

*Nonstructural.* The term “non-structural” means that the item is not rigidly fixed to the vessel and is thus susceptible to relocation or alteration.

*Not essential to navigation.* The term “not essential to navigation” means the nonstructural vessel appurtenance does not adversely affect the vessel’s piloting, propulsion, control, or collision avoidance capabilities when in the lowered position.

[CGD 91–059, 59 FR 16563, Apr. 7, 1994]

**§ 117.5 When the draw shall open.**

Except as otherwise required by this subpart, drawbridges shall open promptly and fully for the passage of vessels when a request to open is given in accordance with this subpart.

EDITORIAL NOTE: For FEDERAL REGISTER citations relating to temporary deviations from the regulatory provisions in § 117.5, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

**§ 117.7 General duties of drawbridge owners and tenders.**

(a) Drawbridge owners and tenders shall operate the draw in accordance with the requirement in this part.

(b) Except for drawbridges not required to open for the passage of vessels, owners of drawbridges shall ensure that:

(1) The necessary drawtenders are provided for the safe and prompt opening of the draw;

(2) The operating machinery of the draw is maintained in a serviceable condition; and

(3) The draws are operated at sufficient intervals to assure their satisfactory operation.

**§ 117.9 Delaying opening of a draw.**

No person shall unreasonably delay the opening of a draw after the signals required by § 117.15 have been given.

NOTE: Trains are usually controlled by the block method. That is, the track is divided into blocks or segments of a mile or more in length. When a train is in a block with a drawbridge, the draw may not be able to open until the train has passed out of the block and the yardmaster or other manager has “unlocked” the drawbridge controls. The maximum time permitted for delay is defined in Subpart B for each affected bridge.

Land and water traffic should pass over or through the draw as soon as possible in order to prevent unnecessary delays in the opening and closure of the draw.

**§ 117.11 Unnecessary opening of the draw.**

No vessel owner or operator shall—

(a) Signal a drawbridge to open if the vertical clearance is sufficient to allow the vessel, after all lowerable non-structural vessel appurtenances that are not essential to navigation have been lowered, to safely pass under the drawbridge in the closed position; or

(b) Signal a drawbridge to open for any purpose other than to pass through the drawbridge opening.

[CGD 91–059, 59 FR 16563, Apr. 7, 1994]

**§ 117.15 Signals.**

(a) *General.* (1) The operator of each vessel requesting a drawbridge to open shall signal the drawtender and the drawtender shall acknowledge that signal. The signal shall be repeated until acknowledged in some manner by the drawtender before proceeding.

(2) The signals used to request the opening of the draw and to acknowledge that request shall be sound signals, visual signals, or radiotelephone communications described in this subpart.

(3) Any of the means of signaling described in this subpart sufficient to alert the party being signaled may be used.

(b) *Sound signals.* (1) Sound signals shall be made by whistle, horn, megaphone, hailer, or other device capable of producing the described signals loud enough to be heard by the drawtender.

(2) As used in this section, “prolonged blast” means a blast of four to six seconds duration and “short blast” means a blast of approximately one second duration.

(3) The sound signal to request the opening of a draw is one prolonged blast followed by one short blast sounded not more than three seconds after the prolonged blast. For vessels required to be passed through a draw during a scheduled closure period, the sound signal to request the opening of the draw during that period is five short blasts sounded in rapid succession.

(4) When the draw can be opened immediately, the sound signal to acknowledge a request to open the draw is one prolonged blast followed by one short blast sounded not more than 30 seconds after the requesting signal.

(5) When the draw cannot be opened immediately, or is open and shall be closed promptly, the sound signal to acknowledge a request to open the draw is five short blasts sounded in rapid succession not more than 30 seconds after the vessel's opening signal. The signal shall be repeated until acknowledged in some manner by the requesting vessel.

(c) *Visual signals.* (1) The visual signal to request the opening of a draw is—

(i) A white flag raised and lowered vertically; or

(ii) A white, amber, or green light raised and lowered vertically.

(2) When the draw can be opened immediately, the visual signal to acknowledge a request to open the draw, given not more than 30 seconds after the vessel's opening signal, is—

(i) A white flag raised and lowered vertically;

(ii) A white, amber, or green light raised and lowered vertically; or

(iii) A fixed or flashing white, amber, or green light or lights.

(3) When the draw cannot be opened immediately, or is open and must be closed promptly, the visual signal to acknowledge a request to open the draw is—

(i) A red flag or red light swung back and forth horizontally in full sight of the vessel given not more than 30 seconds after the vessel's opening signal; or

(ii) A fixed or flashing red light or lights given not more than 30 seconds after the vessel's opening signal.

(4) The acknowledging signal when the draw cannot open immediately or is open and must be closed promptly shall be repeated until acknowledged in some manner by the requesting vessel.

(d) *Radio telephone communications.* (1) Radiotelephones may be used to communicate the same information provided by sound and visual signals.

NOTE: Call signs and radio channels for drawbridges with radiotelephones are listed in Appendix A to this part.

(2) The vessel and the drawtender shall monitor the frequency used until the vessel has cleared the draw.

(3) When radiotelephone contact cannot be initiated or maintained, sound or visual signals under this section shall be used.

[CGD 82-025, 49 FR 17452, Apr. 24, 1984, as amended by CGD 82-025, 50 FR 11366, Mar. 21, 1985; CGD 84-022, 51 FR 16308, May 2, 1986; CGD 96-026, 61 FR 33664, June 28, 1996]

#### **§ 117.17 Signalling for contiguous drawbridges.**

When a vessel must pass two or more drawbridges close together, the opening signal is given for the first bridge. After acknowledgment from the first bridge that it will promptly open, the opening signal is given for the second bridge, and so on until all bridges that the vessel must pass have been given the opening signal and have acknowledged that they will open promptly.

#### **§ 117.19 Signalling when two or more vessels are approaching a drawbridge.**

When two or more vessels are approaching the same drawbridge at the same time, or nearly the same, time, whether from the same or opposite directions, each vessel shall signal independently for the opening of the draw and the drawtender shall reply in turn to the signal of each vessel. The drawtender need not reply to signals by vessels accumulated at the bridge for passage during a scheduled open period.

#### **§ 117.21 Signalling for an opened drawbridge.**

When a vessel approaches a drawbridge with the draw in the open position, the vessel shall give the opening signal. If no acknowledgment is received within 30 seconds, the vessel may proceed, with caution, through the open draw.

#### **§ 117.23 Installation of radiotelephones.**

(a) When the District Commander deems it necessary for reasons of safety of navigation, the District Commander may require the installation and operation of a radiotelephone on or near a drawbridge.