

(2) Having a familiarity with, but not limited to, the following—

(i) The camera used during the AHE; and

(ii) The NDT equipment used during the AHE, including the effect of water clarity, and marine growth in relation to the quality of the readings obtained;

(3) Having a familiarity with the communications equipment used during the AHE;

(4) Possessing the knowledge of vessel structures, design features, nomenclature, and the applicable AHE regulations; and

(5) Able to present the Officer in Charge, Marine Inspection, with evidence of formal training, demonstrated ability, past acceptance, or a combination of these.

*Trunk* means a vertical shaft or duct for the passage of pipes, wires, or other devices.

*Underwater Survey in Lieu of Drydocking (UWILD)* means a program in which an eligible vessel may alternate between an underwater survey and the required drydock examinations.

*Vehicle space* (11) means a space not on an open deck, for the carriage of motor vehicles with fuel in their tanks, into and from which such vehicles can be driven and to which passengers have access.

*Veneer* means a thin covering of combustible material on bulkheads, bulkhead panels, or furniture.

*Vessel* includes every description of watercraft or other artificial contrivance, used or capable of being used as a means of transportation on water.

*Vessel of the United States* means a vessel documented or numbered under the laws of the United States, the states of the United States, Guam, Puerto Rico, the Virgin Islands, American Samoa, the District of Columbia, the Northern Mariana Islands, and any other territory or possession of the United States.

*Warm water* means water where the monthly mean low water temperature is normally more than 15 degrees Celsius (59 degrees Fahrenheit).

*Watertight* means designed and constructed to withstand a static head of water without any leakage, except that “watertight” for the purposes of elec-

trical equipment means enclosed so that water does not enter the equipment when a stream of water from a hose with a nozzle one inch in diameter that delivers at least 246 liters (65 gallons) per minute is sprayed on the enclosure from any direction from a distance of ten feet for five minutes.

*Weather deck* means a deck that is partially or completely exposed to the weather from above or from at least two sides.

*Weathertight* means that water will not penetrate in any sea condition, except that “weathertight equipment” means equipment constructed or protected so that exposure to a beating rain will not result in the entrance of water.

*Well deck vessel* means a vessel with a weather deck fitted with solid bulwarks that impede the drainage of water over the sides or a vessel with an exposed recess in the weather deck extending more than one-half of the length of the vessel measured over the weather deck.

*Wire* means an individual insulated conductor without an outer protective jacket.

*Work space* means a space, not normally occupied by a passenger, in which a crew member performs work and includes, but is not limited to, a galley, operating station, or machinery space.

[CGD 85–080, 61 FR 887, Jan. 10, 1996; 61 FR 20556, May 7, 1996, as amended by CGD 97–057, 62 FR 51047, Sept. 30, 1997; CGD 85–080, 62 FR 51347, Sept. 30, 1997; 62 FR 64305, Dec. 5, 1997; USCG 1999–4976, 65 FR 6504, Feb. 9, 2000; USCG–2000–7790, 65 FR 58462, Sept. 29, 2000; USCG–2000–6858, 67 FR 21079, Apr. 29, 2002; USCG–1999–5040, 67 FR 34799, May 15, 2002; USCG–2000–6858, 69 FR 47383, Aug. 5, 2004; USCG–2005–22329, 70 FR 57183, Sept. 30, 2005]

#### § 114.540 Equivalents.

(a) The Commandant may approve any arrangement, fitting, appliance, apparatus, equipment, calculation, information, or test which provides a level of safety equivalent to that established by specific provisions of this subchapter. Requests for approval must be submitted to the Marine Safety Center. If necessary, the Marine Safety Center may require engineering evaluations and tests to demonstrate the equivalence of the substitute.

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(b) The Commandant may accept compliance by a high speed craft with the provisions of the International Maritime Organization (IMO) "Code of Safety for High Speed Craft" as an equivalent to compliance with applicable requirements of this subchapter. Requests for a determination of equivalency for a particular vessel must be submitted to the Marine Safety Center.

(c) The Commandant may approve a novel lifesaving appliance or arrangement as an equivalent if it has performance characteristics at least equivalent to the appliance or arrangement required under this part, and:

(1) Is evaluated and tested under IMO Resolution A.520(13), "Code of Practice for the Evaluation, Testing and Acceptance of Prototype Novel Life-Saving Appliances and Arrangements"; or

(2) Has successfully undergone an evaluation and tests that are substantially equivalent to those recommendations.

[CGD 85-080, 61 FR 885, Jan. 10, 1996, as amended at 62 FR 51348, Sept. 30, 1997]

**§ 114.550 Special consideration.**

In applying the provisions of this subchapter, the OCMI may give special consideration to authorizing departures from the specific requirements when unusual circumstances or arrangements warrant such departures and an equivalent level of safety is provided. The OCMI of each marine inspection zone in which a vessel operates must approve any special consideration granted to the vessel.

**§ 114.560 Appeals.**

Any person directly affected by a decision or action taken under this subchapter, by or on behalf of the Coast Guard, may appeal therefrom in accordance with §1.03 in subchapter A of this chapter.

**§ 114.600 Incorporation by reference.**

(a) Certain material is incorporated by reference into this subchapter with the approval of the Director of the Federal Register in accordance with Title 5 United States Code (U.S.C.) 552(a) and Title 1 Code of Federal Regulations (CFR) Part 51. To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard

must publish a 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 Operating and Environmental Standards (G-MSO), 2100 Second 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](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 subchapter and the sections affected are:

- American Boat and Yacht Council (ABYC)*
- 3069 Solomons Island Road, Edgewater, MD 21037
- A-1-93—Marine Liquified Petroleum Gas (LPG) Systems.....121.240
- A-3-93—Galley Stoves.....121.200
- A-7-70—Boat Heating Systems.....121.200
- A-22-93—Marine Compressed Natural Gas (CNG) Systems.....121.240
- H-25-94—Portable Gasoline Fuel Systems for Flammable Liquids .....119.458
- P-1-93—Installation of Exhaust Systems for Propulsion and Auxiliary Engines .....116.405; 119.425; 119.430
- American Bureau of Shipping (ABS)*
- ABS Plaza, 16855 Northchase Drive, Houston, TX 77060
- Rules for Building and Classing Aluminum Vessels, 1975.....116.300
- Rules for Building and Classing Steel Vessels, 1995.....119.410; 120.360
- Rules for Building and Classing Steel Vessels Under 61 Meters (200 Feet) in Length, 1983.....116.300
- Rules for Building and Classing Steel Vessels for Service on Rivers and Intracoastal Waterways, 1995.....116.300
- Guide for High Speed Craft, 1997.....116.300
- American National Standards Institute (ANSI)*
- 11 West 42nd Street, New York, NY 10036
- A 17.1-1984, including supplements A 17.1a and b-1985—Safety Code for Elevators and Escalators.....120.540
- B 31.1-1986—Code for Pressure Piping, Power Piping .....119.710
- Z 26.1-1977, including 1980 supplement—Safety Glazing Materials For Glazing Motor Vehicles Operating on Land Highways .....116.1030