

§ 188.05-2

§ 188.05-2 Exemptions from inspection laws for oceanographic research vessels and terms and conditions which apply in lieu thereof.

(a) The oceanographic research vessel shall comply with 49 CFR parts 171-179 whenever applicable, except to the extent as specifically provided otherwise in this subchapter.

(b) In order not to inhibit the mission of vessels subject to this subchapter, the Coast Guard will not require plan approval of design nor inspection of scientific equipment except to the extent specifically provided otherwise in this subchapter. However, it is the responsibility of the owner to have incorporated into the design and to maintain such equipment to applicable safety standards.

[CGFR 67-83, 33 FR 1113, Jan. 27, 1968, as amended by CGD 77-081, 46 FR 56204, Nov. 16, 1981; CGD 86-033, 53 FR 36026, Sept. 16, 1988; CGD 95-028, 62 FR 51219, Sept. 30, 1997]

§ 188.05-3 New vessels and existing vessels for the purpose of application of regulations in this subchapter.

(a) *New vessels.* In this application of the regulations in this subchapter, a new vessel is meant to be one, the construction of which is contracted for on or after March 1, 1968, or the major alteration of a vessel is contracted for on or after March 1, 1968, or the conversion of any vessel not previously inspected and certificated by the Coast Guard which is contracted for on or after March 1, 1968.

(b) *Existing vessels.* In the application of the regulations in this subchapter an existing vessel is meant to be one which is holding a valid certificate of inspection as an oceanographic research vessel on March 1, 1968.

(c) *Other vessels.* When it is desired to have a vessel, which has been used in trade or for recreational purposes, initially inspected and certificated as an oceanographic research vessel on or after March 1, 1968, such vessel shall be subject to all the requirements governing a vessel contracted for on or after March 1, 1968. However, if such vessel has a current certificate of inspection as a passenger, tank, cargo, or miscellaneous vessel, the Commandant may authorize its inspection and cer-

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tification under this subchapter as a vessel contracted for prior to March 1, 1968, subject to those requirements necessitated by change in service.

[CGFR 67-83, 33 FR 1113, Jan. 27, 1968, as amended by CGD 77-081, 46 FR 56204, Nov. 16, 1981]

§ 188.05-5 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 or 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 an oceanographic research vessel, and the changing of area of operation 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.

[CGFR 67-83, 33 FR 1113, Jan. 27, 1968, as amended by CGD 77-081, 46 FR 56204, Nov. 16, 1981]

§ 188.05-7 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 routes, including the Great Lakes.

§ 188.05-10 Application to vessels on an international voyage.

(a) Except as provided in paragraphs (b), (c), and (d) of this section, the regulations in this subchapter that apply to a vessel on an "international voyage" apply to a vessel that—

(1) Is mechanically propelled and of at least 500 gross tons; and

(2) Is engaged on a voyage—

(i) From a country to which the International Convention for Safety of Life at Sea, 1974, (SOLAS 74) applies, to