

§ 4102. Safety equipment

(a) Each uninspected vessel propelled by machinery shall be provided with the number, type, and size of fire extinguishers, capable of promptly and effectively extinguishing burning liquid fuel, that may be prescribed by regulation. The fire extinguishers shall be kept in condition for immediate and effective use and so placed as to be readily accessible.

(b) The Secretary shall prescribe regulations requiring the installation, maintenance, and use of life preservers and other lifesaving devices for individuals on board uninspected vessels.

(c) Each uninspected vessel shall have the carburetors of each engine of the vessel (except an outboard motor) using gasoline as fuel, equipped with an efficient flame arrestor, backfire trap, or other similar device prescribed by regulation.

(d) Each uninspected vessel using a volatile liquid as fuel shall be provided with the means prescribed by regulation for properly and efficiently ventilating the bilges of the engine and fuel tank compartments, so as to remove any explosive or flammable gases.

(e) Each manned uninspected vessel owned in the United States and operating beyond 3 nautical miles from the baselines from which the territorial sea of the United States is measured or beyond three nautical miles from the coastline of the Great Lakes shall be equipped with the number and type of alerting and locating equipment, including emergency position indicating radio beacons, prescribed by the Secretary.

(f)(1) The Secretary, in consultation with the National Towing Safety Advisory Committee and taking into consideration the characteristics, methods of operation, and nature of service of towing vessels, may require the installation, maintenance, and use of a fire suppression system or other measures to provide adequate assurance that fires on board towing vessels can be suppressed under reasonably foreseeable circumstances.

(2) The Secretary shall require under paragraph (1) the use of a fire suppression system or other measures to provide adequate assurance that a fire on board a towing vessel that is towing a non-self-propelled tank vessel can be suppressed under reasonably foreseeable circumstances.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 528; Pub. L. 99-640, §16, Nov. 10, 1986, 100 Stat. 3552; Pub. L. 100-424, §2(c), Sept. 9, 1988, 102 Stat. 1590; Pub. L. 100-540, §1(a), Oct. 28, 1988, 102 Stat. 2719; Pub. L. 104-324, title IX, §902(a), Oct. 19, 1996, 110 Stat. 3947; Pub. L. 105-383, title III, §301(b)(3), Nov. 13, 1998, 112 Stat. 3417; Pub. L. 111-281, title VI, §619, Oct. 15, 2010, 124 Stat. 2975; Pub. L. 115-282, title VI, §601(c)(6)(B)(ii), Dec. 4, 2018, 132 Stat. 4290.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Rows include 4102(a) through 4102(d) with corresponding source codes like 46:526g.

Section 4102 requires uninspected vessels to comply with certain provisions that incorporate minimum safety equipment and construction requirements. The

Committee intends that the term life preserver include all types of personal equipment, including exposure suits with floatation characteristics.

Editorial Notes

AMENDMENTS

2018—Subsec. (f)(1). Pub. L. 115-282 inserted “National” before “Towing Safety”.

2010—Subsec. (b). Pub. L. 111-281 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “Each uninspected vessel propelled by machinery shall carry at least one readily accessible life preserver or other lifesaving device, of the type prescribed by regulation, for each individual on board.”

1998—Subsec. (e). Pub. L. 105-383 substituted “owned in the United States and operating beyond 3 nautical miles from the baselines from which the territorial sea of the United States is measured” for “operating on the high seas”.

1996—Subsec. (f). Pub. L. 104-324 added subsec. (f).

1988—Subsec. (e). Pub. L. 100-540 amended subsec. (e) generally without regard to the prior repeal of subsec. (e) by Pub. L. 100-424.

Pub. L. 100-424 struck out subsec. (e) which read as follows: “Each uninspected fishing, fish processing, or fish tender vessel operating on the high seas shall be equipped with the number and type of emergency position indicating radio beacons prescribed by regulation.” See section 4502(a)(7) of this title.

1986—Subsec. (e). Pub. L. 99-640 added subsec. (e).

Statutory Notes and Related Subsidiaries

REGULATIONS

Pub. L. 104-324, title IX, §902(b), Oct. 19, 1996, 110 Stat. 3947, provided that: “The Secretary of the department in which the Coast Guard is operating shall issue regulations establishing the requirement described in subsection (f)(2) of section 4102 of title 46, United States Code, as added by this section, by not later than October 1, 1997.”

Executive Documents

TERRITORIAL SEA OF UNITED STATES

For extension of territorial sea of United States, see Proc. No. 5928, set out as a note under section 1331 of Title 43, Public Lands.

§ 4103. Exemptions

(a) The Secretary may exempt a vessel from any part of this chapter if, under regulations prescribed by the Secretary (including regulations on special operating conditions), the Secretary finds that—

(1) good cause exists for granting an exemption; and

(2) the safety of the vessel and individuals on board will not be adversely affected.

(b) Section 4102(a) of this title does not apply to a vessel propelled by outboard motors when competing in a race previously arranged and announced or, if the vessel is designed and intended only for racing, when operated incidental to tuning up the vessel and its engines for the race.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 529; Pub. L. 100-540, §2, Oct. 28, 1988, 102 Stat. 2719.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row includes 4103 with source code 46:525h.