

(b) The requirements for notification of safety standards and for safety information and country of registry in promotional literature or advertising of a domestic passenger vessel of 100 gross tons or over having berth or stateroom accommodations for 50 or more passengers are contained in part 80 of this chapter.

[CGFR 65-50, 30 FR 16890, Dec. 30, 1965, as amended by CGFR 67-83, 33 FR 1107, Jan. 27, 1968; CGFR 70-10, 35 FR 3710, Feb. 25, 1970; CGD 72-187R, 38 FR 9081, Apr. 10, 1973; CGP 73-96, 42 FR 49024, Sept. 26, 1977; CGD 86-033, 53 FR 36024, Sept. 16, 1988; 53 FR 46871, Nov. 21, 1988; CGD 90-008, 55 FR 30660, July 26, 1990; USCG-1999-5040, 67 FR 34784, May 15, 2002]

**§ 70.05-3 Foreign vessels subject to the requirements of this subchapter.**

(a) Except as specifically noted in paragraphs (b) and (e), and (f) of this section, parts 70 to 78, inclusive, of this subchapter, shall be applicable to the extent prescribed by law to all foreign vessels of the following classifications indicated in column 4 of table 70.05-1(a) that are 100 gross tons or over:

(1) Foreign vessels which carry more than 12 passengers from any port in the United States; or,

(2) Foreign vessels, other than those mentioned in paragraph (a)(1) of this section, which carry more than 6 passengers from any port in the United States, and which are:

(i) Sailing vessels of 100 gross tons or over and not more than 700 gross tons; or,

(ii) Non-self-propelled vessels of 100 gross tons.

(b) The provisions of parts 70 to 78, inclusive, of this subchapter shall not be applicable to those foreign vessels covered by paragraph (a) of this section which are:

(1) Any vessel of a foreign nation signatory to the International Convention for Safety of Life at Sea, 1974, and which has on board a current valid safety certificate; or,

(2) Any vessel of a foreign nation having inspection laws approximating those of the United States together with reciprocal inspection arrangements with the United States, and which has on board a current valid certificate of inspection issued by its government under such arrangements.

(c) Notwithstanding the exceptions previously noted in paragraph (b) of this section, foreign vessels of novel design or construction, or whose operation involves potential unusual risks shall be subject to inspection to the extent necessary to safeguard life and property in United States' ports, as further provided by § 2.01-13 of subchapter A (Procedures Applicable to the Public) of this chapter.

(d) The requirements for notification of safety standards and for safety information and country of registry in promotional literature or advertising of a foreign passenger vessel of 100 gross tons or over having berth or stateroom accommodations for 50 or more passengers are contained in part 80 of this chapter.

(e) Notwithstanding the other provisions of this section, foreign passenger vessels of over 100 gross tons having berth or stateroom accommodations for more than 50 persons and departing a United States port with passengers who are United States nationals and who embarked at that port shall comply with the provisions of the International Convention for Safety of Life at Sea, 1974.

(f) Notwithstanding the exceptions noted in paragraph (b) of this section, each foreign vessel must report marine casualties occurring while the vessel is in the navigable waters of the United States as required by subpart 78.07.

[CGFR 65-50, 30 FR 16890, Dec. 30, 1965, as amended by CGFR 66-33, 31 FR 15280, Dec. 6, 1966; CGFR 68-65, 33 FR 19985, Dec. 28, 1968; CGFR 69-106a, 35 FR 16834, Oct. 31, 1970; CGD 72-187R, 38 FR 9081, Apr. 10, 1973; CGD 77-042, 42 FR 63643, Dec. 19, 1977; CGD 90-008, 55 FR 30660, July 26, 1990]

**§ 70.05-5 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