§ 108.102 Preemptive effect.

The regulations in this part have preemptive effect over State or local regulations in the same field.


§ 108.103 Equipment not required on a unit.

Each item of lifesaving and firefighting equipment carried on board the unit in addition to equipment of the type required under this subchapter, must—

(a) Be approved; or

(b) Be acceptable to the cognizant OCMI, for use on the unit.

[CGD 84–069, 61 FR 25291, May 20, 1996]

§ 108.105 Substitutes for required fittings, material, apparatus, equipment, arrangements, calculations, and tests.

(a) Where this subchapter requires a particular fitting, material, apparatus, equipment, arrangement, calculation or test, the Commandant (CG–ENG) may accept any substitution that is at least as effective as that specified. If necessary, the Commandant (CG–ENG) may require engineering evaluations and tests to demonstrate the equivalence of the substitution.

(b) In any case where it is shown to the satisfaction of the Commandant that the use of any particular equipment, apparatus, arrangement, or test is unreasonable or impracticable, the

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Commandant may permit the use of alternate equipment, apparatus, arrangement, or test to such an extent and upon such condition as will insure, to his satisfaction, a degree of safety consistent with the minimum standards set forth in this subchapter.

(c) The Commandant (CG–ENG) may accept a novel lifesaving appliance or arrangement, if it provides a level of safety equivalent to the requirements of this part and the appliance or arrangement—
(i) Is evaluated and tested in accordance with IMO Resolution A.520(13), Code of Practice for the Evaluation, Testing and Acceptance of Prototype Novel Life-saving Appliances and Arrangements; or
(ii) Has successfully undergone evaluation and tests that are substantially equivalent to those recommendations.

(d) During a unit’s construction and when any modification to the lifesaving arrangement is done after construction, the owner must obtain acceptance of lifesaving arrangements from the Commandant Marine Safety Center.

(e) The OCMI may accept substitute lifesaving appliances other than those required by this part, except for—
(i) Survival craft and rescue boats; and
(ii) Survival craft and rescue boat launching and embarkation appliances.

(f) Acceptance of lifesaving appliances and arrangements will remain in effect unless—
(i) The OCMI deems their condition to be unsatisfactory or unfit for the service intended; or
(ii) The OCMI deems the crew’s ability to use and assist others in the use of the lifesaving appliances or arrangements to be inadequate.

§ 108.114 Appliances for watertight and weathertight integrity.

(a) Appliances to ensure watertight integrity include watertight doors, hatches, scuttles, bolted manhole covers, or other watertight closures for openings in watertight decks and bulkheads.

(b) Appliances to ensure weathertight integrity include weathertight doors and hatches, closures for air pipes, ventilators, ventilation intakes and outlets, and closures for other openings in deckhouses and superstructures.

(c) Each internal opening fixed with appliances to ensure watertight integrity which are used intermittently during operation of the unit while afloat must meet the following:

(1) Each door, hatch, and scuttle must—
(i) Be remotely controlled from a normally manned control station, and be operable locally from both sides of the bulkhead; or
(ii) If there is no means of remote control there must be an alarm system which signals whether the appliance is open or closed both locally at each appliance and in a normally manned control station.

(2) Each closing appliance must remain watertight under the design water pressure of the watertight boundary of which it is a part.

(2) Each external opening fitted with an appliance to ensure weathertight integrity must be located so that it would not be submerged below the final