

§ 115.107

the vessel as found at the inspection for certification.

[CGD 85-080, 61 FR 892, Jan. 10, 1996, as amended by USCG 1999-4976, 65 FR 6504, Feb. 9, 2000]

§ 115.107 Period of validity for a Certificate of Inspection.

(a) A Certificate of Inspection is valid for 1 year for vessels carrying more than 12 passengers on international voyages.

(b) A Certificate of Inspection is valid for 5 years for all other vessels.

(c) A Certificate of Inspection may be suspended and withdrawn or revoked by the cognizant OCMI at any time for noncompliance with the requirements of this subchapter.

[USCG 1999-4976, 65 FR 6504, Feb. 9, 2000]

§ 115.110 Routes permitted.

(a) The area of operation for each vessel and any necessary operational limits are determined by the cognizant OCMI, and recorded on the vessel's Certificate of Inspection. Each area of operation, referred to as a route, is described on the Certificate of Inspection under the major headings "Oceans," "Coastwise," "Limited Coastwise," "Great Lakes," "Lakes, Bays, and Sounds," or "Rivers," as applicable. Further limitations imposed or extensions granted are described by reference to bodies of waters, geographical points, distance from geographical points, distances from land, depths of channel, seasonal limitations, and similar factors.

(b) Operation of a vessel on a route of lesser severity than those specifically described or designated on the Certificate of Inspection is permitted unless expressly prohibited on the certificate of Inspection. The general order of severity of routes is: oceans, coastwise, limited coastwise, Great Lakes, lakes, bays and sounds, and rivers. The cognizant OCMI may prohibit a vessel from operating on a route of lesser severity than the primary route a vessel is authorized to operate on if local conditions necessitate such a restriction.

(c) Non-self-propelled vessels are prohibited from operating on an oceans, coastwise, limited coastwise, or Great

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Lakes route unless the Commandant approves such a route.

(d) When designating a permitted route or imposing any operational limits on a vessel, the OCMI may consider:

(1) Requirements of this subchapter for which compliance is based on the route of the vessel;

(2) The performance capabilities of the vessel based on design, scantlings, stability, subdivision, propulsion, speed, operating modes, maneuverability, other characteristics; and

(3) The suitability of the vessel for night-time operations and use in all weather conditions.

§ 115.112 Total persons permitted.

The cognizant OCMI determines the total number of persons permitted to be carried on a vessel. In determining the total number of persons permitted to be carried, the OCMI may consider stability restrictions and subdivision requirements of the vessel, the vessel's route, general arrangement, means of escape, lifesaving equipment, the minimum manning requirements, and the maximum number of passengers permitted in accordance with § 115.113 of this part.

§ 115.113 Passengers permitted.

(a) The maximum number of passengers permitted must be not more than that allowed by the requirements of this section, except as authorized by the OCMI under paragraph (d) of this section.

(b) The maximum number of passengers permitted on any vessel may be the greatest number permitted by the length of rail criterion, deck area criterion, or fixed seating criterion described in this paragraph or a combination of these criteria as allowed by paragraph (c) of this section.

(1) *Length of rail criterion.* One passenger may be permitted for each 760 millimeters (30 inches) of rail space available to the passengers at the periphery of each deck. The following rail space may not be used in determining the maximum number of passengers permitted:

(i) Rail space in congested areas unsafe for passengers, such as near anchor handling equipment or line handling gear, in the way of sail booms,

running rigging, or paddle wheels, or along pulpits;

(ii) Rail space on stairways; and

(iii) Rail space where persons standing in the space would block the line of vision of the licensed individual operating the vessel.

(2) *Deck area criterion.* One passenger may be permitted for each 0.9 square meters (10 square feet) of deck area available for the passengers' use. In computing such deck area, the areas occupied by the following must be excluded:

(i) Areas for which the number of persons permitted is determined using the fixed seating criteria;

(ii) Obstructions, including stairway and elevator enclosures, elevated stages, bars, and cashier stands, but not including slot machines, tables, or other room furnishings;

(iii) Toilets and washrooms;

(iv) Spaces occupied by and necessary for handling lifesaving equipment, anchor handling equipment or line handling gear, or in the way of sail booms or running rigging;

(v) Spaces below deck that are unsuitable for passengers or that would not normally be used by passengers;

(vi) Interior passageways less than 840 millimeters (34 inches) wide and passageways on open deck, less than 710 millimeters (28 inches) wide;

(vii) Bow pulpits, swimming platforms and areas that do not have a solid deck, such as netting on multi-hull vessels;

(viii) Deck areas in way of paddle wheels; and

(ix) Aisle area provided in accordance with §116.820(d) of this chapter.

(3) *Fixed seating criterion.* One passenger may be permitted for each 455 millimeter (18 inches) of width of fixed seating provided by §116.820 of this chapter. Each sleeping berth in overnight accommodation spaces shall be counted as only one seat.

(c) Different passenger capacity criteria may be used on each deck of a vessel and added together to determine the total passenger capacity of that vessel. Where seats are provided on part of a deck and not on another, the number of passengers permitted on a vessel may be the sum of the number permitted by the seating criterion for

the space having seats and the number permitted by the deck area criterion for the space having no seats. The length of rail criterion may not be combined with either the deck area criterion or the fixed seating criterion when determining the maximum number of passengers permitted on an individual deck.

(d) For a vessel operating on short runs on protected waters such as a ferry, the cognizant OCMI may give special consideration to increases in passenger allowances.

§ 115.114 Alternative requirements for a vessel operating as other than a small passenger vessel.

(a) When authorized by the cognizant OCMI by an endorsement of the vessel's Certificate of Inspection, a small passenger vessel carrying six or less passengers, or operating as a commercial fishing vessel or other uninspected vessel, or carrying less than twelve passengers and operating as a recreational vessel, need not meet requirements of:

(1) Subparts C, D, and E, of part 117 of this chapter if the vessel is in satisfactory compliance with the lifesaving equipment regulations for an uninspected vessel or recreational vessel in similar service;

(2) Subpart C of part 116 of this chapter and subchapter S of this chapter if the vessel is in satisfactory compliance with applicable regulations for an uninspected vessel or recreational vessel in a similar service or if the owner of the vessel otherwise establishes to the satisfaction of the cognizant OCMI that the vessel is seaworthy for the intended service; and

(3) Sections 121.404, 121.408, and 121.410 of this subchapter providing the vessel is in satisfactory compliance with any navigational equipment requirements for an uninspected or recreational vessel in a similar service.

(b) A vessel operating under the alternative regulations of paragraph (a) of this section must:

(1) Not alter the arrangement of the vessel nor remove any equipment required by the certificate for the intended operation, without the consent of the cognizant OCMI;