

§ 170.020

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on 4 December 2008, IBR approved for § 170.165.

[USCG–2007–0030, 75 FR 78082, Dec. 14, 2010, as amended by USCG–2012–0832, 77 FR 59788, Oct. 1, 2012]

§ 170.020 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and record-keeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f), which requires that agencies display a current control number assigned by the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part—	Current OMB control No.
§ 170.075	1625–0064
§ 170.080	1625–0064
§ 170.085	1625–0064
§ 170.090	1625–0064
§ 170.095	1625–0064
§ 170.100	1625–0064
§ 170.110	1625–0064
§ 170.120	1625–0064
§ 170.125	1625–0064
§ 170.135	1625–0064
§ 170.180	1625–0064

[CGD 89–037, 57 FR 41825, Sept. 11, 1992, as amended by USCG–2004–18884, 69 FR 58350, Sept. 30, 2004]

Subpart B—Definitions

§ 170.050 General terms.

(a) *Commanding Officer, Marine Safety Center (CO, MSC)* means a district commander described in 33 CFR part 3 whose command includes a merchant marine technical office or an authorized representative of the district commander.

(b) *Commandant* means the Commandant of the Coast Guard or an authorized representative of the Commandant.

(c) *Exposed waters* means waters more than 20 nautical miles (37 kilometers) from the mouth of a harbor of safe refuge and other waters which the Officer in Charge, Marine Inspection deter-

mines to present special hazards due to weather or other circumstances.

(d) *Great Lakes* includes both the waters of the Great Lakes and of the St. Lawrence River as far east as a straight line drawn from Cap de Rosiers to West Point, Anticosti Island, and west of a line along the 63rd meridian from Anticosti Island to the north shore of the St. Lawrence River.

(e) *Lakes, Bays, and Sounds* includes the waters of any lake, bay, or sound, except the Great Lakes.

(f) *Oceans* includes the waters of—

- (1) Any ocean;
- (2) The Gulf of Mexico;
- (3) The Caribbean Sea;
- (4) The Gulf of Alaska; and
- (5) Any other waters designated as “oceans” by the Commandant.

(g) *Officer in Charge Marine Inspection (OCMI)* means an officer of the Coast Guard who commands a Marine Inspection Zone described in 33 CFR part 3 or an authorized representative of that officer.

(h) *Oil* means oil of any kind or in any form, and includes but is not limited to petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil.

(i) *Partially protected waters* means—

- (1) Waters within 20 nautical miles (37 kilometers) of the mouth of a harbor of safe refuge, unless determined by the OCMI to be exposed waters; and
- (2) Those portions of rivers, harbors, lakes, etc. which the OCMI determines not to be sheltered.

(j) *Protected waters* means sheltered waters presenting no special hazards such as most rivers, harbors, lakes, etc.

(k) *Rivers* means any river, canal, or any other similar body of water designated by the OCMI.

[CGD 79–023, 48 FR 51010, Nov. 4, 1983, as amended by CGD 88–070, 53 FR 34537, Sept. 7, 1988]

§ 170.055 Definitions concerning a vessel.

(a) *Assumed average weight per person* means the weight calculated in accordance with § 170.090 of this part.

(b) *Auxiliary sailing vessel* means a vessel capable of being propelled both by mechanical means and by sails.

(c) *Barge* means a vessel not equipped with a means of self-propulsion.

(d) *Beam* or *B* means the maximum width of a vessel from—

(1) Outside of planking to outside of planking on wooden vessels; and

(2) Outside of frame to outside of frame on all other vessels.

(e) *Bulkhead deck* means the uppermost deck to which watertight bulkheads and the watertight shell extend.

(f) *Constructed* means the date—

(1) The vessel's keel was laid; or

(2) Construction identifiable with the vessel began and assembly of that vessel commenced comprising of 50 metric tons or at least 1 percent of the estimated mass of all structural material, whichever is less.

(g) *Downflooding* means, except as provided in §174.035(b), the entry of seawater through any opening into the hull or superstructure of an undamaged vessel due to heel, trim, or submergence of the vessel.

(h) *Documented alterations* means changes to the vessel which are reflected in the approved stability information carried on board the vessel.

(i) *Downflooding angle* means, except as specified by §§171.055(f), 172.090(d), 173.095(e), 174.015(b), and 174.035(b)(2) of this chapter, the static angle from the intersection of the vessel's centerline and waterline in calm water to the first opening that cannot be closed watertight and through which downflooding can occur.

(j) *Draft* means the vertical distance from the molded baseline amidships to the waterline.

(k) *Length* means the distance between fore and aft points on a vessel. The following specific terms are used and correspond to specific fore and aft points:

(1) *Length between perpendiculars (LBP)* means the horizontal distance measured between perpendiculars taken at the forward-most and after-most points on the waterline corresponding to the deepest operating draft. For a small passenger vessel that has underwater projections extending forward of the forward-most point or aft of the after-most point on the deepest waterline of the vessel, the Commanding Officer, U.S. Coast Guard Marine Safety Center, may include the length or a portion of the length of the underwater projections in the value

used for the LBP for the purposes of this subchapter. The length or a portion of the length of projections that contribute more than 2 percent of the underwater volume of the vessel is normally added to the actual LBP.

(2) *Length overall (LOA)* means the horizontal distance between the forward-most and after-most points on the hull.

(3) *Length on the waterline (LWL)* means the horizontal distance between the forward-most and after-most points on a vessel's waterline.

(4) *Length on deck (LOD)* means the length between the forward-most and after-most points on a specified deck measured along the deck, excluding sheer.

(5) *Load line length (LLL)* has the same meaning that is provided for the term *length* in §42.13-15(a) of this chapter.

(6) *Mean length* is the average of the length between perpendiculars (LBP) and the length on deck (LOD).

(1) *Lightweight* means the displacement of a vessel with fixed ballast and with machinery liquids at operating levels but without any cargo, stores, consumable liquids, water ballast, or persons and their effects.

(m) *Main transverse watertight bulkhead* means a transverse bulkhead that must be maintained watertight in order for the vessel to meet the damage stability and subdivision requirements in this subchapter.

(n) *Major conversion*, as applied to Great Lakes bulk carriers, means a conversion of an existing vessel that substantially changes the dimensions or carrying capacity of the vessel or changes the type of vessel or substantially prolongs its life or that otherwise so changes the vessel that it is essentially a new vessel.

(o) *Permeability* is the percentage of the volume of a space that can be occupied by water.

(p) *Sailing vessel* means a vessel propelled only by sails.

(q) *Ship* means a self-propelled vessel.

(r) *Tank vessel* means a vessel that is specially constructed or converted to carry liquid bulk cargo in tanks.

(s) *Tank barge* means a tank vessel not equipped with a means of self-propulsion.

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(t) *Tank ship* means a tank vessel propelled by mechanical means or sails.

(u) *Vessel* means any vessel and includes both ships and barges.

(v) *Weather deck* means the uppermost deck exposed to the weather.

(w) *Existing sailing school vessel* means a sailing vessel whose keel was laid prior to (January 9, 1986), which has an application for initial inspection for certification as a sailing school vessel on file with the Coast Guard prior to (January 9, 1987), and whose initial inspection for certification is completed prior to (January 9, 1988).

(x) *New sailing school vessel* means a sailing school vessel which is not an existing sailing school vessel.

(y) *Small passenger vessel* means a vessel of less than 100 gross tons—

(1) Carrying more than 6 passengers, including at least one passenger for hire;

(2) That is chartered with the crew provided or specified by the owner or owner's representative and carrying more than 6 passengers;

(3) That is chartered with no crew provided or specified by the owner or owner's representative and carrying more than 12 passengers; or

(4) That is a submersible vessel carrying at least one passenger for hire.

[CGD 79-023, 48 FR 51010, Nov. 4, 1983]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 170.055, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

Subpart C—Plan Approval

§ 170.070 Applicability.

(a) Except as provided in paragraph (b) of this section, this subpart applies to each vessel.

(b) This subpart does not apply to any of the following vessels unless the stability of the vessel is questioned by the OCMI, or regulations by which the vessel is inspected require their application:

(1) A passenger vessel that—

(i) Is less than 100 gross tons;

(ii) Is less than 65 feet (19.8 meters) LOD measured over the weather deck; and

(iii) Carries 49 or less passengers.

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(2) A deck cargo barge that complies with the requirements in § 174.020 of this chapter.

(3) A tank vessel that only carries a product listed in § 30.25-1 of this chapter and that is less than 150 gross tons.

(4) A tank barge that—

(i) Operates only in rivers or lakes, bays, and sounds service;

(ii) Does not have to meet 33 CFR part 157, subpart B; and

(iii) Only carries a product listed in § 30.25-1 of this chapter.

(5) A sailing school vessel that is an open boat that complies with the requirements in § 173.063(e) of this subchapter.

[CGD 79-023, 48 FR 51010, Nov. 4, 1983, as amended by CGD 83-005, 51 FR 923, Jan. 9, 1986; USCG-2007-0030, 75 FR 78083, Dec. 14, 2010]

§ 170.075 Plans.

(a) Except as provided in paragraph (b) of this section, each applicant for an original certificate of inspection and approval of plans must also submit three copies for plan review being conducted by the Coast Guard Marine Safety Center of each of the following plans:

(1) General arrangement plan of decks, holds, and inner bottoms including inboard and outboard profiles.

(2) Lines.

(3) Curves of form.

(4) Capacity plan showing capacities and vertical, longitudinal, and transverse centers of gravity of stowage spaces and tanks.

(5) Tank sounding tables showing—

(i) Capacities, vertical centers of gravity, and longitudinal centers of gravity in graduated intervals; and

(ii) Free surface data for each tank.

(6) Draft mark locations including longitudinal location and vertical reference points.

(b) Each small passenger vessel that is designed to comply with the alternate intact stability requirements in § 178.320 of this subchapter and the simplified method of spacing main transverse watertight bulkheads in § 179.220 of this subchapter does not have to