

SUBCHAPTER S—BOATING SAFETY

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APPENDIX A TO PART 173—ISSUING AUTHORITIES AND REPORTING AUTHORITIES

AUTHORITY: 31 U.S.C. 9701; 46 U.S.C. 2110, 6101, 12301, 12302; OMB Circular A-25; Department of Homeland Security Delegation No. 0170.

SOURCE: CGD 72-54R, 37 FR 21399, Oct. 7, 1972, unless otherwise noted.

Subpart A—General

§ 173.1 Purpose.

This part prescribes requirements for numbering vessels and for reporting casualties and accidents to implement sections 6101, 6102, 12301 and 12302 of Title 46, United States Code.

[CGD 89-048, 54 FR 27002, June 27, 1989, as amended by USCG-2003-15404, 68 FR 37741, June 25, 2003]

§ 173.3 Definitions.

As used in this part:

(a) [Reserved]

(b) *Issuing authority* means a State that has a numbering system approved by the Coast Guard or the Coast Guard where a number system has not been approved. Issuing authorities are listed in Appendix A of this part.

(c) *Operator* means the person who is in control or in charge of a vessel while it is in use.

(d) *Owner* means a person who claims lawful possession of a vessel by virtue of legal title or equitable interest therein which entitles him to such possession.

(e) *Person* means an individual, firm, partnership, corporation, company, association, joint-stock association, or governmental entity and includes a trustee, receiver, assignee, or similar representative of any of them.

(f) *Reporting authority* means a State that has a numbering system approved by the Coast Guard or the Coast Guard where a numbering system has not been approved. Reporting authorities are listed in Appendix A of this part.

(g) *State* means a State of the United States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the District of Columbia.

(h) *State of principal use* means the State on whose waters a vessel is used or to be used most during a calendar year.

(i) *Use* means operate, navigate, or employ.

[CGD 72-54R, 37 FR 21399, Oct. 7, 1972, as amended by CGD 77-117A, 43 FR 17941, Apr. 27, 1978; CGD 89-048, 54 FR 2702, June 27, 1989]

Subpart B—Numbering

§ 173.11 Applicability.

This subpart applies to each vessel equipped with propulsion machinery of any type used on waters subject to the jurisdiction of the United States and on the high seas beyond the territorial seas for vessels owned in the United States except:

- (a) Foreign vessels temporarily using waters subject to U.S. jurisdiction;
- (b) Military or public vessels of the United States, except recreational-type public vessels;
- (c) A vessel whose owner is a State or subdivision thereof, which is used principally for governmental purposes, and which is clearly identifiable as such;
- (d) Ships' lifeboats;
- (e) A vessel which has or is required to have a valid marine document as a vessel of the United States.

§ 173.13 Exemptions.

Where the Coast Guard issues numbers, the following classes of vessels are exempt, under Section 12303 of Title 46, United States Code, from the numbering provisions of Sections 12301 and 12302 of Title 46, United States Code, and this part:

- (a) A vessel that is used exclusively for racing.
- (b) A vessel equipped with propulsion machinery of less than 10 horsepower that:
 - (1) Is owned by the owner of a vessel for which a valid certificate of number has been issued;
 - (2) Displays the number of that numbered vessel followed by the suffix "1" in the manner prescribed in § 173.27; and
 - (3) Is used as a tender for direct transportation between that vessel and the shore and for no other purpose.

§ 173.15 Vessel number required.

(a) Except as provided in § 173.17, no person may use a vessel to which this part applies unless:

- (1) It has a number issued on a certificate of number by the issuing authority in the State in which the vessel is principally used; and
 - (2) The number is displayed as described in § 173.27.
- (b) This section does not apply to a vessel for which a valid temporary cer-

tificate has been issued to its owner by the issuing authority in the State in which the vessel is principally used.

§ 173.17 Reciprocity.

(a) Section 12302(c) of Title 46, United States Code, states:

When a vessel is numbered in a State, it is deemed in compliance with the numbering system of a State in which it temporarily is operated.

(b) Section 12302(d) of Title 46, United States Code, states:

When a vessel is removed to a new State of principal operation, the issuing authority of that State shall recognize the validity of the number issued by the original State for 60 days.

[CGD 89-048, 54 FR 27002, June 27, 1989]

§ 173.19 Other numbers prohibited.

No person may use a vessel to which this part applies that has any number that is not issued by an issuing authority for that vessel on its forward half.

§ 173.21 Certificate of number required.

(a) Except as provided in §§ 173.13 and 173.17, no person may use a vessel to which this part applies unless it has on board:

- (1) A valid certificate of number or temporary certificate for that vessel issued by the issuing authority in the State in which the vessel is principally used; or
- (2) For the vessel described in paragraph (b) of this section, a copy of the lease or rental agreement, signed by the owner or his or her authorized representative and by the person leasing or renting the vessel, that contains at least:

- (i) The vessel number that appears on the certificate of number; and
- (ii) The period of time for which the vessel is leased or rented.

(b) Section 12304(a) of Title 46, United States Code, states in part: The certificate of number for a vessel less than 26 feet in length and leased or rented to another for the latter's noncommercial operation of less than 7 days may be retained on shore by the vessel's owner or representative at the place from which the vessel departs or returns to