

these requirements. The COI's condition of operation must contain the following endorsement: "This vessel is operating under an exemption afforded in The Passenger Vessel Safety Act of 1993 and as such is limited to domestic voyages and a maximum \_\_\_\_\_ of passengers and may be subject to additional regulations and restrictions as provided for in Sections 511 and 512 of the Act."

[USCG-1999-5040, 67 FR 34799, May 15, 2002]

**§ 175.120 Vessels on an international voyage.**

A mechanically propelled vessel that carries more than 12 passengers on an international voyage must comply with the applicable requirements of SOLAS, as well as this subchapter.

**§ 175.122 Load lines.**

A vessel of 24 meters (79 feet) in length or more, the keel of which was laid or that was at a similar stage of construction on or after July 21, 1968, and that is on a voyage other than a domestic voyage is subject to load line assignment, certification, and marking under such chapter E (Load Lines) of this chapter.

**§ 175.200 Gross tonnage as criterion for requirements.**

(a) The regulations in this subchapter take into account a vessel's length, passenger capacity, construction, equipment, intended service, and operating area. The criterion for application of this subchapter is the gross tonnage of the vessel. When the Commandant determines that the gross tonnage of a particular vessel, which is attained by exemptions, reductions, or other devices in the basic gross tonnage formulation, will circumvent or be incompatible with the application of specific regulations for a vessel of such physical size, the Commandant will prescribe the regulations to be made applicable to the vessel.

(b) When the Commandant determines that the gross tonnage is not a valid criterion for the use of certain regulations based on the relative size of the vessel, the owner will be informed of the determination and of the regulations applicable to the vessel. The vessel must be brought into com-

pliance with all additional requirements before a Certificate of Inspection is issued.

**§ 175.400 Definitions of terms used in this subchapter.**

The following terms are used in this subchapter:

*Accommodation space* means a space (including a space that contains a microwave oven or other low heat appliance with a maximum heating element temperature of less than 121 °C (250 °F)) used as a:

- (1) Public space;
- (2) Hall;
- (3) Dining room and mess room;
- (4) Lounge or cafe;
- (5) Public sales room;
- (6) Overnight accommodation space;
- (7) Barber shop or beauty parlor;
- (8) Office of conference room;
- (9) Washroom or toilet space;
- (10) Medical treatment room or dispensary; or
- (11) Game or hobby room.

*Adequate hull protection system* means a method of protecting the vessel's hull from corrosion. It includes, as a minimum, either hull coatings and a cathodic protection (CP) system consisting of sacrificial anodes, or an impressed current CP system.

*Alternative Hull Examination (AHE) Program* means a program in which an eligible vessel may receive an initial and subsequent credit hull examination through a combination of underwater surveys, internal examinations and annual hull condition assessment.

*Anniversary date* means the day and the month of each year, which corresponds to the date of expiration of the Certificate of Inspection.

*Approval series* means the first six digits of a number assigned by the Coast Guard to approved equipment. Where approval is based on a subpart of subchapter Q of this chapter, the approval series corresponds to the number of the subpart. A listing of approved equipment, including all of the approval series, is published periodically by the Coast Guard in Equipment Lists (COMDTINST M16714.3 series), available from the Superintendent of Documents.

*Beam* or *B* means the maximum width of a vessel from:

(1) Outside of planking to outside of planking on wooden vessels; and

(2) Outside of frame to outside of frame on all other vessels.

*Bulbous bow* means a design of bow in which the forward underwater frames ahead of the forward perpendicular are swelled out at the forefoot into a bulbous formation.

*Bulkhead deck* means the uppermost deck to which watertight bulkheads and the watertight shell extend.

*Cable* means single or multiple insulated conductors with an outer protective jacket.

*Cargo space* means a:

- (1) Cargo hold;
- (2) Refrigerated cargo space;
- (3) A trunk leading to or from a space listed above; or
- (4) A vehicle space.

*Coast Guard District Commander or District Commander* means an officer of the Coast Guard designated as such by the Commandant to command Coast Guard activities within a district.

*Coastwise* means a route that is not more than 20 nautical miles offshore on any of the following waters:

- (1) Any ocean;
- (2) The Gulf of Mexico;
- (3) The Caribbean Sea;
- (4) The Bering Sea;
- (5) The Gulf of Alaska; or
- (6) Such other similar waters as may be designated by a Coast Guard District Commander.

*Cockpit vessel* means a vessel with an exposed recess in the weather deck extending not more than one-half of the length of the vessel measured over the weather deck.

*Cold water* means water where the monthly mean low water temperature is normally 15 degrees Celsius (59 degrees Fahrenheit) or less.

*Commandant* means the Commandant of the Coast Guard or an authorized Headquarters staff officer designated in §1.01 of this chapter.;

*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.

*Corrosion-resistant material or corrosion-resistant* means made of one of the following materials in a grade suitable for its intended use in a marine environment:

- (1) Silver;
- (2) Copper;
- (3) Brass;
- (4) Bronze;
- (5) Aluminum alloys with a copper content of no more than 0.4 percent;
- (6) Cooper-nickel;
- (7) Plastics;
- (8) Stainless steel;
- (9) Nickel-copper; or
- (10) A material, which when tested in accordance with ASTM B 117 (incorporated by reference, see §175.600) for 200 hours, does not show pitting, cracking, or other deterioration.

*Crew accommodation space* means an accommodation space designated for the use of crew members and that passengers are normally not allowed to occupy.;

*Custom engineered* means, when referring to a fixed gas fire extinguishing system, a system that is designed for a specific space requiring individual calculations for the extinguishing agent volume, flow rate, piping, and similar factors for the space.

*Dead cover* means a metal cover to close or protect a port light to avoid glass breakage in case of heavy weather.

*Distribution panel* means an electrical panel that receives energy from the switchboard and distributes the energy to energy consuming devices or other panels.;

*Draft* means the vertical distance from the molded baseline of a vessel amidships to the waterline.;

*Drip-proof* means enclosed equipment so constructed or protected that falling drops of liquid or solid particles striking the enclosure at any angle from 0 to 15 degrees downward from the vertical do not interfere with the operation of the equipment. A National Electrical Manufacturers Association type 1 enclosure with a dripshield is considered to be drip-proof.

*Drydock examination* means hauling out a vessel or placing a vessel in a drydock or slipway for an examination of all accessible parts of the vessel's

underwater body and all through-hull fittings and appurtenances.

*Embarkation station* means the place on the vessel from which a survival craft is boarded.

*Enclosed space* means a compartment that is not exposed to the atmosphere when all access and ventilation closures are secured.

*Existing OSV* means an OSV that was contracted for, or the keel of which was laid, before March 15, 1996.

*Existing vessel* means a vessel that is not a new vessel.

*Exposed waters* is a term used in connection with stability criteria and means:

(1) Waters, except the Great Lakes, more than 20 nautical miles from a harbor of safe refuge;

(2) Those portions of the Great Lakes more than 20 nautical miles from a harbor of safe refuge from October 1 of one year through April 15 of the next year (winter season); and

(3) Those waters less than 20 nautical miles from a harbor of safe refuge that the cognizant Officer in Charge, Marine Inspection, determines are not partially protected waters or protected waters because they present special hazards due to weather or other circumstances.

*Ferry* means a vessel that:

(1) Operates in other than ocean or coastwise service;

(2) Has provisions only for deck passengers or vehicles, or both;

(3) Operates on a short run on a frequent schedule between two points over the most direct water route; and

(4) Offers a public service of a type normally attributed to a bridge or tunnel.

*Fiber reinforced plastic* means plastics reinforced with fibers or strands of some other material.

*Flash point* means the temperature at which a liquid gives off a flammable vapor when heated using the Pensky-Martens Closed Cup Tester method in accordance with ASTM D-93.

*Float-free* launching or arrangement means that method of launching a survival craft whereby the survival craft is automatically released from a sinking vessel and is ready for use.

*Flush deck vessel* means a vessel with a continuous weather deck located at the uppermost sheer line of the hull.

*Freeing port* means any direct opening through the vessel's bulwark or hull to quickly drain overboard water that has been shipped on exposed decks.

*Galley* means a space containing appliances with cooking surfaces that may exceed 121° C (250° F), such as ovens, griddles, and deep fat fryers.

*Great Lakes* means a route on the waters of any of the Great Lakes, except that for the purposes of parts 178 and 179 of this subchapter, "Great Lakes" means both the waters of the Great Lakes and of the St. Lawrence River as far east as a straight line drawn from Cap de Rosiers to West Point, Anticosti Island, and west of a line along the 63rd meridian from Anticosti Island to the north shore of the St. Lawrence River.

*Gross tonnage* and *gross tons* is an indicator of a vessel's approximate volume as determined in accordance with part 69 (Measurement of Vessels) of this chapter and recorded on the vessel's Tonnage Certificate (formerly Certificate of Admeasurement).

*Harbor of safe refuge* means a port, inlet, or other body of water normally sheltered from heavy seas by land and in which a vessel can navigate and safely moor. The suitability of a location as a harbor of safe refuge shall be determined by the cognizant Officer in Charge, Marine Inspection, and varies for each vessel, dependent on the vessel's size, maneuverability, and mooring gear.

*Hazardous condition* means any condition that could adversely affect the safety of any vessel, bridge, structure or shore area or the environmental quality of any port, harbor, or navigable water of the United States. This condition could include but is not limited to, fire, explosion, grounding, leaking, damage, illness of a person on board, or a manning shortage.

*High seas* means all waters that are neither territorial seas (the waters in a belt 3 nautical miles wide, that is adjacent to the coast and seaward of the territorial sea baseline) nor internal waters of the United States or of any foreign country.

*High speed craft* means a craft that is operable on or above the water and has

characteristics so different from those of conventional displacement ships, to which the existing international conventions, particularly SOLAS, apply, that alternative measures should be used to achieve an equivalent level of safety. In order to be considered a high speed craft, the craft must be capable of a maximum speed equal to or exceeding  $V=3.7 \times \text{displ}^{.1667}$  h, where “V” is the maximum speed and “displ” is the vessel displacement corresponding to the design waterline in cubic meters.

*Independent laboratory* means a laboratory accepted under part 159, Subpart 159.010 of this chapter.

*Inflatable survival craft* or “inflatable life jacket” means one that depends upon nonrigid, gas-filled chambers for buoyancy, and which is normally kept uninflated until ready to use.

*Internal structural examination* means an examination of the vessel while afloat or in drydock and consists of a complete examination of the vessel’s main strength members, including the major internal framing, the hull plating, voids, and ballast tanks, but not including cargo, sewage, or fuel oil tanks.

*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.

*Lakes, bays, and sounds* means a route on any of the following waters:

- (1) A lake other than the Great Lakes;
- (2) A bay;

- (3) A sound; or

- (4) Such other similar waters as may be designated by a Coast Guard District Commander.

*Launching appliance* means a device for transferring a survival craft or rescue boat from its stowed position safely to the water. For a launching appliance using a davit, the term includes the davit, winch, and falls.

*Length* when used in terms of the vessel’s length (excluding bow sprits, bumpkins, rudders, outboard motor brackets, handles, and other similar fittings, attachments, and extensions), means:

- (1) The length listed on the vessel’s Certificate of Documentation issued under the provisions of part 67 (Documentation of Vessels) of this chapter or Certificate of Number issued under the provisions of 33 CFR part 173, subpart B (Numbering); or

- (2) For a vessel that does not have a Certificate of Documentation or a Certificate of Number, the “registered length” as defined in §69.53 in subchapter G of this chapter or, for a vessel that is less than 24 meters (79 feet) in overall length and is measured using simplified admeasurement, the registered length as defined in §69.203 in subchapter G of this chapter; or

- (3) For the purposes of part 179 in subchapter S, the “length” of a vessel with a bulbous bow means the larger of the length as defined in the first paragraph of this definition or the straight line horizontal measurement from the forwardmost tip of the bulbous bow to the aftermost part of the vessel measured parallel to the centerline.

*Length between perpendiculars* or *LBP* means the horizontal distance measured between perpendiculars taken at the forwardmost and aftermost points on the waterline corresponding to the deepest operating draft.

*Limited coastwise* means a route that is not more than 20 nautical miles from a harbor of safe refuge.

*Machinery space* means a space including a trunk, alleyway, stairway, or duct to such a space, that contains:

- (1) Propulsion machinery of any type;
- (2) Steam or internal combustion machinery;
- (3) Oil transfer equipment;

- (4) Electrical motors of more than 10 hp;
- (5) Refrigeration equipment;
- (6) One or more oil-fired boilers or heaters; or
- (7) Electrical generating machinery.

*Main transverse watertight bulkhead* means a transverse bulkhead that must be maintained watertight in order for the vessel to meet the damage stability and subdivision requirements of this subchapter.

*Major conversion* means a conversion of a vessel that, as determined by the Commandant:

- (1) Substantially changes the dimensions or carrying capacity of the vessel;
- (2) Changes the type of vessel;
- (3) Substantially prolongs the life of the vessel; or
- (4) Otherwise so changes the vessel that it is essentially a new vessel.

*Marine inspector or inspector* means any civilian employee or military member of the Coast Guard assigned by an Officer in Charge, Marine Inspection, or the Commandant to perform duties with respect to the inspection, enforcement, and administration of vessel safety and navigation laws and regulations.

*Master* means the individual having command of the vessel and who is the holder of a valid license that authorized the individual to serve as master of a small passenger vessel.

*Means of escape* means a continuous and unobstructed way of exit travel from any point in a vessel to an embarkation station. A means of escape can be both vertical and horizontal, and include doorways, passageways, stairways, stairways, and public spaces. Cargo spaces, machinery spaces, rest rooms, hazardous areas determined by the cognizant Officer in Charge Marine Inspection, escalators, and elevators must not be any part of the means of escape.

*New OSV* means an OSV—

- (1) That was contracted for, or the keel of which was laid, on or after March 15, 1996; or
- (2) That underwent a major conversion initiated on or after March 15, 1996.

*New vessel* means a vessel:

- (1) The initial construction of which began on or after March 11, 1996;

- (2) Which was issued an initial Certificate of Inspection on or after September 11, 1996;

- (3) Which underwent a major conversion that was initiated on or after March 11, 1996; or

- (4) Which underwent a major conversion that was completed and for which an amended Certificate of Inspection was issued on or after September 11, 1996.

*Noncombustible material* means any material approved in accordance with § 164.009 in subchapter Q, of this chapter or other standard specified by the Commandant.

*Non-self-propelled vessel* means a vessel that does not have installed means of propulsion, including propulsive machinery, masts, spars, or sails.

*Oceans* means a route that is more than 20 nautical miles offshore on any of the following waters:

- (1) Any ocean;
- (2) The Gulf of Mexico;
- (3) The Caribbean Sea;
- (4) The Bering Sea;
- (5) The Gulf of Alaska; or
- (6) Such other similar waters as may be designated by a Coast Guard District Commander.

*Officer In Charge, Marine Inspection, or OCMI* means an officer 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 a marine inspection zone, described in part 1 of this chapter, for the performance of duties with respect to the inspection, enforcement, and administration of vessel safety and navigation laws and regulations. The “cognizant OCMI” is the OCMI that has immediate jurisdiction over a vessel for the purpose of performing the duties previously described.

*Offshore supply vessel (OSV)* means a vessel that—

- (1) Is propelled by machinery other than steam;
- (2) Is of above 15 gross tons and of less than 500 gross tons (as measured under the Standard, Dual, or Simplified Measurement System under part 69, subpart C, D, or E, of this chapter), or is less than 6,000 gross tons (as

measured under the Convention Measurement System under part 69, subpart B, of this chapter); and

(3) Regularly carries goods, supplies, or equipment in support of exploration, exploitation, or production of offshore mineral or energy resources.

*Open boat* means a vessel not protected from entry of water by means of a complete weathertight deck, or by a combination of a partial weathertight deck and superstructure that is structurally suitable for the waters upon which the vessel operates.

*Open deck* means a deck that is permanently open to the weather on one or more sides and, if covered, any spot on the overhead is less than 4.5 meters (15 feet) from the nearest opening to the weather.

*Open to the atmosphere* means a compartment that has at least 9,375 square millimeters (15 square inches) of open area directly exposed to the atmosphere for each cubic meter (35 ft<sup>3</sup>) of net compartment volume.

*Operating station* means the principal steering station on the vessel from which the individual on duty normally navigates the vessel.

*Overnight accommodations or overnight accommodation space* means an accommodation space for use by passengers or by crew members, which has one or more berths, including beds or bunks, for passengers or crew members to rest for extended periods. Staterooms, cabins, and berthing areas are normally overnight accommodation spaces. Overnight accommodations do not include spaces that contain only seats, including reclining seats.

*Partially enclosed space* means a compartment that is neither open to the atmosphere nor an enclosed space.

*Partially protected waters* is a term used in connection with stability criteria and means:

(1) Waters not more than 20 nautical miles from the mouth of a harbor of safe refuge, unless determined by the cognizant OCMI to be exposed waters;

(2) Those portions of rivers, estuaries, harbors, lakes, and similar waters that the cognizant OCMI determines not to be protected waters; and

(3) Waters of the Great Lakes from April 16 through September 30 of the same year (summer season).

*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 on board services.

*Passenger accommodation space* means an accommodation space designated for the use of passengers.

*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.

*Pilothouse control* means that controls to start and stop the engines and control the direction and speed of the propeller of the vessel are located at the operating station.

*Piping system* includes piping, fittings, and appurtenances as described in § 56.07-5 in subchapter F of this chapter.

*Port light* means a hinged glass window, generally circular, in a vessel's side or deckhouse for light and ventilation.

*Protected waters* is a term used in connection with stability criteria and means sheltered waters presenting no special hazards such as most rivers, harbors, and lakes, and that is not determined to be exposed waters or partially protected waters by the cognizant OCMI.

*Pre-engineered* means, when referring to a fixed gas fire extinguishing system, a system that is designed and tested to be suitable for installation without modification as a complete unit in a space of a set volume, regardless of the specific design of the vessel on which it is installed.

*Remotely operated vehicle (ROV) team*, at a minimum, consist of an ROV operator, a non-destructive testing inspector, an ROV tender or mechanic, and a team supervisor who is considered by the Officer in Charge, Marine Inspection (OCMI), have the appropriate training and experience to perform the

survey and to safely operate the ROV in an effective manner. The team must also have a hull-positioning technician present. This position may be assigned to a team member already responsible for another team duty.

*Rivers* means a route on any of the following waters:

- (1) A river;
- (2) A canal; or
- (3) Such other similar waters as may be designated by a Coast Guard District Commander.

*Sailing vessel* means a vessel principally equipped for propulsion by sail even if the vessel has an auxiliary means of propulsion.

*Scantlings* means the dimensions of all structural parts such as frames, girders, and plating, used in building a vessel.

*Scupper* means a pipe or tube of at least 30 millimeters (1.25 inches) in diameter leading down from a deck or sole and through the hull to drain water overboard.

*Self-bailing cockpit* means a cockpit, with watertight sides and floor (sole), which is designed to free itself of water by gravity drainage through scuppers.

*Shallow water* is an ascertained water depth at which the uppermost deck(s) of a sunken vessel remain above the water's surface. The determination of the water's depth is made by the Officer in Charge, Marine Inspection (OCMI) who considers the vessel's stability (passenger heeling moment), the contour of the hull, the composition of the river bottom, and any other factors that would tend to prevent a vessel from resting on an even keel.

*Ship's service loads* means services necessary for maintaining the vessel in normal operational and habitable conditions. These loads include, but are not limited to, safety, lighting, ventilation, navigational, and communications loads.

*Short international voyage* means an international voyage where:

- (1) The vessel is not more than 200 nautical miles from a port or place in which the passengers and crew could be placed in safety; and
- (2) The total distance between the last port of call in the country in which the voyage began and the final

port of destination does not exceed 600 nautical miles.

*Stairway* means an inclined means of escape between two decks.

*Steel or equivalent material* means steel or any noncombustible material that, by itself or due to insulation provided, has structural and integrity properties equivalent to steel at the end of the standard fire test.

*Submersible vessel* means a vessel that is capable of operating below the surface of the water.

*Survival craft* means a lifeboat, rigid liferaft, inflatable liferaft, life float, inflatable buoyant apparatus, buoyant apparatus, or a small boat carried aboard a vessel in accordance with § 180.200(b) of this subchapter.

*Switchboard* means an electrical panel that receives power from a generator, battery, or other electrical power source and distributes power directly or indirectly to all equipment supplied by the generating plant.

*Third party examiner* means an entity:

- (1) With a thorough knowledge of diving operations, including diving limitations as related to diver safety and diver supervision;
- (2) Having a familiarity with, but not limited to, the following—
  - (i) The camera used during the AHE; and
  - (ii) The NDT equipment used during the AHE, including the effect of water clarity, and marine growth in relation to the quality of the readings obtained;
- (3) Having a familiarity with the communications equipment used during the AHE;
- (4) Possessing the knowledge of vessel structures, design features, nomenclature, and the applicable AHE regulations; and
- (5) Able to present the Officer in Charge, Marine Inspection, with evidence of formal training, demonstrated ability, past acceptance, or a combination of these.

*Trunk* means a vertical shaft or duct for the passage of pipes, wires, or other devices except that for the purposes of part 179 of this chapter, "trunk" means a large enclosed passageway through any deck or bulkhead of a vessel.

*Underwater Survey in Lieu of Drydocking (UWILD)* means a program

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in which an eligible vessel may alternate between an underwater survey and the required drydock examinations.

*Vehicle space* means a space not on an open deck, for the carriage of motor vehicles with fuel in their tanks, into and from which such vehicles can be driven and to which passengers have access.

*Vessel* includes every description of watercraft or other artificial contrivance, used or capable of being used as a means of transportation on water.

*Vessel of the United States* means a vessel documented or numbered under the laws of the United States, the states of the United States, Guam, Puerto Rico, the Virgin Islands, American Samoa, the District of Columbia, the Northern Mariana Islands, and any other territory or possession of the United States.

*Warm water* means water where the monthly mean low water temperature is normally more than 15 degrees Celsius (59 degrees Fahrenheit).

*Watertight* means designed and constructed to withstand a static head of water without any leakage, except that "watertight" for the purposes of electrical equipment means enclosed so that water does not enter the equipment when a stream of water from a hose with a nozzle one inch in diameter that delivers at least 246 liters (65 gallons) per minute is sprayed on the enclosure from any direction from a distance of ten feet for five minutes.

*Weather deck* means a deck that is partially or completely exposed to the weather from above or from at least two sides, except that for the purposes of parts 178 and 179 of this chapter, "weather deck" means the uppermost deck exposed to the weather to which a weathertight sideshell extends.

*Weathertight* means that water will not penetrate in any sea condition, except that "weathertight equipment" means equipment constructed or protected so that exposure to a beating rain will not result in the entrance of water.

*Well deck vessel* means a vessel with a weather deck fitted with solid bulwarks that impede the drainage of water over the sides or a vessel with an exposed recess in the weather deck extending more than one-half of the

length of the vessel measured over the weather deck.

*Wire* means an individual insulated conductor without an outer protective jacket.

*Wood vessel* means, for the purposes of subdivision and lifesaving equipment requirements in this subchapter, a traditionally-built, plank-on-frame vessel, where mechanical fasteners (screws, nails, trunnels) are used to maintain hull integrity.

*Work space* means a space, not normally occupied by a passenger, in which a crew member performs work and includes, but is not limited to, a galley, operating station, or machinery space.

[CGD 85-080, 61 FR 947, Jan. 10, 1996; 61 FR 20557, May 7, 1996, as amended by CGD 82-004 and CGD 86-074, 62 FR 49356, Sept. 19, 1997; CGD 97-057, 62 FR 51049, Sept. 30, 1997; CGD 85-080, 62 FR 51355, Sept. 30, 1997; 62 FR 64306, Dec. 5, 1997; 63 FR 65739, Dec. 15, 1997; USCG-1999-4976, 65 FR 6508, Feb. 9, 2000; USCG-2000-7790, 65 FR 58464, Sept. 29, 2000; USCG-2000-6858, 67 FR 21084, Apr. 29, 2002; USCG-1999-5040, 67 FR 34800, May 15, 2002; 69 FR 47384, Aug. 5, 2004; USCG-2004-18884, 69 FR 58351, Sept. 30, 2004]

§ 175.540 **Equivalents.**

(a) The Commandant may approve any arrangement, fitting, appliance, apparatus, equipment, calculation, information, or test, which provides a level of safety equivalent to that established by specific provisions of this subchapter. Requests for approval must be submitted to the Marine Safety Center via the cognizant OCMI. If necessary, the Marine Safety Center may require engineering evaluations and tests to demonstrate the equivalence of the substitute.

(b) The Commandant may accept compliance by a high speed craft with the provisions of the International Maritime Organization (IMO) "Code of Safety for High Speed Craft" as an equivalent to compliance with applicable requirements of this subchapter. Requests for a determination of equivalency for a particular vessel must be submitted to the Marine Safety Center via the cognizant OCMI.

(c) The Commandant may approve a novel lifesaving appliance or arrangement as an equivalent if it has performance characteristics at least