

§ 175.21

(b) No person may use a recreational boat unless each Type IV PFD required by §175.15 of this part, or equivalent type allowed by §175.17 of this part, is immediately available.

[CGD 81-023, 55 FR 32034, Aug. 6, 1990]

§ 175.21 Condition; size and fit; approval marking.

No person may use a recreational boat unless each PFD required by §175.15 of this part or allowed by §175.17 of this part is:

- (a) In serviceable condition as provided in §175.23;
- (b) Of an appropriate size and fit for the intended wearer, as marked on the approval label; and
- (c) Legibly marked with its approval number, as specified in 46 CFR part 160.

[CGD 81-023, 55 FR 32034, Aug. 6, 1990, as amended by CGD93-055, 61 FR 13926, Mar. 28, 1996]

§ 175.23 Serviceable condition.

A PFD is considered to be in serviceable condition for purposes of §175.21(a) only if the following conditions are met:

- (a) No PFD may exhibit deterioration that could diminish the performance of the PFD, including—
 - (1) Metal or plastic hardware used to secure the PFD on the wearer that is broken, deformed, or weakened by corrosion;
 - (2) Webbing or straps used to secure the PFD on the wearer that are ripped, torn, or which have become separated from an attachment point on the PFD; or
 - (3) Any other rotted or deteriorated structural component that fails when tugged.
- (b) In addition to meeting the requirements of paragraph (a) of this section, no inherently buoyant PFD, including the inherently buoyant components of a hybrid inflatable PFD, may exhibit—
 - (1) Rips, tears, or open seams in fabric or coatings, that are large enough to allow the loss of buoyant material;
 - (2) Buoyant material that has become hardened, non-resilient, permanently compressed, waterlogged, oil-soaked, or which shows evidence of fungus or mildew; or

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(3) Loss of buoyant material or buoyant material that is not securely held in position.

(c) In addition to meeting the requirements of paragraph (a) of this section, an inflatable PFD, including the inflatable components of a hybrid inflatable PFD, must be equipped with—

- (1) Except as provided in paragraph (d) of this section, a properly armed inflation mechanism, complete with a full inflation medium cartridge and all status indicators showing that the inflation mechanism is properly armed;
 - (2) Inflatable chambers that are all capable of holding air;
 - (3) Oral inflation tubes that are not blocked, detached, or broken;
 - (4) A manual inflation lanyard or lever that is not inaccessible, broken, or missing; and
 - (5) Inflator status indicators that are not broken or otherwise non-functional.
- (d) The inflation system of an inflatable PFD need not be armed when the PFD is worn inflated and otherwise meets the requirements of paragraphs (a) and (c) of this section.

[CGD 93-055, 61 FR 13926, Mar. 28, 1996]

§ 175.25 Enforcement of State requirements for children to wear personal flotation devices.

- (a) This section applies to operators of recreational vessels on waters subject to the jurisdiction of any State that has established by statute a requirement for children of a certain age to wear an appropriate PFD approved by the Coast Guard, while aboard a recreational vessel.
- (b) If the applicable State statute establishes any requirement for children of a certain age to wear an appropriate PFD approved by the Coast Guard, then that requirement applies on the waters subject to the State's jurisdiction instead of the requirement provided in §175.15(c) of this part.

[USCG-2000-8589, 69 FR 45591, July 30, 2004]

Subpart C—Visual Distress Signals

SOURCE: CGD 76-183, 44 FR 73024, Dec. 17, 1979, unless otherwise noted.

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§ 175.101 Applicability.

This subpart applies to boats on the coastal waters of the United States and on the high seas beyond the territorial seas for boats owned in the United States.

[CGD 76-183, 44 FR 73024, Dec. 17, 1979, as amended by USCG-1998-3799, 63 FR 35534, June 30, 1998]

§ 175.105 Definitions.

(a) *Visual distress signal* means a device that is approved by the Commandant under 46 CFR Part 160 or certified by the manufacturer under 46 CFR Parts 160 and 161.

(b) *Coastal waters* means:

(1) The U.S. waters of the Great Lakes (Lake Erie, Huron, Michigan, Ontario, and Superior);

(2) The territorial seas of the United States; and

(3) Those waters directly connected to the Great Lakes and territorial seas (*i.e.*, bays, sounds, harbors, rivers, inlets, etc.) where any entrance exceeds 2 nautical miles between opposite shorelines to the first point where the largest distance between shorelines narrows to 2 miles, as shown on the current edition of the appropriate National Ocean Service chart used for navigation. Shorelines of islands or points of land present within a waterway are considered when determining the distance between opposite shorelines.

[CGD 76-183, 44 FR 73024, Dec. 17, 1979, as amended by CGD 82-073, 49 FR 7119, Feb. 27, 1984; 49 FR 20815, May 17, 1984]

§ 175.110 Visual distress signals required.

(a) No person may use a boat 16 feet or more in length, or any boat operating as an uninspected passenger vessel subject to the requirements of 46 CFR chapter I, subchapter C, unless visual distress signals selected from the list in §175.130 or the alternatives in §175.135, in the number required, are onboard. Devices suitable for day use and devices suitable for night use, or devices suitable for both day and night use, must be carried.

(b) Between sunset and sunrise, no person may use a boat less than 16 feet in length unless visual distress signals

suitable for night use, selected from the list in §175.130 or §175.135, in the number required, are on board.

[CGD 76-183, 44 FR 73024, Dec. 17, 1979, as amended by USCG-1999-5040, 67 FR 34760, May 15, 2002]

§ 175.113 Launchers.

(a) When a visual distress signal carried to meet the requirements of §175.110 requires a launcher to activate, then a launcher approved under 46 CFR 160.028 must also be carried.

§ 175.115 Exceptions.

The following persons need not comply with §175.110; however, each must carry on board visual distress signals suitable for night use, selected from the list in §175.130 or §175.135, in the number required, between sunset and sunrise:

(a) A person competing in any organized marine parade, regatta, race, or similar event;

(b) A person using a manually propelled boat; or

(c) A person using a sailboat of completely open construction, not equipped with propulsion machinery, under 26' in length.

§ 175.120 Stowage.

No person may use a boat unless the visual distress signals required by §175.110 are readily accessible.

[CGD 93-055, 61 FR 13926, Mar. 28, 1996, as amended by USCG-1999-5832, 64 FR 34715, June 29, 1999]

§ 175.125 Serviceability.

No person may use a boat unless each signal required by §175.110 is in serviceable condition and the service life of the signal, if indicated by a date marked on the signal, has not expired.

[CGD 93-055, 61 FR 13926, Mar. 28, 1996, as amended by USCG-1999-5832, 64 FR 34715, June 29, 1999]

§ 175.128 Marking.

No person may use a boat unless each signal required by §175.110 is legibly marked with the approval number or