

**§ 28.95 Right of appeal.**

Any person directly affected by a decision or action taken under this part, by or on behalf of the Coast Guard, may appeal therefrom in accordance with part 1, subpart 1.03 of this chapter.

**Subpart B—Requirements for All Vessels**

**§ 28.100 Applicability.**

Each commercial fishing industry vessel must meet the requirements of this subpart, in addition to the requirements of parts 24, 25, and 26 of this chapter.

**§ 28.105 Lifesaving equipment—general requirements.**

(a) In addition to the requirements of this subpart, each commercial fishing industry vessel must comply with the requirements of part 25, subpart 25.25 of this chapter.

(b) Except as provided in §28.120(d), each item of lifesaving equipment carried on board a vessel to meet the requirements of this part must be approved by the Commandant. Equip-

ment for personal use which is not required by this part need not be approved by the Commandant.

**§ 28.110 Life preservers or other personal flotation devices.**

(a) Except as provided by §28.305 of this chapter, each vessel must be equipped with at least one immersion suit, exposure suit, or wearable personal flotation device of the proper size for each individual on board as specified in table 28.110 and part 25, subpart 25.25 of this chapter. Notwithstanding the provisions of paragraphs (c) and (d) of §25.25-1 of this chapter, each commercial fishing industry vessel propelled by sail or a manned barge employed in commercial fishing activities must meet the requirements of this paragraph.

(b) Each wearable personal flotation device must be stowed so that it is readily accessible to the individual for whom it is intended, from both the individual's normal work station and berthing area. If there is no location accessible to both the work station and the berthing area, an appropriate device must be stowed in both locations.

**TABLE 28.110—PERSONAL FLOTATION DEVICES AND IMMERSION SUITS**

Applicable waters	Vessel type	Devices required	Other regulations
Seaward of the Boundary Line and North of 32°N or South of 32°S; and Lake Superior.	Documented Vessel ..	Immersion suit or exposure suit.	28.135; 25.25-9(a); 25.25-13; 25.25-15.
Coastal Waters on the West Coast of the United States north of Point Reyes, CA; Beyond Coastal Waters, cold water; and Lake Superior.	All vessels .....	.....do .....	Do.
All other waters (Includes all Great Lakes except Lake Superior).	40 feet (12.2 meters) or more in length.	Type I, Type V commercial hybrid, immersion suit, or exposure suit. <sup>1</sup>	28.135; 25.25-5(e); 25.25-5(f); 25.25-9(a); 25.25-13; 25.25-15.
	Less than 40 feet (12.2 meters) in length.	Type I, Type II, Type III, Type V commercial hybrid, immersion suit, or exposure suit. <sup>1</sup>	Do.

<sup>1</sup> Certain Type V personal flotation devices are approved for substitution for Type I, II, or III personal flotation devices when used in accordance with the conditions stated in the Coast Guard approval table.

[CGD 88-079, 56 FR 40393, Aug. 14, 1991, as amended by CGD 88-079b, 57 FR 34189, Aug. 3, 1992; CGD 95-012, 60 FR 48048, Sept. 18, 1995; USCG-2000-7790, 65 FR 58458, Sept. 29, 2000]

**§ 28.115 Ring life buoys.**

(a) Except as provided in paragraph (b) of this section and §28.305, each vessel must be equipped with a throwable flotation device or a ring life buoy as specified in table 28.115. If the vessel is

equipped with a ring life buoy, at least one ring life buoy must be equipped with a line which is at least:

- (1) 60 feet (18.3 meters) in length for a vessel less than 65 feet (19.8 meters) in length; or