor Craft," Chapter 6 (1980)
 - 306—"Control of Gas Hazards on Vessels" (1980)
 - 70—"National Electrical Code," Article 310-8 and Table 310-13 (1980)
- (4) Naval Publications and Forms Center, Customer Service Code 1052, 5801 Tabor Ave., Philadelphia, PA 19120
 - Federal Specification ZZ-H-451 "Hose, Fire, Woven-Jacketed Rubber or Cambric-Lined, with Couplings, F."
- (5) Underwriters Laboratories, Inc. (UL), 12 Laboratory Drive, Research Triangle Park, NC 27709-3995
 - UL 19-78—"Woven Jacketed, Rubber Lined Fire Hose"

[CGD 83-005, 51 FR 896, Jan. 9, 1986, as amended by CGD 95-072, 60 FR 50468, Sept. 29, 1995; CGD 96-041, 61 FR 50734, Sept. 27, 1996; USCG-1999-6216, 64 FR 53228, Oct. 1, 1999]

§ 169.117 OMB control numbers.

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and record-keeping requirements in this subchapter by the Office of Management

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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 OMB for each approved agency information collection requirement.

(b) Display.

46 CFR part—	OMB control No.
§ 169.111	2115-0517
§ 169.201	2115-0517
§ 169.205	2115-0007, 2115-0517,
	2115-0546
§ 169.211	2115-0517
§ 169.213	2115-0517
§ 169.215	2115-0517
§ 169.217	2115-0517
§ 169.218	2115-0546
§ 169.219	2115-0546
§ 169.233	2115-0554
§ 169.235	2115-0517
§ 169.305	2115-0095
§ 169.509	2115-0132
§ 169.807	2115-0003
§ 169.813	2115-0546
§ 169.840	2115-0589
§ 169.841	2115-0546, 2115-0071
§ 169.857	2115-0546.

[CGD 83-005, 51 FR 896, Jan. 9, 1986, as amended by CGD 88-072, 53 FR 34298, Sept. 6, 1988; CGD 89-037, 57 FR 41824, Sept. 11, 1992]

§ 169.119 Vessel status.

For the purpose of 46 U.S.C. 11101, 46 App. U.S.C. 291 and 46 App. U.S.C. 883 a sailing school vessel is not deemed a merchant vessel or a vessel engaged in trade or commerce.

§ 169.121 Loadlines.

Sailing school vessels must meet the applicable loadline regulations contained in Subchapter E (Load Lines) of this chapter.

Subpart 169.200—Inspection and Certification

CERTIFICATE OF INSPECTION

§ 169.201 When required.

(a) No sailing school vessel shall be operated without a valid Certificate of Inspection, Form CG-3753.

(b) Except as noted in this subpart, each sailing school vessel inspected and certificated under the provisions of this subchapter must, during the ten-

ure of the certificate, be in full compliance with the terms of the certificate when carrying six or more individuals who are sailing school students or sailing school instructors.

(c) If necessary to prevent delay of the vessel, a temporary Certificate of Inspection, Form CG-854, is issued pending the issuance and delivery of the regular Certificate of Inspection, Form CG-3753. The temporary certificate is carried in the same manner as the regular certificate and is considered the same as the regular certificate of inspection which it represents.

§ 169.203 Description.

The certificate of inspection issued to a vessel describes the vessel, the route which it may travel, the minimum manning requirements, the major lifesaving equipment carried, the minimum fire extinguishing equipment and life preservers required to be carried, the maximum number of sailing school students and instructors and the maximum number of persons which may be carried, the name of the owner and operator, and such conditions of operations as may be determined by the Officer in Charge, Marine Inspection.

§ 169.205 Obtaining or renewing a Certificate of Inspection.

(a) A qualified organization attempting to obtain or renew a certificate of inspection for a vessel must submit to the Coast Guard Officer in Charge, Marine Inspection located in or nearest the port at which the inspection is to be made, the following—

(1) An application for inspection on Form CG-3752; and

(2) Evidence that the vessel has been designated as a sailing school vessel or an application for designation, as set forth in § 169.218; and

(3) Information concerning the program's age and physical qualifications for students and instructors and the ratio of students to instructors.

(b) The application for initial inspection of a vessel being newly constructed or converted must be submitted prior to the start of such construction or conversion.

(c) The construction, arrangement and equipment of all vessels must be