

## Coast Guard, DHS

## § 81.5

### ALTERNATIVE COMPLIANCE

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### EXEMPTIONS

- 81.20 Lights and sound signal appliances.  
AUTHORITY: 33 U.S.C. 1607; E.O. 11964; 49 CFR 1.46.  
SOURCE: CGD 76-130, 42 FR 17111, Mar. 31, 1977, unless otherwise noted. Redesignated by CGD 81-017, 46 FR 28154, May 26, 1981.

#### § 81.1 Definitions.

As used in this part:

*72 COLREGS* refers to the International Regulations for Preventing Collisions at Sea, 1972, done at London, October 20, 1972, as rectified by the Proces-Verbal of December 1, 1973, as amended.

*A vessel of special construction or purpose* means a vessel designed or modified to perform a special function and whose arrangement is thereby made relatively inflexible.

*Interference with the special function of the vessel* occurs when installation or use of lights, shapes, or sound-signaling appliances under *72 COLREGS* prevents or significantly hinders the operation in which the vessel is usually engaged.

[CGD 77-136, 47 FR 13799, Apr. 1, 1982]

#### § 81.3 General.

Vessels of special construction or purpose which cannot fully comply with the light, shape, and sound signal provisions of *72 COLREGS* without interfering with their special function may instead meet alternative requirements. The Chief of the Marine Safety Division in each Coast Guard District Office makes this determination and requires that alternative compliance be as close as possible with the *72 COLREGS*. These regulations set out the procedure by which a vessel may be certified for alternative compliance. The information collection and record-keeping requirements in §§ 81.5 and 81.18 have been approved by the Office

of Management and Budget under OMB control No. 2115-0073.

[CGD 77-136, 47 FR 13799, Apr. 1, 1982]

### ALTERNATIVE COMPLIANCE

#### § 81.5 Application for a Certificate of Alternative Compliance.

(a) The owner, builder, operator, or agent of a vessel of special construction or purpose who believes the vessel cannot fully comply with the *72 COLREGS* light, shape, or sound signal provisions without interference with its special function may apply for a determination that alternative compliance is justified. The application must be in writing, submitted to the Chief of the Marine Safety Division of the Coast Guard District in which the vessel is being built or operated, and include the following information:

(1) The name, address, and telephone number of the applicant.

(2) The identification of the vessel by its:

- (i) Official number;
- (ii) Shipyard hull number;
- (iii) Hull identification number; or
- (iv) State number, if the vessel does not have an official number or hull identification number.

(3) Vessel name and home port, if known.

(4) A description of the vessel's area of operation.

(5) A description of the provision for which the Certificate of Alternative Compliance is sought, including:

(i) The *72 COLREGS* Rule or Annex section number for which the Certificate of Alternative Compliance is sought;

(ii) A description of the special function of the vessel that would be interfered with by full compliance with the provision of that Rule or Annex section; and

(iii) A statement of how full compliance would interfere with the special function of the vessel.

(6) A description of the alternative installation that is in closest possible compliance with the applicable *72 COLREGS* Rule or Annex section.

(7) A copy of the vessel's plans or an accurate scale drawing that clearly shows: