

## § 108.101

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#### CRANES

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### Subpart I—Navigation Bridge Visibility

- 108.801 Navigation bridge visibility.

### Subpart J—Muster List

- 108.901 Muster list and emergency instructions.

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 subchapter with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. All approved material is available for inspection at the U.S. Coast Guard, Office of Design and Engineering Standards (CG–ENG), 2703 Martin Luther King Jr. Avenue SE., Stop 7509, Washington, DC 20593–7509, and is available from the sources listed below. It is also available for inspection 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).

(b) ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428, 877–909–2786, <http://www.astm.org>.

(1) ASTM D 93–97, Standard Test Methods for Flash Point by Pensky–Martens Closed Cup Tester, IBR approved for § 108.500(b).

(2) ASTM F 1014–92, Standard Specification for Flashlights on Vessels, IBR approved for § 108.497(b).

(3) ASTM F1121–87 (Reapproved 2010), Standard Specification for International Shore Connections for Marine

Fire Applications, (approved March 1, 2010), IBR approved for § 108.427(a).

(c) International Maritime Organization (IMO) Publishing, 4 Albert Embankment, London SE1 7SR, United Kingdom, +44 (0)20 7735 7611, <http://www.imo.org>.

(1) Resolution A.520(13), Code of Practice for the Evaluation, Testing and Acceptance of Prototype Novel Life-saving Appliances and Arrangements, 17 November 1983, IBR approved for § 108.105(c).

(2) 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, IBR approved for § 108.503.

(3) Resolution A.658(16), Use and Fitting of Retro-reflective Materials on Life-saving Appliances, 20 November 1989, IBR approved for §§ 108.645(a) and 108.649(a) and (e).

(4) Resolution A.760(18), Symbols Related to Life-saving Appliances and Arrangements, 17 November 1993, IBR approved for §§ 108.646(a), 108.647, 108.649(b), (d), (f), and (g), and 108.655(e).

(d) National Fire Protection Association (NFPA), 1 Batterymarch Park, Quincy, MA 02169, 617-770-3000, <http://www.nfpa.org>.

(1) NFPA 13, Standard for the Installation of Sprinkler Systems, 2010 Edition, effective August 26, 2009, IBR approved for § 108.430.

(2) [Reserved]

[USCG-2012-0196, 81 FR 48266, July 22, 2016]

#### § 108.102 Preemptive effect.

The regulations in this part have preemptive effect over State or local regulations in the same field.

[USCG-2006-29747, 77 FR 33882, June 7, 2012]

#### § 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 (CG-ENG) may accept any substitution that is at least as effective as that specified. If necessary, the Commandant (CG-ENG) 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 (CG-ENG) 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—

(1) Is evaluated and tested in accordance with 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 evaluation and tests that are substantially equivalent to those recommendations.

(d) During a unit's construction and when any modification to the life-saving arrangement is done after construction, the owner must obtain acceptance of lifesaving arrangements from the Commandant Marine Safety Center.

(e) The OCMI may accept substitute lifesaving appliances other than those required by this part, except for—

(1) Survival craft and rescue boats; and

(2) Survival craft and rescue boat launching and embarkation appliances.

(f) Acceptance of lifesaving appliances and arrangements will remain in effect unless—