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(4) Resolution A.520(13)—Code of Practice for the Evaluation, Testing and Acceptance of Prototype Novel Life-saving Appliances and Arrangements, dated 17 November, 1983, IBR approved for §133.40.

(5) Resolution A.658(16)—Use and Fitting of Retro-Reflective Materials on Life-saving Appliances, dated 20 November, 1989, IBR approved for §§131.855, 131.875, and 133.70.

(6) Guidelines for the Transport and Handling of Limited Amounts of Hazardous and Noxious Liquid Substances in Bulk on Offshore Support Vessels, 2007 edition (''Resolution A.673(16)''), IBR approved for §125.125(b).

(7) Resolution A.760(18)—Symbols Related to Life-Saving Appliances and Arrangements, dated 17 November, 1993, IBR approved for §§131.875, 133.70, and 133.90.

(8) International Convention on Load Lines, 1966 and Protocol of 1988, as amended in 2003, Consolidated Edition, 2005 (''International Convention on Load Lines, 1966''), IBR approved for §125.140(b).

(9) Annex 7 to IMO MEPC 52/54, Report of the Marine Environment Protection Committee on its Fifty-Second Session, ''Resolution MEPC.119(52), 2004 Amendments to the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code),'' adopted October 15, 2004 (''IBC Code''), IBR approved for §125.125(b).

(i) National Fire Protection Association (NFPA), 1 Batterymarch Park, Quincy, MA 02269–9101, 617–770–3000, *http://www.nfpa.org:*

(1) NFPA 10—Standard for Portable Fire Extinguishers, 1994 Edition, IBR approved for §132.350.

(2) NFPA 70, National Electrical Code, 2011 Edition, IBR approved for §§129.320(e), 129.340(d) and (n), and 129.370(c).

(3) NFPA 302—Fire Protection Standard for Pleasure and Commercial Motor Craft, 1994 Edition, IBR approved for §129.550.

(4) NFPA 306—Control of Gas Hazards on Vessels, 1993 Edition, IBR approved for §126.160.

(5) NFPA 1963—Fire Hose Connections, 1993 Edition, IBR approved for §132.130.

(j) UL (formerly Underwriters Laboratories), 12 Laboratory Drive, P.O. Box 13995, Research Triangle Park, NC 27709, 919–549–1400, *http://www.ul.com.*

(1) UL 19, Standard for Safety for Lined Fire Hose and Hose Assemblies, Twelfth Edition, approved November 30, 2001, IBR approved for §132.130.

(2) UL 57–1976—Electric Lighting Fixtures, IBR approved for §129.410.

(3) UL 486A–1992—Wire Connectors and Soldering Lugs for Use with Copper Conductors, IBR approved for §129.340.

(4) UL 489–1995—Molded-Case Circuit Breakers and Circuit-Breaker Enclosures, IBR approved for §129.380.

(5) UL 595–1991—Marine-Type Electric Lighting Fixtures, IBR approved for §129.410.

(6) UL 1570–1995—Fluorescent Lighting Fixtures, IBR approved for §129.410.

(7) UL 1571–1995—Incandescent Lighting Fixtures, IBR approved for §129.410.

(8) UL 1572–1995—High Intensity Discharge Lighting Fixtures, IBR approved for §129.410.

(9) UL 1573–1995—Stage and Studio Lighting Units, IBR approved for §129.410.

(10) UL 1574–1995—Track Lighting Systems, IBR approved for §129.410.

[USCG–2012–0208, 79 FR 48934, Aug. 18, 2014, amended by 79 FR 62358, Oct. 17, 2014; USCG–2012–0196, 81 FR 48271, July 22, 2016]

§125.190 Right of appeal.

Any person directly affected by a decision or action taken under this part, by or on behalf of the Coast Guard, may appeal from the decision or action in compliance with subpart 1.03 of this chapter.

PART 126—INSPECTION AND CERTIFICATION

Subpart A—General

Sec.

126.100 Inspector not limited.
126.110 Inspection after accident.
126.120 Permit to proceed to another port for repairs.
126.130 Cranes.
126.140 Drydocking.
126.150 Repairs and alterations.
126.160 Tests and inspections during repairs or alterations, or during riveting, welding, burning, or other hot work.
126.170 Carriage of offshore workers.

126.180 Carriage of passengers.

Subpart B—Certificate of Inspection

126.210 When required.
126.220 Description.
126.225 Alternate tonnage for offshore supply vessels seeking oil spill response vessel certification.
126.230 How to obtain or renew.
126.235 Alternate compliance.
126.240 Posting.
126.250 Period of validity for a Certificate of Inspection.
126.260 Temporary Certificate.
126.270 Amendment.

Subpart C—Initial Inspection

126.310 Prerequisite to Certificate of Inspection.
126.320 When made.
126.330 Plans.
126.340 Scope.
126.350 Specific tests and inspections.

Subpart D—Inspection for Certification

126.410 Prerequisite to reissuance of Certificate of Inspection.
126.420 Application for Certificate of Inspection.
126.430 Scope.
126.440 Lifesaving equipment.
126.450 Fire-extinguishing equipment.
126.460 Tanks for dry bulk cargo.
126.470 Marine-engineering systems.
126.480 Safety Management Certificate.

Subpart E—Annual, Periodic, and Alternative Annual Inspections

126.510 Annual and periodic inspections.
126.520 Certificate of Inspection: Conditions of validity.
126.530 Alternative annual inspection for offshore supply vessels less than 400 gross tons in foreign ports.

AUTHORITY: 46 U.S.C. 3205, 3306, 3307, 70034; 46 U.S.C. Chapter 701; sec. 617, Pub. L. 111–281, 124 Stat. 2905; E.O. 11735, 38 FR 21243, 3 CFR 1971–1975 Comp., p. 793; DHS Delegation 00170.1, Revision No. 01.2.

SOURCE: CGD 82–004 and CGD 86–074, 62 FR 49324, Sept. 19, 1997, unless otherwise noted.

Subpart A—General

§ 126.100 Inspector not limited.

Nothing in this part shall be construed as limiting the inspector from making such tests or inspections as he or she deems necessary to be assured of the safety and seaworthiness of the vessel.

[CGD 82–004 and CGD 86–074, 62 FR 49324, Sept. 19, 1997, as amended by USCG–2021–0348, 87 FR 3224, Jan. 21, 2022]

§ 126.110 Inspection after accident.

(a) The owner or operator of an OSV shall make the vessel available for inspection by a marine inspector—

(1) Each time an accident occurs, or a defect is discovered that affects—

(i) The safety of the vessel; or

(ii) The effectiveness or completeness of its lifesaving, fire-fighting, or other equipment; or

(2) Whenever any important repairs or renewals are made.

(b) The inspection is to ensure that—

(1) The necessary repairs or renewals have been effectively made;

(2) The material and workmanship used to accomplish the repairs or renewals are satisfactory; and

(3) The OSV complies with the regulations in this subchapter.

§ 126.120 Permit to proceed to another port for repairs.

(a) The cognizant OCMI may issue a permit to proceed to another port for repair if in the judgment of this OCMI the vessel can complete the trip safely even though the Certificate of Inspection has expired or is about to expire.

(b) A ''Permit to Proceed to another Port for Repairs'', Form CG–948, will be issued by the cognizant OCMI to the owner, operator, or master of the OSV and states the conditions under which the vessel may proceed to another port. The Permit will be issued only upon the written application of the owner, operator, or master, and only after the surrender of the vessel's Certificate of Inspection to the cognizant OCMI.

(c) The Permit will state on its face the conditions under which it is issued and whether the OSV may carry cargo, goods, supplies, equipment, or offshore workers.

(d) The Permit must be readily available aboard the OSV.

§ 126.130 Cranes.

(a) Except as provided by paragraph (b) of this section, cranes, if installed, must comply with §§ 107.258 through

107.260, 108.601, 109.437, 109.439, 109.521, 109.525, and 109.527 of this chapter.

(b) The manufacturer of a crane may have tests and inspections conducted in compliance with §107.259 of this chapter, if the surveyor conducting them for the American Bureau of Shipping or the International Cargo Gear Bureau certifies their conduct as required by §107.259(c) of this chapter.

§ 126.140 Drydocking.

(a) Unless one or more extensions are authorized by the Commandant (CG–CVC), each OSV must be placed in drydock or hauled out for examination twice each 5 years with no interval between examinations exceeding 3 years.

(b) The owner or operator shall notify the cognizant OCMI whenever the OSV is drydocked for any reason. This OCMI, upon notification, will determine whether to assign a marine inspector to examine the underwater hull of the vessel.

(c) The internal structural members of an OSV must be examined at the same intervals required for drydocking by paragraph (a) of this section.

(d) At each drydocking required by paragraph (a) of this section, for an OSV of 100 or more gross tons, a tailshaft survey must be conducted as required by §61.20–15 of this chapter.

(e) At each drydocking required by paragraph (a) of this section, for an OSV of less than 100 gross tons, the propeller or tailshaft must be drawn for examination if the cognizant OCMI deems drawing it necessary.

(f) Vessels less than 15 years of age (except wooden hull vessels) that are in salt water service with a twice in 5 year drydock interval may be considered for an underwater survey instead of alternate drydock examinations, provided the vessel is fitted with an effective hull protection system. Vessel owners or operators must apply to the Officer in Charge, Marine Inspection (OCMI), for approval of underwater surveys instead of alternate drydock examinations for each vessel. The application must include the following information:

(1) The procedure to be followed in carrying out the underwater survey;

(2) The location where the underwater survey will be accomplished;

(3) The method to be used to accurately determine the diver location relative to the hull;

(4) The means that will be provided for examining through-hull fittings;

(5) The means that will be provided for taking shaft bearing clearances;

(6) The condition of the vessel, including the anticipated draft of the vessel at the time of the survey;

(7) A description of the hull protection system; and

(8) The name and qualifications of any third party examiner.

(g) Vessels otherwise qualifying under paragraph (f) of this section, that are 15 years of age or older, may be considered for continued participation in or entry into the underwater survey program on a case-by-case basis if—

(1) Before the vessel's next scheduled drydocking, the owner or operator submits a request for participation or continued participation to the cognizant District Commander;

(2) During the vessel's next drydocking, after the request is submitted, no appreciable hull deterioration is indicated as a result of a complete set of hull gaugings; and

(3) The results of the hull gauging and the results of the Coast Guard drydock examination together with the recommendation of the OCMI, are submitted to Commandant (CG–CVC) for final approval.

[CGD 82–004 and CGD 86–074, 62 FR 49324, Sept. 19, 1997, as amended by USCG–2000–6858, 67 FR 21082, Apr. 29, 2002; USCG–2009–0702, 74 FR 49234, Sept. 25, 2009; USCG–2012–0832, 77 FR 59782, Oct. 1, 2012]

§ 126.150 Repairs and alterations.

(a) Except in an emergency, no repairs or alterations to the hull or machinery, or to equipment that affects the safety of the OSV, may be made without notice to the cognizant OCMI in the inspection zone where the repairs or alterations are to be made. When the repairs or alterations have been made, notice must be given to this OCMI as soon as practicable.

(b) When emergency repairs or alterations have been made as permitted under paragraph (a) of this section, the master, owner, or operator must notify

this OCMI as soon as practicable after the emergency.

(c) Except as provided by paragraphs (b) and (e) of this section, drawings of repairs or alterations must be approved, before work starts, by the cognizant OCMI or, when necessary, by the Commanding Officer, Marine Safety Center (CO, MSC). Drawings will not be needed if deemed unnecessary by this OCMI or by the CO, MSC.

(d) When the cognizant OCMI deems inspection necessary, the repairs or alterations must be inspected by a marine inspector.

(e) Submission of drawings is not required for repairs in kind, but the applicable drawings approved under subpart A of part 127 of this subchapter must be made available to the marine inspector upon request.

§ 126.160 Tests and inspections during repairs or alterations, or during riveting, welding, burning, or other hot work.

(a) NFPA 306 must be used as a guide in conducting the examinations and issuances of certificates required by this section.

(b) Until an examination has determined that work can proceed safely, no riveting, welding, burning, or other hot work may commence.

(c) Each examination must be conducted as follows:

(1) At any port or site inside the United States or its territories and possessions, a marine chemist certified by the NFPA must make the examination. If the services of such a chemist are not reasonably available, the cognizant OCMI, upon the recommendation of the contractor and the owner or operator of the OSV, may authorize another person to make the examination. If this indicates that a repair or alteration, or hot work, can be undertaken safely, the person performing the examination shall issue a certificate, setting forth the spaces covered and any necessary conditions to be met, before the work starts. These conditions must include any requirements necessary to maintain safe conditions in the spaces covered and must include any necessary further examinations and certificates. In particular the conditions must include precautions necessary to eliminate or minimize hazards caused by protective coatings or by cargo residues.

(2) At any port or site outside the United States or its territories and possessions, where the services of a certified marine chemist or other person authorized by the cognizant OCMI are not reasonably available, the master, owner, or operator of the vessel shall make the examination and a proper entry in the OSV's logbook.

(d) The master shall obtain a copy of each certificate issued by the person making the examination described in paragraph (c)(1) of this section. The master, through and for the persons under his control, shall maintain safe conditions aboard the OSV by full observance of each condition to be met, listed in the certificate issued under paragraph (c)(1) of this section.

§ 126.170 Carriage of offshore workers.

(a) Offshore workers may be carried aboard an OSV in compliance with this subchapter. The maximum number of offshore workers authorized for carriage will be endorsed on the vessel's Certificate of Inspection; but in no case will the number of offshore workers authorized for carriage exceed 36, unless the vessel meets the applicability and construction requirements of subpart F of part 127 of this subchapter.

(b) No more than 12 offshore workers may be carried aboard an OSV certificated under this subchapter when on an international voyage, unless the vessel holds a valid passenger-ship-safety certificate (Form CG–968) issued in compliance with the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS 74/83).

[CGD 82–004 and CGD 86–074, 62 FR 49324, Sept. 19, 1997, as amended by USCG–2012–0208, 79 FR 48935, Aug. 18, 2014]

§ 126.180 Carriage of passengers.

No passengers as defined by 46 U.S.C. 2101(21)(B) may be carried aboard an OSV except in an emergency.

Subpart B—Certificate of Inspection

§ 126.210 When required.

Except as provided by §§ 126.120 and 126.260, no OSV may be operated without a valid Certificate of Inspection.

§ 126.220 Description.

The Certificate of Inspection issued to an OSV specifies the vessel, the route it may travel, the minimum manning it requires, the minimum fire-extinguishing and lifesaving equipment it must carry, the maximum number of offshore workers and of total persons it may carry, the name of its owner and operator, and such other conditions as the cognizant OCMI may determine.

§ 126.225 Alternate tonnage for offshore supply vessels seeking oil spill response vessel certification.

An offshore supply vessel certificated under this subchapter that is less than 500 gross register tons (GRT) as measured under section 14502 of Title 46, United States Code, or 6,000 gross tonnage (GT ITC) as measured under section 14302 of Title 46, United States Code when GRT is not assigned, may also be certificated as an oil spill response vessel.

[CGD 82–004 and CGD 86–074, 62 FR 49324, Sept. 19, 1997, as amended by USCG–2011–0966, 76 FR 77131, Dec. 12, 2011]

§ 126.230 How to obtain or renew.

(a) A builder, owner, master, or operator may begin to obtain or to renew a Certificate of Inspection by submitting an ''Application for Inspection of U.S. Vessel,'' Form CG–3752, to the OCMI of the marine inspection zone in which the inspection is to be made. Form CG–3752 is available from any Marine Safety or Marine Inspection Office of the U.S. Coast Guard.

(b) The application for initial inspection of an OSV being newly constructed or undergoing a major conversion must be submitted before the start of construction or conversion.

(c) The construction, arrangement, and equipment of each OSV must be acceptable to the cognizant OCMI for the issuance of the initial Certificate of Inspection. Acceptance depends on the information, specifications, drawings, and calculations available to this OCMI, and on the successful completion of the initial inspection for certification.

(d) A Certificate of Inspection is renewed by the issuance of a new Certificate of Inspection.

(e) The condition of the OSV and its equipment must be acceptable to the cognizant OCMI for the renewal of the Certificate of Inspection. Acceptance depends on the condition of the vessel as found at the periodic inspection for certification.

§ 126.235 Alternate compliance.

(a) In place of compliance with other applicable provisions of this subchapter, the owner or operator of a vessel subject to plan review and inspection under this subchapter for initial issuance or renewal of a Certificate of Inspection (CG–841 rev. 3/85) may comply with the Alternate Compliance Program provisions of 46 CFR part 8.

(b) For the purposes of this section, a list of authorized classification societies, including information for ordering copies of approved classification society rules and supplements, is available at Coast Guard Headquarters. Contact Commandant (CG–ENG–2), Attn: Naval Architecture Division, U.S. Coast Guard Stop 7509, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593–7509; telephone 202–372–1372 or fax 202–372–1925.Approved classification society rules and supplements are incorporated by reference into 46 CFR 8.110(b).

[USCG–2001–10164, 66 FR 53544, Oct. 23, 2001, as amended by USCG–2006–25697, 71 FR 55746, Sept. 25, 2006; USCG–2009–0702, 74 FR 49234, Sept. 25, 2009; USCG–2012–0832, 77 FR 59782, Oct. 1, 2012; USCG–2013–0671, 78 FR 60154, Sept. 30, 2013]

§ 126.240 Posting.

The Certificate of Inspection must be framed under glass or other suitable transparent material and posted in a conspicuous place aboard the OSV so that each page is visible.

§ 126.250 Period of validity for a Certificate of Inspection.

(a) A Certificate of Inspection is valid for 5 years.

(b) A Certificate of Inspection may be suspended and withdrawn or revoked by the cognizant OCMI at any time for noncompliance with the requirements of this subchapter or other applicable laws.

[CGD 82–004 and CGD 86–074, 62 FR 49324, Sept. 19, 1997, as amended by USCG–1999–4976, 65 FR 6505, Feb. 9, 2000]

§ 126.260 Temporary Certificate.

If necessary to prevent delay of the OSV, a ''Temporary Certificate of Inspection,'' Form CG–854, containing information listed by § 126.220 may be issued pending the issuance and delivery of the regular Certificate of Inspection. A Temporary Certificate must be carried in the same manner as the regular Certificate.

§ 126.270 Amendment.

(a) An amended Certificate of Inspection may be issued at any time by any OCMI. The amended Certificate of Inspection replaces the original, but the expiration date remains the same as that of the original. An amended Certificate of Inspection may be issued to authorize and record a change in the dimensions, gross tonnage, owner, operator, manning, offshore workers permitted, route permitted, conditions of operations, equipment, or the like from that specified in the current Certificate of Inspection.

(b) A request for an amended Certificate of Inspection must be made to the cognizant OCMI by the owner or operator of the vessel at any time there is a change in the character of a vessel or in its route, equipment, ownership, operation, or similar factors specified in its current Certificate of Inspection.

(c) The cognizant OCMI may require an inspection before issuing an amended Certificate of Inspection.

Subpart C—Initial Inspection

§ 126.310 Prerequisite to Certificate of Inspection.

The initial inspection is a prerequisite to the issuance of the original Certificate of Inspection.

§ 126.320 When made.

(a) No initial inspection occurs until after receipt of the written application of the owner or builder of the vessel to the OCMI in whose zone the vessel is located. The application must be on Form CG–3752, ''Application for Inspection of U.S. Vessel.''

(b) The initial inspection occurs at a time and place agreed to by the party requesting the inspection and by the cognizant OCMI. The owner or the builder, or a representative of either, must be present during the inspection.

§ 126.330 Plans.

Before construction starts, the owner, operator, or builder shall develop plans indicating the proposed arrangement and construction of the vessel. (The list of plans to be developed and the required disposition of these plans appears in part 127 of this subchapter.)

§ 126.340 Scope.

The initial inspection normally consists of a series of inspections conducted during the construction of the vessel. This inspection determines whether the vessel was built to comply with developed plans and in compliance with applicable law. Items normally included in this inspection are all the items listed in § 126.430 and in addition the marine inspector verifies that the arrangement of the vessel conforms to the approved plans, that acceptable material is used in the construction of the vessel, and that the workmanship meets required standards for marine construction. The owner or builder shall make the vessel available for inspection at each stage of construction specified by the cognizant OCMI.

§ 126.350 Specific tests and inspections.

(a) The applicable tests and inspections set forth in subpart D of this part must be made during the initial inspection.

(b) The following specific tests and inspections must also be conducted in the presence of the marine inspector:

(1) Installation of piping for gaseous fixed fire-extinguishing (see § 95.15–15 of this chapter).

(2) Hydraulic steering-systems. If fitted with manual operation, these systems must be tested in the manual mode, with the hydraulic pumps secured, for smooth, efficient operation by one person.

Subpart D—Inspection for Certification

§ 126.410 Prerequisite to reissuance of Certificate of Inspection.

An inspection for certification is a prerequisite to the reissuance of a Certificate of Inspection.

§ 126.420 Application for Certificate of Inspection.

You must submit a written application for an inspection for certification to the cognizant OCMI. To renew a Certificate of Inspection, you must submit an application at least 30 days before the expiration of the tank vessel's current certificate. You must use Form CG–3752, Application for Inspection of U.S. Vessel, and submit it to the OCMI at, or nearest to, the port where the vessel is located. When renewing a Certificate of Inspection, you must schedule an inspection for certification within the 3 months before the expiration date of the current Certificate of Inspection.

[USCG–1999–4976, 65 FR 6505, Feb. 9, 2000]

§ 126.430 Scope.

The inspection for certification is made by a marine inspector to determine whether the vessel is in a safe and seaworthy condition. The owner or builder shall make the vessel and its equipment available for inspection, including the following items:

(a) Structure.

(b) Watertight integrity.

(c) Pressure vessels and their appurtenances.

(d) Piping.

(e) Main and auxiliary machinery.

(f) Steering apparatus.

(g) Electrical installations.

(h) Lifesaving equipment.

(i) Work vests.

(j) Fire-detecting and fire-extinguishing equipment.

(k) Pollution-prevention equipment.

(l) Sanitary condition.

(m) Fire hazards.

(n) Verification of validity of certificates required and issued by the Federal Communications Commission.

(o) Lights and signals as required by the applicable navigational rules.

(p) Tests and inspections of cranes in compliance with § 126.130.

§ 126.440 Lifesaving equipment.

At each inspection for certification, the tests and inspections specified by § 91.25–15 of this chapter must occur in the presence of a marine inspector, or as otherwise directed by the cognizant OCMI.

§ 126.450 Fire-extinguishing equipment.

At each inspection for certification, the marine inspector determines whether the tests and inspections required by § 132.350 of this subchapter have been performed.

§ 126.460 Tanks for dry bulk cargo.

The owner shall ensure that tanks for dry bulk cargo that are pressure vessels are inspected for compliance with § 61.10–5(b) of this chapter.

§ 126.470 Marine-engineering systems.

The inspection procedures for marine-engineering systems contained in subchapter F of this chapter apply.

§ 126.480 Safety Management Certificate.

(a) All offshore supply vessels of 500 gross tons or over to which 33 CFR part 96 applies, on an international voyage must have a valid Safety Management Certificate and a copy of their company's valid Document of Compliance certificate on board.

(b) A Safety Management Certificate is issued for a period of not more than 60 months.

[CGD 95–073, 62 FR 67515, Dec. 24, 1997]

Subpart E—Annual, Periodic, and Alternative Annual Inspections

SOURCE: USCG–1999–4976, 65 FR 6505, Feb. 9, 2000, unless otherwise noted.

§ 126.510 Annual and periodic inspections.

(a) *Annual inspection.* Your vessel must undergo an annual inspection within 3 months before or after each anniversary date, except as required in paragraph (b) of this section.

(1) You must contact the cognizant OCMI to schedule an inspection at a time and place which he or she approves. No written application is required.

(2) The scope of the annual inspection is the same as the inspection for certification as specified in §126.430, but in less detail unless the cognizant marine inspector finds deficiencies or determines that a major change has occurred since the last inspection. If deficiencies are found or a major change to the vessel has occurred, the marine inspector will conduct an inspection more detailed in scope to ensure that the vessel is in satisfactory condition and fit for the service for which it is intended. If your vessel passes the annual inspection, the marine inspector will endorse your current Certificate of Inspection.

(3) If the annual inspection reveals deficiencies in your vessel's maintenance, you must make any or all repairs or improvements within the time period specified by the OCMI.

(4) Nothing in this subpart limits the marine inspector from making such tests or inspections he or she deems necessary to be assured of the vessel's seaworthiness.

(b) *Periodic inspection.* Your vessel must undergo a periodic inspection within 3 months before or after the second or third anniversary of the date of your vessel's Certificate of Inspection. This periodic inspection will take the place of an annual inspection.

(1) You must contact the cognizant OCMI to schedule an inspection at a time and place which he or she approves. No written application is required.

(2) The scope of the periodic inspection is the same as that for the inspection for certification, as specified in §126.430. The OCMI will insure that the vessel is in satisfactory condition and fit for the service for which it is intended. If your vessel passes the periodic inspection, the marine inspector will endorse your current Certificate of Inspection.

(3) If the periodic inspection reveals deficiencies in your vessel's maintenance, you must make any or all repairs or improvements within the time period specified by the OCMI.

(4) Nothing in this subpart limits the marine inspector from conducting such tests or inspections he or she deems necessary to be assured of the vessel's seaworthiness.

§ 126.520 Certificate of Inspection: Conditions of validity.

To maintain a valid Certificate of Inspection, you must complete your annual and periodic inspections within the periods specified in §126.510 (a) and (b) and your Certificate of Inspection must be endorsed.

§ 126.530 Alternative annual inspection for offshore supply vessels less than 400 gross tons in foreign ports.

(a) The owner, master or operator of an OSV of less than 400 gross tons may request authorization to conduct an alternative annual inspection in place of the annual inspection described in §126.510(a) of this subpart. The request must go to the cognizant OCMI assigned responsibility for inspections in the country in which the vessel is operating and will be examined. To qualify for the alternative annual examination, the vessel must meet the following requirements:

(1) The request must be in writing and be received by the OCMI not later than the anniversary date.

(2) The vessel is likely to be continuously employed outside of the United States during the 3 months before and after each anniversary date.

(b) In determining whether to authorize the alternative annual inspection, the OCMI considers the following:

(1) Information contained in previous examination reports on inspection and drydock, including the recommendation of the then cognizant OCMI for participation in the alternative midperiod program and alternative annual examination.

(2) The nature, number, and severity of marine casualties or accidents, as

defined in §4.03–1 of this chapter, involving the vessel in the 3 years preceding the request.

(3) The nature, number, and gravity of any outstanding inspection requirements for the vessel.

(4) The owner's or operator's history of compliance and cooperation in such alternative midperiod examinations and annual inspections, including:

(i) The prompt correction of deficiencies.

(ii) The reliability of previously submitted reports on such alternative midperiod examinations and annual inspections.

(iii) The reliability of representations that the vessel would be, and was, employed outside of the United States during the 3 months before and after each anniversary date.

(c) This OCMI provides the applicant with written authorization, if any, to proceed with the alternative annual inspection, including, when appropriate, special instructions.

(d) The following conditions must be met for the alternative annual inspection to be accepted instead of the annual inspection required by §126.510 of this subpart:

(1) The alternative annual inspection must occur within the 3 months before or after each anniversary date.

(2) The alternative annual inspection must be of the scope detailed by §126.510(a) of this subchapter and must be conducted by the master, owner or operator of the vessel, or by a designated representative of the owner or operator.

(3) Upon completion of the alternative annual inspection, the person or persons making the examination must prepare a comprehensive report describing the conditions found. This report must contain sufficient detail to let the OCMI determine whether the vessel is fit for the service and route specified on the Certificate of Inspection. This report must include all reports and receipts documenting the servicing of lifesaving equipment and any photographs or sketches necessary to clarify unusual circumstances. Each person preparing this report must sign it and certify that the information contained therein is complete and accurate.

(4) Unless the master of the vessel participated in the alternative annual inspection and the preparation of the comprehensive report, the master will review the report for completeness and accuracy. The master must sign the report to indicate his or her review and validation and must forward it to the owner or operator of the vessel.

(5) The owner or operator of a vessel examined under this section must review and submit the comprehensive report, required by paragraph (d)(3) of this section, to the OCMI. The report must reach the OCMI before the first day of the fifth month following the anniversary date. The forwarding letter or endorsement must be certified to be true and must contain the following information:

(i) That the person or persons who made the alternative annual inspection acted on behalf of the vessel's owner or operator.

(ii) That the report was reviewed by the owner or operator.

(iii) That the discrepancies noted during the reinspection have been corrected, or will be within a stated time.

(iv) That the owner or operator has sufficient personal knowledge of conditions aboard the vessel at the time of the reinspection, or has conducted inquires necessary to justify forming a belief that the report is complete and accurate.

(e) The form of certification required under this section, for the alternative annual inspection, is as follows:

I certify that to the best of my knowledge and belief the information contained in the report is complete and accurate.

(f) Deficiencies and hazards discovered during the alternative annual inspection conducted pursuant to this section must be corrected or eliminated, if practical, before the examination report is submitted to the OCMI in accordance with paragraph (d)(5) of this section. Deficiencies and hazards that are not corrected or eliminated by the time the examination report is submitted must be listed in the report as ''outstanding.'' Upon receipt of an examination report indicating outstanding deficiencies or hazards, the

OCMI must inform the owner or operator in writing of the time period within which to correct or eliminate the deficiencies or hazards and the method for establishing that the corrections have been accomplished. Where a deficiency or hazard remains uncorrected or uneliminated after the expiration of the time specified for correction or elimination, the Officer in Charge, Marine Inspection must initiate appropriate enforcement measures.

(g) Upon receipt of the report, the OCMI will evaluate it and determine the following:

(1) Whether the cognizant OCMI accepts the alternative annual inspection instead of the annual inspection required by §126.510(a) of this subpart.

(2) Whether the vessel is in satisfactory condition.

(3) Whether the vessel continues to be reasonably fit for its intended service and route.

(h) The OCMI may require further information necessary for the determinations required by this section. The OCMI will inform the owner or operator in writing of these determinations.

(i) If the OCMI, in compliance with paragraph (g) of this section, does not accept the alternative annual inspection instead of the annual inspection required by §126.510(a) of this subpart, he or she will require reinspection of the vessel as soon as practicable. He or she will inform the vessel owner or operator in writing that the alternative examination is not acceptable and that a reinspection is necessary. The owner, master, or operator must make the vessel available for the reinspection at a time and place agreeable to this OCMI.

(j) If the OCMI determines, in accordance with paragraph (g) of this section, that the alternative annual inspection is accepted in lieu of the annual inspection required by §126.510(a) of this subpart, the master must complete the applicable COI endorsement.

PART 127—CONSTRUCTION AND ARRANGEMENTS

Subpart A—Plan Approval

Sec.

127.100 General.
127.110 Plans and specifications required for new construction.
127.120 Procedure for submittal of plans.

Subpart B—Particular Construction and Arrangements

127.200 Classification society standards.
127.210 Structural standards.
127.220 General fire protection.
127.225 Structural fire protection.
127.230 Subdivision and stability.
127.240 Means of escape.
127.250 Ventilation for enclosed spaces.
127.260 Ventilation for accommodations.
127.270 Location of accommodations and pilothouse.
127.280 Construction and arrangement of quarters for crew members and accommodations for offshore workers.

Subpart C—Rails and Guards

127.310 Where rails required.
127.320 Storm rails.
127.330 Guards in dangerous places.

Subpart D—Construction of Windows, Visibility, and Operability of Coverings

127.410 Safety-glazing materials.
127.420 Strength.
127.430 Visibility from pilothouse.
127.440 Operability of window coverings.

Subpart F—Construction and Arrangements for OSVs Carrying More Than 36 Offshore Workers.

127.600 Applicability.
127.610 Damage stability requirements.
127.620 Marine engineering requirements.
127.630 Electrical installation requirements.
127.640 Fire-protection requirements.
127.650 Bulk liquid cargo limitations.

AUTHORITY: 46 U.S.C. 3306; sec. 617, Pub. L. 111–281, 124 Stat. 2905; Department of Homeland Security Delegation No. 0170.1.

SOURCE: CGD 82–004 and CGD 86–074, 62 FR 49328, Sept. 19, 1997, unless otherwise noted.

Subpart A—Plan Approval

§127.100 General.

Plans listed by §127.110 of this subpart must be submitted for approval after the owner or builder applies for