

Coast Guard, DHS

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suitable mounting surface, an exclusion from the requirements of § 26.03-2(a) and (b) is granted by letter.

[CGD 78-009, 45 FR 11109, Feb. 19, 1980, as amended by USCG-1999-5040, 67 FR 34776, May 15, 2002]

§ 26.03-4 Charts and nautical publications.

(a) As appropriate for the intended voyage, all vessels must carry adequate and up-to-date—

(1) Charts of appropriate scale to make safe navigation possible;

(2) “U.S. Coast Pilot” or similar publication;

(3) Coast Guard light list;

(4) Tide tables; and

(5) Current tables, or a river current publication issued by the U.S. Army Corps of Engineers, or a river authority.

(b) As an alternative, you may substitute extracts or copies from the publications in paragraph (a) of this section. This information must be applicable to the area transited.

[USCG-1999-5040, 67 FR 34776, May 15, 2002]

§ 26.03-6 Special permit.

(a) If the owner, operator, or agent donates the use of an uninspected passenger vessel to a charity for fundraising activities, and the vessel's activity would subject it to Coast Guard inspection, the OCMI may issue a special permit to the owner, operator, or agent for this purpose if, in the opinion of the OCMI, the vessel can be safely operated. Each special permit is valid for only one voyage of a donated vessel, which is used for a charitable purpose. Applications are considered and approved on a case-by-case basis.

(b) The criteria of § 176.204 of this chapter will apply to the issuance of a special permit. In addition, the owner, operator, or agent must meet each of these conditions—

(1) Any charity using a donated vessel must be a bona fide charity or a non-profit organization qualified under section 501(c)(3) of the Internal Revenue Code of 1986;

(2) All donations received from the fundraising must go to the named charity;

(3) The owner, operator, or agent may obtain a special permit for an in-

dividual vessel not more than four times in a 12-month period; and

(4) The owner, operator, or agent must apply to the local OCMI for a special permit prior to the intended voyage, allowing adequate time for processing and approval of the permit.

(c) Nothing in this part may be construed as limiting the OCMI from making such tests and inspections, both afloat and in dry-dock, that are reasonable and practicable to be assured of the vessel's seaworthiness and safety.

[USCG-1999-5040, 67 FR 34776, May 15, 2002]

§ 26.03-8 Marine Event of National Significance special permits.

(a) For a Marine Event of National Significance, as determined by the Commandant, U.S. Coast Guard, a vessel may be permitted to engage in excursions while carrying passengers-for-hire for the duration of the event. Event sponsors seeking this determination must submit a written request to the Commandant (G-MOC) at least one year prior to the event.

(b) The owner, operator, or agent of a vessel that is registered as a participant in a Marine Event of National Significance may apply for a special permit to carry passengers-for-hire for the duration of the event. The master, owner, or agent of the vessel must apply to the Coast Guard OCMI who has jurisdiction over the vessel's first United States port of call. The OCMI may issue a Form CG-949 “Permit to Carry Excursion Party” if, in the opinion of the OCMI, the operation can be undertaken safely. The OCMI may require an inspection prior to issuance of a special permit to ensure that the vessel can safely operate under the conditions for which the permit is issued.

(c) The permit will state the conditions under which it is issued. These conditions must include the number of passengers-for-hire the vessel may carry, the crew required, the number and type of lifesaving and safety equipment required, the route and operating details for which the permit is issued, and the dates for which the permit will be valid.

(d) The permit must be displayed in a location visible to passengers.

(e) The carrying of passengers-for-hire during a Marine Event of National

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Significance must comply with the regulations governing coastwise transportation of passengers under 19 CFR 4.50(b) and 19 CFR 4.80(a).

[USCG-1999-5040, 67 FR 34776, May 15, 2002, as amended by USCG-2004-18884, 69 FR 58344, Sept. 30, 2004]

§ 26.03-9 Voyage plans for uninspected passenger vessels of at least 100 gross tons.

(a) The master must prepare a voyage plan that includes a crew and passenger list before taking an uninspected passenger vessel of at least 100 gross tons on a Great Lake, an ocean, or an international voyage.

(b) Before departure, the master must communicate the voyage plan ashore, either verbally or in writing. The voyage plan must go to either the vessel's normal berthing location or a representative of the owner or managing operator of the vessel. The master, owner, or operator of the vessel must make the voyage plan available to the Coast Guard upon request.

[USCG-1999-5040, 67 FR 34777, May 15, 2002]

§ 26.03-10 Signaling light.

All vessels of over 150 gross tons, when engaged on an international voyage, shall be equipped with an efficient daylight signaling lamp in accordance with the requirements of subchapter J (Electrical Engineering) of this chapter.

[CGFR 68-32, 33 FR 5711, Apr. 12, 1968, as amended by CGD 97-057, 62 FR 51042, Sept. 30, 1997]

Subpart 26.08—Notice and Reporting of Casualty and Voyage Records

AUTHORITY: 46 U.S.C. 6101; 46 CFR 1.46.

§ 26.08-1 Notice and reporting of casualty and voyage records.

The requirements for providing notice and reporting of marine casualties and for retaining voyage records are contained in part 4 of this chapter.

[CGD 84-099, 52 FR 47535, Dec. 14, 1987; 53 FR 13117, Apr. 21, 1988]

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Subpart 26.15—Boarding

§ 26.15-1 May board at any time.

(a) To facilitate the boarding of vessels by the commissioned, warrant, and petty officers of the U.S. Coast Guard in the exercise of their authority, every uninspected vessel, as defined in 46 U.S.C. 2101(43), if underway and upon being hailed by a Coast Guard vessel, must stop immediately and lay to, or must maneuver in such a way to permit the Coast Guard boarding officer to come aboard. Failure to permit a Coast Guard boarding officer to board a vessel or refusal to comply will subject the operator or owner of the vessel to the penalties provided in law.

(b) Coast Guard boarding vessels will be identified by the display of the Coast Guard ensign as a symbol of authority and the Coast Guard personnel will be dressed in Coast Guard uniform. The Coast Guard boarding officer upon boarding a vessel will identify himself to the master, owner, or operator and explain his mission.

[CGFR 65-50, 30 FR 16656, Dec. 30, 1965, as amended by CGD 72-132R, 38 FR 5750, Mar. 2, 1973; CGD 95-027, 61 FR 25997, May 23, 1996]

Subpart 26.20—Exhibition of Coast Guard License

§ 26.20-1 Must be available.

If a person operates a vessel that carries one or more passengers-for-hire, he or she is required to have a valid Coast Guard license suitable for the vessel's route and service. He or she must have the license in his or her possession and must produce it immediately upon the request of a Coast Guard boarding officer.

[USCG-1999-5040, 67 FR 34777, May 15, 2002]

Subpart 26.25 [Reserved]

Subpart 26.30—Work Vest

SOURCE: CGFR 68-65, 33 FR 19982, Dec. 28, 1968, unless otherwise noted.