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[Amdt. 176–30, 55 FR 52693, Dec. 21, 1990, as amended at 56 FR 66282, Dec. 20, 1991; Amdt. 176–43, 62 FR 24742, May 6, 1997; 66 FR 33438, June 21, 2001; 66 FR 45185, 45384, Aug. 28, 2001; 67 FR 15744, Apr. 3, 2002; 68 FR 45040, July 31, 2003; 69 FR 76183, Dec. 20, 2004; 70 FR 3310, Jan. 24, 2005; 71 FR 78634, Dec. 29, 2006; 74 FR 2268, Jan. 14, 2009; 76 FR 3384, Jan. 19, 2011]

Subpart E—Special Requirements for Transport Vehicles Loaded With Hazardous Materials and Transported on Board Ferry Vessels

§ 176.88 Applicability.

The requirements in this subpart are applicable to transport vehicles containing hazardous materials being transported on board ferry vessels and are in addition to any prescribed elsewhere in this subchapter. Vessels in a service similar to a ferry service, but not over a designated ferry route, may be treated as a ferry vessel for the purpose of this subpart if approved in writing by the District Commander.

[Amdt. 176–1, 41 FR 16110, Apr. 15, 1976, as amended by Amdt. 176–1A, 41 FR 40690, Sept. 20, 1976]

§ 176.89 Control of transport vehicles.

(a) A transport vehicle containing hazardous materials may be transported on board a ferry vessel, subject to the following conditions:

(1) The operator or person in charge of the vehicle shall deliver to the vessel's representative a copy of the shipping papers and certificate required by §§ 176.24 and 176.27;

(2) The vehicle shall be placed at the location indicated by the vessel's representative;

(3) The parking brakes of the vehicle shall be set securely to prevent movement;

(4) The motor of a highway vehicle shall be shut off and not restarted until the vessel has completed its voyage and docked;

(5) All vehicle lights shall be cut off and not relighted until the vessel has completed its voyage and docked;

(6) The operator of a highway vehicle shall remain with the vehicle;

(7) No repairs or adjustments must be made to the vehicle while it is on the vessel;

(8) No hazardous materials are to be released from the vehicle; and

(9) Any instructions given by the vessel's representative during the voyage, and during ''roll on'' and ''roll off'' operations must be observed.

(b) Smoking by any person in or around a vehicle is prohibited.

§ 176.90 Private automobiles.

A private automobile which is carrying any Class 1 (explosive) material (except permitted fireworks or small arms ammunition) may not be transported on a passenger-carrying ferry vessel unless the Class 1 (explosive) material is in compliance with packaging, labeling, marking, and certification requirements of this subchapter. Permitted fireworks and small arms ammunition may be carried without the required packaging, labeling, marking, or certification if they are in tight containers.

[Amdt. 176–1, 41 FR 16110, Apr. 15, 1976, as amended by Amdt. 176–30, 55 FR 52695, Dec. 21, 1990]

§ 176.91 Motorboats.

A motorboat may be transported on board a ferry vessel with gasoline in the tank and two other containers not exceeding 23 L (six gallons) capacity each if they are in the motorboat, closed, and in good condition.

[Amdt. 176–1, 41 FR 16110, Apr. 15, 1976, as amended by Amdt. 176–30, 55 FR 52695, Dec. 21, 1990]

§ 176.92 Cylinders laden in vehicles.

Any cylinder of Class 2 (compressed gas) material which is required to have a valve protection cap fitted in place may be transported on board a ferry vessel without having the valve protection cap in place when it is laden in a transport vehicle and is not removed from the vehicle while on the vessel.

[Amdt. 176–1, 41 FR 16110, Apr. 15, 1976, as amended by Amdt. 176–30, 55 FR 52695, Dec. 21, 1990]

§ 176.93 Vehicles having refrigerating or heating equipment.

(a) A transport vehicle fitted with refrigerating or heating equipment using a flammable liquid or Division 2.1 (flammable gas) material, or diesel oil

as fuel, may be transported on a ferry vessel. However, the refrigerating or heating equipment may not be operated while the vehicle is on the vessel, unless the equipment complies with the following requirements:

(1) The installation is rigidly mounted and free of any motion other than normal vibration in operation;

(2) An easily accessible shutoff control is fitted to the fuel and electrical supply of the refrigerating or heating equipment; and

(3) The fuel storage tank, the fuel lines, the carburetor and any other fuel devices are tight and show no signs of leakage.

(b) If the vehicle operator desires to operate the refrigerating or heating equipment while on the vessel and the equipment is not fitted with automatic starting and stopping devices, it must be started before the vehicle is taken on board. It may continue in operation while the vehicle is on the vessel, but if the motor stops it may not be restarted.

(c) In the case of a ferry vessel on a voyage exceeding 30 minutes' duration, stowage must be provided for transport vehicles having refrigerating or heating equipment operated by internal combustion engines which will permit ready diffusion of exhaust gases to the open air. Passenger vehicles may not be stowed in a position adjacent to vehicles operating internal combustion motors which expose the occupants of the passenger vehicles to excessive concentrations of exhaust fumes from such motors.

(d) A transport vehicle containing solid carbon dioxide as a refrigerant may be transported on a ferry vessel only if it is stowed in a well ventilated location.

[Amdt. 176–1, 41 FR 16110, Apr. 15, 1976, as amended by Amdt. 176–30, 55 FR 52695, Dec. 21, 1990; 68 FR 61942, Oct. 30, 2003]

Subpart F—Special Requirements for Barges

SOURCE: Amdt. 176–8, 44 FR 23228, Apr. 19, 1979, unless otherwise noted.

§ 176.95 Applicability.

The requirements prescribed in this subpart are applicable to the transportation of packaged hazardous materials on board barges. The requirements prescribed elsewhere in this subchapter for vessels similarly apply, except as provided in this subpart, to the transportation of packaged hazardous materials on board barges.

§ 176.96 Materials of construction.

Barges used to transport hazardous materials must be constructed of steel.

[Amdt. 176–30, 55 FR 52695, Dec. 21, 1990]

§ 176.97 Prohibition of dump scows.

Dump scows are barges having cargo carrying compartments of the hopper type and fitted with a bottom dump or a side dump. This type of barge is prohibited from the carriage of any class of hazardous material.

§ 176.98 Stowage of hazardous materials on board barges.

A material for which ''on deck'' stowage only is required by column (10) of the Hazardous Materials Table (§ 172.101 of this subchapter) may be stowed ''under deck'' on unmanned barges.

[Amdt. 176–8, 44 FR 23228, Apr. 19, 1979, as amended by Amdt. 176–30, 55 FR 52695, Dec. 21, 1990]

§ 176.99 Permit requirements for certain hazardous materials.

The permits required by §§ 176.100 and 176.415 for loading, unloading, and handling Divisions 1.1 and 1.2 (explosives) materials, Division 1.5 materials, ammonium nitrate and certain ammonium nitrate mixtures and fertilizers must be obtained before these materials may be loaded on, unloaded from, or handled on board a barge or barge-carrying vessel. However, a barge loaded with these materials being placed on, removed from, or handled on board a barge-carrying vessel is not subject to these permit requirements.

[Amdt. 176–30, 55 FR 52695, Dec. 21, 1990, as amended at 56 FR 66282, Dec. 20, 1991; 66 FR 45384, Aug. 28, 2001]