§ 176.112 Total persons permitted.

The cognizant OCMI determines the total number of persons permitted to be carried on a vessel. In determining the total number of persons permitted to be carried, the OCMI may consider stability restrictions and subdivision requirements of the vessel, the vessel’s route, general arrangement, means of escape, lifesaving equipment, the minimum manning requirements, and the maximum number of passengers permitted in accordance with § 176.113.

§ 176.113 Passengers permitted.

(a) The maximum number of passengers permitted must be not more than that allowed by the requirements of this section, except as authorized by the OCMI under paragraph (d) of this section.

(b) The maximum number of passengers permitted on any vessel may be the greatest number permitted by the length of rail criterion, deck area criterion, or fixed seating criterion described in this paragraph or a combination of these criteria as allowed by paragraph (c) of this section.

(1) Length of rail criterion. One passenger may be permitted for each 760 millimeters (30 inches) of rail space available to the passengers at the periphery of each deck. The following rail space may not be used in determining the maximum number of passengers permitted:

(i) Rail space in congested areas unsafe for passengers, such as near anchor handling equipment or line handling gear, in the way of sail booms, running rigging, or paddle wheels, or along pulps;

(ii) Rail space on stairways; and

(iii) Rail space where persons standing in the space would block the vision of the individual operating the vessel.

(2) Deck area criterion. One passenger may be permitted for each 0.9 square meters (10 square feet) of deck area available for the passengers’ use. In computing such deck area, the areas occupied by and necessary for handling lifesaving equipment, anchor handling equipment or line handling gear, or in the way of sail booms or running rigging:

(i) Areas for which the number of persons permitted is determined using the fixed seating criteria;

(ii) Obstructions, including stairway and elevator enclosures, elevated stages, bars, and cashier stands, but not including slot machines, tables, or other room furnishings;

(iii) Toilets and washrooms;

(iv) Spaces occupied by and necessary for handling lifesaving equipment, anchor handling equipment or line handling gear, or in the way of sail booms or running rigging;

(v) Spaces below deck that are unsuitable for passengers or that would not normally be used by passengers;

(vi) Interior passageways less than 840 millimeters (34 inches) wide and
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§ 176.120 Certificate of Inspection amendment.

(a) An amended Certificate of Inspection may be issued at any time by any OCMI. The amended Certificate of Inspection replaces the original, but the expiration date remains the same as that of the original. An amended Certificate of Inspection may be issued to authorize and record a change in the equipment regulations for an uninspected vessel or recreational vessel in a similar service;

(2) Subpart C of part 177, and parts 178 and 179 of this chapter if the vessel is in satisfactory compliance with applicable regulations for an uninspected vessel or recreational vessel in a similar service or if the owner of the vessel otherwise establishes to the satisfaction of the cognizant OCMI that the vessel is seaworthy for the intended service; and

(3) Sections 184.404 and 184.410 of this chapter providing the vessel is in satisfactory compliance with applicable regulations for an uninspected or recreational vessel in a similar service.

(b) A vessel operating under the alternative regulations of paragraph (a) of this section must:

(1) Not alter the arrangement of the vessel nor remove any equipment required by the certificate for the intended operation, without the consent of the cognizant OCMI;

(2) Comply with the minimum Manning specified on the Certificate of Inspection, which may include reduced Manning depending on the number of passengers and operation of the vessel;

(3) When carrying from one to six passengers, except for a vessel being operated as a recreational vessel, make the announcement required by § 185.506(a) of this chapter before getting underway; and

(4) If a vessel of more than 15 gross tons, not carry freight for hire.

(c) The endorsement issued under paragraph (a) of this section must indicate the route, maximum number of passengers, and the Manning required to operate under the provisions of this section.