

SUBCHAPTERS Q–R [Reserved] SUBCHAPTER S—BOATING SAFETY

PART 173—VESSEL NUMBERING AND CASUALTY AND ACCIDENT REPORTING

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APPENDIX A TO PART 173—ISSUING AUTHORITIES AND REPORTING AUTHORITIES

AUTHORITY: 31 U.S.C. 9701; 46 U.S.C. 2110, 6101, 12301, 12302; OMB Circular A-25; 49 CFR 1.46.

SOURCE: CGD 72-54R, 37 FR 21399, Oct. 7, 1972, unless otherwise noted.

Subpart A—General

§ 173.1 Purpose.

This part prescribes requirements for numbering vessels and for reporting casualties and accidents to implement sections 6101, 6102, 12301 and 12302 of Title 46, United States Code.

[CGD 89-048, 54 FR 27002, June 27, 1989]

§ 173.3 Definitions.

As used in this part:

- (a) [Reserved]
- (b) *Issuing authority* means a State that has a numbering system approved by the Coast Guard or the Coast Guard where a number system has not been approved. Issuing authorities are listed in Appendix A of this part.
- (c) *Operator* means the person who is in control or in charge of a vessel while it is in use.
- (d) *Owner* means a person who claims lawful possession of a vessel by virtue of legal title or equitable interest therein which entitles him to such possession.

(e) *Person* means an individual, firm, partnership, corporation, company, association, joint-stock association, or governmental entity and includes a trustee, receiver, assignee, or similar representative of any of them.

(f) *Reporting authority* means a State that has a numbering system approved by the Coast Guard or the Coast Guard where a numbering system has not been approved. Reporting authorities are listed in Appendix A of this part.

(g) *State* means a State of the United States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the District of Columbia.

(h) *State of principal use* means the State on whose waters a vessel is used or to be used most during a calendar year.

(i) *Use* means operate, navigate, or employ.

[CGD 72-54R, 37 FR 21399, Oct. 7, 1972, as amended by CGD 77-117A, 43 FR 17941, Apr. 27, 1978; CGD 89-048, 54 FR 2702, June 27, 1989]

Subpart B—Numbering**§ 173.11 Applicability.**

This subpart applies to each vessel equipped with propulsion machinery of any type used on waters subject to the jurisdiction of the United States and on the high seas beyond the territorial seas for vessels owned in the United States except:

- (a) Foreign vessels temporarily using waters subject to U.S. jurisdiction;
- (b) Military or public vessels of the United States, except recreational-type public vessels;
- (c) A vessel whose owner is a State or subdivision thereof, which is used principally for governmental purposes, and which is clearly identifiable as such;
- (d) Ships' lifeboats;
- (e) A vessel which has or is required to have a valid marine document as a vessel of the United States.

§ 173.13 Exemptions.

Where the Coast Guard issues numbers, the following classes of vessels are exempt, under Section 12303 of Title 46, United States Code, from the numbering provisions of Sections 12301 and 12302 of Title 46, United States Code, and this part:

- (a) A vessel that is used exclusively for racing.
- (b) A vessel equipped with propulsion machinery of less than 10 horsepower that:
 - (1) Is owned by the owner of a vessel for which a valid certificate of number has been issued;
 - (2) Displays the number of that numbered vessel followed by the suffix "1" in the manner prescribed in § 173.27; and
 - (3) Is used as a tender for direct transportation between that vessel and the shore and for no other purpose.

§ 173.15 Vessel number required.

(a) Except as provided in § 173.17, no person may use a vessel to which this part applies unless:

- (1) It has a number issued on a certificate of number by the issuing authority in the State in which the vessel is principally used; and
 - (2) The number is displayed as described in § 173.27.
- (b) This section does not apply to a vessel for which a valid temporary cer-

tificate has been issued to its owner by the issuing authority in the State in which the vessel is principally used.

§ 173.17 Reciprocity.

(a) Section 12302(c) of Title 46, United States Code, states:

When a vessel is numbered in a State, it is deemed in compliance with the numbering system of a State in which it temporarily is operated.

(b) Section 12302(d) of Title 46, United States Code, states:

When a vessel is removed to a new State of principal operation, the issuing authority of that State shall recognize the validity of the number issued by the original State for 60 days.

[CGD 89-048, 54 FR 27002, June 27, 1989]

§ 173.19 Other numbers prohibited.

No person may use a vessel to which this part applies that has any number that is not issued by an issuing authority for that vessel on its forward half.

§ 173.21 Certificate of number required.

(a) Except as provided in §§ 173.13 and 173.17, no person may use a vessel to which this part applies unless it has on board:

- (1) A valid certificate of number or temporary certificate for that vessel issued by the issuing authority in the State in which the vessel is principally used; or
- (2) For the vessel described in paragraph (b) of this section, a copy of the lease or rental agreement, signed by the owner or his authorized representative and by the person leasing or renting the vessel, that contains at least:
 - (i) The vessel number that appears on the certificate of number; and
 - (ii) The period of time for which the vessel is leased or rented.

(b) Section 12304(a) of Title 46, United States Code, states in part: The certificate of number for a vessel less than 26 feet in length and leased or rented to another for the latter's noncommercial operation of less than 7 days may be retained on shore by the vessel's owner or representative at the place from which the vessel departs or returns to

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the possession of the owner or the owner's representative.

[CGD 72-54R, 37 FR 21399, Oct. 7, 1972, as amended by CGD 77-117A, 43 FR 17941, Apr. 27, 1978; CGD 89-048, 54 FR 27002, June 27, 1989]

§ 173.23 Inspection of certificate.

Each person using a vessel to which this part applies shall present the certificate or lease or rental agreement required by §173.21 to any Federal, State, or local law enforcement officer for inspection at his request.

§ 173.25 Location of certificate of number.

No person may use a vessel to which this part applies unless the certificate or lease or rental agreement required by §173.21 is carried on board in such a manner that it can be handed to a person authorized under §173.23 to inspect it.

§ 173.27 Numbers: Display; size; color.

(a) Each number required by §173.15 must:

(1) Be painted on or permanently attached to each side of the forward half of the vessel except as allowed by paragraph (b) or required by paragraph (c) of this section;

(2) Be in plain vertical block characters of not less than 3 inches in height;

(3) Contrast with the color of the background and be distinctly visible and legible;

(4) Have spaces or hyphens that are equal to the width of a letter other than "I" or a number other than "1" between the letter and number groupings (Example: DC 5678 EF or DC-5678-EF); and

(5) Read from left to right.

(b) When a vessel is used by a manufacturer or by a dealer for testing or demonstrating, the number may be painted on or attached to removable plates that are temporarily but firmly attached to each side of the forward half of the vessel.

(c) On vessels so configured that a number on the hull or superstructure would not be easily visible, the number must be painted on or attached to a backing plate that is attached to the forward half of the vessel so that the

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number is visible from each side of the vessel.

(d) Each number displayed on a tender exempted under §173.13 must meet the requirements of paragraph (a) of this section and have a space or hyphen that is equal to the width of a letter other than "I" or a number other than "1" between the suffix and the number. (Example: DC 5678 EF 1 or DC-5678-EF-1.)

§ 173.29 Notification to issuing authority.

A person whose name appears as the owner of a vessel on a certificate of number shall, within 15 days, notify the issuing authority in a manner prescribed by the issuing authority of:

(a) Any change in his address;

(b) The theft or recovery of the vessel;

(c) The loss or destruction of a valid certificate of number;

(d) The transfer of all or part of his interest in the vessel; and

(e) The destruction or abandonment of the vessel.

§ 173.31 Surrender of certificate of number.

A person whose name appears as the owner of a vessel on a certificate of number shall surrender the certificate in a manner prescribed by the issuing authority within 15 days after it becomes invalid under paragraph (b), (c), (d), or (e) of §173.77.

§ 173.33 Removal of number.

The person whose name appears on a certificate of number as the owner of a vessel shall remove the number and validation sticker from the vessel when:

(a) The vessel is documented by the Coast Guard;

(b) The certificate of number is invalid under paragraph (c) of §173.77; or

(c) The vessel is no longer principally used in the State where the certificate was issued.

§ 173.35 Coast Guard validation sticker.

No person may use a vessel except a vessel exempted in §173.13 that has a number issued by the Coast Guard unless it has the validation sticker issued

with the certificate of number displayed within 6 inches of the number.

Subpart C—Casualty and Accident Reporting

§ 173.51 Applicability.

(a) This subpart applies to each vessel used on waters subject to the jurisdiction of the United States and on the high seas beyond the territorial seas for vessels owned in the United States that:

- (1) Is used by its operator for recreational purposes; or
- (2) Is required to be numbered under this part.

(b) This subpart does not apply to a vessel subject to inspection under Title 46 U.S.C. Chapter 33.

[CDG 72-54R, 37 FR 21399, Oct. 7, 1972, as amended by CDG 84-099, 52 FR 47533, Dec. 14, 1987]

§ 173.53 Immediate notification of death or disappearance.

(a) When, as a result of an occurrence that involves a vessel or its equipment, a person dies or disappears from a vessel, the operator shall, without delay, by the quickest means available, notify the nearest reporting authority listed in Appendix A of this part of:

- (1) The date, time, and exact location of the occurrence;
- (2) The name of each person who died or disappeared;
- (3) The number and name of the vessel; and
- (4) The names and addresses of the owner and operator.

(b) When the operator of a vessel cannot give the notice required by paragraph (a) of this section, each person on board the vessel shall notify the casualty reporting authority or determine that the notice has been given.

§ 173.55 Report of casualty or accident.

(a) The operator of a vessel shall submit the casualty or accident report prescribed in §173.57 to the reporting authority prescribed in §173.59 when, as a result of an occurrence that involves the vessel or its equipment:

- (1) A person dies;
- (2) A person is injured and requires medical treatment beyond first aid;

(3) Damage to the vessel and other property totals more than \$500 or there is a complete loss of the vessel; or

(4) A person disappears from the vessel under circumstances that indicate death or injury.

(b) A report required by this section must be made:

(1) Within 48 hours of the occurrence if a person dies within 24 hours of the occurrence;

(2) Within 48 hours of the occurrence if a person is injured and requires medical treatment beyond first aid, or disappears from a vessel; and

(3) Within 10 days of the occurrence or death if an earlier report is not required by this paragraph.

(c) When the operator of a vessel cannot submit the casualty or accident report required by paragraph (a) of this section, the owner shall submit the casualty or accident report.

[CGD 72-54R, 37 FR 21399, Oct. 7, 1972, as amended by CGD 76-155, 44 FR 5308, Jan. 25, 1979; CGD 82-015, 54 FR 5610, Feb. 6, 1989]

EFFECTIVE DATE NOTE 1: At 66 FR 21675, May 1, 2001, §173.55 was amended by revising paragraph (a)(3), effective July 2, 2001. For the convenience of the user, the revised text follows:

§ 173.55 Report of casualty or accident.

(a) * * *

(3) Damage to vessels and other property totals \$2,000 or more or there is a complete loss of any vessel; or a collision occurs involving two or more vessels, regardless of the amount of damage to property; or

* * * * *

EFFECTIVE DATE NOTE 2: At 66 FR 33845, June 26, 2001, in §173.55, paragraph (a)(3), the text reading “Damage to vessels and other property totals \$2000 or more or there is a complete loss of any vessel; or” is designated as paragraph (a)(3)(i), and the remainder of the paragraph is designated as paragraph (a)(3)(ii) and suspended indefinitely, effective July 2, 2001.

§ 173.57 Casualty or accident report.

Each report required by §173.55 must be in writing, dated upon completion, and signed by the person who prepared it and must contain, if available, at least the following information about the casualty or accident:

- (a) The numbers and names of each vessel involved.

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(b) The name and address of each owner of each vessel involved.

(c) The name of the nearest city or town, the county, the State, and the body of water.

(d) The time and date the casualty or accident occurred.

(e) The location on the water.

(f) The visibility, weather, and water conditions.

(g) The estimated air and water temperatures.

(h) The name, address, age, or date of birth, telephone number, vessel operating experience, and boating safety training of the operator making the report.

(i) The name and address of each operator of each vessel involved.

(j) The number of persons on board or towed on skis by each vessel.

(k) The name, address, and date of birth of each person injured or killed.

(l) The cause of each death.

(m) Weather forecasts available to, and weather reports used by, the operator before and during the use of the vessel.

(n) The name and address of each owner of property involved.

(o) The availability and use of personal flotation devices.

(p) The type and amount of each fire extinguisher used.

(q) The nature and extent of each injury.

(r) A description of all property damage and vessel damage with an estimate of the cost of all repairs.

(s) A description of each equipment failure that caused or contributed to the cause of the casualty.

(t) A description of the vessel casualty or accident.

(u) The type of vessel operation (cruising, drifting, fishing, hunting, skiing, racing, or other), and the type of accident (capsizing, sinking, fire, or explosion or other).

(v) The opinion of the person making the report as to the cause of the casualty, including whether or not alcohol or drugs, or both, was a cause or contributed to causing the casualty.

(w) The make, model, type (open, cabin, house, or other), beam width at widest point, length, depth from transom to keel, horsepower, propulsion (outboard, inboard, inboard outdrive,

sail, or other), fuel (gas, diesel, or other), construction (wood, steel, aluminum, plastic, fiberglass, or other), and year built (model year), of the reporting operator's vessel.

(x) The name, address, and telephone number of each witness.

(y) The manufacturer's hull identification number, if any, of the reporting operator's vessel.

(z) The name, address, and telephone number of the person submitting the report.

[CGD 72-54R, 37 FR 21399, Oct. 7, 1972, as amended by CGD 84-099, 52 FR 47533, Dec. 14, 1987]

EFFECTIVE DATE NOTE: At 66 FR 21675, May 1, 2001, §173.57 was amended by revising the section heading, effective July 2, 2001. For the convenience of the user, the revised text follows:

§ 173.57 Contents of report.

§ 173.59 Where to report.

A report required by §173.55 must be submitted to:

(a) The reporting authority listed in Appendix A of this part where the vessel number was issued, or, if the vessel has no number, where the vessel is principally used; or

(b) The reporting authority where the casualty or accident occurred, if it occurred outside the State where the vessel is numbered or principally used.

EFFECTIVE DATE NOTE: At 66 FR 21675, May 1, 2001, §173.59 was amended by revising the section heading, effective July 2, 2001. For the convenience of the user, the revised text follows:

§ 173.59 Where to submit report.

Subpart D—Issue of Certificate of Number

§ 173.71 Application for certificate of number.

Any person who is the owner of a vessel to which §173.11 applies may apply for a certificate of number for that vessel by submitting to the issuing authority, listed in Appendix A of this part, where the vessel will principally be used:

(a) An application on a form and in a manner prescribed by the issuing authority; and

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(b) The fee required by the issuing authority.

§ 173.73 Duplicate certificate of number.

If a certificate of number is lost or destroyed, the person whose name appears on the certificate as the owner may apply for a duplicate certificate by submitting to the issuing authority that issued the certificate:

(a) An application on a form or in a manner prescribed by the issuing authority; and

(b) The fee required by the issuing authority, if any.

§ 173.75 Temporary certificate.

A temporary certificate valid for not more than 60 days after it is issued may be issued by an issuing authority pending the issue of a certificate of number. A temporary certificate is not valid after the date that the owner receives the certificate of number from the issuing authority.

§ 173.77 Validity of certificate of number.

(a) Except as provided in paragraphs (b), (c), (d), and (e) of this section, a certificate of number is valid until the date of expiration prescribed by the issuing authority.

(b) A certificate of number issued by an issuing authority is invalid after the date upon which:

(1) The vessel is documented or required to be documented under Part 67 of Title 46, Code of Federal Regulations;

(2) The person whose name appears on the certificate of number as owner of the vessel transfer all of his ownership in the vessel; or

(3) The vessel is destroyed or abandoned.

(c) A certificate of number issued by an issuing authority is invalid if:

(1) The application for the certificate of number contains a false or fraudulent statement; or

(2) The fees for the issuance of the certificate of number are not paid.

(d) A certificate of number is invalid 60 days after the day on which the vessel is no longer principally used in the State where the certificate was issued.

(e) The certificate of number is invalid when the person whose name appears on the certificate involuntarily loses his interest in the numbered vessel by legal process.

§ 173.79 Expiration of Coast Guard certificate of number.

A certificate of number issued by the Coast Guard expires 3 years from the date it is issued.

§ 173.81 Coast Guard forms for numbering and casualty reporting.

(a) In a State where the Coast Guard is the issuing authority, the following Coast Guard forms must be used:

(1) Each application for a certificate of number or renewal must be made on two-part Form CG-3876 and 3876A, Application for Number and Temporary Certificate.

(2) Each notification required by § 173.29(b) must be made on Form CG-2921, Notification of Change in Status of Vessel.

(3) Each notification required by § 173.29(a) must be made on Form CG-3920, Change of Address Notice.

(4) Each notification required by § 173.29(c) must be made in writing.

(5) Each application for a duplicate certificate of number must be made on two-part Form CG-3919 and CG-3919A, Application for Duplicate Certificate of Number and Temporary Duplicate Certificate.

(6) Each vessel casualty required to be reported by § 173.55 must be made on Form CG-3865.

(b) Each surrender of a certificate of number required by § 173.31 may be made in any form but must contain a written statement as to why the certificate is being surrendered.

§ 173.83 Availability of Coast Guard forms.

In a State where the Coast Guard is the issuing authority, forms required by § 173.81 are available at all manned Coast Guard shore units, except light and loran stations and except for Form CG-3865, at all first- and second-class and some third- and fourth-class post offices.

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§ 173.85 Fees levied by the Coast Guard.

STATE

(a) In a State where the Coast Guard is the issuing authority, the fees for issuing certificates of number are:

[Reserved]

(c) The abbreviations following the names of the State listed in paragraphs (a) and (b) are the two capital letters that must be used in the number format to denote the State of principal use as prescribed in §174.23 of this chapter.

(1) Original or transferred certificate of number and two validation stickers—\$24.

[CGD 72-54R, 37 FR 21399, Oct. 7, 1972, as amended by CGD 76-076, 41 FR 23401, June 10, 1976; CGD 89-048, 54 FR 27002, June 27, 1989; USCG-2001-9286, 66 FR 33642, June 25, 2001]

(2) Renewed certificate of number and two validation stickers—\$16.

(3) Duplicate certificate of number—\$9.

(4) Replacement of lost or destroyed validation stickers—\$9.

PART 174—STATE NUMBERING AND CASUALTY REPORTING SYSTEMS

Subpart A—General

(b) Fees are payable by check or money-order made payable to the “U.S. Coast Guard”; by major credit card (MasterCard or Visa); or, when the owner applies in person, in cash.

[USCG-1998-3386, 64 FR 36243, July 6, 1999]

Sec.

- 174.1 Applicability.
- 174.3 Definitions.
- 174.5 Requirements for approval.
- 174.7 Approval procedure.

APPENDIX A TO PART 173—ISSUING AUTHORITIES AND REPORTING AUTHORITIES

Subpart B—Numbering System Requirements

(a) The State is the issuing authority and reporting authority in:

STATE

- | | |
|--------------------------|------------------------------|
| Alabama—AL. | Montana—MT. |
| Alaska—AK. | Nebraska—NB. |
| American Samoa—AS. | Nevada—NV. |
| Arizona—AZ. | New Hampshire—NH. |
| Arkansas—AR. | New Jersey—NJ. |
| California—CA. | New Mexico—NM. |
| Colorado—CO. | New York—NY. |
| Connecticut—CT. | North Carolina—NC. |
| Delaware—DE. | North Dakota—ND. |
| District of Columbia—DC. | Northern Mariana Islands—CM. |
| Florida—FL. | Ohio—OH. |
| Georgia—GA. | Oklahoma—OK. |
| Guam—GU. | Oregon—OR. |
| Hawaii—HI. | Pennsylvania—PA. |
| Idaho—ID. | Puerto Rico—PR. |
| Illinois—IL. | Rhode Island—RI. |
| Indiana—IN. | South Carolina—SC. |
| Iowa—IA. | South Dakota—SD. |
| Kansas—KA. | Tennessee—TN. |
| Kentucky—KY. | Texas—TX. |
| Louisiana—LA. | Utah—UT. |
| Maine—ME. | Vermont—VT. |
| Maryland—MD. | Virginia—VA. |
| Massachusetts—MS. | Virgin Islands—VI. |
| Michigan—MI. | Washington—WA. |
| Minnesota—MN. | West Virginia—WV. |
| Mississippi—MS. | Wisconsin—WI. |
| Missouri—MO. | Wyoming—WY. |

- 174.11 Applicability of State numbering system.
- 174.13 Owner or operator requirements.
- 174.14 State numbering system optional sections.
- 174.15 Validation stickers.
- 174.17 Contents of application for certificate of number.
- 174.19 Contents of a certificate of number.
- 174.21 Contents of temporary certificate.
- 174.23 Form of number.
- 174.25 Size of certificate of number.
- 174.27 Duration of certificate of number.
- 174.29 Temporary certificate of number.
- 174.31 Terms and conditions for vessel numbering.

Subpart C—Casualty Reporting System Requirements

- 174.101 Applicability of State casualty reporting system.
- 174.103 Administration.
- 174.105 Owner or operator casualty reporting requirements.
- 174.106 State casualty reporting system optional sections.
- 174.107 Contents of casualty or accident report form.

Subpart D—State Reports

- 174.121 Forwarding of casualty or accident reports.
- 174.123 Annual report of numbered vessels.
- 174.125 Coast Guard address.

AUTHORITY: 46 U.S.C. 6101, 12302; 49 CFR 1.46.

(b) The Coast Guard is the issuing authority and reporting authority in: