



## REVIEW OF REGULATION 38 ALTERNATIVE DESIGN DOCUMENTATION DURING THE ICOC

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### **Purpose**

This Plan Review Guideline (PRG) provides guidance and information for foreign passenger vessels enrolled in the Initial Certificate of Compliance (ICOC) program with alternative designs and arrangements for SOLAS regulation III/38.

### **Contact Information**

If you have any questions or comments concerning this document, please contact the Marine Safety Center (MSC) by e-mail or phone. Please refer to Procedure Number SOLAS-53.

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## **1. Applicability**

This PRG is applicable to foreign passenger vessels enrolled in the ICOC program.

## **2. Background**

The increasing use of performance based designs to extend vessels beyond the prescriptive limits contained in SOLAS Chapter III has created the potential for future arrangement changes which violate assumptions contained in an alternative design. The primary means to prevent this from occurring is to ensure complete documentation of the alternative design is available to designers, classification societies, and port state examiners. In order to verify these documents are available and are complete, the MSC will review and retain a copy of the final required documentation and verify during the ICOC examination that copies are available onboard the ship.

## **3. References**

- a. SOLAS III/38.4.2
- b. MSC.1/Circ. 1212 Rev. 1

## **4. Reference Text**

SOLAS III/38.4.2: A copy of the documentation, as approved by the Administration, indicating that the alternative design and arrangements comply with this regulation shall be carried on board the ship.

MSC.1/Circ.1212 Rev.1: 7.2: The following information should be maintained onboard the ship at all times:

- .1 scope of the analysis or design, including the critical design assumptions, and critical design features;
- .2 description of the alternative design and arrangements, including drawings and specifications;
- .3 list of affected SOLAS regulations;
- .4 summary of the results of the engineering analysis and basis for approval; and
- .5 test inspection and maintenance requirements.

MSC.1/Circ. 1212 Rev. 1: 7.3 Reporting and approval forms

7.3.1 When the Administration approves alternative design and arrangements under these guidelines, pertinent technical information about the approval should be summarized on the reporting form given in appendixes 1 or 2, as appropriate, and should be submitted to the Organization for circulation to the Member Governments.

7.3.2 When the Administration approves alternative design and arrangements under these guidelines, documentation should be provided as indicated in appendixes 3 or 4, as appropriate. The documentation should be in the language or languages required by the Administration. If the language is neither English, French, or Spanish, a translation into one of those languages should be included.

## **5. Guidance**

Vessels in the ICOC program, employing Regulation 38 to show equivalence to regulations contained in Chapter III, must present the completed documentation required by the regulation prior to the successful completion of MSC plan review. A final copy of this documentation must be submitted to MSC during the plan review process and be available during the ICOC examination.

## **6. Disclaimer**

This guidance is not a substitute for applicable legal requirements, nor is it itself a rule. It is not intended to nor does it impose legally-binding requirements on any party. It represents the Coast Guard's current thinking on this topic and may assist industry, mariners, the general public, and the Coast Guard, as well as other federal and state regulators, in applying statutory and regulatory requirements. You can use an alternative approach for complying with these requirements if the approach satisfies the requirements of the applicable statutes and regulations. If you want to discuss an alternative, you may contact MSC, the unit responsible for implementing this guidance.