§ 175.115 Exceptions.

The following persons need not comply with § 175.110; however, each must carry on board visual distress signals suitable for night use, selected from the list in § 175.130 or § 175.135, in the number required, between sunset and sunrise:

(a) A person competing in any organized marine parade, regatta, race, or similar event;

(b) A person using a manually propelled boat; or

(c) A person using a sailboat of completely open construction, not equipped with propulsion machinery, under 26′ in length.

§ 175.120 Stowage.

No person may use a boat unless the visual distress signals required by § 175.110 are readily accessible.


§ 175.125 Serviceability.

No person may use a boat unless each signal required by § 175.110 is in serviceable condition and the service life of the signal, if indicated by a date marked on the signal, has not expired.


§ 175.128 Marking.

No person may use a boat unless each signal required by § 175.110 is legibly marked with the approval number or certification statement as specified in 46 CFR Parts 160 and 161.


§ 175.130 Visual distress signals accepted.

(a) Any of the following signals, when carried in the number required, can be used to meet the requirements of § 175.110:

(1) An electric distress light meeting the standards of 46 CFR 160.072. One is required to meet the night only requirement.

(2) An orange flag meeting the standards of 46 CFR 160.072. One is required to meet the day only requirement.

(3) Pyrotechnics meeting the standards noted in Table 175.130.

(b) Any combination of signal devices selected from the types noted in paragraphs (a) (1), (2) and (3) of this section, when carried in the number required, may be used to meet both day and night requirements. Examples—the combination of two hand held red flares (160.021), and one parachute red flare (160.024 or 160.036) meets both day and night requirements. Three hand held orange smoke (160.037) with one electric distress light (161.013) meet both day and night requirements.

Table 175.130—Pyrotechnic Signal Devices

<table>
<thead>
<tr>
<th>Approval number under 46 CFR</th>
<th>Device description</th>
<th>Meets requirement for</th>
<th>Number required</th>
</tr>
</thead>
<tbody>
<tr>
<td>160.021</td>
<td>Hand Held Red Flare Distress Signals</td>
<td>Day and Night ......</td>
<td>3</td>
</tr>
<tr>
<td>160.022</td>
<td>Floating Orange Smoke Distress Signals</td>
<td>Day Only ............</td>
<td>3</td>
</tr>
<tr>
<td>160.024</td>
<td>Parachute Red Flare Distress Signals</td>
<td>Day and Night .....</td>
<td>3</td>
</tr>
<tr>
<td>160.036</td>
<td>Hand-Held Rocket-Propelled Parachute Red Flare Distress Signals</td>
<td>Day and Night ......</td>
<td>3</td>
</tr>
<tr>
<td>160.037</td>
<td>Hand-Held Orange Smoke Distress Signals</td>
<td>Day Only ............</td>
<td>3</td>
</tr>
<tr>
<td>160.057</td>
<td>Floating Orange Smoke Distress Signals</td>
<td>Day Only ............</td>
<td>3</td>
</tr>
<tr>
<td>160.066</td>
<td>Distress Signal for Boats, Red Aerial Pyrotechnic Flare</td>
<td>Day and Night ....</td>
<td>3</td>
</tr>
</tbody>
</table>

1 These signals require use in combination with a suitable launching device approved under 46 CFR 160.028.
2 These devices may be either meteor or parachute assisted types. Some of these signals may require use in combination with a suitable launching device approved under 46 CFR 160.028.
3 Must have manufacture date of 1 Oct. 1980 or later.

[CGD 81–038–A, 47 FR 24548, June 7, 1982]

§ 175.135 Existing equipment.

Launchers manufactured before 1 January, 1981, which do not have approval numbers are acceptable for use with meteor or parachute signals listed in Table 175.130 under § 175.130 as long
as they remain in serviceable condition.

§ 175.140 Prohibited use.

No person in a boat shall display a visual distress signal on waters to which this subpart applies under any circumstance except a situation where assistance is needed because of immediate or potential danger to the persons on board.

Subpart D—Ventilation

§ 175.201 Ventilation.

No person may operate a boat built after July 31, 1980, that has a gasoline engine for electrical generation, mechanical power, or propulsion unless it is equipped with an operable ventilation system that meets the requirements of 33 CFR 183.610 (a), (b), (d), (e), and (f) and 183.620(a).

PART 177—CORRECTION OF ESPECIALLY HAZARDOUS CONDITIONS

Sec.
177.01 Purpose and applicability.
177.03 Definitions.
177.04 Order of unsafe condition.
177.05 Action to correct an especially hazardous condition.
177.07 Other unsafe conditions.
177.08 Regulated boating areas.
177.09 Penalties.


Source: CGD 72–71R, 37 FR 13347, July 7, 1972, unless otherwise noted.

§ 177.01 Purpose and applicability.

This part prescribes rules to implement section 4308 of Title 46 United States Code which governs the correction of especially hazardous conditions on recreational vessels and uninspected passenger vessels on waters subject to the jurisdiction of the United States and, for a vessel owned in the United States, on the high seas, except operators of:

(a) Foreign boats temporarily using waters subject to United States jurisdiction;
(b) Military or public boats of the United States, except recreational-type public boats;
(c) A boat whose owner is a State or subdivision thereof, which is used principally for governmental purposes and which is clearly identifiable as such;
(d) Ship’s lifeboats.

§ 177.03 Definitions.

As used in this part:
(a) [Reserved]
(b) Boat means any vessel—
   (1) Manufactured or used primarily for noncommercial use;
   (2) Leased, rented, or chartered to another for the latter’s noncommercial use; or
   (3) Operated as an uninspected passenger vessel subject to the requirements of 46 CFR chapter I, subchapter C.
(c) Coast Guard Boarding Officer means a commissioned, warrant, or petty officer of the Coast Guard having authority to board any vessel under the Act of August 4, 1949, 63 Stat. 502, as amended (14 U.S.C. 89).
(d) Operator means the person who is in control or in charge of a boat while it is in use.
(e) Use means operate, navigate, or employ.
(f) Vessel includes every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on the water.

§ 177.04 Order of unsafe condition.

(a) The Commandant has redelegated to Coast Guard District Commanders, with the reservation that this authority shall not be further redelegated, the authority, under 46 U.S.C. 4308, to issue orders applicable to a specific boat within the District Commander’s jurisdiction designating that boat unsafe for a specific voyage on a specific