

**§ 72.30-1**

**46 CFR Ch. I (10-1-10 Edition)**

**Subpart 72.30—Subdivision and Stability**

**§ 72.30-1 Application.**

Each vessel must meet the applicable requirements in subchapter S of this chapter.

[CGD 79-023, 48 FR 51007, Nov. 4, 1983]

**Subpart 72.40—Rails and Guards**

**§ 72.40-1 Application.**

(a) The provisions of this subpart, with the exception of § 72.40-90, shall apply to all vessels contracted for on or after July 1, 1969. Vessels contracted for prior to July 1, 1969, shall meet the requirements of § 72.40-90.

(b) [Reserved]

[CGFR 65-50, 30 FR 16903, Dec. 30, 1965, as amended by CGFR 69-72, 34 FR 17483, Oct. 29, 1969]

**§ 72.40-5 Where rails required.**

(a) All passenger vessels shall have efficient guard rails or bulwarks on decks and bridges as follows: The height of rails or bulwarks shall be at least 39½ inches from the deck. At the peripheries of the freeboard and superstructure decks and at the peripheries of all decks accessible to passengers, rails shall be in at least three courses including the top. The opening below the lowest course shall not be more than 9 inches. The courses shall not be more than 15 inches apart. In the case of ships with rounded gunwales the guard rail supports shall be placed on the flat of the deck. On other decks and bridges the rails shall be in at least two courses, including the top, approximately evenly spaced.

(b) Where the height of the rails interferes with the business of the vessel, as in the case of a sport fishing vessel, other arrangements may be specifically approved by the Commandant. However, in general, the effective rail or bulwark height above the deck on which the passengers stand shall be at least 30 inches.

(c) On the passenger decks of ferryboats, excursion vessels, and vessels of a similar type, the space below the top of the rail shall be fitted with suitable wire mesh or the equivalent. Depending

upon the type of construction, the lower rail courses may not be required.

(d) Where it can be shown to the satisfaction of the Commandant that a vessel is engaged exclusively in voyages of a sheltered nature, the provisions of paragraph (a) of this section may be relaxed.

[CGFR 69-72, 34 FR 17483, Oct. 29, 1969]

**§ 72.40-10 Storm rails.**

(a) Suitable storm rails shall be installed in all passageways and at the deckhouse sides where passengers or crew might have normal access. Storm rails shall be installed on both sides of passageways which are 6 feet or more in width.

(b) [Reserved]

**§ 72.40-15 Vehicular ferries.**

(a) On vehicular ferries, suitable chains, cables, or other barriers shall be installed at the ends of the vehicle runways. In addition, suitable gates, rails, or other devices shall be installed as a continuation of the regularly required rails.

(b) [Reserved]

**§ 72.40-20 Guards in dangerous places.**

(a) Suitable covers, guards, or rails shall be installed in way of all exposed and dangerous places such as gears, machinery, etc.

(b) [Reserved]

**§ 72.40-90 Vessels contracted for prior to July 1, 1969.**

(a) Passenger vessels contracted for prior to July 1, 1969, assigned a deeper load line under part 42 of subchapter E (Load Lines) of this chapter shall have efficient guard rails or bulwarks as required by § 72.40-5. Otherwise, existing structure, arrangements, materials, and facilities previously approved will be considered satisfactory so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. Minor repairs and alterations may be made to the same standards as the original construction provided that in no case will greater departure from the standards of §§ 72.40-5 through 72.40-20 be permitted than presently exists.