

§ 167.01-7

(c) Documented nautical school ships of 500 gross tons or more, on international voyages, shall comply with the standards of the International Convention for Safety of Life at Sea, 1974, for cargo vessels.

[CGFR 51-11, 16 FR 3218, Apr. 12, 1951, as amended by CGFR 69-127, 35 FR 9982, June 17, 1970; CGD 90-008, 55 FR 30663, July 26, 1990]

§ 167.01-7 Ocean or unlimited coastwise vessels on inland and Great Lakes routes.

(a) Vessels inspected and certificated for ocean or unlimited coastwise routes shall be considered suitable for navigation insofar as the provisions of this subchapter are concerned on any inland route, including the Great Lakes.

[CGFR 59-10, 24 FR 3240, Apr. 25, 1959]

§ 167.01-8 Inspection of school ships using gross tonnage criterion.

(a) One of the criteria used for invocation of safety standards is the descriptions of school ships by relative sizes in gross tonnages. When it is determined in accordance with § 70.05-20 of this chapter that a particular school ship has a Bureau of Customs' assigned gross register tonnage which is not indicative of the relative physical size of the vessel, the requirements in this part and the manning shall be that applicable to a vessel of the greater relative size.

[CGFR 60-50, 25 FR 7982, Aug. 18, 1960]

§ 167.01-10 Effective date of regulations.

(a) The regulations in this part shall be in effect on and after July 1, 1951: *Provided*, That amendments, revisions, or additions shall become effective 90 days after the date of publication in the FEDERAL REGISTER unless the Commandant shall fix a different time.

(b) Amendments to regulations in this part will not be retroactive in effect unless specifically made so at the time the amendments are issued.

§ 167.01-15 Specifications for articles or materials.

Articles of equipment or materials used in the equipment or the construction of vessels, which conform to the specifications of the Navy or Coast

46 CFR Ch. I (10-1-04 Edition)

Guard or their approved equivalent, may be accepted.

§ 167.01-20 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

(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 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 the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No
§ 167.15-35	1625-0032
§ 167.65-38	1625-0064
§ 167.65-42	1625-0064

[CGD 88-072, 53 FR 34298, Sept. 6, 1988, as amended by CGD 89-037, 57 FR 41824, Sept. 11, 1992; USCG-2004-18884, 69 FR 58350, Sept. 30, 2004]

Subpart 167.05—Definitions

§ 167.05-1 Definition of terms.

Certain terms used in the regulations of this part are defined in this subpart.

§ 167.05-5 Approved.

This term means approved by the Commandant unless otherwise stated.

§ 167.05-10 Commandant.

This term means Commandant of the Coast Guard.

§ 167.05-15 Coast Guard District Commander.

This term means an officer of the Coast Guard designated as such by the Commandant to command all Coast Guard activities within the officer's district, which include the inspections, enforcement, and administration of Subtitle II of Title 46, U.S. Code, Title

Coast Guard, DHS

§ 167.15-5

46 and Title 33 U.S. Code, and regulations issued under these statutes.

[CGD 95-028, 62 FR 51216, Sept. 30, 1997]

§ 167.05-20 Marine inspector or inspector.

These terms mean any person from the civilian or military branch of the Coast Guard assigned under the superintendence and direction of an Officer in Charge, Marine Inspection, or any other person as may be designated for the performance of duties with respect to the inspections, enforcement, and administration of Subtitle II of Title 46, U.S. Code, Title 46 and Title 33 U.S. Code, and regulations issued under these statutes.

[CGD 95-028, 62 FR 51217, Sept. 30, 1997]

§ 167.05-25 Nautical school ship.

The term *nautical school ship* means a vessel operated by or in connection with a nautical school or an educational institution under Section 13 of the Coast Guard Authorization Act of 1986.

[CGD 84-069, 61 FR 25311, May 20, 1996]

§ 167.05-30 Officer in Charge, Marine Inspection.

This term means any person from the civilian or military branch of the Coast Guard designated as such by the Commandant and who, under the superintendence and direction of the Coast Guard District Commander, is in charge of an inspection zone for the performance of duties with respect to the inspections, enforcement, and administration of Subtitle II of Title 46, U.S. Code, Title 46 and Title 33 U.S. Code, and regulations issued under these statutes.

[CGD 95-028, 62 FR 51217, Sept. 30, 1997]

§ 167.05-35 Public nautical school.

The term *public nautical school* means any school or branch thereof operated by any State or political subdivision thereof or a school operated by the United States Maritime Administration that offers instruction for the primary purpose of training for service in the merchant marine.

[CGD 84-069, 61 FR 25311, May 20, 1996]

§ 167.05-40 Underwater survey.

Underwater survey means the examination of the vessel's underwater hull including all through-hull fittings and appurtenances, while the vessel is afloat.

[USCG-2000-6858, 67 FR 21082, Apr. 29, 2002]

Subpart 167.10—Enforcement and Right of Appeal

§ 167.10-1 Enforcement.

The Officer in Charge, Marine Inspection, is responsible for the performance of duties within the officer's jurisdiction with respect to inspection of nautical school ships.

[CGD 95-028, 62 FR 51217, Sept. 30, 1997]

§ 167.10-50 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]

Subpart 167.15—Inspections

§ 167.15-1 Inspections required.

(a) Before a vessel may be used as a nautical school ship, it shall be inspected by the Coast Guard to determine that the hull, boilers, machinery, equipment and appliances comply with the regulations in this part.

(b) Every nautical school ship subject to the regulations in this part shall be inspected annually, or oftener if necessary, by the Coast Guard to determine that the hull, boilers, machinery, equipment and appliances comply with the regulations in this part.

(c) Nautical school ships while laid up and dismantled and out of commission are exempt from any or all inspections required by law or regulations in this part.

§ 167.15-5 Authority of marine inspectors.

Marine inspectors may at any time lawfully inspect any nautical school ship.