

make the item flexible, hinged, collapsible, or telescopic so that it can be mechanically or manually lowered and raised again.

Nonstructural means that the item is not rigidly fixed to the vessel and could be relocated or altered.

Not essential to navigation means that nonstructural vessel appurtenance, when in the lowered position, would not adversely affect the vessel's piloting, propulsion, control, or collision avoidance capabilities.

Public vessel means a vessel that is owned and operated by the United States Government and is not engaged in commercial service, as defined in 46 U.S.C. 2101.

Remotely operated drawbridge means a drawbridge that is operated by remote control from a location away from the bridge.

Removable span bridge means a bridge that requires the complete removal of a span by means other than machinery installed at the bridge.

Untended means that there is no drawtender at the bridge.

5. Revise § 117.5 to read as follows:

§ 117.5 When the drawbridge shall open.

Except as otherwise authorized or required by this part, drawbridges must open promptly and fully for the passage of vessels when a request or signal to open is given in accordance with this subpart.

6. Revise § 117.7 to read as follows:

§ 117.7 General requirements of drawbridge owners.

Drawbridge owners must:

(a) Provide the necessary drawtender(s) for the safe and prompt opening of the drawbridge.

(b) Maintain the working machinery of the drawbridge in good operating condition.

(c) Cycle the drawspan(s) a minimum of once every six months to assure their satisfactory operation.

(d) Ensure that the drawbridge operates in accordance with the requirements of this part.

7. Add § 117.8 to read as follows:

§ 117.8 Permanent changes to drawbridge operation.

(a) A drawbridge owner may request a permanent change to a drawbridge operation requirement in this part by submitting a written request, with appropriate information and supporting documentation, to the District Commander.

(b) If after evaluating the request, the District Commander determines that the requested change is not needed, he will inform the drawbridge owner in writing

and provide the reasons for denial of the requested change.

(c) If the District Commander decides that a change may be needed, he or she will begin a rulemaking.

8. In § 117.31 revise the section heading and paragraph (a) to read as follows:

§ 117.31 Drawbridge operations for emergency vehicles and emergency vessels.

(a) A drawtender, who receives notification that an emergency vehicle is responding to an emergency situation, must make all reasonable efforts to have the drawspan closed at the time the emergency vehicle arrives.

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9. Revise § 117.35 to read as follows:

§ 117.35 Change in drawbridge operating schedule for maintenance.

(a) *Scheduled maintenance.* (1) To temporarily change the drawbridge-operating requirements to perform scheduled maintenance, the drawbridge owner must submit a written request to the District Commander for approval of the change.

(2) The request must describe the maintenance to be performed and the dates and times scheduled for the start and end of the maintenance period.

(3) Requests should be submitted as early as possible but not later than 90 days before start of the scheduled maintenance.

(b) *Unscheduled maintenance.* (1) If unforeseen mechanical or structural problems require a temporary change to the drawbridge-operating schedule to perform unscheduled maintenance, the drawbridge owner must obtain approval from the District Commander.

(2) The request must describe the unforeseen mechanical or structural problems, the maintenance to be performed, and the dates and times scheduled for the start and end of the maintenance period.

(3) Requests for schedule changes under this paragraph should be submitted at least 30 days before the start of the maintenance period.

(c) The District Commander's decision is normally forwarded to the bridge owner within five working days after receipt of the request. If the request is denied, the reasons for the denial will be set out in the District Commander's decision letter.

(d) *Publication.* (1) For maintenance lasting not more than 60 days, the District Commander may issue a deviation approval letter to the bridge owner and publish a "Notice of deviation from drawbridge regulation" in the **Federal Register** prior to the start of the maintenance period.

(2) For maintenance lasting more than 60 days, or for shorter periods when a "Notice of deviation from drawbridge regulations" cannot be published before the start of the maintenance period, the District Commander will issue a temporary rule prior to the start of the maintenance.

(3) The District Commander will also announce the drawbridge closure in the Local Notice to Mariners and other appropriate local media.

10. Add § 117.36 to read as follows:

§ 117.36 Closure of drawbridge for emergency repair.

(a) When a drawbridge becomes inoperable or should be immediately rendered inoperable because of mechanical failure or structural defect, the drawbridge owner must notify the District Commander without delay and give the reason for the emergency closure of the drawbridge.

(b) The District Commander will notify mariners about the bridge status through Broadcast Notices to Mariners, Local Notice to Mariners and any other appropriate local media.

(c) Repair work under this section shall be performed with all due speed in order to return the drawbridge to operation as soon as possible.

11. Revise § 117.37 to read as follows:

§ 117.37 Temporary change in drawbridge operating schedule for local public events.

(a) To temporarily close a drawbridge to navigation during local public events, such as a street parade, marathon, race, or sporting event, the drawbridge owner must submit a request to the District Commander for approval of the change.

(b) Requests for a change to the operating schedule of a drawbridge should be submitted as early as possible before the event.

(c) The request must include a description of the event and the dates and times of the period the drawbridge is to remain closed.

(d) The District Commander's decision is normally forwarded to the bridge owner within five working days after receipt of the request. If the request is denied, the reasons for the denial will be set out in the District Commander's decision letter.

(e) If the temporary drawbridge closure is for a single event totaling more than six hours, the District Commander will issue a temporary rule for the event period. The District Commander will also issue a temporary rule for an event totaling less than six hours, which does not meet the requirements in paragraph (f) of this section for issuing a deviation.