

ability, past acceptance, or a combination of these.

Trunk means a vertical shaft or duct for the passage of pipes, wires, or other devices except that for the purposes of part 179 of this chapter, “trunk” means a large enclosed passageway through any deck or bulkhead of a vessel.

Underwater Survey in Lieu of Drydocking (UWILD) means a program in which an eligible vessel may alternate between an underwater survey and the required drydock examinations.

Vehicle space means a space not on an open deck, for the carriage of motor vehicles with fuel in their tanks, into and from which such vehicles can be driven and to which passengers have access.

Vessel includes every description of watercraft or other artificial contrivance, used or capable of being used as a means of transportation on water.

Vessel of the United States means a vessel documented or numbered under the laws of the United States, the states of the United States, Guam, Puerto Rico, the Virgin Islands, American Samoa, the District of Columbia, the Northern Mariana Islands, and any other territory or possession of the United States.

Warm water means water where the monthly mean low water temperature is normally more than 15 degrees Celsius (59 degrees Fahrenheit).

Watertight means designed and constructed to withstand a static head of water without any leakage, except that “watertight” for the purposes of electrical equipment means enclosed so that water does not enter the equipment when a stream of water from a hose with a nozzle one inch in diameter that delivers at least 246 liters (65 gallons) per minute is sprayed on the enclosure from any direction from a distance of ten feet for five minutes.

Weather deck means a deck that is partially or completely exposed to the weather from above or from at least two sides, except that for the purposes of parts 178 and 179 of this chapter, “weather deck” means the uppermost deck exposed to the weather to which a weathertight sideshell extends.

Weathertight means that water will not penetrate in any sea condition, except that “weathertight equipment”

means equipment constructed or protected so that exposure to a beating rain will not result in the entrance of water.

Well deck vessel means a vessel with a weather deck fitted with solid bulwarks that impede the drainage of water over the sides or a vessel with an exposed recess in the weather deck extending more than one-half of the length of the vessel measured over the weather deck.

Wire means an individual insulated conductor without an outer protective jacket.

Wood vessel means, for the purposes of subdivision and lifesaving equipment requirements in this subchapter, a traditionally-built, plank-on-frame vessel, where mechanical fasteners (screws, nails, trunnels) are used to maintain hull integrity.

Work space means a space, not normally occupied by a passenger, in which a crew member performs work and includes, but is not limited to, a galley, operating station, or machinery space.

[CGD 85-080, 61 FR 947, Jan. 10, 1996; 61 FR 20557, May 7, 1996]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 175.400, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 175.540 **Equivalents.**

(a) The Commandant may approve any arrangement, fitting, appliance, apparatus, equipment, calculation, information, or test, which provides a level of safety equivalent to that established by specific provisions of this subchapter. Requests for approval must be submitted to the Marine Safety Center via the cognizant OCMI. If necessary, the Marine Safety Center may require engineering evaluations and tests to demonstrate the equivalence of the substitute.

(b) The Commandant may accept compliance by a high speed craft with the provisions of the International Maritime Organization (IMO) “Code of Safety for High Speed Craft” as an equivalent to compliance with applicable requirements of this subchapter. Requests for a determination of equivalency for a particular vessel must be

submitted to the Marine Safety Center via the cognizant OCMI.

(c) The Commandant may approve a novel lifesaving appliance or arrangement as an equivalent if it has performance characteristics at least equivalent to the appliance or arrangement required under this part, and:

(1) Is evaluated and tested under IMO Resolution A. 520(13) (incorporated by reference, see 46 CFR 175.600); or

(2) Has successfully undergone an evaluation and tests that are substantially equivalent to those recommendations.

(d) The Commandant may accept alternative compliance arrangements in lieu of specific provisions of the International Safety Management (ISM) Code (IMO Resolution A.741(18)) for the purpose of determining that an equivalent safety management system is in place on board a vessel. The Commandant will consider the size and corporate structure of a vessel's company when determining the acceptability of an equivalent system. Requests for determination of equivalency must be submitted to Commandant (CG-543) via the cognizant OCMI.

[CGD 85-080, 61 FR 947, Jan. 10, 1996; 61 FR 24464, May 15, 1996, as amended by CGD 95-073, 62 FR 67515, Dec. 24, 1997; USCG-2003-16630, 73 FR 65203, Oct. 31, 2008; USCG-2009-0702, 74 FR 49240, Sept. 25, 2009]

§ 175.550 Special consideration.

In applying the provisions of this subchapter, the OCMI may give special consideration to authorizing departures from the specific requirements when unusual circumstances or arrangements warrant such departures

and an equivalent level of safety is provided. The OCMI of each marine inspection zone in which the vessel operates must approve any special consideration granted to a vessel.

§ 175.560 Appeals.

Any person directly affected by a decision or action taken under this subchapter, by or on behalf of the Coast Guard, may appeal therefrom in accordance with §1.03 in subchapter A of this chapter.

§ 175.600 Incorporation by reference.

(a) Certain material is incorporated by reference into this subchapter with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the Coast Guard must publish notice of change in the FEDERAL REGISTER and the material must be available to the public. All approved material is available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030 or go to http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. The material is also available for inspection at the U.S. Coast Guard, Office of Design and Engineering Standards (CG-521), 2100 2nd St., SW., Stop 7126, Washington, DC 20593-7126, and is available from the sources listed below.

(b) The material approved for incorporation by reference in this subchapter and the sections affected are shown in Table 175.600:

TABLE 175.600: SUBCHAPTER T INCORPORATIONS BY REFERENCE

Standards organization and name of standard	Section(s) incorporating the standard
American Boat and Yacht Council (ABYC), 613 Third Street, Suite 10, Annapolis, MD 21403	
A-1-93—Marine Liquefied Petroleum Gas (LPG) Systems ("ABYC A-1") ...	184.240.
A-3-93—Galley Stoves ("ABYC A-3")	184.200.
A-7-70—Boat Heating Systems ("ABYC A-7")	184.200.
A-16-89—Electric Navigation Lights ("ABYC A-16")	183.130.
A-22-93—Marine Compressed Natural Gas (CNG) Systems ("ABYC A-22")	184.240.
E-8 Alternating Current (AC) Electrical Systems on Boats (July 2001) ("ABYC E-8")	183.130; 183.340.
E-9 Direct Current (DC) Electrical Systems on Boats (May 28, 1990) ("ABYC E-9")	183.130; 183.340.
H-2-89—Ventilation of Boats Using Gasoline ("ABYC H-2")	183.130; 182.460.
H-22-86—DC Electric Bilge Pumps Operating Under 50 Volts ("ABYC H-22")	182.130; 182.500.