

(d) Determines the cause of casualties and accidents reported based on information available and indicates the apparent cause on the casualty report or on an attached page;

(e) Notifies the Coast Guard, in writing, when a problem area in boating safety peculiar to the State is determined, together, with corrective measures instituted or recommended; and

(f) Reports on vessel numbering and vessel casualties and accidents as required in subpart D of this part.

(46 U.S.C. 1486; 49 CFR 1.46(n)(1))

[CGD 72-54R, 37 FR 21402, Oct. 7, 1972, as amended by CGD 76-155, 44 FR 5309, Mar. 25, 1979]

§ 174.105 Owner or operator casualty reporting requirements.

A State casualty reporting system must contain the following requirements of part 173 applicable to an owner or a person operating a vessel:

(a) Section 173.55 *Report of casualty or accident.*

(b) Section 173.57 *Casualty or accident report.*

(c) Section 173.59 *Where to report.*

(46 U.S.C. 1451, 1467, 1488; 49 CFR 1.46 (n)(1))

[CGD 77-117, 44 FR 42195, July 19, 1979]

§ 174.106 State casualty reporting system optional sections.

In addition to the requirements in § 174.105, a State casualty reporting system may contain any of the other requirements applicable to a vessel owner or operator prescribed in Part 173.

(46 U.S.C. 1451, 1467, 1488; 49 CFR 1.46 (n)(1))

[CGD 77-117, 44 FR 42195, July 19, 1979, as amended by USCG-1999-5832, 64 FR 34715, June 29, 1999]

§ 174.107 Contents of casualty or accident report form.

Each form for reporting a vessel casualty or accident must contain the information required in § 173.57 of this chapter.

Subpart D—State Reports

§ 174.121 Forwarding of casualty or accident reports.

Within 30 days of the receipt of a casualty or accident report, the reporting authority receiving the report must forward a paper or electronic copy of that report to the Commandant (CG-BSX-2), Attn: Boating Safety Division, U.S. Coast Guard Stop 7501, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593-7501.

[USCG-2003-14963, 77 FR 18702, Mar. 28, 2012, as amended by USCG-2014-0410, 79 FR 38448, July 7, 2014]

§ 174.123 Annual report of vessels.

Before March 1 of each year, each State that has an approved numbering system must prepare and submit Coast Guard Form CGHQ-3923 to the Coast Guard.

[USCG-2016-0498, 82 FR 35089, July 28, 2017]

§ 174.125 Coast Guard address.

The report required by § 174.123 of this subpart must be sent to the Commandant (CG-BSX-2), Attn: Boating Safety Division, U.S. Coast Guard Stop 7501, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593-7501.

[USCG-2003-14963, 77 FR 18703, Mar. 28, 2012, as amended by USCG-2014-0410, 79 FR 38448, July 7, 2014]

PART 175—EQUIPMENT REQUIREMENTS

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AUTHORITY: 46 U.S.C. 4302; DHS Delegation No. 00170.1, Revision No. 01.3.

SOURCE: CGD 72-120R, 38 FR 8115, Mar. 28, 1973, unless otherwise noted.

Subpart A—General

§ 175.1 Applicability.

This part prescribes rules governing the use of boats on waters subject to the jurisdiction of the United States and on the high seas beyond the territorial seas for boats owned in the United States except:

- (a) Foreign boats temporarily using waters subject to U.S. jurisdiction;
- (b) Military or public boats of the United States, except recreational-type public vessels;
- (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.
- (e) Seaplanes on the water.

[CGD 72-120R, 38 FR 8115, Mar. 28, 1973, as amended by CGD 92-045, 58 FR 41607, Aug. 4, 1993]

§ 175.3 Definitions.

As used in this part:

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.

Model year means the period beginning June 1 of a year and ending on July 31 of the following year and being designated by the year in which it ends.

Passenger means an individual carried on a vessel except—

- (1) The owner or an individual representative of the owner or, in the case of a vessel chartered without a crew, an individual charterer, or an individual representative of the charterer;
- (2) The master or operator of a recreational vessel; or
- (3) A member of the crew engaged in the business of the vessel, who has not contributed consideration for carriage, and who is paid for onboard services.

Racing shell, rowing scull, racing canoe, and racing kayak means a manually propelled vessel that is recognized by national or international racing associations for use in competitive racing and one in which all occupants row, scull, or paddle, with the exception of a coxswain, if one is provided, and is not designed to carry and does not carry any equipment not solely for competitive racing.

Recreational vessel means any vessel being manufactured or operated primarily for pleasure, or leased, rented, or chartered to another for the latter's pleasure. It does not include a vessel engaged in the carriage of passengers-for-hire as defined in 46 CFR chapter I, subchapter C, or in other subchapters of this title.

Sailboard means a sail propelled vessel with no freeboard and equipped with a swivel mounted mast not secured to a hull by guys or stays.

State means a State or Territory of the United States of America, whether a State of the United States, American Samoa, the Commonwealth of the

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Northern Marianas Islands, the District of Columbia, Guam, Puerto Rico, or the United States Virgin Islands.

Use means operate, navigate, or employ.

Vessel includes every description of watercraft used or capable of being used as a means of transportation on the water.

[CGD 92-045, 58 FR 41607, Aug. 4, 1993, as amended by USCG-1999-5040, 67 FR 34759, May 15, 2002; USCG-2000-8589, 67 FR 42493, June 24, 2002; USCG-2018-0099, 86 FR 58571, Oct. 22, 2021]

§ 175.5 Exemption from preemption.

The States are exempted from preemption by Federal regulations when establishing, continuing in effect, or enforcing State laws and regulations on the wearing or the carriage of personal flotation devices directly related to the following subject areas within the jurisdictional boundaries of the State:

- (a) Children on board any vessel;
- (b) Operating a canoe or kayak;
- (c) Operating a sailboard; and
- (d) Operating a personal watercraft.

[CGD 92-045, 58 FR 41608, Aug. 4, 1993]

Subpart B—Personal Flotation Devices

§ 175.11 Applicability.

This subpart applies to all recreational vessels that are propelled or controlled by machinery, sails, oars, paddles, poles, or another vessel.

[CGD 92-045, 58 FR 41608, Aug. 4, 1993]

§ 175.13 Definitions.

As used in this subpart:

Personal flotation device or *PFD* means a device that is approved by the Commandant under 46 CFR part 160.

Throwable PFD means a PFD that is intended to be thrown to a person in the water. A PFD marked as Type IV or Type V with Type IV performance is considered a throwable PFD. Unless specifically marked otherwise, a wearable PFD is not a throwable PFD.

Wearable PFD means a PFD that is intended to be worn or otherwise attached to the body. A PFD marked as Type I, Type II, Type III, or Type V

with Type (I, II or III) performance is considered a wearable PFD.

[USCG-2013-0263, 79 FR 56499, Sept. 22, 2014]

§ 175.15 Personal flotation devices required.

Except as provided in §§ 175.17 and 175.25:

(a) No person may use a recreational vessel unless—

(1) At least one wearable PFD is on board for each person;

(2) Each PFD is used in accordance with any requirements on the approval label; and

(3) Each PFD is used in accordance with any requirements in its owner's manual, if the approval label makes reference to such a manual.

(b) No person may use a recreational vessel 16 feet or more in length unless one throwable PFD is onboard in addition to the total number of wearable PFDs required in paragraph (a) of this section.

(c) No person may operate a recreational vessel under way with any child under 13 years old aboard unless each such child is either—

(1) Wearing an appropriate PFD approved by the Coast Guard; or

(2) Below decks or in an enclosed cabin.

[CGD 81-023, 55 FR 32034, Aug. 6, 1990, as amended by CGD 92-045, 58 FR 41608, Aug. 4, 1993; USCG-2000-8589, 67 FR 42493, June 24, 2002; USCG-2013-0263, 79 FR 56499, Sept. 22, 2014]

§ 175.17 Exemptions.

(a) Canoes and kayaks 16 feet or more in length are exempted from the requirements for carriage of the additional throwable PFD required under § 175.15(b).

(b) Racing shells, rowing sculls, racing canoes, and racing kayaks are exempted from the requirements for carriage of any PFD required under § 175.15.

(c) Sailboards are exempted from the requirements for carriage of any PFD required under § 175.15.

(d) Vessels of the United States used by foreign competitors while practicing for or racing in competition are exempted from the carriage of any PFD required under § 175.15, provided the

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vessel carries one of the sponsoring foreign country's acceptable flotation devices for each foreign competitor on-board.

[USCG-2013-0263, 79 FR 56499, Sept. 22, 2014]

§ 175.19 Stowage.

(a) No person may use a recreational boat unless each wearable PFD required by § 175.15 is readily accessible.

(b) No person may use a recreational boat unless each throwable PFD required by § 175.15 is immediately available.

[USCG-2013-0263, 79 FR 56499, Sept. 22, 2014]

§ 175.21 Condition; size and fit; approval marking.

No person may use a recreational boat unless each PFD required by § 175.15 is—

(a) In serviceable condition as provided in § 175.23;

(b) Of an appropriate size and fit for the intended wearer, as marked on the approval label; and

(c) Legibly marked with its approval number, as specified in 46 CFR part 160.

[CGD 81-023, 55 FR 32034, Aug. 6, 1990, as amended by CGD93-055, 61 FR 13926, Mar. 28, 1996; USCG-2013-0263, 79 FR 56499, Sept. 22, 2014]

§ 175.23 Serviceable condition.

A PFD is considered to be in serviceable condition for purposes of § 175.21(a) only if the following conditions are met:

(a) No PFD may exhibit deterioration that could diminish the performance of the PFD, including—

(1) Metal or plastic hardware used to secure the PFD on the wearer that is broken, deformed, or weakened by corrosion;

(2) Webbing or straps used to secure the PFD on the wearer that are ripped, torn, or which have become separated from an attachment point on the PFD; or

(3) Any other rotted or deteriorated structural component that fails when tugged.

(b) In addition to meeting the requirements of paragraph (a) of this section, no inherently buoyant PFD, including the inherently buoyant compo-

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nents of a hybrid inflatable PFD, may exhibit—

(1) Rips, tears, or open seams in fabric or coatings, that are large enough to allow the loss of buoyant material;

(2) Buoyant material that has become hardened, non-resilient, permanently compressed, waterlogged, oil-soaked, or which shows evidence of fungus or mildew; or

(3) Loss of buoyant material or buoyant material that is not securely held in position.

(c) In addition to meeting the requirements of paragraph (a) of this section, an inflatable PFD, including the inflatable components of a hybrid inflatable PFD, must be equipped with—

(1) Except as provided in paragraph (d) of this section, a properly armed inflation mechanism, complete with a full inflation medium cartridge and all status indicators showing that the inflation mechanism is properly armed;

(2) Inflatable chambers that are all capable of holding air;

(3) Oral inflation tubes that are not blocked, detached, or broken;

(4) A manual inflation lanyard or lever that is not inaccessible, broken, or missing; and

(5) Inflator status indicators that are not broken or otherwise non-functional.

(d) The inflation system of an inflatable PFD need not be armed when the PFD is worn inflated and otherwise meets the requirements of paragraphs (a) and (c) of this section.

[CGD 93-055, 61 FR 13926, Mar. 28, 1996]

§ 175.25 Enforcement of State requirements for children to wear personal flotation devices.

(a) This section applies to operators of recreational vessels on waters subject to the jurisdiction of any State that has established by statute a requirement for children of a certain age to wear an appropriate PFD approved by the Coast Guard, while aboard a recreational vessel.

(b) If the applicable State statute establishes any requirement for children of a certain age to wear an appropriate PFD approved by the Coast Guard, then that requirement applies on the

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waters subject to the State's jurisdiction instead of the requirement provided in § 175.15(c) of this part.

[USCG-2000-8589, 69 FR 45591, July 30, 2004]

Subpart C—Visual Distress Signals

SOURCE: CGD 76-183, 44 FR 73024, Dec. 17, 1979, unless otherwise noted.

§ 175.101 Applicability.

This subpart applies to boats on the coastal waters of the United States and on the high seas beyond the territorial seas for boats owned in the United States.

[CGD 76-183, 44 FR 73024, Dec. 17, 1979, as amended by USCG-1998-3799, 63 FR 35534, June 30, 1998]

§ 175.105 Definitions.

(a) *Visual distress signal* means a device that is approved by the Commandant under 46 CFR Part 160 or certified by the manufacturer under 46 CFR Parts 160 and 161.

(b) *Coastal waters* means:

(1) The U.S. waters of the Great Lakes (Lake Erie, Huron, Michigan, Ontario, and Superior);

(2) The territorial seas of the United States; and

(3) Those waters directly connected to the Great Lakes and territorial seas (*i.e.*, bays, sounds, harbors, rivers, inlets, etc.) where any entrance exceeds 2 nautical miles between opposite shorelines to the first point where the largest distance between shorelines narrows to 2 miles, as shown on the current edition of the appropriate National Ocean Service chart used for navigation. Shorelines of islands or points of land present within a waterway are considered when determining the distance between opposite shorelines.

[CGD 76-183, 44 FR 73024, Dec. 17, 1979, as amended by CGD 82-073, 49 FR 7119, Feb. 27, 1984; 49 FR 20815, May 17, 1984]

§ 175.110 Visual distress signals required.

(a) No person may use a boat 16 feet or more in length, or any boat operating as an uninspected passenger vessel subject to the requirements of 46 CFR chapter I, subchapter C, unless

visual distress signals selected from the list in § 175.130 or the alternatives in § 175.135, in the number required, are onboard. Devices suitable for day use and devices suitable for night use, or devices suitable for both day and night use, must be carried.

(b) Between sunset and sunrise, no person may use a boat less than 16 feet in length unless visual distress signals suitable for night use, selected from the list in § 175.130 or § 175.135, in the number required, are on board.

[CGD 76-183, 44 FR 73024, Dec. 17, 1979, as amended by USCG-1999-5040, 67 FR 34760, May 15, 2002]

§ 175.113 Launchers.

(a) When a visual distress signal carried to meet the requirements of § 175.110 requires a launcher to activate, then a launcher approved under 46 CFR 160.028 must also be carried.

§ 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.

[CGD 93-055, 61 FR 13926, Mar. 28, 1996, as amended by USCG-1999-5832, 64 FR 34715, June 29, 1999]

§ 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

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the signal, if indicated by a date marked on the signal, has not expired.

[CGD 93-055, 61 FR 13926, Mar. 28, 1996, as amended by USCG-1999-5832, 64 FR 34715, June 29, 1999]

§ 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.

[CGD 93-055, 61 FR 13926, Mar. 28, 1996, as amended by USCG-1999-5832, 64 FR 34715, June 29, 1999]

§ 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 161.013. 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

Approval number under 46 CFR	Device description	Meets requirement for	Number required
160.021	Hand Held Red Flare Distress Signals ³ .	Day and Night	3
160.022	Floating Orange Smoke Distress Signals.	Day Only	3
160.024	Parachute Red Flare Distress Signals.	Day and Night ¹	3

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TABLE 175.130—PYROTECHNIC SIGNAL DEVICES—Continued

Approval number under 46 CFR	Device description	Meets requirement for	Number required
160.036	Hand-Held Rocket-Propelled Parachute Red Flare Distress Signals.	Day and Night	3
160.037	Hand-Held Orange Smoke Distress Signals.	Day Only	3
160.057	Floating Orange Smoke Distress Signals.	Day Only	3
160.066	Distress Signal for Boats, Red Aerial Pyrotechnic Flare.	Day and Night ²	3

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 type. 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.

[CGD 76-183, 44 FR 73024, Dec. 17, 1979, as amended by CGD 81-038-A, 47 FR 24548, June 7, 1982; USCG-1998-3799, 63 FR 35534, June 30, 1998]

§ 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).

[CGD 76-082, 44 FR 73027, Dec. 17, 1979]

Subpart E—Fire Protection Equipment

SOURCE: USCG-2018-0099, 86 FR 58571, Oct. 22, 2021, unless otherwise noted.

§ 175.301 Applicability.

(a) This subpart applies to recreational vessels that are propelled or controlled by propulsion machinery.

(b) Recreational vessels constructed prior to August 22, 2016, will be deemed built before model year 2017 and must meet the requirements of 33 CFR 175.380.

(c) Recreational vessels constructed prior to November 19, 1952, will be deemed built before model year 1953 and must meet the requirements of 33 CFR 175.390.

§ 175.305 General provisions.

Where fire extinguishing equipment in this subpart is required to be of an approved type, such equipment must be approved as provided in 46 CFR chapter I, subchapter Q. A listing of current and formerly approved equipment and materials may be found on the internet at: <https://cgmix.uscg.mil/equipment>. Each OCMI may be contacted for information concerning approved equipment.

§ 175.310 Portable fire extinguishers and semi-portable fire extinguishing systems.

(a) All portable and semi-portable fire extinguishers must—

(1) Be on board and readily accessible;

(2) Be of an approved type;

(3) Not be expired or appear to have been previously used; and

(4) Be maintained in good and serviceable working condition, meaning:

(i) If the extinguisher has a pressure gauge reading or indicator it must be in the operable range or position;

(ii) The lock pin is firmly in place;

(iii) The discharge nozzle is clean and free of obstruction; and

(iv) The extinguisher does not show visible signs of significant corrosion or damage.

(b) Vaporizing-liquid type fire extinguishers containing carbon tetrachloride, chlorobromomethane, or other toxic vaporizing liquids, are not acceptable as equipment required by this subpart.

(c) Portable or semi-portable extinguishers that are required by their name plates to be protected from freezing must not be located where freezing temperatures may be expected.

(d) The use of dry chemical stored pressure fire extinguishers not fitted with pressure gauges or indicating devices, manufactured prior to January 1, 1965, is permitted on board recreational vessels if such extinguishers are maintained in good and serviceable condition. The following maintenance and inspections are required for such extinguishers:

(1) When the date on the inspection record tag on the extinguishers shows that 6 months have elapsed since the last weight check ashore, then such extinguishers are no longer accepted as meeting required maintenance conditions until they are reweighed ashore, found to be in a serviceable condition, and within required weight conditions.

(2) If the weight of the container is $\frac{1}{4}$ ounce less than that stamped on the container, it must be serviced.

(3) If the outer seal or seals (which indicate tampering or use when broken) are not intact, the boarding officer or marine inspector will inspect such extinguishers to see that the frangible disc in the neck of the container is intact; and, if such disc is not intact, the container must be serviced.

(4) If there is evidence of damage, use, or leakage, such as dry chemical powder observed in the nozzle or elsewhere on the extinguisher, the extinguisher must be serviced or replaced.

(e) Dry chemical extinguishers, stored pressure extinguishers, and fire extinguishers without pressure gauges or indicating devices, manufactured after January 1, 1965, cannot be labeled with the marine type label described in 46 CFR 162.028-4. These extinguishers may be carried onboard recreational vessels as excess equipment, subject to paragraphs (a) and (b) of this section.

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(f) Semi-portable extinguishers must be fitted with a suitable hose and nozzle, or other practicable means, so that all portions of the space concerned may be covered.

§ 175.315 Fixed fire extinguishing systems.

(a) A fixed fire extinguishing system must be of a type approved by the Coast Guard under 46 CFR part 162.

(b) A carbon dioxide system must be designed and installed in accordance with 46 CFR part 76, subpart 76.15.

(c) An automatic sprinkler system must be designed and installed in accordance with 46 CFR 25.30–15(c).

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§ 175.320 Fire extinguishing equipment required.

(a) *Recreational vessels 65 feet or less in length.* (1) A recreational vessel 65 feet or less in length must carry at least the minimum number of portable fire extinguishers set forth in table 1 to § 175.320(a)(1). A vessel less than 26 feet in length, propelled by an outboard motor, is not required to carry portable fire extinguishers if the construction of the vessel will not permit the entrapment of explosive or flammable gases or vapors.

TABLE 1 TO § 175.320(a)(1)

Length (feet)	Minimum number of 5-B portable fire extinguishers required ¹	
	If no fixed fire extinguishing system in machinery space	If fixed fire extinguishing system in machinery space
Under 16	1	0
16 or more, but less than 26	1	0
26 or more, but less than 40	2	1
40 or more, but not more than 65	3	2

¹ One 20-B portable fire extinguisher may be substituted for two 5-B portable fire extinguishers.

(2) Figure 1 to § 175.320(a)(2) illustrates the conditions, identified by table 2 to § 175.320(a)(2), under which fire extinguishers are required to be carried on board. Figure 2 to

§ 175.320(a)(2) illustrates conditions, identified by table 3 to § 175.320(a)(2), that do not, in themselves, require that fire extinguishers be carried.

Figure 1 to § 175.320(a)(2)

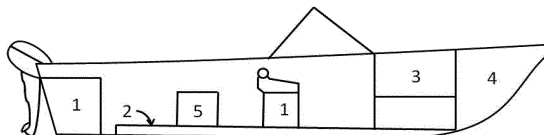


TABLE 2 TO § 175.320(a)(2)

Location identified in Figure 1 to § 175.320(a)(2)	Condition requiring fire extinguishers
1	Closed compartment under thwarts and seats wherein portable fuel tanks may be stored.
2	Double bottoms not sealed to the hull or which are not completely filled with flotation material.

TABLE 2 TO § 175.320(a)(2)—Continued

Location identified in Figure 1 to § 175.320(a)(2)	Condition requiring fire extinguishers
3	Closed living spaces.
4	Closed stowage compartments in which combustible or flammable materials are stowed.
5	Permanently installed fuel tanks.

Figure 2 to § 175.320(a)(2)

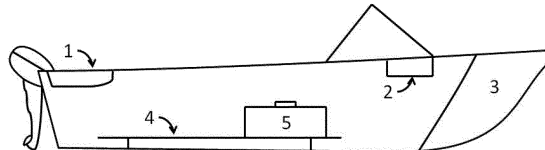


TABLE 3 TO § 175.320(a)(2)

Location identified in Figure 2 to § 175.320(a)(2)	Conditions that do not in themselves require fire extinguishers
1	Bait wells.
2	Glove compartments.
3	Buoyant flotation material.
4	Open slatted flooring.
5	Ice chests.

(b) *Recreational vessels more than 65 feet in length.* (1) A recreational vessel more than 65 feet in length must carry at least the minimum number of portable fire extinguishers specified for its tonnage as set forth in table 4 to § 175.320(b)(1).

TABLE 4 TO § 175.320(b)(1)

Gross tonnage—		Minimum number of 20-B portable fire extinguishers
More than	Not more than	
50	50	1
100	100	2
500	500	3
1,000	1,000	6
.....	8

(2) In addition to the portable fire extinguishers required by table 4 to § 175.320(b)(1), the following fire extinguishing equipment must be fitted in the machinery space:

(i) One 20-B fire extinguisher must be carried for each 1,000 brake horsepower of the main engines or fraction. However, not more than six such extinguishers are required to be carried.

(ii) On recreational vessels of more than 300 gross tons, either one 160-B semi-portable fire extinguishing system must be fitted, or alternatively, a fixed fire extinguishing system must be fitted in the machinery space.

(3) The frame or support of each 160-B semi-portable fire extinguisher required by paragraph (b)(2)(ii) of this section must be welded or otherwise permanently attached to a bulkhead or deck.

(4) If an approved semi-portable fire extinguisher has wheels, it must be securely stowed when not in use to prevent it from rolling out of control under heavy sea conditions.

(c) *Extinguishers with larger numerical ratings or multiple letter designations.* Extinguishers with larger numerical ratings or multiple letter designations may be used to meet the requirements of table 1 to § 175.320(a)(1) and table 4 to § 175.320(b)(1).

[USCG–2018–0099, 86 FR 58571, Oct. 22, 2021, as amended at 86 FR 59303, Oct. 27, 2021]

§ 175.380 Condition and number of fire extinguishers required for recreational vessels built model year 2017 or earlier.

Recreational vessels with a model year between 1953 and 2017 must meet the following requirements:

(a) Previously installed extinguishers with extinguishing capacities that are less than what is required in table 1 to § 175.320(a)(1) or Table 4 to § 175.320(b)(1) need not be replaced but must be maintained in good condition.

(b) All extinguishers installed after August 22, 2016, must meet the applicable requirements in §§ 175.305 through 175.320.

[USCG–2018–0099, 86 FR 58571, Oct. 22, 2021, as amended at Docket No. USCG–2023–0759, 89 FR 22948, Apr. 3, 2024]

§ 175.390 Condition and number of fire extinguishers required for recreational vessels built before model year 1953.

A recreational vessel built before model year 1953 must meet the applicable number and general type of equipment provisions of §§ 175.305 through 175.320. Existing items of equipment and installations previously approved but not meeting the applicable requirements for type approval may be continued in service provided they are in

good condition. All new installations and replacements must meet the requirements of §§175.305 through 175.320.

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.
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- 177.08 Penalties.

AUTHORITY: 46 U.S.C. 4302, 4308, 4311; Pub. L. 103-206, 107 Stat. 2439.

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.

[CGD 72-71R, 37 FR 13347, July 7, 1972, as amended by CGD 84-099, 52 FR 47534, Dec. 14, 1987; CGD 84-099, 53 FR 13117, Apr. 21, 1988]

§ 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 require-

ments 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. 522).

(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.

[CGD 72-71R, 37 FR 13347, July 7, 1972, as amended by CDG 84-099, 52 FR 47534, Dec. 14, 1987; USCG-1999-5040, 67 FR 34760, May 15, 2002; USCG-2020-0304, 85 FR 58281, Sept. 18, 2020]

§ 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 body of water when it is determined, under the provisions of §177.07(f), that an unsafe condition exists.

(b) Each order issued by a Coast Guard District Commander under the provisions of paragraph (a) of this section will contain:

(1) Notice that the person upon whom the order is served has the right under the Administrative Procedure Act (5 U.S.C. 553(e)), to petition for reconsideration and repeal of the order;

(2) Full title and address of the Coast Guard District Commander to whom the petition is to be submitted; and

(3) Notice that the petition should contain:

(i) The text or substance of the order which the petitioner seeks to have reconsidered and repealed;

(ii) A statement of the action sought by the petitioner;

(iii) Whatever arguments or data that are available to the petitioner to support the action sought; and