

**§ 90.05–35**

subject to inspection and certification as seagoing barges.

(b) In applying the laws and regulations to manned seagoing barges, one criterion for invocation of safety standards is the description of seagoing barges by relative size in gross tons. When it is determined by the Commandant that the gross register tonnage for a particular manned seagoing barge, which is attained by exemptions, reductions, or other devices in the basic gross tonnage formulation, will circumvent or be incompatible with the application of specific safety requirements in the regulations in this subchapter for a manned seagoing barge of such physical size, the Commandant shall prescribe the regulations to be made applicable to such seagoing barge. When the Commandant determines that the gross register tonnage is not a valid criterion for the invocation of safety requirements based on relative size, the parties involved will be informed of the determination and of the regulations applicable to such manner seagoing barges, and before being permitted to operate such seagoing barges, compliance therewith shall be required. Endorsements or notations on the seagoing barge's certificate of inspection may be made as appropriate.

**§ 90.05–35 Flammable and combustible liquid cargo in bulk.**

NOTE: Requirements for double hull construction for vessels carrying oil, as defined in 33 CFR 157.03, in bulk as cargo are found in 33 CFR 157.10d.

Vessels inspected and certificated under this subchapter may carry limited quantities of flammable and combustible liquid cargo in bulk in the grades indicated, provided the Certificate of Inspection is endorsed to permit such carriage:

(a) Cargo vessels:

(1) Grades D and E in an integral tank; and

(2) Grades D and E and certain specifically named Grade C in a portable tank, including a marine portable tank (MPT), in accordance with subpart 98.30 or 98.33 of this subchapter.

(b) Miscellaneous Vessels, such as cable, salvage, pile-driving, and oil-drilling-rig vessels:

**46 CFR Ch. I (10–1–06 Edition)**

(1) Grades B, C, D, and E in a fixed independent or integral tank authorized by the commandant;

(2) Grades D and E and certain specifically named Grade C in a portable tank, including an MPT, in accordance with subpart 98.30 or 98.33 of this subchapter.

[CGD 84–043, 55 FR 37410, Sept. 11, 1990, as amended by CGD 90–051, 57 FR 362146, Aug. 12, 1992]

**Subpart 90.10—Definition of Terms Used in This Subchapter**

**§ 90.10–1 Anniversary date.**

The term *anniversary date* means the day and the month of each year, which corresponds to the date of expiration of the Certificate of Inspection.

[USCG 1999–4976, 65 FR 6501, Feb. 9, 2000]

**§ 90.10–2 Approved.**

This term means approved by the Commandant unless otherwise stated.

[CGFR 65–50, 30 FR 16974, Dec. 30, 1965. Redesignated by USCG 1999–4976, 65 FR 6501, Feb. 9, 2000]

**§ 90.10–3 Barge.**

This term means any nonself-propelled vessel.

[CGFR 65–50, 30 FR 16974, Dec. 30, 1965. Redesignated by USCG 1999–4976, 65 FR 6501, Feb. 9, 2000]

**§ 90.10–5 Carrying freight for hire.**

The carriage of any goods, wares, or merchandise or any other freight for a valuable consideration whether directly or indirectly flowing to the owner, charterer, operator, agent, or any other person interested in the vessel.

**§ 90.10–7 Commandant.**

This term means the Commandant of the Coast Guard.

**§ 90.10–9 Coast Guard District Commander.**

This term means an officer of the Coast Guard designated as such by the Commandant to command all Coast Guard activities within the officer's district, which include the inspection, enforcement, and administration of

## Coast Guard, DHS

## § 90.10-23

Subtitle II of Title 46, U.S. Code, Title 46 and Title 33 U.S. Code, and regulations issued under these statutes.

[CGD 95-028, 62 FR 51205, Sept. 30, 1997]

### § 90.10-11 Coastwise.

Under this designation shall be included all vessels normally navigating the waters of any ocean or the Gulf of Mexico 20 nautical miles or less offshore.

### § 90.10-12 Gas free.

This term means free from dangerous concentrations of flammable or toxic gases.

### § 90.10-13 Great Lakes.

Under this designation shall be included all vessels navigating the Great Lakes.

### § 90.10-14 Headquarters.

This term means the Office of the Commandant, U.S. Coast Guard, Washington, DC 20593-0001.

[CGFR 67-90, 33 FR 1015, Jan. 26, 1968, as amended by CGD 88-070, 53 FR 34534, Sept. 7, 1988]

### § 90.10-15 Industrial personnel.

This term means every person carried on board an industrial vessel for the sole purpose of carrying out the industrial business or functions of the industrial vessel. Examples of industrial personnel include tradesmen, such as mechanics, plumbers, electricians, and welders; laborers, such as wreckers and construction workers; and other persons, such as supervisors, engineers, technicians, drilling personnel, and divers.

[CGFR 67-90, 33 FR 1015, Jan. 26, 1968]

### § 90.10-16 Industrial vessel.

This term means every vessel which by reason of its special outfit, purpose, design, or function engages in certain industrial ventures. Included in this classification are such vessels as drill rigs, missile range ships, dredges, cable layers, derrick barges, pipe lay barges, construction and wrecking barges. Excluded from this classification are vessels carrying freight for hire or en-

gaged in oceanography, limnology, or the fishing industry.

[CGFR 67-90, 33 FR 1015, Jan. 26, 1968]

### § 90.10-19 Lakes, bays, and sounds.

Under this designation shall be included all vessels navigating the waters of any of the lakes, bays, or sounds other than the waters of the Great Lakes.

### § 90.10-20 Liftboat.

*Liftboat* means an offshore supply vessel with moveable legs capable of raising its hull above the surface of the sea.

[CGD 82-004a, 55 FR 2525, Jan. 25, 1990]

### § 90.10-21 Marine inspector or inspector.

These terms mean any person from the civilian or military branch of the Coast Guard assigned under the superintendence and direction of an Officer in Charge, Marine Inspection, or any other person as may be designated for the performance of duties with respect to inspection, enforcement, and administration of Subtitle II of Title 46, U.S. Code, Title 46 and Title 33 U.S. Code, and regulations issued under these statutes.

[CGD 95-028, 62 FR 51205, Sept. 30, 1997]

### § 90.10-23 Motorboat.

This term means any vessel indicated in Column 5 of table 90.05-1(a) 65 feet in length or less which is propelled by machinery (including steam). The length shall be measured from end to end over the deck excluding sheer. This term includes a boat temporarily or permanently equipped with a detachable motor. For the purpose of this subchapter, motorboats are included under the term "vessel" unless specifically noted otherwise. The various classes of motorboats are as follows:

Class A—Any motorboat less than 16 feet in length.

Class 1—Any motorboat 16 feet or over and less than 26 feet in length.

Class 2—Any motorboat 26 feet or over and less than 40 feet in length.