

**§ 175.113**

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.

**§ 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

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certification statement as specified in 46 CFR Parts 160 and 161.

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

**§ 175.130 Visual distress signals accepted.**

(a) Any of the following signals, when carried in the number required, can be used to meet the requirements of §175.110:

(1) An electric distress light meeting the standards of 46 CFR 161.013. One is required to meet the night only requirement.

(2) An orange flag meeting the standards of 46 CFR 160.072. One is required to meet the day only requirement.

(3) Pyrotechnics meeting the standards noted in Table 175.130.

(b) Any combination of signal devices selected from the types noted in paragraphs (a) (1), (2) and (3) of this section, when carried in the number required, may be used to meet both day and night requirements. *Examples*—the combination of two hand held red flares (160.021), and one parachute red flare (160.024 or 160.036) meets both day and night requirements. Three hand held orange smoke (160.037) with one electric distress light (161.013) meet both day and night requirements.

TABLE 175.130—PYROTECHNIC SIGNAL DEVICES

Approval number under 46 CFR	Device description	Meets requirement for	Number required
160.021	Hand Held Red Flare Distress Signals <sup>3</sup> .	Day and Night .....	3
160.022	Floating Orange Smoke Distress Signals.	Day Only .....	3
160.024	Parachute Red Flare Distress Signals.	Day and Night <sup>1</sup> ....	3
160.036	Hand-Held Rocket-Propelled Parachute Red Flare Distress Signals.	Day and Night .....	3
160.037	Hand-Held Orange Smoke Distress Signals.	Day Only .....	3
160.057	Floating Orange Smoke Distress Signals.	Day Only .....	3

TABLE 175.130—PYROTECHNIC SIGNAL DEVICES—Continued

Approval number under 46 CFR	Device description	Meets requirement for	Number required
160.066	Distress Signal for Boats, Red Aerial Pyrotechnic Flare.	Day and Night <sup>2</sup> ....	3

<sup>1</sup> These signals require use in combination with a suitable launching device approved under 46 CFR 160.028.

<sup>2</sup> These devices may be either meteor or parachute assisted type. Some of these signals may require use in combination with a suitable launching device approved under 46 CFR 160.028.

<sup>3</sup> Must have manufacture date of 1 Oct. 1980 or later.

[CGD 81-038-A, 47 FR 24548, June 7, 1982]

#### § 175.135 Existing equipment.

Launchers manufactured before 1 January, 1981, which do not have approval numbers are acceptable for use with meteor or parachute signals listed in Table 175.130 under § 175.130 as long as they remain in serviceable condition.

[CGD 76-183, 44 FR 73024, Dec. 17, 1979, as amended by CGD 81-038-A, 47 FR 24548, June 7, 1982; USCG-1998-3799, 63 FR 35534, June 30, 1998]

#### § 175.140 Prohibited use.

No person in a boat shall display a visual distress signal on waters to which this subpart applies under any circumstance except a situation where assistance is needed because of immediate or potential danger to the persons on board.

### Subpart D—Ventilation

#### § 175.201 Ventilation.

No person may operate a boat built after July 31, 1980, that has a gasoline engine for electrical generation, mechanical power, or propulsion unless it is equipped with an operable ventilation system that meets the requirements of 33 CFR 183.610 (a), (b), (d), (e), and (f) and 183.620(a).

[CGD 76-082, 44 FR 73027, Dec. 17, 1979]

## PART 177—CORRECTION OF ESPECIALLY HAZARDOUS CONDITIONS

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AUTHORITY: 46 U.S.C. 4302, 4311; 49 CFR 1.45 and 1.46.

SOURCE: CGD 72-71R, 37 FR 13347, July 7, 1972, unless otherwise noted.

#### § 177.01 Purpose and applicability.

This part prescribes rules to implement section 4308 of Title 46 United States Code which governs the correction of especially hazardous conditions on recreational vessels and uninspected passenger vessels on waters subject to the jurisdiction of the United States and, for a vessel owned in the United States, on the high seas, except operators of:

- (a) Foreign boats temporarily using waters subject to United States jurisdiction;
- (b) Military or public boats of the United States, except recreational-type public boats;
- (c) A boat whose owner is a State or subdivision thereof, which is used principally for governmental purposes and which is clearly identifiable as such;
- (d) Ship's lifeboats.

[CGD 72-71R, 37 FR 13347, July 7, 1972, as amended by CGD 84-099, 52 FR 47534, Dec. 14, 1987; CGD 84-099, 53 FR 13117, April 21, 1988]

#### § 177.03 Definitions.

As used in this part:

- (a) [Reserved]
- (b) *Boat* means any vessel:
  - (1) Manufactured or used primarily for noncommercial use; or
  - (2) Leased, rented, or chartered to another for the latter's noncommercial use; or
  - (3) Engaged in the carrying of six or fewer passengers.
- (c) *Coast Guard Boarding Officer* means a commissioned, warrant, or petty officer of the Coast Guard having authority to board any vessel under