

SUBCHAPTER K—SMALL PASSENGER VESSELS CARRYING MORE THAN 150 PASSENGERS OR WITH OVERNIGHT ACCOMMODATIONS FOR MORE THAN 49 PASSENGERS

PART 114—GENERAL PROVISIONS

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SOURCE: CGD 85-080, 61 FR 885, Jan. 10, 1996, unless otherwise noted.

§ 114.100 Purpose.

The purpose of this subchapter is to implement applicable sections of Subtitle II of Title 46, United States Code, which require the inspection and certification of small passenger vessels.

§ 114.110 General applicability.

(a) Except as in paragraph (b) of this section, this subchapter applies to each vessel of less than 100 gross tons that carries more than 150 passengers, or has overnight accommodations for more than 49 passengers, and that—

- (1) Carries at least one passenger for hire;
- (2) Is chartered with or without a crew provided or specified by the owner or the owner's representative; or
- (3) If a submersible vessel, carries at least one passenger for hire.

NOTE TO PARAGRAPH (a): For a vessel of less than 100 gross tons that carries 150 or less passengers or has overnight accommodations for 49 or less passengers, see subchapter T of this chapter.

(b) This subchapter does not apply to:

- (1) A vessel operating exclusively on inland waters that are not navigable waters of the United States;

(2) An oceanographic research vessel;

(3) A boat forming part of a vessel's lifesaving equipment and that is not used for carrying passengers except in emergencies or during emergency drills;

(4) A vessel of a foreign country that is a party to the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS), to which the United States Government is currently a party, and which has on board a current valid SOLAS Passenger Ship Safety Certificate; or

(5) A vessel of a foreign country, whose government has inspection laws approximating those of the United States and which by its laws accords similar privileges to vessels of the United States, which has on board a current valid certificate of inspection, permitting the carrying of passengers, issued by its government.

(c) Unless otherwise provided, an existing vessel that is not required to comply with a requirement in this subchapter may comply with the regulation that was applicable to the vessel on March 10, 1996.

(d) A vessel required by this subchapter to meet applicable sections of subchapter H shall follow the phase-in schedule for certain equipment and requirements found in this subchapter.

[CGD 85-080, 61 FR 885, Jan. 10, 1996, as amended at 62 FR 51347, Sept. 30, 1997]

§ 114.112 Specific applicability for individual parts.

At the beginning of certain parts of this subchapter, a more specific application is given for all or particular portions of that part. This application sets forth the type, size, service, or age of a vessel to which certain portions of that part apply or particular dates by which an existing vessel must comply with certain portions of that part.

§ 114.120 Vessels on an international voyage.

A mechanically propelled vessel that carries more than 12 passengers on an