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AUTHORITY: 43 U.S.C. 1333; 46 U.S.C. 3102, 3306; Department of Homeland Security Delegation No. 0170.1.

SOURCE: CGD 73-251, 43 FR 56808, Dec. 4, 1978, unless otherwise noted.

Subpart A—General

§ 108.101 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a). To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish notice of change in the FEDERAL REGISTER and make the material available to the public. All approved material is on file at the U.S. Coast Guard, Office of Design and Engineering Standards (G-MSE), 2100 Second

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Street SW., Washington, DC 20593-0001 or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/

code of federal regulations/ibr_locations.html. All material is available from the sources indicated in paragraph (b) of this section.

(b) The material approved for incorporation by reference in this part and the sections affected are:

<i>American Society for Testing and Materials (ASTM)</i>	
100 Barr Harbor Drive, West Conshohocken, PA 19428-2959.	
ASTM D 93-97, Standard Test Methods for Flash Point by Pensky-Martens Closed Cup Tester.	108.500
ASTM F 1014-92, Standard Specification for Flashlights on Vessels	108.497
ASTM F 1121-87 (1993), Standard Specification for International Shore Connections for Marine Fire Applications.	108.427
<i>International Maritime Organization (IMO)</i>	
Publications Section, 4 Albert Embankment, London, SE1 7SR, United Kingdom	
Resolution A.520(13), Code of Practice for the Evaluation, Testing and Acceptance of Prototype Novel Life-saving Appliances and Arrangements, 17 November 1983.	108.105.
Resolution A.649(16), Code for the Construction and Equipment of Mobile Offshore Drilling Units (MODU Code), 19 October 1989 with amendments of June 1991.	108.503.
Resolution A.658(16), Use and Fitting of Retro-reflective Materials on Life-saving Appliances, 20 November 1989.	108.645; 108.649.
Resolution A.760(18), Symbols Related to Life-saving Appliances and Arrangements, 17 November 1993.	108.646; 108.647; 108.649; 108.655.
<i>National Fire Protection Association (NFPA)</i>	
1 Batterymarch Park, Quincy, MA 02269-9101.	
NFPA 13-1996, Standard for the Installation of Sprinkler Systems	108.430

[88-032, 56 FR 35826, July 29, 1991, as amended by CGD 95-072, 60 FR 50464, Sept. 29, 1995; CGD 84-069, 61 FR 25290, May 20, 1996; CGD 96-041, 61 FR 50730, Sept. 27, 1996; CGD 97-057, 62 FR 51046, Sept. 30, 1997; CGD 95-028, 62 FR 51208, Sept. 30, 1997; USCG 1999-5151, 64 FR 67182, Dec. 1, 1999]

§ 108.103 Equipment not required on a unit.

Each item of lifesaving and fire-fighting 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 (G-MSE) may accept any substitution that is at least as effective as that specified. If nec-

essary, the Commandant (G-MSE) 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 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 (G-MSE) 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—