

NAVIGATION AND VESSEL INSPECTION CIRCULAR NO. 11-83, CH-1

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Subj: CH-1 TO NVIC 11-83, REGULATIONS FOR VERY LARGE 46 CFR SUBCHAPTER T  
PASSENGER VESSELS

1. PURPOSE. The purpose of this Circular is to provide the maritime industry with the benefit of the Coast Guard's experience in prescribing those additional regulations, pursuant to Title 46, CFR 175.05-15, to be made applicable to certain very large 46 CFR Subchapter T small passenger vessels. Change 1 expands the guidance in NVIC 11-83 to include small passenger vessels which are certificated to carry over 600 passengers on any route.
2. DISCUSSION.
  - a. Title 46, Code of Federal Regulations (46 CFR) 175.05-15 discusses the use of gross register tonnage as a size criterion. The regulation provides that when the gross register tonnage for a small passenger vessel, which is attained by exemptions, reductions or other devices, will circumvent the application of specific safety requirements, the Commandant shall prescribe the regulations to be made applicable to the vessel.
  - b. The physical size of a vessel for purposes of safety regulations may be determined by a number of parameters including, but not limited to admeasured tonnage, vessel length, displacement tonnage, passenger carriage capacity and overnight passenger accommodations. The Coast Guard has found in most instances that small passenger vessels in excess of 79 feet in length that admeasure less than 100 gross tons have availed themselves of one or more of the special provisions or interpretations of the basic gross tonnage formulation in order to achieve their admeasured tonnage. Innovative designs tailored to the application of the admeasurement regulations has resulted in larger and larger vessels being designed which continue to measure less than 100 gross tons. In certain circumstances, the safety risk presented by this increase in size may be offset by restrictions on the use of the vessel. Examples of when this may be true are when the vessel is used to transport industrial personnel, when the vessel operates on restricted routes, when the vessel does not carry high passenger loads, or when the vessel does not have passenger overnight accommodations. The Coast Guard has found that in most instances where a vessel has overnight accommodations for more than 50 passengers, an increased safety risk exists unless specific safety requirements are made applicable to the vessel.
  - c. Recently, there has been a dramatic increase in the number of large passenger vessel operations. Most of this new activity has resulted from state laws allowing riverboat gambling. In 1991 riverboat gaming began in Iowa with the operation of three riverboats carrying a total of 5,500 passengers. Presently there are approximately 40 vessels in operation carrying over 60,000 passengers, operating along the Western River System and Great Lakes. These vessels on an average, carry between 600-2,500 passengers.

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Most of the vessels admeasure over 100 gross and are certificated under 46 CFR Subchapter H, however a significant number have utilized various tonnage exemptions and are subsequently subject to the less stringent requirements in 46 CFR Subchapter T. These vessels operate on short runs and have no overnight passenger accommodations.

- d. The Coast Guard is presently in the process of undertaking a risk management study to assess passenger risk nationwide associated with vessels carrying more than 600 passengers. A preliminary risk analysis of the Mississippi River in the Port of New Orleans conducted in February, 1994 by the Louisiana State University's National Ports and Waterways Institute determined that although the increase in probability of an accident due to the addition of four gaming vessels in New Orleans appeared to be relatively small, the affect of such a casualty would be significant. Due to the increased passenger risk associated with these high capacity passenger vessels, it is necessary to consider additional requirements as allowed by 46 CFR 175.05-15 to ensure passenger safety.
- e. The Coast Guard is continuing to study the need for the application of certain additional requirements to all new small passenger vessels in excess of 79 feet. Enclosure (1) is provided as representative of common Coast Guard experience and lists the regulations which are often made applicable to vessels which admeasure less than 100 gross tons, which are over 79 feet in length, which have accommodations for in excess of 50 overnight passengers and/or carry more than 600 passengers.

### 3. IMPLEMENTATION.

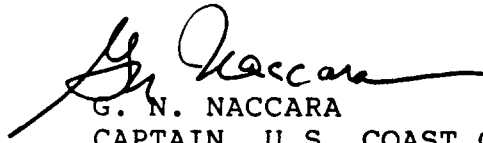
- a. Designers and owners of small passenger vessels should be guided by enclosure (1) in order to anticipate the regulations which may be made applicable to their vessels.
- b. Plans for vessels should be submitted to the cognizant Officer-in-Charge, Marine Inspection (OCMI) in accordance with 46 CFR Subpart 177.05.
- c. In order to facilitate determinations by the Commandant pursuant to 46 CFR 175.05-15, each OCMI shall forward certain information to Commandant (G-MVI) when, in his opinion, a vessel may be measured at a gross register tonnage which will circumvent or be incompatible with the application of specific safety requirements for a vessel of its physical size. Information shall be forwarded on all vessels which admeasure less than 100 gross tons, are over 79 feet in length, and have accommodations for more than 50 overnight passengers and/or carry more than 600 passengers. Such information shall include:
  - (1) Outboard profile plan
  - (2) Arrangement of decks plan
  - (3) Number of accommodations for overnight passengers
  - (4) The OCMI's recommendation as to the regulations to be made applicable to the particular vessel

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The cognizant OCMI may consider any special arrangements and operating conditions as provided for in 46 CFR 175.25 when determining specific compliance with the regulations the Commandant may prescribe for a vessel.

- d. This Circular is effective on the publication date. It is not intended to be retroactive, however it does apply to existing vessels undergoing major modifications.
- e. Make the following change to NVIC 11-83:

REPLACE original NVIC 11-83 and Enclosure (1) with Change 1, NVIC 11-83 and Enclosure (1).



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End: (1) REGULATIONS OFTEN MADE APPLICABLE TO VESSELS WHICH ADMASURE LESS THAN 100 GROSS TONS, ARE OVER 79 FEET IN LENGTH AND HAVE ACCOMMODATIONS FOR MORE THAN 50 OVERNIGHT PASSENGERS AND/OR CARRY MORE THAN 600 PASSENGERS.

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1. Vessels which admeasure less than 100 gross tons and which are over 79 feet in length and have accommodations for more than 50 overnight passengers and/or carry more than 600 passengers are often required by the Commandant to comply with the regulations contained in this enclosure as well as all the applicable provisions of Subchapter T. The following is a listing of the additional regulations, grouped by the applicable Part in Subchapter T.

(Note: In order to carry more than 12 passengers on an international voyage, the vessel must meet the regulations contained in the 1974 International Convention for the Safety of Life at Sea (SOLAS) as per 46 CFR 176.35-1. Vessels operating on routes of not more than 20 miles from shore may be granted SOLAS exemptions from certain firefighting and lifesaving requirements. If a route involving an international voyage is planned, details concerning this matter should be brought to the attention of the cognizant OCMI as soon as practicable so that the applicable requirements may be identified.)

- a. 46 CFR 177 CONSTRUCTION AND ARRANGEMENT

- (1) 46 CFR 72.05 Structural Fire Protection (These requirements presently apply to all vessels which carry more than 150 passengers. The application of these requirements to specific vessels shall be as determined by the OCMI and the Marine Safety Center)
- (2) 46 CFR 72.10-25 Stairway Size
- (3) 46 CFR 72.10-30 Dead End Corridors
- (4) 46 CFR 72.15-15(b) Ventilation
- \*(5) 46 CFR 72.20-10 except (c) and (f) Location of Crew Spaces
- \*(6) 46 CFR 72.20-15 Construction of Accommodation Spaces
- \*(7) 46 CFR 72.20-20(c)(1) Berths
- \*(8) 46 CFR 72.20-25 except (b), (c), and (e) Washrooms and Toilet Rooms
- \*(9) 46 CFR 72.20-30 Messrooms
- \*(10) 46 CFR 72.20-35 Hospital Spaces
- \*(11) 46 CFR 72.20-45 Lighting
- \*(12) 46 CFR 72.20-50 Heating
- \*(13) 46 CFR 72.25-10 Location of Passenger Quarters

\*May not apply to vessels with no overnight passenger or crew accommodations.

- b. 46 CFR 171 SPECIAL RULES PERTAINING TO VESSELS CARRYING PASSENGERS

- (1) 46 CFR 171.111 Penetrations and Openings in Watertight Bulkheads in Vessels of 100 Gross Tons or More
- (2) 46 CFR 171.112 Watertight Door Openings (Note: The use of Class 1 doors is permitted as per 46 CFR 170.255.)

- c. 46 CFR 180 LIFESAVING EQUIPMENT

- (1) 46 CFR 75 Lifesaving Equipment (in place of the requirements of 46 CFR 180) (Note: Inflatable liferafts or inflatable buoyant apparatuses may be substituted for lifeboats where permitted by 46 CFR 75.)

- d. 46 CFR 181 FIRE PROTECTION EQUIPMENT
  - (1) 46 CFR 76 (in place of the requirements of 46 CFR 181) except 46 CFR 76.05-5 and 76.05-10 (Manual Alarm System and Supervised Patrol System - Note: 46 CFR 76.05-5 and 76.05-10 ~ apply to vessels carrying more than 600 passengers)
  
- e. 46 CFR 182 MACHINERY INSTALLATIONS
  - (1) 46 CFR 72.01-10 Vessels using fuel having a flashpoint of 110 F or lower
  - (2) 46 CFR 56.50-50 Bilge and Ballast Piping except 56.50-50(f) (Emergency Bilge Suction)
  - (3) 46 CFR 56.50-55 Bilge Pumps (Disregard Note 1 in Table 56.50-55(a))
  - (4) 46 CFR 56.60-25 Nonmetallic materials
  - (5) 46 CFR 58.25 Steering Apparatus
  - (6) 46 CFR 111.93 Electric Steering Systems (if installed)
  
- f. 46 CFR 183 ELECTRICAL INSTALLATIONS
  - (1) 46 CFR 110.25-1(b) Plan Submittal - Electrical Load Analysis
  - (2) 46 CFR 111.10 Power Supply (two generating sets)
  - (3) 46 CFR 111.51 Coordination of Overcurrent Protection Devices
  - (4) 46 CFR 111.75-15(a),(c) & (e) Lighting Circuits and Protection
  - (5) 46 CFR 111.75-16 Lifeboat and Liferaft Floodlights
  
- g. 46 CFR 184 VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT
  - (1) 46 CFR 77.11(a) Magnetic Compass
  - (2) 46 CFR 112 Emergency Lighting and Power System
  - (3) General Alarm System; Sound Powered Telephone System; and Smoke and Fire Detection and Alarm Systems must be equivalent to the requirements of 46 CFR Subchapter J.
  - (4) 46 CFR 77.30 Emergency Equipment
  
- h. 46 CFR 185 OPERATIONS
  - (1) 78.13 Station Bills
  - (2) 78.15 Doors Closed at Sea
  - (3) 78.17 Tests, Drills, and Inspections
  - (4) 78.19 Auto Pilot
  - (5) 78.20 Steering Orders
  - (6) 78.33 Reports of Accidents, Repairs, and Unsafe Equipment
  - (7) 78.37 Logbook Entries
  - (8) 78.47 Markings for Fire and Emergency Equipment
  - (9) 78.49 Posting Placards of Instructions for Inflating Inflatable Liferafts (This also applies to inflatable buoyant apparatuses.)
  - (10) 78.85 Prevention of Oil Pollution
  - (11) 78.87 Exposure Suits