



From the Captain of the Port

Prevention of Collision At Sea

First of a series highlighting how to play by "The Rules"

Every boater has (hopefully) heard of the rule of "red, right, return" meaning to keep the red buoys on your right when returning from sea. What many don't realize is that this old chestnut is one of many that represent the embedded knowledge gleaned from centuries of seafaring known formerly as the "International Regulations for the Prevention of Collision at Sea" and the largely parallel United States Inland Rules. Sometimes referred to by the old salts as the "COLREGS" or simply "The Rules", it has been estimated that less than 10% of today's boaters are familiar with them. Currently, the IMO (International Maritime Organization) estimates that 80% of all collisions at sea are due to "pilot error." So, this column starts a series of articles on The Rules that have one simple goal: Safety of Life at Sea.

Overview

Back in the day, vessels were designated as "privileged" and "burdened." The privileged boat, having the Right of Way, would hold her course and speed and the burdened boat would take "early and substantial" action to avoid the collision. However, the Coast Guard noticed a trend in court cases involving collisions: both skippers involved always claimed that they were the "privileged vessel." To many, the idea of being the "privileged" vessel implied that you have no affirmative obligation to avoid a collision at sea if you are "in the right."

So, The Rules were changed to remove this unintended subtlety. Nearly every reference to the term "right of way" was removed from The Rules and the terms "privileged" and "burdened" were changed to "stand-on" and "give-way." The courses of action were retained – the stand-on vessel would hold her course and speed and the give-way vessel would take early and substantial action to avoid a collision – plus one caveat. Under Rule 17(b), if the closing conditions between the two* vessels has deteriorated to the point that action by the give-way vessel alone can no longer avoid a collision at sea, the stand-on vessel is "required" to take the best action it can to avoid a collision. Rule 2 also clearly states that a skipper "may make a departure from these Rules necessary to avoid immediate danger."

Keep in mind that unlike in the US court system where everyone is innocent until proven guilty, all parties in front of an Admiralty Board or a Court of Inquiry are considered guilty – the Board just determines how guilty. The Board apportions blame in cases, and never finds the portions to be 100 for one party and 0 for the other. Even if a guy plows directly into you, Rule 17(b) states that you are partially responsible for that collision since you did not take action to avoid it yourself.

Vessels meeting on the water are grouped into one of three situations – head-on, crossing, and overtaking. The Rules govern how the skippers are to interact with each other through helm

control and sound (or radio) signals.

In that this column is the first in a series, here are some quick "rules of thumb" with more in-depth information to come in the months ahead.

Rule 13 - Overtaking

Bottom line, if you are overtaking another vessel, you are the give-way vessel. Also, you cannot turn it into a stand-on crossing situation (see Rule 15, below) by speeding ahead and cutting across the overtaken vessel's starboard bow.

Rule 14 - Head On

If you see a boat steaming towards you in a head-on situation, both captains are required to turn to starboard (showing their red port-side light) and return to their respective compass headings once an appropriate passing lane has been established between them unless the vessels jointly agree on a different course of action. Under the Rules, they are both give-way vessels.

Rule 15 - Crossing

If another boat is crossing your bow from your right-hand (starboard) side, she has the "right of way." Turn to starboard and go behind her (called "going under her stern"). If you can't, stop your boat until she passes.

*Here lies the body of Michael O'Day
Who died maintaining his Right of Way.
He was right, dead right, as he sailed along,
But he's just as dead as if he'd been wrong.*

Guest writing with me this month is Vincent Pica, District Captain, Sector Long Island Sound/South, USCG Auxiliary.

* All the Rules apply to only those conditions where only two boats are involved. When more than two boats are involved in a potential collision, "common sense must prevail."

** The term "rule of thumb" came from days when a sailing captain would never draw closer to shore than the width of his thumb on the chart... ♦

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