

each if they are in the motorboat, closed, and in good condition.

[Amdt. 176-1, 41 FR 16110, Apr. 15, 1976, as amended by Amdt. 176-30, 55 FR 52695, Dec. 21, 1990]

**§ 176.92 Cylinders laden in vehicles.**

Any cylinder of Class 2 (compressed gas) material which is required to have a valve protection cap fitted in place may be transported on board a ferry vessel without having the valve protection cap in place when it is laden in a transport vehicle and is not removed from the vehicle while on the vessel.

[Amdt. 176-1, 41 FR 16110, Apr. 15, 1976, as amended by Amdt. 176-30, 55 FR 52695, Dec. 21, 1990]

**§ 176.93 Vehicles having refrigerating or heating equipment.**

(a) A transport vehicle fitted with refrigerating or heating equipment using a flammable liquid or Division 2.1 (flammable gas) material, or diesel oil as fuel, may be transported on a ferry vessel. However, the refrigerating or heating equipment may not be operated while the vehicle is on the vessel, unless the equipment complies with the following requirements:

(1) The installation is rigidly mounted and free of any movement other than normal vibration in operation;

(2) An easily accessible shutoff control is fitted to the fuel and electrical supply of the refrigerating or heating equipment; and

(3) The fuel storage tank, the fuel lines, the carburetor and any other fuel devices are tight and show no signs of leakage.

(b) If the vehicle operator desires to operate the refrigerating or heating equipment while on the vessel and the equipment is not fitted with automatic starting and stopping devices, it must be started before the vehicle is taken on board. It may continue in operation while the vehicle is on the vessel, but if the motor stops it may not be restarted.

(c) In the case of a ferry vessel on a voyage exceeding 30 minutes' duration, stowage must be provided for transport vehicles having refrigerating or heating equipment operated by internal combustion engines which will permit ready diffusion of exhaust gases to the

open air. Passenger vehicles may not be stowed in a position adjacent to vehicles operating internal combustion motors which expose the occupants of the passenger vehicles to excessive concentrations of exhaust fumes from such motors.

(d) A transport vehicle containing solid carbon dioxide as a refrigerant may be transported on a ferry vessel only if it is stowed in a well ventilated location.

[Amdt. 176-1, 41 FR 16110, Apr. 15, 1976, as amended by Amdt. 176-30, 55 FR 52695, Dec. 21, 1990]

EFFECTIVE DATE NOTE: At 68 FR 61942, Oct. 30, 2003, §176.93 was amended in paragraph (a)(1) by revising the word "movement" to read "motion", effective Oct. 1, 2004. At 69 FR 30588, May 28, 2004, the effective date was delayed until Jan. 1, 2005.

**Subpart F—Special Requirements for Barges**

SOURCE: Amdt. 176-8, 44 FR 23228, Apr. 19, 1979, unless otherwise noted.

**§ 176.95 Applicability.**

The requirements prescribed in this subpart are applicable to the transportation of packaged hazardous materials on board barges. The requirements prescribed elsewhere in this subchapter for vessels similarly apply, except as provided in this subpart, to the transportation of packaged hazardous materials on board barges.

**§ 176.96 Materials of construction.**

Barges used to transport hazardous materials must be constructed of steel.

[Amdt. 176-30, 55 FR 52695, Dec. 21, 1990]

**§ 176.97 Prohibition of dump scows.**

Dump scows are barges having cargo carrying compartments of the hopper type and fitted with a bottom dump or a side dump. This type of barge is prohibited from the carriage of any class of hazardous material.

**§ 176.98 Stowage of hazardous materials on board barges.**

A material for which "on deck" stowage only is required by column (10) of the Hazardous Materials Table (§ 172.101

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of this subchapter) may be stowed “under deck” on unmanned barges.

[Amdt. 176-8, 44 FR 23228, Apr. 19, 1979, as amended by Amdt. 176-30, 55 FR 52695, Dec. 21, 1990]

### § 176.99 Permit requirements for certain hazardous materials.

The permits required by §§ 176.100 and 176.415 for loading, unloading, and handling Divisions 1.1 and 1.2 (explosives) materials, Division 1.5 materials, ammonium nitrate and certain ammonium nitrate mixtures and fertilizers must be obtained before these materials may be loaded on, unloaded from, or handled on board a barge or barge-carrying vessel. However, a barge loaded with these materials being placed on, removed from, or handled on board a barge-carrying vessel is not subject to these permit requirements.

[Amdt. 176-30, 55 FR 52695, Dec. 21, 1990, as amended at 56 FR 66282, Dec. 20, 1991; 66 FR 45384, Aug. 28, 2001]

## Subpart G—Detailed Requirements for Class 1 (Explosive) Materials

SOURCE: Amdt. 176-30, 55 FR 52696, Dec. 21, 1990, unless otherwise noted.

### § 176.100 Permit for Divisions 1.1 and 1.2 (explosive) materials.

Before Divisions 1.1 and 1.2 (explosive) materials may be discharged from, loaded on, handled or restowed on board a vessel at any place in the United States, the carrier must obtain a permit from the COTP in accordance with the procedures in 33 CFR 126.19. Exceptions to this permit requirement may be authorized by the COTP.

[Amdt. 176-30, 55 FR 52696, Dec. 21, 1990, as amended by Amdt. 176-34, 58 FR 51533, Oct. 1, 1993; 66 FR 45385, Aug. 28, 2001]

### § 176.102 Supervisory detail.

(a) Except as provided in paragraph (c) of this section, the COTP may assign a USCG supervisory detail to any vessel to supervise the loading, handling or unloading of Class 1 (explosive) materials.

(b) The owner, agent, charterer, master or person in charge of the vessel, and all persons engaged in the han-

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dling, loading, unloading, and stowage of Class 1 (explosive) materials shall obey all orders that are given by the officer in charge of the supervisory detail.

(c) If Class 1 (explosive) materials are loaded onto or unloaded from a vessel at a facility operated or controlled by the Department of Defense, the Commanding Officer of that facility may decline the USCG supervisory detail. Whenever the supervisory detail is declined, the Commanding Officer of the facility shall ensure compliance with the regulations in this part.

### § 176.104 Loading and unloading Class 1 (explosive) materials.

(a) Packages of Class 1 (explosive) materials may not be thrown, dropped, rolled, dragged, or slid over each other or over a deck.

(b) When Class 1 (explosive) materials are stowed in a hold below one in which any cargo is being handled, the hatch in the deck dividing the two holds must have all covers securely in place.

(c) Drafts of Class 1 (explosive) materials must be handled in accordance with the following:

(1) A draft may not be raised, lowered, or stopped by sudden application of power or brake.

(2) A draft may not be released by tripping or freeing one side of the cargo-handling equipment and tumbling the Class 1 (explosive) materials off.

(3) All drafts, beams, shackles, bridles, slings, and hoods must be manually freed before the winch takes control.

(4) Slings may not be dragged from under a draft by winching except for the topmost layer in the hold when power removal is the only practical method and when the cargo cannot be toppled.

(5) Handles or brackets on packages in a draft may not be used for slinging purposes.

(d) A combination woven rope and wire sling or a sling that is formed by use of an open hook may not be used in handling Class 1 (explosive) materials.

(e) Only a safety hook or a hook that has been closed by wire may be used in handling drafts of Class 1 (explosive) materials.