gress within 6 months after Jan. 3, 1975, on administrative changes needed and recommendations for new legislation.

§ 1521. Negotiations with Canada and Mexico; report to Congress

The President of the United States is authorized and requested to enter into negotiations with the Governments of Canada and Mexico to determine:

(1) the need for intergovernmental understandings, agreements, or treaties to protect the interests of the people of Canada, Mexico, and the United States and of any party or parties involved with the construction or operation of deepwater ports; and

(2) the desirability of undertaking joint studies and investigations designed to insure protection of the environment and to eliminate any legal and regulatory uncertainty, to assure that the interests of the people of Canada, Mexico, and the United States are adequately met.

The President shall report to the Congress the actions taken, the progress achieved, the areas of disagreement, and the matters about which more information is needed, together with his recommendations for further action.


§ 1522. Limitations on export provisions of section 185(u) of title 30 unaffected

Nothing in this chapter shall be construed to amend, restrict, or otherwise limit the application of section 185(u) of title 30.

(Pub. L. 93-627, § 23, Jan. 3, 1975, 88 Stat. 2147.) Section Referred to in Other Sections

This section is referred to in section 1502 of this title.

§ 1523. General procedures; issuance and enforcement of orders; scope of authority; evidentiary matters

The Secretary or his delegate shall have the authority to issue and enforce orders during proceedings brought under this chapter. Such authority shall include the authority to issue subpoenas, administer oaths, compel the attendance and testimony of witnesses and the production of books, papers, documents, and other evidence, to take depositions before any designated individual competent to administer oaths, and to examine witnesses.


§ 1524. Authorization of appropriations

There is authorized to be appropriated for administration of this chapter, not to exceed $2,500,000 per fiscal year for the fiscal years ending June 30, 1975, June 30, 1976, September 30, 1977, September 30, 1978, September 30, 1979, and September 30, 1980.


CHAPTER 30—INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA

Sec. 1601. Definitions

1602. International Regulations.

(a) Proclamation by President; effective date.

(b) Publication of proclamation in Federal Register.

(c) Amendment of International Regulations.

(d) Notification to Congress of proposed amendments; Congressional resolution of disapproval.

1603. Vessels subject to International Regulations.

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1605. Navy and Coast Guard vessels of special construction or purpose.

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(b) Closest possible compliance by vessels covered by certification for alternative compliance.

(c) Publication of certifications in Federal Register.

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1606. Special rules for ships of war, vessels proceeding under convoy, and fishing vessels engaged in fishing as a fleet.

1607. Implementation by rules and regulations; authority to promulgate.

1608. Civil penalties.

(a) Liability of vessel operator for violations.

(b) Liability of vessel for violations; seizure of vessel.

(c) Assessment of penalties; notice; opportunity for hearing; remission, mitigation, and compromise of penalty; action for collection.

§ 1601. Definitions

For the purposes of this chapter—

(1) “vessel” means every description of watercraft, including nondisplacement craft and seaplanes, used or capable of being used as a means of transportation on water; and

(2) “high seas” means all parts of the sea that are not included in the territorial sea or in the internal waters of any nation.


REFERENCES IN TEXT

This chapter, referred to in opening par., was in the original "this Act", meaning Pub. L. 95-75, July 27, 1977, 91 Stat. 308, known as the “International Navigational Rules Act of 1977”, which enacted this chapter, repealed sections 1051 to 1094 of this title, enacted provisions set out as notes under this section, and repealed provision set out as a note under section 1051 of this title.

Effective Date of International Regulations; Repeal of Former Regulations

Section 10 of Pub. L. 95-75 provided in part that Pub. L. 88-131, enacting sections 1051 to 1094 of this title and a provision set out as a note under section 1051 of this title which sections included the former International Regulations for Preventing Collisions at Sea, was repealed effective on the date on which the
International Regulations (promulgated pursuant to this chapter) entered into force for the United States (July 15, 1977). See Proclamation dated Jan. 19, 1977, set out as a note under section 1602 of this title.

REFERENCES TO FORMER REGULATIONS

Section 10 of Pub. L. 95-75 provided in part that: "The reference in any other law to Public Law 88-131 (enacting sections 1051 to 1094 of this title and enacting a provision set out as a note under section 1051 of this title), or to the regulations set forth in section 4 of that Act (sections 1061 to 1094 of this title), shall be considered a reference, respectively, to this Act (this chapter), or to the International Regulations proclaimed hereunder [set out as a note under section 1602 of this title]."

SHORT TITLE

Section 1 of Pub. L. 95-75 provided: "That this Act [enacting this chapter, repealing sections 1051 to 1094 of this title, enacting provisions set out as notes under this section, and repealing provisions set out as a note under section 1051 of this title] may be cited as the 'International Navigational Rules Act of 1977.'"

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.

§ 1602. International Regulations

(a) Proclamation by President; effective date

The President is authorized to proclaim the International Regulations for Preventing Collisions at Sea, 1972 (hereinafter referred to as the "International Regulations"). The effective date of the International Regulations for the United States shall be specified in the proclamation and shall be the date as near as possible to, but no earlier than, the date on which the Convention on the International Regulations for Preventing Collisions at Sea, 1972 (hereinafter referred to as the "Convention"), signed at London, England, under date of October 20, 1972, enters into force for the United States. The International Regulations proclaimed shall consist of the rules and other annexes attached to the Convention.

(b) Publication of proclamation in Federal Register

The proclamation shall include the International Regulations and shall be published in the Federal Register. On the date specified in the proclamation, the International Regulations shall enter into force for the United States and shall have effect as if enacted by statute.

(c) Amendment of International Regulations

Subject to the provisions of subsection (d) of this section, the President is also authorized to proclaim any amendment to the International Regulations hereafter adopted in accordance with the provisions of article VI of the Convention, and to which the United States does not object. The effective date of the amendment shall be specified in the proclamation and shall be in accordance with the provisions of the said article VI. The proclamation shall include the adopted amendment and shall be published in the Federal Register. On the date specified in the proclamation, the amendment shall enter into force for the United States as a constituent part of the International Regulations, as amended, and shall have effect as if enacted by statute.

(d) Notification to Congress of proposed amendments; Congressional resolution of disapproval

(1) Upon receiving a proposed amendment to the International Regulations, communicated to the United States pursuant to clause 3 of article VI of the Convention, the President shall promptly notify the Congress of the proposed amendment. If, within sixty days after receipt of such notification by the Congress, or ten days prior to the date under clause 4 of article VI for registering an objection, whichever comes first, the Congress adopts a resolution of disapproval, such resolution shall be transmitted to the President and shall constitute an objection by the United States to the proposed amendment. If, upon receiving notification of the resolution of disapproval, the President has not already notified the Inter-Governmental Maritime Consultative Organization of an objection to the United States to the proposed amendment, he shall promptly do so.

(2) For the purposes of this subsection, "resolution of disapproval" means a concurrent resolution initiated by either House of the Congress, the matter after the resolving clause of which is to read as follows: "That the (the concurring) does not favor the proposed amendment to the International Regulations for Preventing Collisions at Sea, 1972, relating to, and forwarded to the Congress by the President on ..., the first blank space therein to be filled with the name of the resolving House, the second blank space therein to be filled with the name of the concurring House, the third blank space therein to be filled with the subject matter of the proposed amendment, and the fourth blank space therein to be filled with the day, month, and year.

(3) Any proposed amendment transmitted to the Congress by the President and any resolution of disapproval pertaining thereto shall be referred, in the House of Representatives, to the Committee on Merchant Marine and Fisheries, and shall be referred, in the Senate, to the Committee on Commerce, Science, and Transportation.


PRIOR PROVISIONS

The original rules for the prevention of collisions on the water were contained in R.S. § 4233, which consisted of 26 rules, R.S. § 4412, which authorized the board of supervising inspectors to establish such regulations to be observed by all steam vessels in passing each other, as they should from time to time deem necessary for safety, and provided that copies of such regulations should be furnished to all of such vessels, to be kept posted up in conspicuous places in such vessels, and R.S. § 4413, which prescribed a penalty for neglecting or willfully refusing to observe the regulations established pursuant to said section 4412.

The rules prescribed by R.S. § 4233 were superseded as to navigation on the high seas and in all coast waters of the United States, except such as were otherwise provided for, by the adoption of the "Revised International Regulations" by act March 3, 1885, ch. 354, 23 Stat. 438, which rules were superseded by the passage and adoption of act Aug. 19, 1890, ch. 802, 26 Stat. 322, section 1 of which enacted a set of regula-
tions for preventing collisions at sea to be followed by all public and private vessels of the United States upon the high seas and all waters connected therewith, navigable by seagoing vessels.

Act Aug. 19, 1890, ch. 802, § 1, consisted of 31 articles. Section 2 of act Aug. 19, 1890, ch. 802, repealed all local authority relative to the navigation of all public and private vessels of the United States upon the high seas, and in all waters connected therewith, navigable by seagoing vessels, prescribed by section 1 of that act.

The rules prescribed by R.S. § 4233, were further superseded as to navigation on the Great Lakes and their connecting and tributary waters as far east as Montreal by act Feb. 8, 1895, ch. 64, 24 Stat. 645, section 1 of which enacted rules for preventing collisions to be followed in the navigation of all public and private vessels of the United States upon the Great Lakes and their connecting and tributary waters as far east as Montreal, section 1 contained 28 articles. Section 2 of the act Feb. 8, 1895, ch. 64, prescribed a fine for violations of the act. Section 3 of the act Feb. 8, 1895, ch. 64, gave the Secretary of the Treasury authority to establish all necessary regulations not inconsistent with the act, necessary to carry the act into effect, and gave the Board of Supervising Inspectors of the United States authority to establish such regulations to be observed by all steam vessels in passing each other, not inconsistent with the act, as they should from time to time deem necessary, and provided that the regulations so adopted, when approved by the Secretary of the Treasury, should have the force of law. Section 4 of the act Feb. 8, 1895, ch. 64, repealed all laws or parts of laws, so far as applicable to the navigation of the Great Lakes and their connecting and tributary waters as far east as Montreal, inconsistent with the rules promulgated by the act.

The rules prescribed by R.S. § 4233, and by R.S. §§ 4412, 4414, and the regulations pursuant thereto, were required to be followed on the harbors, rivers, and inland waters of the United States, and the provisions of said sections were made special rules, duly made by local authority, relative to the navigation of harbors, rivers, and inland waters, as provided for by article 30 of the act Aug. 19, 1890, ch. 802, § 1, by act Feb. 19, 1895, ch. 102, § 1, 28 Stat. 672. Section 2 of the act Feb. 19, 1895, ch. 102, authorized the Secretary of the Treasury to designate and define the suitable signs or range to be used with light houses, light vessels, buoys, or coast objects, the lines dividing the high seas from rivers, harbors, and inland waters. Section 3 of the act Feb. 19, 1895, ch. 102, required collectors or other officers of the Treasury to require all vessels to be furnished with proper signal lights, and prescribed a penalty to be assessed against vessels navigating without complying with the statutes of the United States, or the regulations lawfully made thereunder. Section 4 of the act Feb. 19, 1895, ch. 102, provided that the words "inland waters" should not be held to include the Great Lakes and their connecting and tributary waters as far east as Montreal, and prescribed that the act should not modify or affect the provisions of act Feb. 8, 1895, ch. 64, which was the act prescribing rules for preventing collisions to be followed in the navigation of all public and private vessels upon the Great Lakes and their connecting and tributary waters as far east as Montreal.

The rules prescribed by R.S. § 4233, were further superseded as to the navigation of all harbors, rivers, and inland waters of the United States, except the Great Lakes and their connecting and tributary waters as far east as Montreal and the Red River of the North and rivers emptying into the Gulf of Mexico and their tributaries, by act June 7, 1897, ch. 4, 30 Stat. 496, which enacted a set of special rules duly made by local authority, as provided for by article 30 of the act Aug. 19, 1890, ch. 802, § 1 which article provided that nothing in the rules contained in that act should interfere with the operation of special rules, duly made by local authority, relative to the navigation of any harbor, river, or inland waters. Section 3 of the act June 7, 1897, ch. 4, prescribed a penalty for violations of the provisions of the act or the regulations established pursuant to section 2. Section 4 of the act June 7, 1897, ch. 4, also prescribed a penalty to be assessed against vessels navigated without compliance with the provisions of the act. Section 5 of the act June 7, 1897, ch. 4, repealed R.S. §§ 4233, 4412 (both of which regulations remained as they were amended) except the rules and regulations for the government of pilots of steamers navigating the Red River of the North and rivers emptying into the Gulf of Mexico and their tributaries, and the Great Lakes and their connecting and tributary waters as far east as Montreal, § 4413, act March 3, 1893, ch. 202, 27 Stat. 557, which amended R.S. § 4233, act Feb. 19, 1895, ch. 64, prescribed a fine for violations of the act. Section 6 of the act June 7, 1897, ch. 4, authorized the supervising inspectors of steam-vessels and the Supervising Inspector-General to establish rules to be observed by all steam vessels in passing each other, as to the lights to be carried by ferry-boats and by barges and canal-boats, when in tow of steam-vessels, not inconsistent with the provisions of the act, such rules, when approved by the Secretary of the Treasury, to be special rules duly made by local authority, as provided for by article 30 of the act Aug. 19, 1890, ch. 802, § 1 which article provided that nothing in the rules contained in that act should interfere with the operation of special rules, duly made by local authority, relative to the navigation of any harbor, river, or inland waters. Section 7, 1897, ch. 4, prescribed a penalty for violations of the provisions of the act or the regulations established pursuant to section 2. Section 4 of the act June 7, 1897, ch. 4, also prescribed a penalty to be assessed against vessels navigated without compliance with the provisions of the act. Section 5 of the act June 7, 1897, ch. 4, repealed R.S. §§ 4233, 4412 (both of which regulations remained as they were amended) except the rules and regulations for the government of pilots of steamers navigating the Red River of the North and rivers emptying into the Gulf of Mexico and their tributaries, and the Great Lakes and their connecting and tributary waters as far east as Montreal and the Red River of the North and rivers emptying into the Gulf of Mexico, and their tributaries were concerned.

This legislation resulted in the following situation: Navigation on the high seas was governed by act Aug. 19, 1890, ch. 802, with its amendatory and supplementary acts, which was superseded by act Oct. 11, 1951, ch. 485, formerly set forth in chapter 2 of this title, navigation on all harbors, rivers, and inland waters of the United States, except the Great Lakes and their connecting and tributary waters as far east as Montreal, the Red River of the North and rivers emptying into the Gulf of Mexico and their tributaries, was governed by act June 7, 1897, ch. 4, as amended, formerly set forth in chapter 3 of this title; and navigation on the Red River of the North and rivers emptying into the Gulf of Mexico and their tributaries was governed by R.S. § 4233, as amended and supplemented, formerly set forth in section 301 et seq. of this title.

See also Codification notes to sections 154, 241, and 301 of this title.

Regulations for Preventing Collisions at Sea, 1948, approved by the International Conference on Safety of Life at Sea, 1948, covered substantially the same subject matter included under these rules, were set out as sections 143 to 147D of this title.

Regulations for Preventing Collisions at Sea, 1960, approved by the International Conference on Safety of Life at Sea, 1960, covering substantially the same subject matter included under these rules, were set out as sections 1601 to 1604 of this title.

INTERNATIONAL CONVENTION FOR SAFETY OF LIFE AT SEA, 1948

The convention, known as the International Convention for Safety of Life at Sea, was signed at London on June 10, 1948, and was ratified by the United States on April 20, 1949 (see Senate Report No. 838, Sept. 26,
1951, to accompany H.R. 5013, 82nd Cong.). The "International Regulations for Preventing Collisions at Sea, 1960" and the 1948 London conference, were adopted by section 6 of act Oct. 11, 1951, and were classified to section 144 et seq. of this title.

INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1960

The convention, known as the International Convention for the Safety of Life at Sea, was signed at London on June 17, 1960, and was ratified by the United States on May 3, 1965 (see Senate Report No. 477, Aug. 30, 1963, to accompany H.R. 6012, 88th Cong.). The "Regulations for Preventing Collisions at Sea, 1960", approved by the 1960 London conference, were adopted by section 4 of Pub. L. 88-131, Sept. 24, 1963, 77 Stat. 184, and were classified to section 1051 et seq. of this title.

INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

The Convention on the International Regulations for Preventing Collisions at Sea, 1972, was proclaimed by the President on Jan. 19, 1977. The President's proclamation, set out as a note below, provided that the Convention came into force for the United States on July 17, 1977. The proclamation and the International Regulations were published in the Federal Register on Mar. 31, 1977, 42 F.R. 17112, with corrections to the International Regulations published on Apr. 7, 1977, 42 F.R. 18401 and on Apr. 21, 1977, 42 F.R. 20825.

The International Regulations were amended, effective June 23, 1983, by a proclamation of the President on June 16, 1983, set out as a note below, published on June 23, 1983, 48 F.R. 26834. The International Regulations for Preventing Collisions at Sea, 1972, as amended, read as follows:

INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

PART A—GENERAL

Rule 1—Application

(a) These Rules shall apply to all vessels upon the high seas and in all waters connected therewith navigable by seagoing vessels.

(b) Nothing in these Rules shall interfere with the operation of special rules made by an appropriate authority for roadsteads, harbours, rivers, lakes or inland waterways.

(c) Nothing in these Rules shall interfere with the operation of special rules made by the Government of any State with respect to additional station or signal lights, shapes or whistle signals for ships of war and vessels proceeding under convoy, or with respect to additional station or signal lights or shapes for fishing vessels engaged in fishing as a fleet. These additional station or signal lights, shapes or whistle signals shall, so far as possible, be such that they cannot be mistaken for any light, shape or signal authorized elsewhere under these Rules.

(d) Traffic separation schemes may be adopted by the Organization for the purpose of these Rules.

(e) Whenever the Government concerned shall have determined that a vessel of special construction or purpose cannot comply fully with the provisions of any of these Rules with respect to the number, position, range or arc of visibility of lights or shapes, as well as to the disposition and characteristics of sound-signalling appliances, as her Government shall have determined to be the closest possible compliance with these Rules in respect to that vessel.

Rule 2—Responsibility

(a) Nothing in these Rules shall exonerate any vessel, or the owner, master or crew thereof, from the consequences of any neglect to comply with these Rules or of any neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

(b) In construing and complying with these Rules due regard shall be had to all dangers of navigation and collision and to any special circumstances, including the limitations of the vessels involved, which may make a departure from these Rules necessary to avoid immediate danger.

Rule 3—General definitions

For the purpose of these Rules, except where the context otherwise requires:

(a) The word "vessel" includes every description of water craft, including non-displacement craft and seaplanes, used or capable of being used as a means of transportation on water.

(b) The term "power-driven vessel" means any vessel propelled by machinery.

(c) The term "sailing vessel" means any vessel under sail, provided that propelling machinery, if fitted, is not being used.

(d) The term "vessel engaged in fishing" means any vessel fishing with nets, lines, trawls or other fishing apparatus which restrict manoeuvrability, but does not include a vessel fishing with trawling lines or other fishing apparatus which do not restrict manoeuvrability.

(e) The word "seaplane" includes any aircraft designed to manoeuvre on the water.

(f) The term "vessel not under command" means a vessel which through some exceptional circumstance is unable to manoeuvre as required by these Rules and is therefore unable to keep out of the way of another vessel.

(g) The term "vessel restricted in her ability to manoeuvre" means a vessel which from the nature of her work is restricted in her ability to manoeuvre as required by these Rules and is therefore unable to keep out of the way of another vessel.

(h) The term "vessel engaged in mine-clearance operations" shall include but not be limited to:

(i) A vessel engaged in laying, servicing or picking up a navigation mark, submarine cable or pipeline;

(ii) A vessel engaged in dredging, surveying or underwater operations;

(iii) A vessel engaged in replenishment or transferring persons, provisions or cargo while underway;

(iv) A vessel engaged in the launching or recovery of aircraft;

(v) A vessel engaged in mine clearance operations;

(vi) A vessel engaged in a towing operation such as severely restricts the towing vessel and her tow in their ability to deviate from their course.

(h) The term "vessel constrained by her draught" means a power-driven vessel which because of her draught in relation to the available depth of water is severely restricted in her ability to deviate from the course she is following.

(i) The word "underway" means that a vessel is not at anchor, or made fast to the shore or other vessel.

(j) The words "length" and "breadth" of a vessel mean her length overall and greatest breadth.

(k) Vessels shall be deemed to be in sight of one another only when one can be observed visually from the other.

(l) The term "restricted visibility" means any condition in which visibility is restricted by fog, mist, falling snow, heavy rainstorms, sandstorms or any other similar causes.
PART B—STEERING AND SAILING RULES

SECTION I—CONDUCT OF VESSELS IN ANY CONDITION OF VISIBILITY

Rule 4—Application

Rules in this section apply in any condition of visibility.

Rule 5—Look-out

Every vessel shall at all times maintain a proper look-out by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision.

Rule 6—Safe speed

Every vessel shall at all times proceed at a safe speed so that she can take proper and effective action to avoid collision and be stopped within a distance appropriate to the prevailing circumstances and conditions. In determining a safe speed the following factors shall be among those taken into account:

(a) By all vessels:
(i) The state of visibility;
(ii) The traffic density including concentrations of fishing vessels or any other vessels;
(iii) The manoeuvrability of the vessel with special reference to stopping distance and turning ability in the prevailing conditions;
(iv) The presence of background light such as from shore lights or from back scatter of her own lights;
(v) The state of wind, sea and current, and the proximity of navigational hazards;
(vi) The draught in relation to the available depth of water.
(b) Additionally, by vessels with operational radar:
(i) The characteristics, efficiency and limitations of the radar equipment;
(ii) Any constraints imposed by the radar range scale in use;
(iii) The effect on radar detection of the sea state, weather and other sources of interference;
(iv) The possibility that small vessels, ice and other floating objects may not be detected by radar at an adequate range;
(v) The number, location and movement of vessels detected by radar;
(vi) The more exact assessment of the visibility that may be possible when radar is used to determine the range of vessels or other objects in the vicinity.

Rule 7—Risk of collision

(a) Every vessel shall use all available means appropriate to the prevailing circumstances and conditions to determine if risk of collision exists. If there is any doubt such risk shall be deemed to exist.

(b) Proper use shall be made of radar equipment if fitted and operational, including long-range scanning to obtain early warning of risk of collision and radar plotting or equivalent systematic observation of detected objects.

(c) Assumptions shall not be made on the basis of scanty information, especially scanty radar information.

(d) In determining if risk of collision exists the following considerations shall be among those taken into account:

(i) Such risk shall be deemed to exist if the compass bearing of an approaching vessel does not appreciably change;
(ii) Such risk may sometimes exist even when an appreciable bearing change is evident, particularly when approaching a very large vessel or a tow or when approaching a vessel at close range.

Rule 8—Action to avoid collision

(a) Any action taken to avoid collision shall, if the circumstances of the case admit, be positive, made in ample time and with due regard to the observance of good seamanship.

(b) Any alteration of course and/or speed to avoid collision shall, if the circumstances of the case admit, be large enough to be readily apparent to another vessel observing visually or by radar; a succession of small alterations of course and/or speed should be avoided.

(c) If there is sufficient sea room, alteration of course alone may be the most effective action to avoid a close-quarters situation provided that it is made in good time, is substantial and does not result in another close-quarters situation.

(d) Action taken to avoid collision with another vessel shall be such as to result in passing at a safe distance. The effectiveness of the action shall be carefully checked until the other vessel is finally past and clear.

(e) If necessary to avoid collision or allow more time to assess the situation, a vessel shall slacken her speed or take all way off by stopping or reversing her means of propulsion.

Rule 9—Narrow channels

(a) A vessel proceeding along the course of a narrow channel or fairway shall keep as near to the outer limit of the channel or fairway as practicable and shall so keep clear of the starboard side as is safe and practicable.

(b) A vessel of less than 20 metres in length or a sailing vessel shall not impede the passage of a vessel which can safely navigate only within a narrow channel or fairway.

(c) A vessel engaged in fishing shall not impede the passage of any other vessel navigating within a narrow channel or fairway.

(d) A vessel shall not cross a narrow channel or fairway if such crossing impedes the passage of a vessel which can safely navigate only within such channel or fairway. The latter vessel may use the sound signal prescribed in Rule 34(d) if in doubt as to the intention of the crossing vessel.

(e)(i) In a narrow channel or fairway when overtaking can take place only if the vessel to be overtaken has to take action to permit safe passing, the vessel intending to overtake shall indicate her intention by sounding the appropriate signal prescribed in Rule 34(c)(i).

(ii) The vessel to be overtaken shall, if in agreement, sound the appropriate signal prescribed in Rule 34(c)(ii) and take steps to permit safe passing. If in doubt she may sound the signals prescribed in Rule 34(d).

(f) This Rule does not relieve the overtaking vessel of her obligation under Rule 13.

(i) A vessel hearing a bend or an area of a narrow channel or fairway where other vessels may be obscured by an intervening obstruction shall navigate with particular alertness and caution and shall sound the appropriate signal prescribed in Rule 34(e).

(g) Any vessel shall, if the circumstances of the case admit, avoid anchoring in a narrow channel.

Rule 10—Traffic separation schemes

(a) This Rule applies to traffic separation schemes adopted by the Organization.

(b) A vessel using a traffic separation scheme shall:

(i) Proceed in the appropriate traffic lane in the general direction of traffic flow for that lane;

(ii) So far as practicable keep clear of a traffic separation line or separation zone;

(iii) Normally join or leave a traffic lane at the termination of that lane, but when joining or leaving from either side shall do so at as small an angle to the general direction of traffic flow as practicable.

(c) A vessel shall so far as practicable avoid crossing traffic lanes, but if obliged to do so shall cross as nearly as practicable at right angles to the general direction of traffic flow.
(d) Inshore traffic zones shall not normally be used by through traffic which can safely use the appropriate traffic lane within the adjacent traffic separation scheme. However, vessels of less than 20 metres in length and sailing vessels may under all circumstances use inshore traffic zones.

(e) A vessel other than a crossing vessel or a vessel joining or leaving a lane shall not normally enter a separation zone or cross a separation line except:

(i) in cases of emergency to avoid immediate danger;
(ii) to engage in fishing within a separation zone.

(f) A vessel navigating in areas near the terminations of traffic separation schemes shall do so with particular caution.

(g) A vessel shall so far as practicable avoid anchoring in a traffic separation scheme or in areas near its terminations.

(h) A vessel not using a traffic separation scheme shall avoid it by as wide a margin as is practicable.

(i) A vessel engaged in fishing shall not impede the passage of any vessel following a traffic lane.

(j) A vessel of less than 20 metres in length or a sailing vessel shall not impede the safe passage of a power-driven vessel following a traffic lane.

(k) A vessel restricted in her ability to manoeuvre when engaged in an operation for the maintenance of safety of navigation in a traffic separation scheme is exempted from complying with this Rule to the extent necessary to carry out the operation.

(l) A vessel restricted in her ability to manoeuvre when engaged in an operation for the laying, servicing or picking up of a submarine cable, within a traffic separation scheme, is exempted from complying with this Rule to the extent necessary to carry out the operation.

SECTION II—CONDUCT OF VESSELS IN SIGHT OF ONE ANOTHER

Rule 11—Application

Rules in this Section apply to vessels in sight of one another.

Rule 12—Sailing vessels

(a) When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows:

(i) When on a different side, the vessel which has the wind on the port side shall keep out of the way of the other;
(ii) When both have the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is leeward;
(iii) If a vessel with the wind on the port side sees a vessel to windward and cannot determine with certainty whether the other vessel has the wind on the port or on the starboard side, she shall keep out of the way of the other.

(b) For the purposes of this Rule the windward side shall be deemed to be the side opposite to that on which the mainsail is carried or, in the case of a square-rigged vessel, the side opposite to that on which the largest fore-and-aft sail is carried.

Rule 13—Overtaking

(a) Notwithstanding anything contained in the Rules of Part B, Sections I and II, any vessel overtaking any other shall keep out of the way of the vessel being overtaken.

(b) A vessel shall be deemed to be overtaking when coming up with another vessel from a direction more than 22.5 degrees abaft her beam, that is, in such a position with reference to the vessel she is overtaking, that at night she would be able to see only the sternlight of that vessel but neither of her sidelights.

(c) When a vessel is in any doubt as to whether she is overtaking another, she shall assume that this is the case and act accordingly.

(d) Any subsequent alteration of the bearing between the two vessels shall not make the overtaking vessel a crossing vessel within the meaning of these Rules or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

Rule 14—Head-on situation

(a) When two power-driven vessels are meeting on reciprocal or nearly reciprocal courses so as to involve risk of collision each shall alter her course to starboard so that each shall pass on the port side of the other.

(b) Such a situation shall be deemed to exist when a vessel sees the other ahead or nearly ahead and by night she could see the masthead lights of the other in a line or nearly in a line and/or both sidelights and by day she observes the corresponding aspect of the other vessel.

(c) When a vessel is in any doubt as to whether such a situation exists she shall assume that it does exist and act accordingly.

Rule 15—Crossing situation

When two power-driven vessels are crossing so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way and shall, if the circumstances of the case admit, avoid crossing ahead of the other vessel.

Rule 16—Action by give-way vessel

Every vessel which is directed to keep out of the way of another vessel shall, so far as possible, take early and substantial action to keep well clear.

Rule 17—Action by stand-on vessel

(a) (i) Where one of two vessels is to keep out of the way the other shall keep her course and speed.

(ii) The latter vessel may however take action to avoid collision by her manoeuvre alone, as soon as it becomes apparent to her that the vessel required to keep out of the way is not taking appropriate action in compliance with these Rules.

(b) When, from any cause, the vessel required to keep her course and speed finds herself so close that collision cannot be avoided by the action of the give-way vessel alone, she shall take such action as will best aid to avoid collision.

(c) A power-driven vessel which takes action in a crossing situation in accordance with sub-paragraph (ii) of this Rule to avoid collision with another power-driven vessel shall, if the circumstances of the case admit, not alter course to port for a vessel on her own port side.

(d) This Rule does not relieve the give-way vessel of her obligation to keep out of the way.

Rule 18—Responsibilities between vessels

Except where Rules 9, 10 and 13 otherwise require:

(a) A power-driven vessel underway shall keep out of the way of:

(i) A vessel not under command;

(ii) A vessel restricted in her ability to manoeuvre;

(iii) A vessel engaged in fishing;

(iv) A sailing vessel.

(b) A sailing vessel underway shall keep out of the way of:

(i) A vessel not under command;

(ii) A vessel restricted in her ability to manoeuvre;

(iii) A vessel engaged in fishing.

(c) A vessel engaged in fishing when underway shall, so far as possible, keep out of the way of:

(i) A vessel not under command;

(ii) A vessel restricted in her ability to manoeuvre.

(d) Any vessel other than a vessel not under command or a vessel restricted in her ability to manoeuvre shall, if the circumstances of the case admit, avoid impeding the safe passage of a vessel constrained by her draught, exhibiting the signals in Rule 28.

(ii) A vessel constrained by her draught shall navigate with particular caution having full regard to her special condition.
(e) A seaplane on the water shall, in general, keep well clear of all vessels and avoid impeding their navigation. In circumstances, however, where risk of collision exists, she shall comply with the Rules of this Part.

SECTION III—CONDUCT OF VESSELS IN RESTRICTED VISIBILITY

Rule 19—Conduct of vessels in restricted visibility

(a) This Rule applies to vessels not in sight of one another when navigating in or near an area of restricted visibility.

(b) Every vessel shall proceed at a safe speed adapted to the prevailing circumstances and conditions of restricted visibility. A power-driven vessel shall have her engines ready for immediate manoeuvre.

(c) Every vessel shall have due regard to the prevailing circumstances and conditions of restricted visibility when complying with the Rules of Section I of this Part.

(d) A vessel which detects by radar alone the presence of another vessel shall determine if a close-quarters situation is developing and/or risk of collision exists. If so, she shall take avoiding action in ample time, provided that when such action consists of an alteration of course, so far as possible the following shall be avoided:

(i) An alteration of course to port for a vessel forward of the beam, other than for a vessel being overtaken.

(ii) An alteration of course toward a vessel abeam or abaft the beam.

(e) Except where it has been determined that a risk of collision does not exist, every vessel which hears an apparent fog signal of another vessel, or which cannot avoid a close-quarters situation with another vessel forward of her beam, shall reduce her speed to the minimum at which she can be kept on her course. She shall if necessary take all her way off and in any event navigate with extreme caution until danger of collision is over.

PART C—LIGHTS AND SHAPES

Rule 20—Application

(a) Rules in this Part shall be complied with in all waters.

(b) The Rules concerning lights shall be complied with from sunset to sunrise, and during such times no other lights shall be exhibited, except such lights as cannot be mistaken for the lights specified in these Rules, do not impair their visibility or distinctive character, or interfere with the keeping of a proper look-out.

(c) The lights prescribed by these Rules shall, if carried, also be exhibited from sunrise to sunset in restricted visibility and may be exhibited in all other circumstances when it is deemed necessary.

(d) The Rules concerning shapes shall be complied with by day.

(e) The lights and shapes specified in these Rules shall comply with the provisions of Annex I to these Regulations.

Rule 21—Definitions

(a) "Masthead light" means a white light placed over the fore and aft centreline of the vessel showing an unbroken light over an arc of the horizon of 225 degrees and so fixed as to show the light from right ahead to 22.5 degrees abaft the beam on either side of the vessel.

(b) "Sidelights" means a green light on the starboard side and a red light on the port side each showing an unbroken light over an arc of the horizon of 112.5 degrees and so fixed as to show the light from right ahead to 22.5 degrees abaft the beam on its respective side. In a vessel of less than 20 metres in length the sidelights may be combined in one lantern carried on the fore and aft centreline of the vessel.

(c) "Sternlight" means a white light placed as nearly as practicable at the stern, showing an unbroken light over an arc of the horizon of 135 degrees and so fixed as to show the light 67.5 degrees from right aft on each side of the vessel.

(d) "Towing light" means a yellow light having the same characteristics as the "sternlight" defined in paragraph (c) of this Rule.

(e) "All round light" means a light showing an unbroken light over an arc of the horizon of 360 degrees. 

(f) "Flashing light" means a light flashing at regular intervals at a frequency of 120 flashes or more per minute.

Rule 22—Visibility of lights

The lights prescribed in these Rules shall have an intensity as specified in Section 8 of Annex I to these Regulations so as to be visible at the following minimum ranges:

(a) In vessels of 50 metres or more in length: A masthead light, 6 miles; A sidelight, 3 miles; A sternlight, 3 miles; A towing light, 3 miles; and A white, red, green or yellow all-round light, 3 miles.

(b) In vessels of 12 metres or more in length but less than 50 metres in length:

A masthead light, 5 miles; except that where the length of the vessel is less than 20 metres, 3 miles; A sidelight, 2 miles; A sternlight, 2 miles; A towing light, 2 miles; and A white, red, green or yellow all-round light, 2 miles.

(c) In vessels of less than 12 metres in length:

A masthead light, 2 miles; A sidelight, 1 mile; A sternlight, 2 miles; A towing light, 2 miles; and A white, red, green or yellow all-round light, 2 miles.

(d) In inconspicuous, partly submerged vessels or objects being towed—a white all-round light, 3 miles.

Rule 23—Power-driven vessels underway

(a) A power-driven vessel underway shall exhibit:

(i) A masthead light forward;

(ii) A second masthead light abaft of and higher than the forward one; except that a vessel of less than 50 metres in length shall not be obliged to exhibit such light but may do so;

(iii) Sidelights; and

(iv) A sternlight.

(b) An air-cushion vessel when operating in the non-displacement mode shall, in addition to the lights prescribed in paragraph (a) of this Rule, exhibit an all-round flashing or slow light.

(c) (i) A power-driven vessel of less than 12 metres in length may in lieu of the lights prescribed in paragraph (a) of this Rule exhibit an all-round white light and sidelights;

(ii) A power-driven vessel of less than 7 metres in length whose maximum speed does not exceed 7 knots may in lieu of the lights prescribed in paragraph (a) of this Rule exhibit an all-round white light and sidelights;

(iii) the masthead light or all-round white light on a power-driven vessel of less than 12 metres in length may be displaced from the fore and aft centreline of the vessel if centreline fitting is not practicable, provided that the sidelights are combined in one lantern which shall be carried on the fore and aft centreline of the vessel or located as nearly as practicable in the same fore and aft line as the masthead light or the all-round white light.

Rule 24—Towing and pushing

(a) A power-driven vessel when towing shall exhibit:

(i) Instead of the light prescribed in Rule 23(a)(i) or (a)(ii), two masthead lights in a vertical line. When the length of the tow measuring from the stern of the
towing vessel to the after end of the tow exceeds 200 metres, three such lights in a vertical line; 

(i) Sidelights;  

(ii) A sternlight;  

(iii) A towing light in a vertical line above the sternlight; and  

(v) When the length of the tow exceeds 200 metres, a diamond shape where it can best be seen.  

(b) Where a vessel is engaged in fishing in close proximity to another vessel or object, or combination of such vessels or objects being towed, shall exhibit:  

(i) Two all-round lights in a vertical line, the upper being green and the lower white, or a shape consisting of two cones with their apexes together in a vertical line one above the other; a vessel of less than 20 metres in length may instead of this shape exhibit a basket;  

(ii) A masthead light abaft of and higher than the all-round green light; a vessel of less than 60 metres in length shall not be obliged to exhibit such a light but may do so;  

(iii) When making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.  

(c) A vessel engaged in fishing, other than trawling, shall exhibit:  

(i) Two all-round lights in a vertical line, the upper being green and the lower white, or a shape consisting of two cones with apices together in a vertical line one above the other; a vessel of less than 20 metres in length may instead of this shape exhibit a basket;  

(ii) When there is outlying gear extending more than 150 metres horizontally from the vessel, an all-round white light or a cone apex upwards in the direction of the gear;  

(iii) When making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.  

(d) A vessel engaged in fishing in close proximity to other vessels engaged in fishing may exhibit the additional signals described in Annex II to these Regulations.  

(e) A vessel when not engaged in fishing shall not exhibit the lights or shapes prescribed in this Rule, but only those prescribed for a vessel of her length.  

Rule 27—Vessels not under command or restricted in their ability to manoeuvre  

(a) A vessel not under command shall exhibit:  

(i) Two all-round red lights in a vertical line where they can best be seen;  

(ii) Two balls or similar shapes in a vertical line where they can best be seen;  

(iii) When making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.  

(b) A vessel restricted in her ability to manoeuvre, except a vessel engaged in mine clearance operations, shall exhibit:  

(i) Three all-round lights in a vertical line where they can best be seen.  

The highest and
lowest of these lights shall be red and the middle light shall be white;
(iii) Three shapes in a vertical line where they can best be seen. The highest and lowest of these shapes shall be balls and the middle one a diamond;
(iv) When at anchor. In addition to the lights or shapes prescribed in sub-paragraphs (i) and (ii), the light, lights or shape prescribed in Rule 30;
(c) A vessel engaged in a towing operation shall, where they can best be seen:
(i) Two all-round green lights or two balls in a vertical line to indicate the side on which another vessel may pass;
(ii) Where it is impracticable for a seaplane to exhibit the lights prescribed in this rule, the following shall be exhibited:
(a) Three short blasts to mean "I am operating astern of making an efficient sound signal.
(b) Two short blasts to mean "I am altering my course to 
(c) One-short blast to mean "I am altering my course to

Rule 30—Anchored vessels and vessels aground

(a) A vessel at anchor shall exhibit where it can best be seen:
(i) In the fore part, an all-round white light or one ball;
(ii) At or near the stern and at a lower level than the light prescribed in sub-paragraph (i), an all-round white light.
(b) A vessel of less than 50 metres in length may exhibit an all-round white light where it can best be seen instead of the lights prescribed in paragraph (a) of this Rule.
(c) A vessel at anchor may, and a vessel of 100 metres and more in length shall, also use the available working or equivalent lights to illuminate her decks.
(d) A vessel aground shall exhibit the lights prescribed in paragraph (a) or (b) of this Rule and in addition, where they can best be seen: (i) Two all-round red lights in a vertical line;
(ii) Three balls in a vertical line.
(e) A vessel of less than 7 metres in length, when at anchor, not in or near a narrow channel, fairway or other vessels normally navigate, shall not be required to exhibit the lights or shape prescribed in paragraphs (a) and (b) of this Rule.
(f) A vessel of less than 12 metres in length, when aground, shall not be required to exhibit the lights or shapes prescribed in subparagraphs (d)(i) and (ii) of this Rule.

Rule 31—Seaplanes

Where it is impracticable for a seaplane to exhibit lights and shapes of the characteristics or in the positions prescribed in the Rules of this Part she shall exhibit lights and shapes as closely similar in characteristics and position as is possible.

PART D—SOUND AND LIGHT SIGNALS

Rule 32—Definitions

(a) The word "whistle" means any sound signalling appliance capable of producing the prescribed blasts and which complies with the specifications in Annex III to these Regulations.
(b) The term "short blast" means a blast of about four to six seconds' duration.
(c) The term "prolonged blast" means a blast of from four to six seconds' duration.

Rule 33—Equipment for sound signals

(a) A vessel of 12 metres or more in length shall be provided with a whistle and a bell and a vessel of 100 metres or more in length shall, in addition be provided with a gong, the tone and sound of which cannot be confused with that of the bell. The whistle, bell and gong shall comply with the specifications in Annex III to these Regulations. The bell or gong or both may be replaced by other equipment having the same respective sound characteristics, provided that manual sounding of the prescribed signals shall always be possible.

(b) A vessel of less than 12 metres in length shall not be obliged to carry the sound signalling appliances prescribed in paragraph (a) of this Rule but if she does not, she shall be provided with some other means of making an efficient sound signal.

Rule 34—Manoeuvring and warning signals

(a) When vessels are in sight of one another, a power-driven vessel underway, when manoeuvring as authorized or required by these Rules, shall indicate that manoeuvre by the following signals on her whistle:
One short blast to mean "I am altering my course to starboard";
Two short blasts to mean "I am altering my course to port";
Three short blasts to mean "I am operating astern propulsion".
(b) Any vessel may supplement the whistle signals prescribed in paragraph (a) of this Rule by light signals, repeated as appropriate, whilst the manoeuvre is being carried out:

(i) These light signals shall have the following significance:

One flash to mean "I am altering my course to starboard";
Two flashes to mean "I am altering my course to port";
Three flashes to mean "I am operating astern propulsion";

(ii) The duration of each flash shall be about one second, the interval between flashes shall be about one second, and the interval between successive signals shall be not less than ten seconds;

(iii) The light used for this signal shall, if fitted, be an all-round white light, visible at a minimum range of 5 miles, and shall comply with the provisions of Annex I to these regulations.

(c) When in sight of one another in a narrow channel or fairway:

A vessel intending to overtake another shall in accordance with Rule 9(e)(i) indicate her intention by the following signals on her whistle:

Two prolonged blasts followed by one short blast to mean "I intend to overtake you on your starboard side";

Two prolonged blasts followed by two short blasts to mean "I intend to overtake you on your port side".

(d) The vessel about to be overtaken when acting in accordance with Rule 9(e)(ii) shall indicate her agreement by the following signal on her whistle:

One prolonged, one short, one prolonged and one short blast, in that order.

(e) Any vessel in sight of one another are approaching each other and from any cause either vessel fails to understand the intentions or actions of the other, or is in doubt whether sufficient action is being taken by the other to avoid collision, the vessel in doubt shall immediately indicate such doubt by giving at least five short and rapid blasts on the whistle. Such signal may be supplemented by a light signal of at least five short and rapid flashes.

(f) If whistles are fitted on a vessel at a distance apart of more than 100 metres, one whistle only shall be used for giving manoeuvring and warning signals.

Rule 35—Sound signals in restricted visibility

In or near an area of restricted visibility, whether by day or night, the signals prescribed in this Rule shall be used as follows:

(a) A power-driven vessel making way through the water shall sound at intervals of not more than 2 minutes one prolonged blast.

(b) A power-driven vessel underway but stopped and making no way through the water shall sound at intervals of not more than 2 minutes two prolonged blasts in succession with an interval of about 2 seconds between them.

(c) A vessel not under command, a vessel restricted in her ability to manoeuvre, a vessel constrained by her draught, a sailing vessel, a vessel engaged in fishing and a vessel engaged in towing or pushing another vessel shall, instead of the signals prescribed in paragraphs (a) or (b) of this Rule, sound at intervals of not more than 2 minutes three blasts in succession, namely one prolonged followed by two short blasts.

(d) A vessel engaged in fishing, when at anchor, and a vessel restricted in her ability to manoeuvre when carrying out her work at anchor, shall instead of the signals prescribed in paragraph (g) of this Rule sound the signal prescribed in paragraph (c) of this Rule.

(e) A vessel towed or if more than one vessel is towed the last vessel of the tow, if manned, shall at intervals of not more than 2 minutes sound four blasts in succession, namely one prolonged followed by three short blasts. When practicable, this signal shall be made immediately after the signal made by the towing vessel.

(f) When a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit they shall be regarded as a power-driven vessel and shall give the signals prescribed in paragraphs (a) or (b) of this Rule.

(g) A vessel at anchor shall at intervals of not more than one minute ring the bell rapidly for about 5 seconds. In a vessel of 100 metres or more in length the bell shall be sounded in the foremost of the vessel and immediately after the ringing of the bell the gong shall be sounded rapidly for about 5 seconds in the after part of the vessel. A vessel at anchor may in addition sound three blasts in succession, namely one short, one prolonged and one short blast, to give warning of her position and of the possibility of collision to an approaching vessel.

(h) A vessel aground shall give the bell signal and if required the gong signal prescribed in paragraph (g) of this Rule and shall, in addition, give three separate and distinct strokes on the bell immediately before and after the rapid ringing of the bell. A vessel aground may in addition sound an appropriate whistle signal.

(i) A vessel of less than 12 metres in length shall not be obliged to give the above-mentioned signals but, if she does not, shall make some other efficient sound signal at intervals of not more than 2 minutes.

(j) A pilot vessel when engaged on pilotage duty may in addition to the signals prescribed in paragraphs (a), (b) or (g) of this Rule sound an identity signal consisting of four short blasts.

Rule 36—Signals to attract attention

If necessary to attract the attention of another vessel any vessel may make light or sound signals that cannot be mistaken for any signal authorized elsewhere in these Rules, or may direct the beam of her searchlight in the direction of the danger, in such a way as not to embarrass any vessel. Any light to attract the attention of another vessel shall be such that it cannot be mistaken for any aid to navigation. For the purpose of this Rule the use of high intensity intermittent or revolving lights, such as strobe lights, shall be avoided.

Rule 37—Distress signals

When a vessel is in distress and requires assistance she shall use or exhibit the signals described in Annex IV to these Regulations.

PART E—EXEMPTIONS

Rule 38—Exemptions

Any vessel (or class of vessels) provided that she complies with the requirements of the International Regulations for Preventing Collisions at Sea, 1960, the keel of which is laid or which is at a corresponding stage of construction before the entry into force of these Regulations may be exempted from compliance therewith as follows:

(a) The installation of lights with ranges prescribed in Rule 22, until four years after the date of entry into force of these Regulations.

(b) The installation of lights with colour specifications as prescribed in Section 7 of Annex I to these Regulations, until four years after the date of entry into force of these Regulations.

(c) The repositioning of lights as a result of conversion from Imperial to metric units and rounding off measurement figures, permanent exemption.

(d) The repositioning of masthead lights on vessels of less than 150 metres in length, resulting from
ANNEX I

POSITIONING AND TECHNICAL DETAILS OF LIGHTS AND SHAPES

1. Definition. The term "height above the hull" means height above the uppermost continuous deck. This height shall be measured from the position vertically beneath the location of the light.

2. Vertical positioning and spacing of lights. (a) On a power-driven vessel of 20 metres or more in length the masthead lights shall be placed as follows:

(i) the forward masthead light, or if only one masthead light is carried, then that light, at a height above the hull of not less than 6 metres, and, if the breadth of the vessel exceeds 6 metres, then at a height above the hull not less than such breadth, so however that the light need not be placed at a greater height above the hull than 12 metres;

(ii) when two masthead lights are carried the after one shall be at least 4.5 metres vertically higher than the forward one.

(b) The vertical separation of masthead lights of power-driven vessels shall be such that in all normal conditions of trim the after light will be seen over and separate from the forward light at a distance of 1000 metres from the stem when viewed from sea level.

(c) The masthead light of a power-driven vessel of 12 metres or less in length the sidelights shall be placed at a height above the gunwale of not less than 2.5 metres.

(d) A power-driven vessel of less than 12 metres in length may carry the uppermost light at a height of less than 2.5 metres above the gunwale. When however a masthead light is carried in addition to sidelights and a sternlight, then such masthead light shall be carried at least 1 metre higher than the sidelights.

(e) One of the two or three masthead lights prescribed for a power-driven vessel when engaged in towing or pushing another vessel shall be placed in the same position as either the forward masthead light or the after masthead light; provided that, if carried on the aftermast, the lowest after masthead light shall be at least 4.5 metres vertically higher than the forward masthead light.

(f) (i) The masthead lights or lights prescribed in Rule 23(a) shall be so placed as to be above and clear of all other lights and obstructions except as described in subparagraph (ii).

(ii) When the Rules prescribe two or three lights to be carried in a vertical line, they shall be spaced as follows:

(i) On a vessel of 20 metres in length or more such lights shall be placed not less than 2 metres apart, and the lowest of these lights shall, except where a towing light is required, be placed at a height of not less than 4 metres above the hull;

(ii) On a vessel of less than 20 metres in length such lights shall be spaced not less than 1 metre apart and the lowest of these lights shall, except where a towing light is required, be placed at a height of not less than 2 metres above the hull;

(iii) When three lights are carried they shall be equally spaced.

(j) The lower of the two all-round lights prescribed for a vessel engaged in fishing shall be at a height above the sidelights not less than twice the distance between the two vertical lights.

(k) The forward anchor light prescribed in Rule 26(c)(i), when two are carried, one of which is required to be placed at a height of not less than 4.5 metres above the after one. On a vessel of 50 metres or more in length this forward anchor light shall be placed at a height of not less than 6 metres above the hull.

3. Horizontal positioning and spacing of lights. (a) When two masthead lights are prescribed for a power-driven vessel, the horizontal distance between them shall not be less than one half of the length of the vessel but need not be more than 100 metres. The forward light shall be placed at not more than one quarter of the length of the vessel from the stem.

(b) On a power-driven vessel of 20 metres or more in length the sidelights shall not be placed in front of the forward masthead lights. They shall be placed at or near the side of the vessel.

(c) When the lights prescribed in Rule 27(b)(i) or Rule 28 are placed vertically between the forward masthead light(s) and the after masthead light(s) these all-round lights shall be placed at a horizontal distance of not less than 2 metres from the fore and aft centreline of the vessel in the athwartship direction.

4. Details of location of direction-indicating lights for fishing vessels, dredgers and vessels engaged in underwater operations. (a) The light indicating the direction of the outlying gear from a vessel engaged in fishing as prescribed in Rule 26(c)(ii) shall be placed at a horizontal distance of not less than 2 metres and not more than 6 metres away from the two all-round red and white lights. This light shall be placed not higher than the all-round white light prescribed in Rule 26(c)(i) and not lower than the sidelights.

(b) The lights and shapes on a vessel engaged in dredging or underwater operations to indicate the obstructed side and/or the side on which it is safe to pass, as prescribed in Rule 27(d)(i) and (ii), shall be placed at the maximum practical horizontal distance, but in no case less than 2 metres from the lights or shapes prescribed in Rule 27(b)(i) and (ii). In no case shall the upper of these lights or shapes be at a greater height than the lower of the three lights or shapes prescribed in Rule 27(b)(i) and (ii).

5. Screens for sidelights. The sidelights of vessels of 20 metres or more in length shall be fitted with inboard screens painted matt black, and meeting the requirements of Section 9 of this Annex. On vessels of less than 20 metres in length the sidelights, if necessary to meet the requirements of Section 9 of this Annex, shall be fitted with inboard matt black screens. With a combined lantern, using a single vertical fila-
ment and a very narrow division between the green and red sections, external screens need not be fitted. (a) Shapes shall be black and of the following sizes:

(i) A ball shall have a diameter of not less than 0.6 metre;
(ii) A cone shall have a base diameter of not less than 0.6 metre and a height equal to its diameter;
(iii) A cylinder shall have a diameter of at least 0.6 metre and a height of twice its diameter;
(iv) A diamond shape shall consist of two cones as defined in (ii) above having a common base.

(b) The vertical distance between shapes shall be at least 1.5 metre.

(c) In a vessel of less than 20 metres in length, shapes of lesser dimensions but commensurate with the size of the vessel may be used and the distance apart may be correspondingly reduced.

7. **Colour specification of lights.** The chromaticity of all navigation lights shall conform to the following standards, which lie within the boundaries of the area of the diagram specified for each colour by the International Commission on Illumination (CIE).

The boundaries of the area for each colour are given by indicating the corner co-ordinates, which are as follows:

(i) White:

\[ x = 0.255, 0.525, 0.452, 0.310, 0.310, 0.443 \]
\[ y = 0.382, 0.440, 0.440, 0.350, 0.283, 0.382 \]
\[ x = 0.028, 0.009, 0.300, 0.303 \]
\[ y = 0.385, 0.723, 0.511, 0.356 \]

(ii) Red:

\[ x = 0.600, 0.660, 0.735, 0.721 \]
\[ y = 0.320, 0.320, 0.265, 0.203 \]

(iii) Yellow:

\[ x = 0.612, 0.618, 0.575, 0.575 \]
\[ y = 0.362, 0.362, 0.440, 0.406 \]

8. **Intensity of lights.** The minimum luminous intensity of lights shall be calculated by using the formula:

\[ I = 3.43 \times 10^{14} \times T \times D^2 \times K^{-1} \]

where \( I \) is luminous intensity in candelas under service conditions, \( T \) is threshold factor 2 \times 10^{-7} lux, \( D \) is range of visibility (luminous range) of the light in nautical miles, \( K \) is atmospheric transmissivity.

For prescribed lights the value of \( K \) shall be 0.8, corresponding to a meteorological visibility of approximately 13 nautical miles.

(b) A selection of figures derived from the formula is given in the following table:

<table>
<thead>
<tr>
<th>Range of visibility (luminous range) of light in nautical miles, ( D )</th>
<th>Luminous intensity of light in candelas for ( K = 0.8, I' )</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>0.9</td>
</tr>
<tr>
<td>4</td>
<td>1.3</td>
</tr>
<tr>
<td>5</td>
<td>1.9</td>
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<td>6</td>
<td>2.7</td>
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<tr>
<td>7</td>
<td>3.2</td>
</tr>
<tr>
<td>8</td>
<td>3.9</td>
</tr>
</tbody>
</table>

Note.—The maximum luminous intensity of navigation lights should be limited to avoid undue glare. This shall not be achieved by a variable control of the luminous intensity.

9. **Horizontal sectors.** (a)(i) In the forward direction, sidelights as fitted on the vessel shall show the minimum required intensities. The intensities shall decrease to reach practical cut-off at 1 degree and 3 degrees outside the prescribed sectors.

(ii) For sternlights and masthead lights and at 22.5 degrees abaft the beam for sidelights, the minimum required intensities shall be maintained over the arc of the horizon up to 5 degrees within the limits of the sectors prescribed in Rule 21. From 5 degrees within the prescribed sectors the intensity may decrease by 50 percent up to the prescribed limits; it shall decrease steadily to reach practical cut-off at not more than 5 degrees outside the prescribed sectors.

(b) All-round lights shall be so located as not to be obscured by masts, topmasts or structures within angular sectors of more than 6 degrees, except anchor lights prescribed in Rule 30, which need not be placed at an impracticable height above the hull.

10. **Vertical sectors.** (a) The vertical sectors of electric lights as fitted, with the exception of lights on sailing vessels, shall be as close as possible to those specified in (ii) above having a common base.

(i) At least the required minimum intensity is maintained at all angles from 5 degrees above to 5 degrees below the horizontal.

(ii) At least 50 percent of the required minimum intensity is maintained from 25 degrees above to 25 degrees below the horizontal.

(c) In the case of lights other than electric these specifications shall be met as closely as possible.

11. **Intensity of non-electric lights.** Non-electric lights shall so appear as practicable with the minimum intensities, as specified in the Table given in Section 8 of this Annex.

12. **Manoeuvring light.** Notwithstanding the provisions of paragraph 24(f) of this Annex the manoeuvring light described in Rule 34(b) shall be placed in the same fore and aft vertical plane as the masthead light or lights and, where practicable, at a height of 1.5 metre vertically above the forward masthead light, provided that it shall be carried not less than 2 metres vertically above or below the after masthead light. On a vessel where only one masthead light is carried the manoeuvring light, if fitted, shall be carried where it can best be seen, not less than 2 metres vertically apart from the masthead light.

13. **Approval.** The construction of lights and shapes and the installation of lights on board the vessel shall be to the satisfaction of the appropriate authority of the State whose flag the vessel is entitled to fly.

**ANNEX II**

**ADDITIONAL SIGNALS FOR FISHING VESSELS FISHING IN CLOSE PROXIMITY**

1. **General.** The lights mentioned herein shall, if exhibited in pursuance of Rule 26(d), be placed where they can best be seen. They shall be at least 0.9 metre apart but at a lower level than lights prescribed in Rule 26 (b)(i) and (c)(i). The lights shall be visible all round the horizon at a distance of at least 1 mile but at a lesser distance than the lights prescribed by these Rules for fishing vessels.

2. **Signals for Trawlers.** (a) Vessels when engaged in trawling, whether using demersal or pelagic gear, may exhibit:

(i) When shooting their nets: two white lights in a vertical line;

(ii) When hauling their nets: one white light over one red light in a vertical line;

(iii) When the net has come fast upon an obstruction: two red lights in a vertical line.

(b) Each vessel engaged in pair trawling may exhibit:

(i) By night, a searchlight directed forward and in the direction of the other vessel of the pair;

(ii) When shooting or hauling their nets or when their nets have come fast upon an obstruction, the lights prescribed in (a) above shall be placed apart by a distance of at least 2.5 metre.

3. **Signals for purse seiners.** Vessels engaged in fishing with purse seine gear may exhibit two yellow
lights in a vertical line. These lights shall flash alternately every second and with equal light and occultation duration. These lights may be exhibited only when the vessel is hampered by its fishing gear.

ANNEX III
TECHNICAL DETAILS OF SOUND SIGNAL APPLIANCES

1. Whistles.
(a) Frequencies and range of audibility. The fundamental frequency of the signal shall lie within the range 70-700 Hz.

The range of audibility of the signal from a whistle shall be determined by those frequencies, which may include or be nominally equal or one or more lower frequencies, which lie within the range 180-700 Hz (±1 percent) and which provide the sound pressure levels specified in paragraph 1(c) below.

(b) Limits of fundamental frequencies. To ensure a wide variety of whistle characteristics, the fundamental frequency of a whistle shall lie between the following limits:
(i) 70-200 Hz, for a vessel 200 metres or more in length;
(ii) 130-350 Hz, for a vessel 75 metres but less than 200 metres in length;
(iii) 250-700 Hz, for a vessel less than 75 metres in length.

(c) Sound intensity range and range of audibility. A whistle fitted in a signal shall provide, in the direction of maximum intensity of the whistle and at a distance of 1 metre from it, a sound pressure level in at least one of the bands within the range of frequencies 180-700 Hz (±1 percent) of not less than the appropriate figure given in the table below.

<table>
<thead>
<tr>
<th>Length of vessel in meters</th>
<th>1/3-octave band level at 1 metre in dB referred to 2×10⁻⁹ N/m²</th>
<th>Audibility range in nautical miles</th>
</tr>
</thead>
<tbody>
<tr>
<td>200 or more..................</td>
<td>135</td>
<td>2.0</td>
</tr>
<tr>
<td>75 but less than 250........</td>
<td>130</td>
<td>1.5</td>
</tr>
<tr>
<td>20 but less than 75..........</td>
<td>130</td>
<td>1.0</td>
</tr>
<tr>
<td>Less than 20..................</td>
<td>120</td>
<td>0.5</td>
</tr>
</tbody>
</table>

The range of audibility in the table above is for information and is approximately that within which a whistle may be heard on its forward axis with 90 percent probability in conditions of still air on board a vessel having average background noise level at the listening post. These values may be much reduced.

(d) Directional properties. The sound pressure level of a directional whistle shall be not more than 4 dB below the prescribed sound pressure level on the axis at any direction in the horizontal plane within ±45 degrees of the axis. The sound pressure level at any other direction in the horizontal plane shall not be more than 10 dB below the prescribed sound pressure level on the axis, so that the range in any direction will be at least half the range on the forward axis. The sound pressure level shall be measured in that 1/3-octave band which determines the audibility range.

(e) Positioning of whistles. When a directional whistle is to be used as the only whistle on a vessel, it shall be installed with its maximum intensity directed straight ahead.

A whistle shall be placed as high as practicable on a vessel, in order to reduce interception of the emitted sound by obstructions and also to minimize hearing damage risk to personnel. The sound pressure level of the vessel's own signal at listening posts shall not exceed 110 dB (A) and so far as practicable should not exceed 100 dB (A).

(f) Fitting of more than one whistle. If whistles are fitted at a distance apart of more than 100 metres, it shall be so arranged that they are not sounded simultaneously.

(g) Combined whistle systems. If the presence of obstructions the sound field of a single whistle or of one of the whistles referred to in paragraph 1(f) above is likely to have a zone of greatly reduced signal level, it is recommended that a combined whistle system be fitted so as to overcome this reduction. For the purposes of the Rules a combined whistle system is to be regarded as a single whistle. The whistles of a combined system shall be located at a distance apart of more than 100 metres and arranged to be sounded simultaneously. The frequency of any one whistle shall differ from those of the others by at least 10 Hz.

2. Bell or gong. (a) Intensity of signal. A bell or gong, or other device having similar sound characteristics shall produce a sound pressure level of not less than 110 dB at a distance of 1 metre from it.

(b) Construction. Bells and gongs shall be made of corrosion-resistant material and designed to give a clear note. The diameter of the mouth of the bell shall be not less than 300mm for vessels of 20 metres or more in length, and shall be not less than 200mm for vessels of 12 metres or more but of less than 20 metres in length. Where practicable, a power-driven bell striker is recommended to ensure constant force but manual operation shall be possible. The mass of the striker shall be not less than 3 percent of the mass of the bell.

3. Approval. The construction of sound signal appliances, their performance and their installation on board the vessel shall be to the satisfaction of the appropriate authority of the State whose flag the vessel is entitled to fly.

ANNEX IV
DISTRESS SIGNALS

1. The following signals, used or exhibited either together or separately, indicate distress and need of assistance:
(a) A gun or other explosive signal fired at intervals of about a minute;
(b) A continuous sounding with any fog-signalling apparatus;
(c) Rockets or shells, throwing red stars fired one at a time at short intervals;
(d) A signal made by radiotelegraphy or by any other signalling method consisting of the group ····-. - - - (SOS) in the Morse Code;
(e) A signal sent by radiotelephony consisting of the spoken word "Mayday";
(f) The International Code Signal of distress indicated by N.C.;
(g) A signal consisting of a square flag having above or below it a ball or anything resembling a ball;
(h) Flames on the vessel (as from a burning tar barrel, oil barrel, etc.);
(i) A rocket parachute flare or a hand flare showing a red light;
(j) A smoke signal giving off orange-coloured smoke;
(k) Slowly and repeatedly raising and lowering arms outstretched to each side;
(l) The radiotelegraph alarm signal;
(m) The radiotelephone alarm signal;
(n) Signals transmitted by emergency position-indicating radio beacons.

2. The use or exhibition of any of the foregoing signals except for the purpose of indicating distress and need of assistance and the use of other signals which may be confused with any of the above signals is prohibited.

3. Attention is drawn to the relevant sections of the International Code of Signals, the Merchant Ship Search and Rescue Manual and the following signals:
§ 1602

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

(a) A piece of orange-coloured canvas with either a black square and circle or other appropriate symbol (for identification from the air);
(b) A dye marker.

EX. ORD. No. 11964. IMPLEMENTATION OF CONVENTION ON THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

EX. ORD. No. 11964, Jan. 19, 1977, 42 F.R. 4327, provided:

By virtue of the authority vested in me by the Constitution and statutes of the United States of America, including Section 301 of Title 3 of the United States Code, and as President of the United States of America and Commander-In-Chief of the Armed Forces, in order to provide for the coming into force on July 15, 1977, of the Convention on the International Regulations for Preventing Collisions at Sea, 1972 (Senate Executive W. 93d Cong., 1st Sess.), it is hereby ordered as follows:

SECTION 1. (a) With respect to vessels of special construction or purpose, the Secretary of the Navy, for vessels of the Navy, and the Secretary of the Department in which the Coast Guard is operating, for all other vessels, shall determine and certify, in accordance with Rule I of the International Regulations for Preventing Collisions at Sea, 1972, hereinafter referred to as the International Regulations, as to which such vessels cannot comply fully with the provisions of any of the International Regulations with respect to number, positions, range or arc of visibility of lights or shapes, as well as to the disposition and characteristics of sound-signalling appliances, without interfering with the special function of the vessel.
(b) With respect to vessels for which a certification is issued, the Secretary issuing the certification shall certify as to such other provisions which are the closest possible compliance by that vessel with the International Regulations.
(c) Notice of any certification issued shall be published in the FEDERAL REGISTER.

SEC. 2. The Secretary of the Navy is authorized to promulgate special rules with respect to additional station or signal lights or whistle signals for ships of war or vessels proceeding under convoy, and the Secretary of the Department in which the Coast Guard is operating, for all other vessels, are authorized to exempt, in accordance with Rule 38 of the International Regulations, any vessel or class of vessels, the keel of which is laid, or which is at a corresponding stage of construction, before July 15, 1977, from full compliance with the International Regulations, provided that such vessel or class of vessels complies with the requirements of the International Regulations for Preventing Collisions at Sea, 1960. Notice of any exemption granted shall be published in the FEDERAL REGISTER.

SEC. 4. The Secretary of the Department in which the Coast Guard is operating is authorized, to the extent permitted by law, to promulgate such rules and regulations as are necessary to implement the provisions of the Convention and International Regulations. He shall cause to be published in the FEDERAL Register any implementing regulations or interpretive rulings promulgated pursuant to this Order, and shall promptly publish in the FEDERAL Register the full text of the International Regulations.

GERALD R. FORD.

PROCLAMATION OF JANUARY 19, 1977, RELATING TO THE CONVENTION ON THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

The proclamation set out below, together with the text of the International Regulations for Preventing Collisions at Sea, 1972, was published in the Federal Register on March 31, 1977, 42 F.R. 17112. The text of the International Regulations for Preventing Collisions at Sea, 1972, are set out above.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Considering that: The Convention on the International Regulations for Preventing Collisions at Sea, 1972, done at London, October 20, 1972, as rectified by the Processes-Verbal of December 1, 1973, a certified copy of which Convention, in the English and French languages, is hereto annexed;
The Senate of the United States of America by its resolution of October 28, 1975, two-thirds of the Senators present concurring therein, gave its advice and consent to the Convention as rectified by the Processes-Verbal;
The Convention as rectified was duly accepted by the President of the United States of America on December 12, 1975, in pursuance of the advice and consent of the Senate;
The United States of America deposited its instrument of acceptance on November 23, 1976, in accordance with the provisions of Article IV of the Convention;
The Convention as rectified will enter into force for the United States of America on July 15, 1977;
Now, therefore, I, Gerald R. Ford, President of the United States of America, proclaim and make public the Convention as rectified, to the end that it shall be observed and fulfilled with good faith on and after July 15, 1977, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.
In testimony whereof, I have signed this proclamation and caused the Seal of the United States of America to be affixed.
Done at the City of Washington this nineteenth day of January in the year of our Lord one thousand nine hundred seventy-seven of the United States of America the two hundred first.
By the President:

GERALD R. FORD.

PROCLAMATION OF JUNE 16, 1983, RELATING TO AMENDMENTS TO THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

The proclamation set out below, together with the text of the amendments to the International Regulations for Preventing Collisions at Sea, 1972, was published in the Federal Register on June 23, 1983, 48 F.R. 28634. The amendments have been executed to the International Regulations for Preventing Collisions at Sea, 1972, set out above.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

The Convention on the International Regulations for Preventing Collisions at Sea, 1972, 28 U.S.T. 3459 (the "Convention"), was signed at London on October 20, 1972, was proclaimed by the President of the United States on January 19, 1977, and entered into force for the United States on July 15, 1977.
The International Maritime Organization, in accordance with Article VI of the Convention, by its resolution A. 484 (XII), at London on November 19, 1981,
adopted amendments to the Convention. The amendments, which entered into force for the Contracting Parties on June 1, 1983, relax lighting requirements for smaller vessels and clarify the language of the existing regulations. A copy of the amendments, as corrected by a process-verbal of rectification, is annexed to this Proclamation and made a part hereof.

On January 27, 1983, these amendments were transmitted to the Congress of the United States, consistent with section 3(d) of the International Navigational Rules Act of 1977 (91 Stat. 308; 33 U.S.C. 1602).

Executive Order No. 12234, Ronald Reagan, President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States, consisting regulations necessary to implement the provisions of the Convention shall be effective on and after June 1, 1983, for the United States of America, the citizens of the United States of America, and all other persons subject to the jurisdiction of the United States of America.

In Witness Whereof, I have hereunto set my hand this 16th day of June, in the year of our Lord nineteen hundred and eighty-three, and of the Independence of the United States of America the two hundred and seventh.

RONALD REAGAN.

RESOLUTION A.464 (XII) ADOPTED ON 19 NOVEMBER 1981

AMENDMENTS TO THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

The Assembly,

Recalling Article VI of the Convention on the International Regulations for Preventing Collisions at Sea, 1972, on amendments to the Regulations,

Recalling Also resolution A.431(XI) entitled "Recommendation concerning vessels restricted in their ability to maneuver when engaged in an operation for the maintenance of safety of navigation in a traffic separation scheme "including the decision to consider at its twelfth session the adoption of a corresponding amendment to Rule 10 of the International Regulations for Preventing Collisions at Sea, 1972.

Having Considered the above and other amendments to the International Regulations for Preventing Collisions at Sea, 1972, adopted by the Maritime Safety Committee at its forty-fourth session and communicated to all Contracting Parties in accordance with paragraph 2 of Article VI of that Convention and also the recommendations of the Maritime Safety Committee concerning entry into force of these amendments,

I Adopts, in accordance with paragraph 3 of Article VI of the Convention, the amendments set out in the Annex to the present resolution:

2 Decides, in accordance with paragraph 4 of Article VI of the Convention, that each amendment shall enter into force on 1 June 1983 unless by 1 June 1982 more than one third of the Contracting Parties have notified their objection to the amendments.

3 Requests the Secretary-General, in conformity with paragraph 3 of Article VI, to communicate this resolution to all Contracting Parties to the Convention for acceptance, together with copies to all Members of the Organization.

4 Invites Contracting Parties to submit any objections to the amendments not later than 1 June 1982 whereafter the amendments will be deemed to enter into force as determined in this resolution.

EX. ORD. No. 12234. ENFORCEMENT OF CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

Ex. Ord. No. 12234, Sept. 3, 1980, 45 F.R. 58801, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to implement the International Convention for the Safety of Life at Sea, 1974, it is hereby ordered as follows:


1-102. The President of the United States, the President of the Department in which the Coast Guard is operating, the Secretary of Commerce, and the Federal Communications Commission shall (a) perform those functions prescribed in the Convention that are within their respective areas of responsibility, and (b) cooperate and assist each other in carrying out those functions.

1-103. (a) The President of the Department in which the Coast Guard is operating, or the head of any other Executive agency authorized by law, shall be responsible for the issuance of certificates as required by the Convention.

(b) If a certificate is to include matter that pertains to functions vested by law in another Executive agency, the issuing agency shall first ascertain from the other Executive agency the decision regarding that matter. The decision of that agency shall be final and binding on the issuing agency.

1-104. The Secretary of the Department in which the Coast Guard is operating may use the services of the American Bureau of Shipping as long as that Bureau is operated in compliance with Section 25 of the Act of June 5, 1920, as amended (46 U.S.C. 881) (now 46 U.S.C. 3305, 3316, 12110), to perform the functions under the Convention. The Secretary may also use the services of the National Cargo Bureau to perform functions under Chapter VI (Carriage of Grain) of the Convention.

1-105. The Secretary of the Department in which the Coast Guard is operating shall promulgate regulations necessary to implement the provisions of the Convention.


JIMMY CARTER.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1603 of this title.

§ 1603. Vessels subject to International Regulations

Except as provided in section 1604 of this title and subject to the provisions of section 1605 of this title, the International Regulations, as proclaimed under section 1602 of this title, shall be applicable to, and shall be complied with by—

(1) all vessels, public and private, subject to the jurisdiction of the United States, while upon the high seas or in waters connected therewith navigable by seagoing vessels, and

(2) all other vessels when on waters subject to the jurisdiction of the United States.


§ 1604. Vessels not subject to International Regulations

(a) The International Regulations do not apply to vessels while in the waters of the United States shoreward of the navigational demarcation lines dividing the high seas from
§ 1605

Navy and Coast Guard vessels of special construction or purpose

(a) Certification for alternative compliance

Any requirement of the International Regulations with respect to the number, position, range, or arc of visibility of lights, with respect to shapes, or with respect to the disposition and characteristics of sound-signaling appliances, shall not be applicable to a vessel of special construction or purpose, whenever the Secretary of the Navy, for any vessel of the Navy, or the Secretary of the department in which the Coast Guard is operating, for any other vessel of the United States, shall certify that the vessel cannot comply fully with that requirement without interfering with the special function of the vessel.

(b) Closest possible compliance by vessels covered by certification for alternative compliance

Whenever a certification is issued under the authority of subsection (a) of this section, the vessel involved shall comply with the requirement as to which the certification is made to the extent that the Secretary issuing the certification shall certify as the closest possible compliance by that vessel.

(c) Publication of certifications in Federal Register

Notice of the certifications issued pursuant to subsections (a) and (b) of this section shall be published in the Federal Register.

(d) Issuance of certification for a class of vessels

A certification authorized by this section may be issued for a class of vessels.


AMENDMENTS


SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1603 of this title.

§ 1606. Special rules for ships of war, vessels proceeding under convoy, and fishing vessels engaged in fishing as a fleet

(a) The Secretary of the Navy is authorized to promulgate special rules with respect to additional station or signal lights or whistle signals for ships of war or vessels proceeding under convoy, and the Secretary of the department in which the Coast Guard is operating is authorized to promulgate special rules with respect to additional station or signal lights for fishing vessels engaged in fishing as a fleet.

(b) The additional station or signal lights or whistle signals contained in the special rules authorized under subsection (a) of this section shall be, as far as possible, such that they cannot be mistaken for any light or signal authorized by the International Regulations. Notice of such special rules shall be published in the Federal Register and, after the effective date specified in such notice, they shall have effect as if they were a part of the International Regulations.


§ 1607. Implementation by rules and regulations; authority to promulgate

The Secretary of the department in which the Coast Guard is operating is authorized to promulgate such reasonable rules and regulations as are necessary to implement the provisions of this chapter and the International Regulations proclaimed hereunder.


SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1608 of this title.

§ 1608. Civil penalties

(a) Liability of vessel operator for violations

Whoever operates a vessel, subject to the provisions of this chapter, in violation of this chapter or of any regulation promulgated pursuant to section 1607 of this title, shall be liable to a civil penalty of not more than $5,000 for each such violation.

(b) Liability of vessel for violations; seizure of vessel

Every vessel subject to the provisions of this chapter, other than a public vessel being used for noncommercial purposes, which is operated in violation of this chapter or of any regulation promulgated pursuant to section 1607 of this
title, shall be liable to a civil penalty of not more than $5,000 for each such violation, for which penalty the vessel may be seized and proceeded against in the district court of the United States of any district within which such vessel may be found.

(c) Assessment of penalties; notice; opportunity for hearing; remission, mitigation, and compromise of penalty; action for collection

The Secretary of the department in which the Coast Guard is operating may assess any civil penalty authorized by this section. No such penalty may be assessed until the person charged, or the owner of the vessel charged, as appropriate, shall have been given notice of the violation involved and an opportunity for a hearing. For good cause shown, the Secretary may remit, mitigate, or compromise any penalty assessed. Upon the failure of the person charged, or the owner of the vessel charged, to pay an assessed penalty, as it may have been mitigated or compromised, the Secretary may request the Attorney General to commence an action in the appropriate district court of the United States for collection of the penalty as assessed, without regard to the amount involved, together with such other relief as may be appropriate.


AMENDMENTS
1980—Subsec. (a). Pub. L. 96-591, § 6(3), substituted "$5,000" for "$500".
Subsec. (b). Pub. L. 96-591, § 6(4), substituted "not more than $5,000" for "$500".

CHAPTER 31—OCEAN POLLUTION RESEARCH AND DEVELOPMENT AND MONITORING PLANNING

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§ 1701. Findings and purposes

(a) The Congress finds and declares the following:

(1) Man's activities in the marine environment can have a profound short-term and long-term impact on such environment and greatly affect ocean and coastal resources therein.

(2) There is a need to establish a comprehensive Federal plan for ocean pollution research and development and monitoring, with particular attention being given to the inputs, fates, and effects of pollutants in the marine environment.

(3) Man will increasingly be forced to rely on ocean and coastal resources as other resources are depleted. Our ability to protect, preserve, develop, and utilize these ocean and coastal resources is directly related to our understanding of the effects which ocean pollution has upon such resources.

(4) Numerous departments, agencies, and instrumentalities of the Federal Government sponsor, support, and fund activities relating to ocean pollution research and development and monitoring. However, such activities are often uncoordinated and can result in unnecessary duplication.

(5) Better planning and more effective use of available funds, personnel, vessels, facilities, and equipment is the key to effective Federal action regarding ocean pollution research and development and monitoring.

(6) Numerous Federal agencies have initiated and supported research projects to study, enhance, manage, preserve, protect, or restore the resources of the Great Lakes, the Chesapeake Bay, Puget Sound, and other estuaries of national significance.

(7) Various research projects relating to the Great Lakes, the Chesapeake Bay, Puget Sound, and other estuaries of national significance, including those conducted at the college and university level and those conducted at the State and local governmental level, can be more effectively coordinated in order to obtain maximum benefits.

(b) It is therefore the purpose of the Congress in this chapter—

(1) to establish a comprehensive 5-year plan for Federal ocean pollution research and development and monitoring programs in order to provide planning for, coordination of, and dissemination of information with respect to such programs within the Federal Government;

(2) to develop the necessary base of information to support, and to provide for, the rational, efficient, and equitable utilization, conservation, and development of ocean and coastal resources;

(3) to provide for the effective coordination of research conducted to support the preservation and protection of the environmental