

**46 U.S.C. 3306: SHIPPING, Part B—Inspection and Regulation of Vessels**

<http://law.justia.com/us/codes/title46/46usc3306.html>

Sec. 3306. Regulations

(a) To carry out this part and to secure the safety of individuals and property on board vessels subject to inspection, the Secretary shall prescribe necessary regulations to ensure the proper execution of, and to carry out, this part in the most effective manner for--

- (1) the design, construction, alteration, repair, and operation of those vessels, including superstructures, hulls, fittings, equipment, appliances, propulsion machinery, auxiliary machinery, boilers, unfired pressure vessels, piping, electric installations, and accommodations for passengers and crew, sailing school instructors, and sailing school students;
- (2) lifesaving equipment and its use;
- (3) firefighting equipment, its use, and precautionary measures to guard against fire;
- (4) inspections and tests related to paragraphs (1), (2), and (3) of this subsection; and
- (5) the use of vessel stores and other supplies of a dangerous nature.

(b) (1) Equipment and material subject to regulation under this section may not be used on any vessel without prior approval of the Secretary.

(2) Except with respect to use on a public vessel, the Secretary may treat an approval of equipment or materials by a foreign government as approval by the Secretary for purposes of paragraph (1) if the Secretary determines that--

- (A) the design standards and testing procedures used by that government meet the requirements of the International Convention for the Safety of Life at Sea, 1974;
- (B) the approval of the equipment or material by the foreign government will secure the safety of individuals and property on board vessels subject to inspection; and
- (C) for lifesaving equipment, the foreign government--
  - (i) has given equivalent treatment to approvals of lifesaving equipment by the Secretary; and
  - (ii) otherwise ensures that lifesaving equipment approved by the Secretary may be used on vessels that are documented and subject to inspection under the laws of that country.

(c) In prescribing regulations for sailing school vessels, the Secretary shall consult with representatives of the private sector having experience in the operation of vessels likely to be certificated as sailing school vessels. The regulations shall--

- (1) reflect the specialized nature of sailing school vessel operations, and the character, design, and construction of vessels operating as sailing school vessels; and
- (2) include requirements for notice to sailing school instructors and sailing school students about the specialized nature of sailing school vessels and applicable safety regulations.

(d) In prescribing regulations for nautical school vessels operated by the United States Merchant Marine Academy or by a State maritime academy (as defined in section 1302(3) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1295a(3))), the Secretary shall consider the function, purpose, and operation of the vessels, their routes, and the number of individuals who may be carried on the vessels.

(e) When the Secretary finds it in the public interest, the Secretary may suspend or grant exemptions from the requirements of a regulation prescribed under this section related to lifesaving and firefighting equipment, muster lists, ground tackle and hawsers, and bilge systems.

(f) In prescribing regulations for offshore supply vessels, the Secretary shall consider the characteristics, methods of operation, and the nature of the service of offshore supply vessels.

(g) In prescribing regulations for fish processing or fish tender vessels, the Secretary shall consult with representatives of the private sector having experience in the operation of these vessels. The regulations shall reflect the specialized nature and economics of fish processing or fish tender vessel operations and the character, design, and construction of fish processing or fish tender vessels.

(h) The Secretary shall establish appropriate structural fire protection, manning, operating, and equipment requirements for vessels of at least 100 gross tons but less than 300 gross tons as measured under section 14502 of this title, or an alternate tonnage measured under section 14302 of this title as prescribed by the Secretary under section 14104 of this title carrying not more than 150 passengers on domestic voyages, which meet the eligibility criteria of section 2113(4) of this title.

(i) The Secretary shall establish appropriate structural fire protection, manning, operating, and equipment requirements for former public vessels of the United States of at least 100 gross tons but less than 500 gross tons as measured under section 14502 of this title, or an alternate tonnage measured under section 14302 of this title as prescribed by the Secretary under section 14104 of this title carrying not more than 150 passengers on domestic voyages, which meet the eligibility criteria of section 2113(5) of this title.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 513; Pub. L. 98-364, title IV, Sec. 402(5), July 17, 1984, 98 Stat. 446; Pub. L. 103-206, title V, Sec. 512(a), Dec. 20, 1993, 107 Stat. 2442; Pub. L. 104-324, title VI, Sec. 604(a), (c), title VII, Sec. 712, Oct. 19, 1996, 110 Stat. 3930, 3931, 3936.)

## **46 C.F.R. Subpart 50.20—Plan Submittal and Approval**

Title 46 - Shipping

### **Title 46: Shipping**

#### **[PART 50—GENERAL PROVISIONS](#)**

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### **Subpart 50.20—Plan Submittal and Approval**

#### **§ 50.20-1 General.**

(a) The required vessel, equipment, or installation plans, as listed in this subchapter, are general in character, but include all plans which normally show the intended construction and safety features coming under the cognizance of the Coast Guard. In a particular case, however, not all of the plans enumerated may be applicable, and in such cases the Coast Guard will so

notify the submitter.

(b) Manufacturers of pressure vessels and other components, which require specific fabrication inspection in accordance with the requirements of this subchapter, shall submit and obtain approval of the applicable construction plans prior to the commencement of such fabrication. Manufacturers of automatically controlled boilers shall submit and obtain approval of the applicable control system plans prior to installation of the boiler. Manufacturers of boilers which must meet the requirements of part 52 of this subchapter shall submit the applicable construction plans for review prior to installation.

[CGFR 68–82, 33 FR 18808, Dec. 18, 1968, as amended by CGD 81–79, 50 FR 9431, Mar. 8, 1985]

**§ 50.20-5 Procedures for submittal of plans.**

(a) As the relative locations of shipyards, design offices, and Coast Guard offices vary throughout the country, no specific routing will be required in the submittal of plans. In general, one of the procedures outlined in this section apply, but if a more expeditious procedure can be used, there will normally be no objection to it.

(b) The plans may be submitted in duplicate to the Officer in Charge, Marine Inspection, at or nearest the place where the vessel is to be built. Alternatively, the plans may be submitted in triplicate to the Marine Safety Center.

(c) In the case of classed vessels, upon specific request by the submitter, the American Bureau of Shipping will arrange to forward the necessary plans to the Coast Guard indicating its action thereon. In this case, the plans will be returned directly to the submitter as noted in paragraph (c) of this section.

[CGFR 68–82, 33 FR 18808, Dec. 18, 1968, as amended by CGD 88–070, 53 FR 34534, Sept. 7, 1988; CGD 77–140, 54 FR 40598, Oct. 2, 1989; CGD 95–012, 60 FR 48049, Sept. 18, 1995; CGD 95–072, 60 FR 50462, Sept. 29, 1995]

**§ 50.20-10 Number of copies of plans required.**

(a) Three copies of each plan are normally required so that one copy can be returned to the submitter. If the submitter desires additional copies of approved plans, a suitable number should be submitted to permit the required distribution.

**§ 50.20-15 Previously approved plans.**

(a) A manufacturer wishing to fabricate equipment in accordance with a plan previously approved (including work accomplished under a different contract) shall not be required to resubmit such plans provided:

(1) Certification is submitted that the proposed equipment conforms in every respect to the plan previously approved, and such certification contains the drawing number, title, date, and last revision or change date, and date of previous approval;

(2) The current regulations, including adopted specifications, standards or codes, pertaining to the proposed equipment are the same as those current when the original plan was approved; and

(3) A copy of the approved plan is available for review by the approving office.

[CGFR 68–82, 33 FR 18808, Dec. 18, 1968, as amended by CGD 77–140, 54 FR 40598, Oct. 2, 1989]

## 49 C.F.R. § 1.46 Delegations to the Administrator of the Research and Innovative Technology Administration.

Title 49 - Transportation

### Title 49: Transportation

#### [PART 1—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES](#)

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### § 1.46 Delegations to the Administrator of the Research and Innovative Technology Administration.

The Administrator of the Research and Innovative Technology Administration is delegated authority for the following:

(a) *Coordination of Departmental research and development programs and activities.* (1) Coordinate, facilitate, and review all Departmental research and development programs and activities, except as limited by section 4(b)(1) of the Norman Y. Mineta Research and Special Programs Improvement Act (Pub. L. 108–426, 118 Stat. 2423).

(2) After consultation with modal and OST offices, RITA shall make recommendations to the Secretary on all modal and OST research budgets.

(b) *Science and technology.* (1) With respect to scientific and technological matters, serve as principal advisor to the Secretary and representative of the Department to the academic community, the private sector, professional organizations, and other Government agencies.

(2) Serve as principal liaison official for the Department of Transportation with the Office of Science and Technology Policy in the Executive Office of the President, the National Science and Technology Council, and the President's Committee of Advisors on Science and Technology.

(3) Serve as primary official responsible for coordination and oversight of the Department's implementation of section 2 of the Federal Technology Transfer Act of 1986 (15 U.S.C. 3710a), relating to the transfer of Federal technology to the marketplace; and section 12(d) of the National Technology Transfer and Advancement Act of 1996 (Pub. L. 104–113), as implemented by OMB Circular A–119: Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities.

(4) Serve as Chair and Executive Secretary of the Department of Transportation's Research, Development and Technology Planning Council.

(5) Serve as Chair and Executive Secretary of the Department of Transportation Research, Development and Technology Planning Team.

(6) Carry out the functions vested in the Secretary by section 5108 of the Transportation Equity Act for the 21st Century (23

U.S.C. 508), as extended by the Surface Transportation Extension Act of 2004, Part V, Public Law 108–310, September 30, 2004, 118 Stat. 1144.

(7) Advocate Department of Transportation policy and program coordination efforts associated with transportation research.

(8) Represent the Department of Transportation on departmental, national and international committees and meetings dealing with transportation R&D.

(9) Manage the strategic planning process for transportation R&D across the Department of Transportation and, through the National Science and Technology Council, across the Federal Government.

(10) Conduct transportation system-level assessments and policy research.

(11) Facilitate the creation of transportation public/private partnerships.

(12) Foster innovation in the transportation sector.

(13) Disseminate information on departmental, national, and international transportation R&D activities.

(14) Manage and coordinate a nationwide program of transportation research, education and technology transfer through grants to university transportation centers and foster university participation in the planning, conduct and analysis of transportation research.

(15) Manage department- and government-wide (inter/multimodal) transportation R&D programs.

(16) Oversee advisory boards that deal with transportation system-level R&D assessments and issues, such as the National Research Council Committee on the Federal Transportation R&D Strategic Planning Process.

(c) *Advanced vehicle technology.* Carry out the functions vested in the Secretary by section 5111 of the Transportation Equity Act for the 21st Century (49 U.S.C. 5506), as extended by the Surface Transportation Extension Act of 2004, Part V, Public Law 108–310, September 30, 2004, 118 Stat. 1144, and section 5513(j) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Title V, Subtitle E, Public Law 109–59, August 10, 2005, 119 Stat. 1144.

(d) *Remote sensing technology.* Carry out the functions vested in the Secretary by section 5113 of the Transportation Equity Act for the 21st Century (23 U.S.C. 502 Note), as extended by the Surface Transportation Extension Act of 2004, Part V, Public Law 108–310, September 30, 2004, 118 Stat. 1144, and section 5506 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Title V, Subtitle E, Public Law 109–59, August 10, 2005, 119 Stat. 1144.

(e) *University transportation research.* Carry out the functions vested in the Secretary by section 5110 of the Transportation Equity Act for the 21st Century (49 U.S.C. 5505), as extended by the Surface Transportation Extension Act of 2004, Part V, Public Law 108–310, September 30, 2004, 118 Stat. 1144, and sections 5401 and 5402 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Title V, Subtitle D, Public Law 109–59, August 10, 2005, 119 Stat. 1144.

(f) *Volpe National Transportation Systems Center.* Exercise the authority vested in the Secretary with respect to the activities of the Volpe National Transportation Systems Center and carry out the functions vested in the Secretary by 49 U.S.C. 328

with respect to the working capital fund for financing the activities of the Volpe National Transportation Systems Center.

(g) *Transportation Safety Institute.* Exercise authority over the Transportation Safety Institute.

(h) *Transportations Statistics.* Exercise the authority and carry out the functions vested in the Secretary by 49 U.S.C. 112(d)(1)(C) relating to transportation statistics, analysis, and reporting.

(i) *Intermodalism.* Carry out the functions vested in the Secretary by 49 U.S.C. 5503(d) and Section 4149 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Title IV, Subtitle A and Section 5209, Title V, Subtitle B, Public Law 109–59, August 10, 2005, 119 Stat. 1144.

(j) *Aviation information.* (1) Carry out the functions vested in the Secretary by 49 U.S.C. 329(b)(1) relating to the collection and dissemination of information on civil aeronautics.

(2) Carry out the functions vested in the Secretary by section 4(a)(7) of the Civil Aeronautics Board Sunset Act of 1984 (October 4, 1984; Pub. L. 98–443) relating to the reporting of the extension of unsecured credit to political candidates (section 401, Federal Election Campaign Act of 1971; 2 U.S.C. 451), in conjunction with the General Counsel and the Assistant Secretary for Aviation and International Affairs.

(3) Carry out the functions vested in the Secretary by: 49 U.S.C. 40113 (relating to taking such actions and issuing such regulations as may be necessary to carry out responsibilities under the Act), 49 U.S.C. 41702 (relating to the duty of carriers to provide safe and adequate service), 49 U.S.C. 41708 and 41709 (relating to the requirement to keep information and the forms in which it is to be kept), and 49 U.S.C. 41701 (relating to establishing just and reasonable classifications of carriers and rules to be followed by each) as appropriate to carry out the responsibilities under this paragraph in conjunction with the General Counsel and the Assistant Secretary for Aviation and International Affairs.

(k) *Hazardous materials information.* In coordination with the Under Secretary for Transportation Policy, work with the Operating Administrations to determine data needs, collection strategies, and analytical techniques appropriate for implementing 49 U.S.C. 5101 *et seq.*

(l) *Research grants.* Carry out the functions vested in the Secretary by section 5513(c), (d), (g), (h), (i), (l), and (m) (as (m) relates to (c), (d), (g), (h), (i), (j), and (l)) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Title V, Subtitle E, Public Law 109–59, August 10, 2005, 119 Stat. 1144.

(m) *Biobased transportation research.* Carry out the functions vested in the Secretary by section 5201(m) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Title V, Subtitle B, Public Law 109–59, August 10, 2005, 119 Stat. 1144.

[70 FR 8300, Feb. 18, 2005, as amended at 71 FR 30830, May 31, 2006]