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ABSTRACT

The training manual serves as the text for the Coast Guard's boating safety 32-hour course and for the D-8 Qualification Code Recertification Course. The manual is designed for self-study or for use with an instructor-led course. Each chapter concludes with a quiz to be used as a review of chapter content. Opening chapters review the use of the manual, jurisdiction, and motorboat laws and the Federal Boat Act of 1971. Succeeding chapters treat the following specific topics: the boarding manual; numbering, registration, documentation, and licensing; legal requirements; rules of the road; negligent and grossly negligent operation; correction of an especially hazardous condition; motorboat examination techniques; preparation of CG-4100 and warnings; arrest; State boating safety programs; U. S. Coast Guard Auxiliary; boating accidents; marine events and regattas; water pollution; first aid; instructor training; and leadership. A glossary concludes the volume. (NH)

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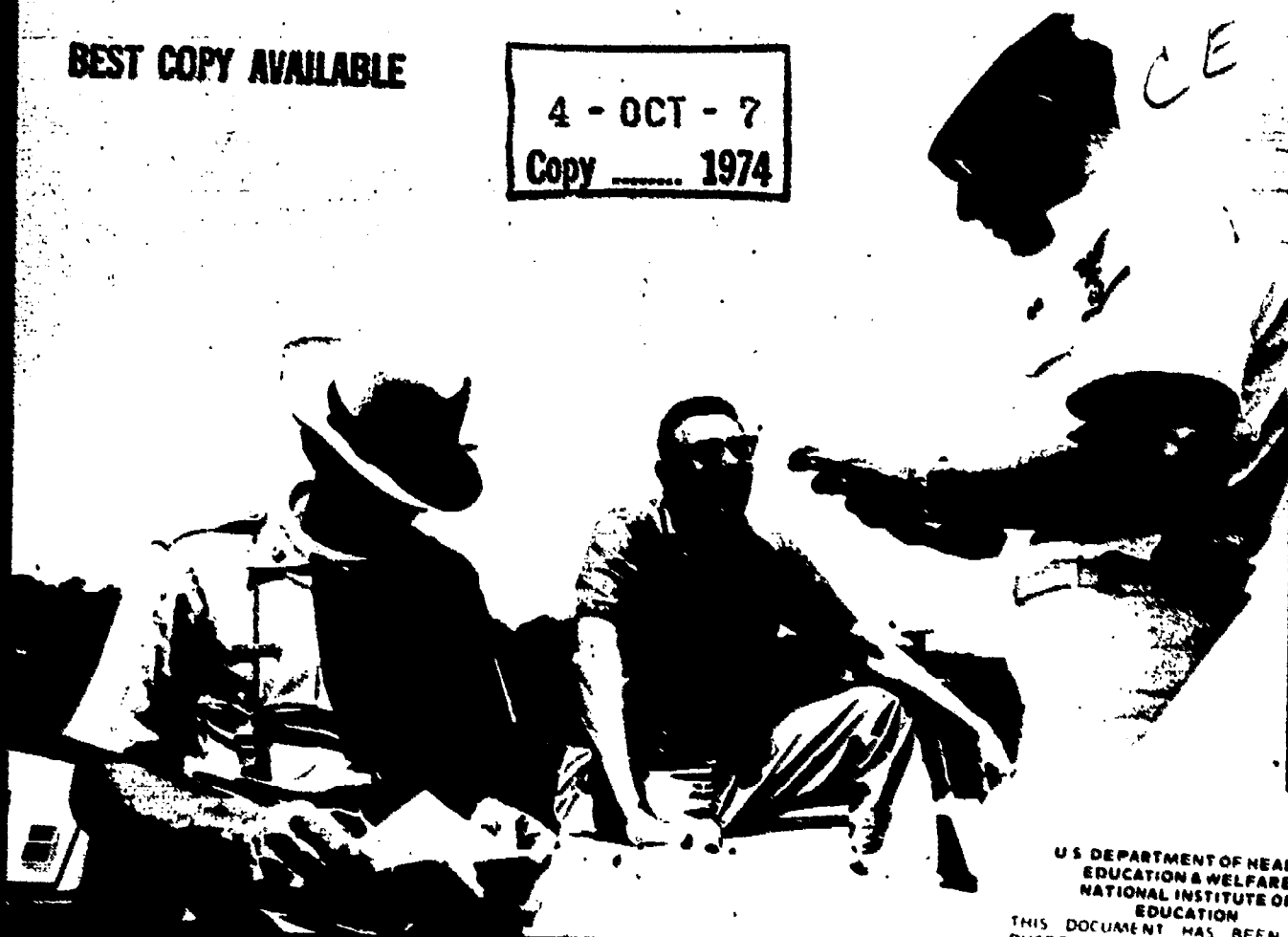


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# BOATING SAFETY TRAINING MANUAL

JULY 1974

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UNITED STATES COAST GUARD

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BOATING SAFETY TRAINING MANUAL  
CG-464

FOREWORD

JULY 1974

During the past two years both the public and U. S. Coast Guard units have asked numerous questions on general law enforcement policy regarding recreational boating. Enforcement questions range from improper contrast of registration numbers to unsafe practices, such as bow riding.

Enforcement of Federal boating safety laws and regulations by the Coast Guard is a necessary part of our responsibility. An equally important function of the boating law enforcement officer is educating those persons who must follow the regulations. Ignorance of the law is no excuse, however, the Coast Guard has a moral, as well as a legal, responsibility to educate boatmen as to their obligations under the law. For many of these people, the primary source of information concerning recreational boating laws is the U. S. Coast Guard boarding officer.

The enforcement philosophy of the Coast Guard, as it pertains to recreational boating, is to educate rather than penalize. To borrow from Alexander Hamilton's first letter on regulations to the Revenue Marine: "While I recommend in the strongest terms to the respective officers, activity, vigilance, and firmness, I feel no less solicitude that their deportment may be marked with prudence, moderation and good temper." Mr. Hamilton went on to say, "they will always keep in mind that their countrymen are freemen, and as such, are impatient of everything that bears the least mark of domineering spirit."

Mr. Hamilton's comments are just as appropriate today as they were in 1790. Boat examinations must be conducted in a courteous and dignified manner even in the face of open resentment. Firmness must be applied when necessary, but should always be applied in a respectful manner. Consider yourself an educator first, a patrolman second. If the need arises, use your big stick, but walk softly first. You will be better received and, most assuredly, your duty will be more pleasant.

Safe boating is best enforced through education.

*John F. Thompson*  
JOHN F. THOMPSON  
Rear Admiral, U. S. Coast Guard  
Chief, Office of Boating Safety

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## CHAPTER 1

### USE YOUR MANUAL

The Boating Safety Training Manual is your manual. It is the text for the Boating Safety 32-Hour Course and for the D-8 Qualification Code Recertification Course. The subjects in the manual cover the subjects taught in these courses.

You will use the manual both as an instructional aid and, later, as a reference to material presented. As the instructor presents a subject, find the subject in the manual and follow along with the instruction. (The instructor most likely will tell you when the subject is covered in the manual.) Be sure to pay particular attention to the tables and illustrations. A lot of time, an explanation that you cannot understand from the words, you will easily be able to understand from the illustration.

For various reasons, some districts choose not to cover some of the subjects that we cover in the manual. Even though the chapters concerning first aid, leadership, and instructor training are not presented in class, these chapters are very informative. Be sure to read them, whether your instructor covers them or not. Regardless of the class curriculum, when you finish the course, you will have received comprehensive instruction that will make you a well-qualified recreational motorboat boarding officer.

Whatever you do, don't skip the quizzes. These tests, inserted after each chapter, will tell you what you know and what you don't know. So, use the quizzes for review.

If you read the Manual, review it, refer to it, and use the quizzes, you will have used the Manual. Remember, a well-worn Manual is a good Manual.

## CHAPTER 2

### JURISDICTION

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## JURISDICTION

### 201: GENERAL DEFINITION

For purposes of this course, "Jurisdiction" means the right of the government to regulate conduct. As between agencies of the government (such as the Coast Guard, National Marine Fisheries Services, etc.) jurisdiction is the power of a particular agency to administer and enforce the law. Jurisdiction includes the authority to legislate, the power to require compliance with the laws, and in the absence of such compliance, to punish. Thus, Congress exercises it's jurisdiction by enacting laws. Law enforcement agencies such as the Coast Guard possess jurisdiction to implement and enforce the laws. The final role is that of the Federal Courts, which have jurisdiction to punish law-breakers detected by the enforcement agencies.

### 202: ELEMENTS OF JURISDICTION

In Coast Guard law enforcement, jurisdiction is divided into three elements: (1) jurisdiction as to offense, (2) jurisdiction as to place, (3) jurisdiction as to person or thing. Each of these elements must be present for a law enforcement official (Coast Guard officer, warrant officer, or petty officer) to act legally, and each of the elements must be specifically proven in Federal court to enable the U. S. Attorney to conduct a successful prosecution. What is meant by this is that a Coast Guardsman in carrying out his law enforcement duty must be reasonably certain that he is exercising his authority at a proper location (place), that he is exercising it upon a proper person (or thing - for example, in seizing a vessel) and that he is exercising this enforcement power on an act or omission upon which he is authorized to act. Generally the law which authorizes the law enforcement official to act will also give him all the information necessary to determine that the elements of jurisdiction are met. For example, a Federal statute dealing with assault reads, in part, as follows:

"Whoever, within the special maritime and territorial jurisdiction of the United States, is guilty of an assault shall be punished as follows..."

The statute by its terms is not limited to a particular class of persons such as crew members, boat operators, etc., but to anyone. The statute then tells us where---within the special maritime and territorial jurisdiction of the United States. (This term will be defined next in this Chapter). Finally, we have the offense--assault. The three elements are clearly set forth and the law enforcement official when called upon to

act, will know the extent of his authority, and where and upon whom it may be exercised.

QUESTION: Will all laws with which I'll be dealing be this clearly defined?

ANSWER : Not all. Many laws as written are understandable to the average person. But many are necessarily complex, and you will need advice from time to time to resolve problems as to their proper application. Frequently a law will be expanded upon in the Code of Federal Regulations.

### 203: DEFINITION OF TERM

One of the most complicated aspects of Federal law enforcement involves the question of geographical jurisdiction--that is, where does a particular law take effect. Of course we can generally determine the basic question for example, of where the three-mile or twelve-mile lines lie, or whether a particular place should be called land versus sea, but the matter unfortunately cannot end there. Unlike the State governments, which have almost unlimited power to legislate over the entire territory which they govern, the Federal government under the Constitution's distribution of power, has to act only within its sphere of authority. This will explain, for example, why many Federal laws are limited to the special territorial and maritime jurisdiction or to the navigable waters of the United States.

Each Federal law must be reviewed individually to determine what its geographical sweep is. Some laws apply anywhere. An illustration would be the statute that prohibits assaulting or forcibly obstructing a Coast Guard officer or enlisted man in the performance of his duties or on account of those duties. This law would be in effect anywhere a Coast Guardsman might be so assaulted or obstructed in respect to his official functions. For example, violations of this law could occur on the high seas, on navigable waters of the United States, or on shore in this country (so long as the assault was related to the performance of a duty). Indeed, the statute could even be violated in a foreign country (e.g., if a U. S. merchant mariner assaulted a Coast Guardsman attached to a Merchant Marine Detail because of some official action of the Coast Guardsman). In this last case, however, international law would prevent arrest on the spot by the Coast Guardsman, and the matter could either be brought to the attention of the local foreign authorities for prosecution, or referred to the U. S. Department of Justice for prosecution upon the assailant's return to the United States.

Other Federal laws apply only to the special territorial and maritime jurisdiction of the United States. An illustration of this is the basic Federal assault statute (in which the victim need not be a Federal official). This law, then, would be violated in every assault



on board a U. S. vessel on the high seas (beyond three-miles from shore) or on the Great Lakes. The law might also be violated in cases of assaults on Federal reservations, so long as the Federal government had exclusive jurisdiction (not concurrent with the state) over the particular piece of real estate involved.

Still other laws of the United States apply only to the navigable waters of the United States. For example, the Regatta Act is so limited. As a variation, the Refuse Act of 1899 applies to navigable waters of the United States and any tributary of those waters.

#### 204: LOW WATER MARK

The Low Water Mark referred to in various jurisdictional definitions is the line of the water on the coast, beach or banks at the lowest tide and serves as the basis from which the territorial sea is established.

#### 205: TERRITORIAL WATERS OR TERRITORIAL SEA

The territorial seas of the United States consist of all waters extending three miles from the lowest tide. Where bays and estuaries are involved, then under the principles of international law, the nation exercises dominion over the seas not only within the three mile limit from its shores, but also between headlands and three miles outside of a line drawn tangent to the headlands. When contiguous to the United States, all rocks, shoals, and mud lumps or flats which are exposed by mean low water are also considered territory of the United States together with the waters extending three miles from the mean low-water marks or line. (Figure 2-1) The three mile limit referred to above, although adhered to for the present by the United States, is not completely accepted by all nations of the world as the outer limit of the territorial waters of a nation. The claims of other nations as to the limit of territorial seas range from three to 200 miles. In recent years attempts have been made to fix a uniform limit on the extent of territorial waters by agreement between nations concerned. However, these attempts have met with no success, and each nation remains free to claim as much or as little jurisdiction over marginal seas as it deems necessary in its national interest.

QUESTION: Is there no limit to the distance from shore a country can claim as territorial waters?

ANSWER : At the present time, this is true. The U. S. has claimed a zone of three nautical miles as territorial sea. For some purposes, however, such as customs and fisheries law enforcement, we exercise jurisdiction further out to sea.

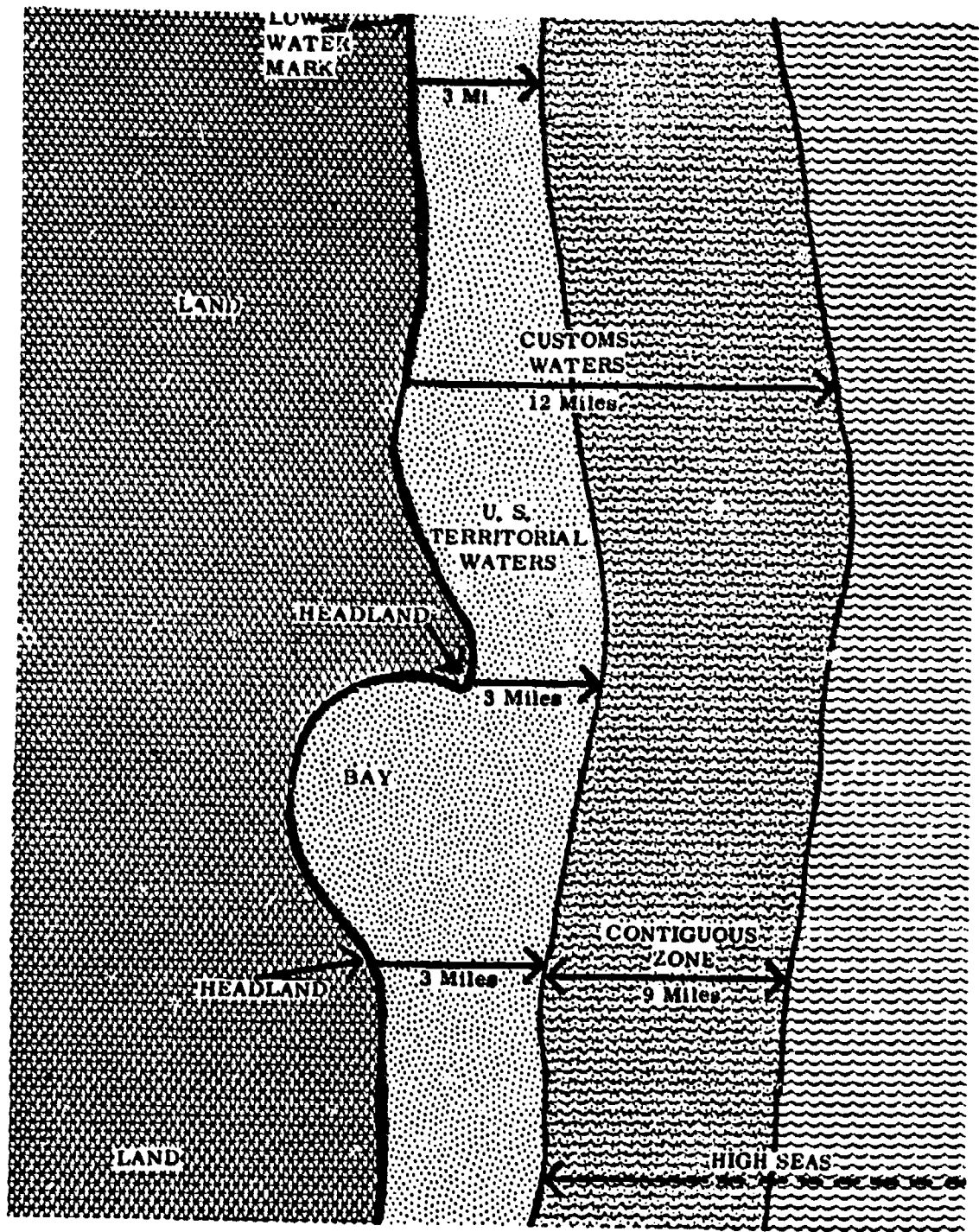


Figure 1. — Jurisdictional boundaries.

206: CUSTOM WATERS

Custom Waters is a term used in the enforcement of the Customs Laws. Every nation has the privilege of asserting limited jurisdiction outside her territorial waters, when such jurisdiction is needed for self-protection or other legitimate reasons. Since 1799 the United States has asserted rights to a band for water, 12 nautical miles wide from the low water mark, for the purpose of boarding vessels in the enforcement of specific Customs Laws.

## 207: NAVIGABLE WATERS OF THE UNITED STATES

Up to this point, we have considered the matter of jurisdiction as it is applied to our international coastal boundaries. There are, however, other classifications of waters to which United States jurisdiction applies which have been defined in the statutes and with which the Coast Guardsman must be aware. The term "Navigable Waters of the United States" includes bays, sounds, rivers, canals, and lakes which are connected with the ocean or the Great Lakes. In addition, bodies of water which, while not connecting with the open sea, may connect two or more states, or a state and a foreign country, are navigable waters of the United States. Many statutes setting up requirements which are enforced by the Coast Guard apply on the navigable waters of the United States.

## 208: STATE WATERS

State Waters are those waters which are confined entirely within a single state and do not form a continuous channel for commerce with which Congress or the Federal courts have specifically declared to be non-navigable waters of the United States.

QUESTION: Does this mean that if a body of water is contained solely within a state, but interstate or foreign commerce is conducted on this body of water, it can come under Federal jurisdiction as well?

ANSWER : Yes. If the body of water in question, is in fact considered state waters, meaning that there is no actual Federal link with the body of water, then the state will retain absolute jurisdiction, whether or not commerce is conducted on it. If the waterway is now or has historically been part of an avenue of commerce and transportation between states, though it is entirely within one state, it will be part of the navigable waters of the U. S. Similarly, if the body of waters could at reasonable cost be made navigable for transportation of commerce it may also be within Federal jurisdiction.

With regard to state waters the individual states of the Union have territorial rights. These rights are asserted for police purposes, public safety, for governing conduct of persons who may be present within the state, and generally for any purposes not reserved to the Federal Government by the Constitution. Keep in mind that some waters are regulated by both State and Federal law. An example of this is the Intra-coastal Waterway as it passes through a particular state. That portion of the waterway contained within a state is both a Federal waterway and a state waterway. Although there is thus an overlapping of jurisdiction between the states and the Federal government, there is not necessarily

any conflict in this dual or concurrent jurisdiction since in most cases, the regulation of each will be in its own sphere. Generally, the states have cognizance over criminal acts committed within their waters because the United States statute defining the special maritime and territorial jurisdiction of the United States excludes all waters except the high seas within the jurisdiction of a state. Since many criminal statutes of the United States have for their scope of application the special maritime and territorial jurisdiction of the United States, it follows that jurisdiction over these crimes rests with the states. The Federal government, of course, exercises complete jurisdiction in those instances where a constitutional power is involved such as the regulation of commerce, marine inspection laws and navigation laws. With the advent of the Federal Boat Safety Act of 1971, instances in which both the Federal and State governments may take jurisdiction are more numerous than they once were. As will be noted in Chapter 3, the Federal Boat Safety Act of 1971, in an effort to promote safety and uniformity of enforcement in motorboating, has encouraged the states to enter the field of regulation and numbering of motorboats. Concurrent jurisdiction between the Federal and State governments should present no problem to the law enforcement officer, since it is governed by simple principles: The State authority enforces State law, the Coast Guard enforces Federal law, and when Federal and State law both cover the same subject matter, either may enforce with the first on the scene retaining jurisdiction to the completion of the case.

QUESTION: Is it good policy to let the state have jurisdiction in these waters whenever possible?

ANSWER : Yes, since the Federal government's resources are limited. Additionally, the states do have certain powers in this area under the U. S. Constitution.

## 209: HIGH SEAS

The High Seas are all parts of the sea that are not included in the territorial sea or in the internal waters of a country. Since in the United States the territorial sea extends from the low-water mark on the shore (or a baseline enclosing certain bays) a distance of three nautical miles, the high seas begin at that three-mile limit. Over the territorial sea, the United States has complete jurisdiction, except for the right of innocent passage of foreign vessels, or vessels claiming "force majeure". The high seas belong to no single nation. They are international waters and the doctrine of "freedom of the seas" applies. Ships of all nations may travel the waters of the high seas, and with certain exceptions they are accountable only to the country whose flag they fly. In general, the master of a vessel is not expected to know the law of any country but that of his own vessel, and he is not usually required to observe any other law so long as he remains on the high seas. A portion of the high seas is claimed by some nations as a contiguous zone. In the case of the United States, this zone is nine-miles wide.

Under International law, foreign vessels on the high seas are subject to some United States laws in that belt of sea. Fisheries and customs laws are examples.

Except for these narrow belts close to the shore, or such other portions of the high seas as are covered by specific treaties (such as the Convention on the Northwest Atlantic Fisheries), the Coast Guard cannot enforce any domestic law of the United States against foreign vessels on the high seas. (Piracy and the slave trade, however, can be suppressed anywhere on the high seas by forces of any nation, by International understanding). However, if hot pursuit is properly commenced either in United States territorial waters or the contiguous zone (for a contiguous zone offense), the pursuit may be continued and arrest or seizure effected on the high seas but not in another nation's territorial sea.

It is important to remember that the concept of the high seas may arise in other respects. For example, the line dividing the Inland Rules of Navigation from the International Rules of Navigation is sometimes confused with the line at which the high seas commence under International law. The term high seas also comes into play in the Loadline Act, but again, it is not being used in the strict sense of defining the international law limits of United States jurisdiction over foreign shipping.

QUESTION: Are the customs waters or the contiguous fisheries zone included within the high seas?

ANSWER : Yes, however, within these portions of the high seas the United States is permitted to exercise a degree of control over foreign vessels.

#### 210: GREAT LAKES AND NORTHERN BOUNDARY WATERS

The Great Lakes are a mixture of State, Federal and Canadian jurisdictions and are considered "high seas" for purposes of freedom of navigation and criminal law enforcement. The boundary line between Canadian and United States waters, developed in accordance with treaties is found on the various nautical charts of the Great Lakes. Canada exercises complete sovereignty on her waters, with the result that no hot pursuit arrest, seizure, or search may be made in Canadian waters. Coast Guard vessels may take passage on Canadian waters under the general right of free navigation and, by treaty, Coast Guard vessels and planes may conduct search and rescue operations in Canadian waters.

#### 211: HOT PURSUIT

"Hot Pursuit" is an expression of the right of a law enforcement vessel or official to pursue from an area in which jurisdiction exists, to an area wherein it would not otherwise exist. The authority to pursue from territorial waters or other waters under Federal jurisdiction to shore or on land, is given to the Coast Guard officers, warrant officers, and petty officers by 14 USC 89. International practice

accords the right to pursue foreign vessels onto the high seas, up to the territorial limits of another nation if the pursuit began within the U. S. jurisdiction...and if contact is not lost during the chase. Radar contact is considered contact. Contact may be maintained by more than one vessel or plane but it must be continuous. It must be remembered that hot pursuit extends the jurisdiction only to the extent that it originally existed. Thus, if a vessel were in customs waters where she could only be examined and seized for customs purposes this would also be the extent of the jurisdiction when the vessel was caught. An American vessel is under the jurisdiction of the United States at all times, although it cannot be pursued into and taken in the territorial waters of another country without the specific consent of that country.

QUESTION: Can the U. S. pursue and apprehend a U. S. vessel proceeding into Canadian waters on the Great Lakes?

ANSWER : No, because the Canadian territorial waters begin as soon as you cross the Canadian boundary on the Great Lakes.

#### 212: INNOCENT PASSAGE AND FORCE MAJEURE

It will be noted from the previous discussion that there is an overlapping of territorial waters and high seas with regard to waters along the coast. Even though the coastal waters are high seas, ships of all nationalities are subject to the laws of the United States when they are in the territorial waters unless they are only passing through them or have been forced to seek shelter in distress. The first exception mentioned is frequently referred to as the right of "innocent passage", a recognized principle in international law. Under this principle, the laws of the territorial sovereign are not enforced upon the foreign vessel passing through her waters although the local sovereign may establish reasonable rules and regulations in the interests of safety which must be obeyed by the vessel exercising the right of innocent passage. If the foreign vessel takes any action inconsistent with the right of innocent passage such as hovering or fishing, she is no longer passing, but then is considered to be in the same status as a foreign vessel in port or harbor. Anchoring or other maneuvers, so long as they are not inconsistent with the manner in which navigation through the area is ordinarily accomplished is not inconsistent with the right of innocent passage, but anchoring or maneuvering so as to carry out actions or purposes having nothing to do with navigation through the area will destroy the right of innocent passage. The second exception mentioned is referred to as the doctrine of "force majeure". Under this doctrine, if a foreign vessel is forced into the territorial waters of a nation by storm, or by the actions of mutineers, or by damage, or by the necessity for provisioning because of circumstances beyond its control, it enjoys an absolute immunity from the local law.

QUESTION: Does "Force Majeure" mean the vessel is exempted from all laws of the country?

ANSWER : Yes. However, if a vessel claiming "force majeure" is the source of gross disorders in a harbor, local and Federal authorities may be asked to intervene to restore order.

The circumstances leading to the claim of immunity must have arisen while the vessel was engaged in a legitimate voyage and not one for the purpose of getting around the laws of the country into whose waters the vessel is driven.

213: GENERAL

We have just discussed the meaning of "jurisdiction as to place". We will now complete the section on jurisdiction by covering the other two aspects of the subject.

214: JURISDICTION AS TO PERSON

Most penal statutes enforced by the Coast Guard make some person or vessel liable if these statutes are violated. When a violation takes place, and it is determined that the law is one which the Coast Guard is empowered to enforce and that the violation has taken place at a location at which the jurisdiction of the United States applies, and finally, that the person or vessel committing the violation can be apprehended or seized, respectively, within that area of jurisdiction, then jurisdiction is complete, and the enforcement official may proceed to take the first step in the compliance process, be it arrest of a person or seizure of a vessel. In other words, the presence of the offending person or vessel within the territorial limits of application of the law being applied is sufficient to give you jurisdiction over the offender for the purpose of arrest or seizure. This situation will be the usual case which confronts the enforcement official, but, as with most usual situations, there are exceptions to the general rule as well as extensions.

215: JURISDICTION AS TO ACT

The last element of jurisdiction with which we are concerned is that of jurisdiction over the offense or act. This is probably the simplest of all since very little interpretation is necessary. Basically, as a federal law enforcement official, the Coast Guardsman will be concerned only with violations of Federal laws. Unless there is a Federal law or treaty or regulation which governs the conduct of the person on the vessel involved, then there is no authority for the Coast Guard to take action. This means that the enforcement officer must know that he has authority to deal with a situation by making certain that a Federal statute, treaty, or regulation is applicable before he takes the action. The subject matter of

the laws with which the Coast Guardsman may be concerned extends to many different fields, and among other things may be mentioned in the duties of the Coast Guard:

- (1) To prevent, detect, and suppress violations of the laws of the United States.
- (2) To protect the revenues of the United States.
- (3) To enforce the navigation laws of the United States.
- (4) To enforce the provisions of certain treaties.
- (5) To inspect and certificate merchant vessels of the United States.
- (6) To license personnel of the Merchant Marine.
- (7) To enforce the provisions of the Motorboat and Federal Boating Acts.

The statutes and regulations, of course, elaborate upon these duties and indicate the precise extent of the authority which may be exercised by the enforcement official, and the acts or situations to which they apply.

216: CHAPTER QUIZ\*

1. What are three elements of jurisdiction? (202)
2. What is the difference between territorial seas and territorial waters? (205)
3. Define State waters. (208)
4. When both Federal and State law cover the same subject matter, who may enforce the law? (208)
5. Tell if the following are examples of "hot pursuit", "innocent passage" or "force majeure". (211-212)
  - a. A vessel is hailed to stop in territorial waters and fails to stop. The Coast Guard, maintaining contact, pursues the vessel and stops the vessel on the high seas.
  - b. A hurricane forces a Russian vessel into our territorial waters.
  - c. A Japanese freighter leaves San Francisco for Japan on her return trip.
6. Can a Coast Guardsman enforce State laws? (215)

\*Many of the chapters in this text will contain chapter quizzes. The answers can be found in the indicated sections. For example, a question followed by (202) means that the answer is in section 202. Try to answer the question first and then reread that section to see if your answer is correct.



## CHAPTER 3

### MOTORBOAT LAWS AND THE BOATING SAFETY ACT OF 1971

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## MOTORBOAT LAWS AND THE BOATING SAFETY ACT OF 1971

In order to enforce the law, one must be familiar with it. This chapter won't make you a "legal beagle" but it can and will acquaint you with some of the material you will need to know to answer questions and carry out your responsibilities in boat law enforcement.

Before studying the Motorboat Act of 1940 and more recent legislation, it is important that you read these definitions.

### 301: DEFINITIONS OF TERMS

Commandant means the Commandant of the Coast Guard.

Vessel means every description of watercraft, other than a sea-plane on the water, used and capable of being used as a means of transportation on water.

Undocumented vessel means any vessel which is not required to have and does not have a valid marine document.

Documented vessel means one which is issued documents by the Coast Guard.

Gross Tonnage means the internal cubic capacity of all permanently enclosed spaces on a vessel expressed in tons of 100 cubic feet.

Net tonnage means the internal cubic capacity of all permanently enclosed spaces on a vessel expressed in tons of 100 cubic feet, less crew and operating space.

Registered Length of a vessel means the length measured on the top of the tonnage deck from the fore part of the outer planking or plating at the bow, to the after part of the sternpost of screw steamers and after part of the rudder of other vessels. A vessel's registered length appears on all documents and is NOT acceptable for Coast Guard use in determining the length of a vessel under the Motorboat Act.

The Length of a Motorboat means measured from end to end over the deck, excluding the sheer. This is the only method of measurement acceptable for determining the length of a motorboat.

Sheer of a Vessel means the longitudinal upward curve of a deck and the amount by which the deck at the bow is higher than the stern.

Motorboat means any vessel 65 feet in length or less, which is propelled by machinery, including steam, except tugs and towboats.

Motor Vessel means any vessel more than 65 feet in length, which is propelled by machinery other than steam.

Open Boat - As related to exemptions from ventilation, means those motorboats or motor vessels with all engine and fuel tank compartments, and other spaces to which explosive or flammable gases and vapors from these compartments may flow, open to the atmosphere and so arranged as to prevent the entrapment of such gases and vapors within the vessel.

Approved - this term means approved by the Commandant of the Coast Guard unless otherwise stated.

Personal Flotation Devices refer to Coast Guard approved life preservers, buoyant vests, ring buoys, special purpose water safety buoyant device, or buoyant cushions in good and serviceable condition.

State of Principal Use - a motorboat is considered in use when it is waterborne whether moored or underway. Therefore, in considering a boat moored at a pier in state X for five days of each week and then operated on the waters of state Y on weekends, state X would be the state of principal use.

Passenger means any person other than the master and the members of the crew or other persons employed or engaged in any capacity on board a vessel in the business of that vessel.

Passenger for Hire means a person carried on board a passenger-carrying vessel for consideration.

Navigable Waters of the United States are those waters which are in fact navigable and which by themselves or their connection with other waters, form a continuous channel for commerce with foreign countries or among the states. In general, this term can be applied to waters which have been navigable in the past, even though not navigable in fact at the present time.

Rules of the Road means the statutory and regulatory rules governing navigation of vessels. These rules are published by the Coast Guard in pamphlet form as follows:

- Rules of the Road - Great Lakes (CG-172)
- Rules of the Road - Western Rivers (CG-184)
- Rules of the Road - International and Inland (CG-169)

Boat means any vessel manufactured or used primarily for non-commercial use; or leased, rented, or chartered to another for the latter's noncommercial use; or engaged in the carrying of six or fewer passengers.

Use means to operate, navigate, or employ.

Owner means a person who claims lawful possession of a vessel by virtue of legal title or equitable interest therein which entitles him to such possession.

Manufacturer means any person engaged in the manufacture, construction, or assembly of boats or associated equipment; or the manufacture or construction of components for boats and associated equipment to be sold for subsequent assembly; or the importation into the United States for sale of boats associated equipment or components thereof.

Associated Equipment means any system, part or component of a boat as originally manufactured or any similar part or component manufactured or sold for replacement, repair or improvement of such system, part or component; any accessory or equipment for, or appurtenance to a boat; any marine safety article, accessory, or equipment intended for use by a person on board a boat excluding radio equipment.

State means a State of the United States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the District of Columbia.

Eligible State means one that has a State boating safety program which has been accepted by the Secretary.

Secretary means the Secretary of the Department in which the Coast Guard is operating

Negligent Operation means operation of a vessel so as to endanger the life, limb or property of any person.

### 302: MOTORBOAT ACT OF 1940, AS AMENDED

Since the Act itself is lengthy, we will summarize the Act in plain language instead of printing it word for word. The Motorboat Act of 1940, as amended, contains the statutes setting equipment and personnel requirements for motorboats and motorboats carrying passengers for hire. In order to provide equipment commensurate with the size of the craft, the Act divided motorboats into four classes according to length:

- Class A - Less than 16 feet in length
- Class 1 - 16 feet to less than 26 feet in length
- Class 2 - 26 feet to less than 40 feet in length
- Class 3 - 40 feet to not more than 65 feet in length.

In addition to the section that classified motorboats according to length, this Act established requirements for lights, whistles, bells, personal flotation devices (formerly referred to as LSD), fire extinguishers, flame arrestors, and compartment ventilation for these different classes. It also authorized the Commandant of the Coast Guard to establish precise regulations dealing with the manufacturing of personal flotation devices, flame arrestors and fire extinguishers. These three types of equipment must be Coast Guard approved and have an approval number on the total before they are acceptable to boarding officers.

QUESTION: Does this mean that only these three types of equipment will have Coast Guard Approved on the label?

ANSWER : Yes. The other equipment is required to be aboard, but not to be Coast Guard approved.

This approval will be explained later in the course. The requirements for passenger carrying vessels are more strict than for pleasure vessels and will be explained later in the course.

The Act of 1940 in Section 17 authorizes the Commandant of the Coast Guard to establish all necessary regulations required to carry out in the most effective manner all the provisions of the Act, and such regulations shall have the force of law. This Act also authorizes the Commandant to penalize operators of motorboats who violate these laws.

### 303: SUMMARY OF THE MOTORBOAT ACT OF 1940

This, then, is basically the Motorboat Act of 1940 as amended. In general, this law set up the different classes of motorboats and the Coast Guard minimum equipment for each class. The Motorboat Act of 1940 was aimed mostly at the boater, and the boater was the one responsible for the equipment. As you will see later in this chapter, the Act of 1971 deals also with the manufacturer. This chapter is concerned mainly with the laws and for this reason does not go into detail about equipment requirements. The equipment requirements for the classes are covered in Chapter 6 and are also listed on the inside cover of the booklet containing CG-4100 forms.

### 304: FEDERAL BOATING ACT OF 1958

Most provisions of this Act were repealed by the Federal Boat Safety Act of 1971. Although most of the requirements of the 1958 Act are included in the latter Act and mentioned later in this chapter, we feel that due to its impact on boating safety programs, especially between the federal government and state programs, it is worth mentioning briefly.

In substance, this Act required the operator of any boat involved in an accident causing death, personal injury, or property damage to stop, render assistance, offer identification, notify the authorities, and file a written report.

The Act provided for the Coast Guard to publish statistics based upon information contained in the accident reports. In addition, the Coast Guard was to publish any findings about the cause of accidents or recommendations about the prevention of accidents.

This Act amended the Motorboat Act of 1940, to permit the imposition of a civil penalty by the Coast Guard for negligent operation.

It required the numbering of all undocumented vessels on the navigable waters of the United States, propelled in whole or in part by machinery of more than 10 horsepower, regardless of length. These numbers were to be issued for periods not exceeding three years. Boats will be numbered according to the State of principal use.

The intent of the 1958 law was the promotion of boating safety and to provide coordination and cooperation between the States and with the Federal Government in the interest of uniformity of boating laws.

### 305: FEDERAL BOAT SAFETY ACT OF 1971

The Federal Boat Safety Act of 1971 provides authority for the Secretary of Transportation to establish minimum safety standards for boats and associated equipment, authorizes financial assistance to the states, directs that a Boating Safety Advisory Council be established, provides for the numbering of all undocumented vessels equipped with propulsion machinery, repeals most of the Federal Boating Act of 1958 and amends the Motorboat Act of 1940.

### 306: SECTION 12

This Act contains the following "Prohibited Acts".

1. No person shall manufacture, construct, assemble, introduce, or deliver for introduction in interstate commerce, or import into the United States, or if engaged in the business of selling or distributing boats or associated equipment, sell or offer for sale, any boat, associated equipment, or component thereof to be sold for subsequent assembly unless it conforms with regulations prescribed under this Act, or it is intended solely for export, and so labeled, tagged, or marked on the boat or equipment and on the outside of the container, if any, which is exported.

2. No person shall affix, attach, or display a seal, label, plate, insignia, or other device indicating or suggesting compliance with Federal safety standards, on, in, or with a boat or of associated equipment, which is false or misleading.

3. No manufacturer who discovers a defect in a boat or associated equipment applicable to a standard set forth in this Act shall fail to notify the purchaser of subject boat or equipment as set forth in Section 15 of this Act.

4. No person shall be subject to any penalty contained in this section if he establishes that he did not have reason to know in the exercise of due care that a boat or associated equipment does not conform with applicable Federal boat safety standards, or who holds a certificate issued by the manufacturer of the boat or associated equipment to the effect that such boat or associated equipment conforms to all applicable Federal boat safety standards, unless such person knows or reasonably should have known that such boat or associated equipment does not so conform.

5. No person shall use a vessel in violation of this Act or regulations issued thereunder.

6. No person may use a vessel, including one otherwise exempted from this Act, in a NEGLIGENT manner so as to endanger the life, limb, or property of any person. In addition, violations of this section which are GROSSLY NEGLIGENT could subject the violator to the criminal penalties prescribed under this Act.

7. No vessel equipped with propulsion machinery of any type and not subject to the manning requirements of the vessel inspection laws administered by the Coast Guard, may while carrying passengers for hire, be used except in the charge of a person licensed for such service under regulations, prescribed by the Secretary, which pertain to qualifications, issuance, revocation, or suspension, and related matters. This requirement does not apply to any vessel being used for bona fide dealer demonstrations furnished without fee to business invitees. However, if on the basis of substantial evidence the Secretary determines, pursuant to this Act, that requiring vessels so used to be under the control of licensed persons is necessary to meet the need for boating safety, he may promulgate regulations requiring the licensing of persons controlling such vessels the same as for those carrying passengers for hire.

These then are "The Prohibited Acts". You should familiarize yourself with them as they are basically the portions of the Act that will be most frequently violated.

307: SECTION 13

Another requirement authorized under the Act is found in Section 13 and entitled "Termination of Unsafe Use." The section reads as follows: If a Coast Guard boarding officer (boating safety officer) observes a boat being used without sufficient personal flotation or fire fighting devices or in an overloaded or other unsafe condition as defined in regulations of the Secretary, and in his judgment such use creates an especially hazardous condition, he may direct the operator to take whatever immediate and reasonable steps are necessary for the safety of those aboard the vessel, including DIRECTING THE OPERATOR TO RETURN TO THE NEAREST SAFE MOORING AND TO REMAIN THERE UNTIL THE SITUATION CREATING THE HAZARD IS CORRECTED OR ENDED. In the enforcement of this section of the Act only Commanding Officers, Officers in Charge and personnel holding qualification code D8 or D0 are authorized to issue orders of termination for unsafe use. The following are enforcement guidelines set by the Commandant of the Coast Guard covering each topic in section 13 of the Act.

Coast Guard boarding officers observing a vessel:

(1) Without sufficient personal flotation or fire fighting devices, so as to create an especially hazardous condition shall direct the operator to proceed to the closest safe mooring and to remain there until the deficiencies creating the hazard are corrected. He shall give consideration to the desirability and feasibility of escorting the vessel to the closest safe mooring. If in doubt, he should consult with his operational commander as soon as possible.

(2) In an overloaded condition, so as to create an especially hazardous condition to life, shall direct the operator to proceed to the closest safe mooring and to remain there until the overloading creating the hazard is corrected. He shall give consideration to the desirability and feasibility of removing passengers and/or cargo within the capabilities of his unit, and escorting the boat to the closest safe mooring. If unable to fully eliminate the overloading or to escort the boat, he shall advise his operational commander as soon as possible and remove as many of the passengers and/or as much cargo as may be feasible. Passengers and/or cargo should be discharged at the closest safe landing as soon as practicable.



**QUESTION:** What is meant by "especially hazardous" in the above two situations?

**ANSWER :** The term "especially hazardous" is used by the Commandant of the Coast Guard in these situations to give the boarding officer broad discretion. The key to the term is found in the meaning of the words "especially", which is unusually, and "hazardous", which is dangerous. If a boarding officer observes a violation of the law that causes an unusually dangerous situation, he should use this authority to correct the condition either by termination of use or other action.

(3) Boarding officers shall report all terminations of use on Report of Boarding/Notice of Violation Form CG-4100. In the remarks section of this form describe the specific reason, the precise time, and the identity of the boarding officer who ordered the use terminate, as well as the specific instructions which were given to the operator.

(4) If the operator complies with the order to terminate unsafe use of the boat he normally will be cited only for the following:

- a. Equipment deficiencies as appropriate.
- b. Use of a vessel in violation of a specific provision of this Act or of the regulations issued thereunder.

**QUESTION:** What is meant by this?

**ANSWER :** A determination between the two types of violations is made because of the Motorboat Act of 1940 (basically an equipment law) and the Act of 1971 (equipment and other violations). An example of this would be if a boat is stopped and found to have an insufficient number of personal flotation devices aboard and is overloaded. The operator of this boat would be cited for insufficient equipment (Motorboat Act of 1940) and negligent operation (Boating Safety Act of 1971).

(5) If the operator refuses to comply with the order to terminate unsafe use of the boat, he normally will be cited for failure to comply with an order from a Coast Guard Boarding Officer (33 CFR 177.05), as well as for the specific statutory or regulatory violations which were the basis for the termination order.

(6) In aggravated situations and as a last recourse, if required for the protection of life, limb, or property, the operator will be arrested for the violation. Arrest procedures will be discussed in Chapter 12.

308: SECTION 16

Section 16 of this Act entitled RENDERING OF ASSISTANCE IN CASUALTIES and requires the operator of all vessels when involved in a collision, accident, or other casualty, to the extent he can do so without serious danger to his own vessel or persons aboard, to render all practical and necessary assistance to persons affected by the collision, accident, or casualty. He shall also give his name, address, and the identification of his vessel to any person and to the owner of any property damaged. There is a "Good Samaritan" clause to protect these boat operators compelled to comply with this requirement: anyone who, by gratuitously and in good faith rendering at the scene of a vessel collision, accident, or other casualty without objection of any person assisted, shall not be held liable for any civil damages as a result of the rendering of assistance or for any act or omission in providing or arranging salvage, towage, medical treatment, or other assistance where the assisting person acted as an ordinary reasonably prudent man would have acted under the same or similar circumstances.

309: SECTION 17

Section 17 of the Act requires the numbering of vessels. This section is more or less taken from the Act of 1958. The one difference is, in this Act all undocumented vessels equipped with propulsion machinery of any type shall have a number issued by the proper issuing authority in the State in which the vessel is principally used. You will remember the Act of 1958 required only vessels powered by more than 10HP to be numbered in the State of principal use. Basically, the difference in the new law from the old law is the fact that the new law requires all vessels that are undocumented and powered by machinery, no matter what the horsepower, to be numbered.

310: SECTION 18

Section 18 and 19 establish the standard numbering regulations which are set up by the Secretary and the various states. These two sections are listed below as they appear in the actual Act. The important parts to the boarding officer have been underlined.

Section 18

(a) The Secretary shall establish by regulation a standard numbering system for vessels. Upon application by a State, the Secretary shall approve a State numbering system which is in accord with the standard numbering system and the provisions of this Act relating to numbering and casualty reporting. A State with an approved system is the issuing authority under the Act. The Secretary is the issuing authority in the States where a State numbering system has not been approved.

(b) If a State has a numbering system approved by the Secretary under the Act 2 September 1958 (72 Stat. 1754), as amended, prior to enactment hereof, the system need not be immediately revised to conform with this Act and may continue in effect without change for a period not to exceed three years from the date of enactment of this Act.

(c) When a vessel is actually numbered in the State of principal use, it shall be considered as in compliance with the numbering system requirements of any State in which it is temporarily used.

(d) When a vessel is removed to a new State of principal use, the issuing authority of that State shall recognize the validity of a number awarded by any other issuing authority for a period of at least SIXTY DAYS before requiring numbering in the new State.

(e) If a State has a numbering system approved after the effective date of this Act, that State must accept and recognize any certificate of number issued by the Secretary, as the previous issuing authority in that State, for one year from the date that State's system is approved, or until its expiration date, at the option of the State.

(f) Whenever the Secretary determines that a State is not administering its approved numbering system in accordance with the standard numbering system, or has altered its system without his approval, he may withdraw his approval after giving notice to the State, in writing, setting forth specifically wherein the State has failed to meet the standards required, and the State has not corrected such failures within a reasonable time after being notified by the Secretary.

311: SECTION 19

(a) The Secretary, when he is the issuing authority may exempt a vessel or class of vessel from the numbering provisions of this Act under such conditions as he may prescribe.

(b) When a State is the issuing authority, it may exempt from the numbering provisions of this Act any vessel or class of vessels that has been exempted under subsection (a) of this section or otherwise as permitted by the Secretary.

While we are talking about exemptions, one important part of this Act to remember is: "This Act, except those sections where the content expressly indicates otherwise, does not apply to: (1) Foreign vessels temporarily using waters subject to United States jurisdiction; (2) Military or public vessels of the United States except recreational-type public vessels; (3) A vessel whose owner is a state or subdivision of a state such as a city, village, county, etc., which is used principally for governmental purposes, and which is clearly identifiable as such; and (4) Ship's lifeboats.

312: SECTION 20

Section 20 is the requirement concerning the Certificate of Number. This section requires the Certificate of Number to be aboard the vessel at all times the vessel is in use, be of pocket size, and be valid for no more than three years. This section also allows the certificate of number for vessels less than 26 feet in length that have been leased or rented to a person for his non-commercial use for less than 24 hours to be rented to a person for his non-commercial use for less than 24 hours to be retained by the owner or his representative at the place the vessel departed or returned to the possession of the owner or his representative. Leased or rented vessels which are not required to have the certificate of number on board shall be identified while in use by documented evidence which shows that in fact the vessel is leased or rented and complies with such other requirements, as the issuing authority prescribes.

QUESTION: What about a rented boat that is around 30 feet in length, would it be required to have a Certificate of Number aboard?

ANSWER : Yes. The law specifically says vessels LESS THAN 26 FEET, that are rented or leased for less than 24 hours need not carry the Certificate of Number aboard.

The owners of vessels numbered under this Act shall furnish the authority issuing the Certificate of Number a notice of transfer of all or part of their interest in a vessel, or of the destruction or abandonment of the vessel, within a reasonable time thereof, and shall furnish notice of any change of address within a reasonable time.

313: SECTION 21

In section 21 the display of the number awarded to vessels is discussed. This section prescribes that the awarded number will be painted on, or attached to, each side of the forward half of the vessel for which it was issued; will be at least three-inches in height; will display good contrast in regards to the background color; and will be of block character. Numbering will be discussed in detail in Chapter 13.

314: GENERAL

The rest of the Act contains the authority for state boating safety programs, how these state boating safety programs are to operate, allocation of federal funding to state boating safety programs, establishes a National Boating Advisory Council, gives the United States District Courts injunctive proceedings and sets the

policy for casualty reporting systems. These sections are important in carrying out the primary purpose of the Act; however, they are not of basic importance to the boarding officer because they deal with policy and funding instead of enforcement. They are listed so the boarding officer will have enough knowledge to answer questions from the public.

### 315: PENALTIES

So far we have discussed the major sections of the Act which are of interest to the boarding officer and those other sections of which the boarding officer should possess a basic knowledge. The last items to be discussed in this chapter are the penalties for violations of the Act. Penalties for violations of this Act are:

(1) Any person who WILLFULLY operates, navigates, or employs a vessel in violation of this Act or regulations issued thereunder shall be fined under CRIMINAL PENALTY procedure not more than \$1000 for each violation or imprisoned for not more than one year, or both.

(2) A CIVIL PENALTY of not more than \$2000 for each violation up to \$100,000 for a series of violations for violation of the first three requirements in section 12 (Prohibited Acts), and for any other violation of the Act, a fine of not more than \$500 for each violation. There are more regulations concerning the penalty procedures for violations of this Act, but that are really of little interest to the boarding officer. If you wish to become more familiar with the penalty procedures authorized in this Act, you should read sections 34 and 35 of the Act. Copies of this Act are available from each district boating safety office.

### 316: CHAPTER QUIZ

1. Describe and label the four classes of motorboats. (302)
2. What are the reasons, mentioned in the law, that may call for termination because they create an especially hazardous condition? (307)
3. What conditions arise and what actions may be taken, if an operator refuses to comply with the order to terminate? (307)
4. What is the difference in the numbering requirements between the Federal Boating Act of 1958 and Federal Boat Safety Act of 1971? (304 & 309)
5. The four exceptions to numbering under the Act of 1971 are? (311)
6. How long may a Certificate of Number be valid? (312)

**CHAPTER 4**  
**THE BOARDING MANUAL**

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<b>403: Chapter Quiz</b>	<b>4-2</b>

## THE BOARDING MANUAL

### 401: INTRODUCTION TO THE BOARDING MANUAL

The Boarding Manual (CG-253) presents to the Coast Guardsman the legal requirements of the various type vessels he will encounter in boating safety duty. From this manual the boarding officer can gather the information he needs to perform his duties. This manual contains abbreviated forms of various Federal statutes. As stated these statutes are in abbreviated form and therefore, the manual should be used only with the other Federal publications which explain in detail their various laws. The Boarding Manual is the "bible" to all boarding officers and a copy should be readily available whenever examining vessels.

### 402: CONTENTS OF THE BOARDING MANUAL

The Boarding Manual is divided into nine chapters, covering the following subjects:

The Boarding Officer  
Boarding Duties  
Boarding Procedures  
Ship's Documents and Papers  
Forms  
Load Line Regulations  
Oil Pollution  
Motorboats  
Laws and Statutes

The Boarding Manual has appendixes which contain the various requirements for different types of vessels which boarding officers and boating safety officers may normally expect to examine. The appendixes contain the following subjects:

- Appendix A: Requirement for barges and sailing vessels. The pages in this Appendix are colored orange.
- Appendix B: Requirements for steam vessels. The pages in this Appendix are colored blue.

Appendix C: Requirements for motor vessels. The pages in this Appendix are colored pink.

Appendix D: Requirements for motorboats. This is the most frequently used appendix and the pages are colored white.

Appendix E: Requirements for vessels carrying over six passengers for hire. The pages of this Appendix are colored yellow.

Appendix F: Contains detailed information concerning identification and examination of equipment. The pages are colored white in this Appendix.

Appendix G: Requirements for Canadian pleasure craft. The pages of this Appendix are colored white.

NOTE: The reason for the different color of pages in the various Appendixes is to allow for a quick reference.

403: CHAPTER QUIZ

Question 1-3 require a copy of the USCG Boarding Manual CG-253

1. Information on fire extinguishers can be found in Chapter \_\_\_\_\_ of the Boarding Manual.
2. Where would you find information concerning the inspection techniques for Ring Life Buoys?
3. Find where the information concerning the below items is located:
  - a. Motorboat Operator's License
  - b. Certificate of Number
  - c. Bill of Health
  - d. Elements of Refuse Act Violation
  - e. General requirements for an undocumented Class 1 motorboat



## CHAPTER 5

### DOCUMENTATION, LICENSING NUMBERING AND REGISTRATION

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## DOCUMENTATION, LICENSING, NUMBERING AND REGISTRATION

### DOCUMENTATION

#### 501: VESSELS REQUIRED TO BE DOCUMENTED

All vessels of 5 net tons or over carrying passengers or merchandise (including owner's cargo), except those vessels specifically exempted by 46 CFR 67.01-11a must be documented. Vessels generally exempted by section 67.01-11A are:

(1) Non-self-propelled boats or lighters used in the harbor of any town or city, and not carrying passengers.

(2) Non-self-propelled vessels used in whole or in part on canals or on the internal waters of a State, or plying in whole or in part on inland rivers or lakes of the United States, not engaged in carrying passengers or in trade with contiguous foreign territory.

(3) Vessels plying upon waters which are wholly within the limits of a State and which have no outlet into a river or lake on which commerce with foreign nations or among the States can be carried on.

Certain vessels not carrying passengers or merchandise may, at the option of the owner, be used while undocumented. A few examples of such vessels are research vessels, ice breakers, oil drilling platforms, fire boats, and dredges (but not hopper dredges transporting dredged materials).

Vessels used exclusively for pleasure of 5 net tons and over are entitled to documentation.

#### 502: REQUIREMENTS FOR DOCUMENTATION

The following are requirements for documentation:

- (1) The owner must be a U. S. citizen.
- (2) The vessel must be 5 net tons or greater.
- (3) Must establish facts of build and ownership.

**503: TYPES OF DOCUMENTS**

- (1) Register.
- (2) Enrollment and license.
- (3) Frontier enrollment and license.
- (4) License.
- (5) Yacht enrollment and license.
- (6) Yacht license.

**504: EXAMINATION OF DOCUMENTED VESSELS**

(1) Document will be renewed within last year (except register).

(2) Official number and net tonnage will be permanently marked on or carved on the main beam, "3" in height, punch marks or weld head will be used on metal beams and painted contrasting color to background. The official number shall be preceded by the abbreviation "NO" and the net tonnage shall be preceded by the word "NET".

(3) Except as provided below, the master, or alternate master, signed on the document must be aboard.

- a. Not applicable to yachts (46 CFR 67.29-3a).
- b. Not applicable in the case of two or more vessels owned by or under the complete control and management of the same person or firm navigated within the limits of the harbor of any town or city (46 CFR 67.29-7).
- c. Not applicable to non-self-propelled vessel unless such vessel is required to have on board a certificate of inspection and which is required by that certificate to be manned (46 CFR 67.29-9).
- d. Not applicable to any vessels engaged in towing between ports or places in the United States plying in whole or in part on inland rivers, canals, waterways, sounds, gulfs, lakes, and harbors, not carrying passengers nor proceeding directly or indirectly to any foreign port or place or to any foreign port or place or to any port or place in noncontiguous territory of the United States (46 CFR 67.29-11).

(4) Will show name on each bow using Roman letters at least 4 inches in height (except yachts).

(5) Will show name and hailing port on stern, using Roman letters at least 4 inches in height (except yachts).

(6) On yachts, the name and hailing port will be displayed on any conspicuous part of the hull in Roman letters not less than 4 inches in height, or in smaller legible and conspicuous letters in the case of a sailing yacht or similar vessel with a small stern.

(7) The name and hailing port will be in contrasting color to the background.

(8) The marking of the name and hailing port on a board attached to the vessel does not meet the requirements. Individual letters firmly secured in place by means of screws or nails are acceptable.

(9) If it is inconvenient to present the document at the documentation office in person, it may be renewed by mail, if desired. No penalty will be incurred for failure to have document on board during the time necessary for the transmission of the document thru the mail to and from the documentation office.

(10) Except in the case of a vessel described in 504-3b or c, if the document is not aboard, write a citation and explain fully in the remarks section of CG-4100, for example; "master states that document was mailed to MIO San Francisco on March 7, 1972 for renewal."

#### 505: DOCUMENT RENEWAL

All documents are issued by the U. S. Coast Guard, and are renewed annually except the register, which remains in effect so long as the vessel continues of the same rig, build, description, tonnage and ownership as at the time of original documentation.

#### 506: REGISTERED LENGTH

The registered length of a vessel as appears on the document is not acceptable for determining the class of the vessel for equipment requirements, but may have to be used as a best estimate on the CG-4100 if you cannot measure or otherwise determine the length. Report any numbered vessel used commercially 32 feet in length or longer for possible documentation.

## 507: VIOLATIONS

Use CG-4100 to write up all documentation violations. Determine the port of documentation and include it on CG-4100 for each violation.

## 508: LICENSES

There are two types of licenses with which the boarding officer will most often come in contact; they are the Motorboat Operator's License and the Ocean Operator, Operator or Pilot's License.

### 508-A: MOTORBOAT OPERATOR'S LICENSE

This is a license to operate motorboats, or other uninspected vessels of fifteen gross tons or less propelled by machinery other than steam, while carrying six or less passengers for hire.

#### General Requirements:

To meet the requirements the operator must be at least 18 years old; have one year's experience in the operation of motorboats; be able to speak, read and understand English; and satisfactorily complete a physical and oral professional examination. The license is valid for five years and may be renewed no earlier than 90 days prior to its expiration by presenting the license and satisfactory evidence of color sense to the OCMI.

### 508-B: OCEAN OPERATOR, OPERATOR OR PILOT'S LICENSE

This is a license to operate mechanically propelled, sail, or non-self-propelled vessels, of less than 100 gross tons, carryings more than six passengers for hire. This type of license is issued subject to restrictions for the route and class of vessel being navigated as indicated on the license.

#### General Requirements:

An applicant for an original license of one of these types must appear before the OCMI and present documentary evidence to support his eligibility for the license for which he is making application. In addition to being at least 19 years of age, he must pass a physical examination, have the written endorsement of three reputable persons and take the written professional examinations. If the applicant passes this examination (which may take several days to complete) and meets all the other requirements, he is issued an original license. This license

is also valid for five (5) years and is a requisite for employment aboard U. S. flag merchant vessels. As stated above this type of license is often issued with tonnage, route, or other restrictions which are assigned commensurate with the experience of the applicant. There are, however, provisions whereby the holder of a license of this type may often times be able to serve as operator or ocean operator over routes not specified in the license as shown in the following table:

<u>Type license held</u>	<u>Route described on license</u>	<u>Capacity and routes permitted</u>
Ocean Operator	Oceans or coastwise ---	Can serve as ocean operator on the specific route described on the license, and as operator on the Great Lakes, lakes, bays and sounds, and rivers.
Operator or Master	Waters other than ocean or coastwise	Can serve as operator on Great Lakes, lakes, bays and sounds, and rivers.
Operator or Master	Great Lakes -----	Can serve as operator on the specific route described on license, and on lakes bays and sounds, and rivers.
Operator or Master	Lakes, bays and sounds----	Can serve as operator on specific route described on license, and on rivers.
Operator or Master	Rivers-----	Can serve as operator on the specific route described on license.
Operator or Master	Specific bodies of water	Can serve as operator only on the specific waters described.
Pilot	Specific bodies of water	Can serve as operator on the Great Lakes, lakes, bays, and sounds, and rivers.

Only those licenses which authorize service on inspected passenger vessels, that is, a master, mate or pilot license, may be substituted for an operator's license or ocean operator's license. When boarding an inspected or uninspected vessel carrying passengers for hire, the boarding officer should read the Operator's License to insure that the vessel is being operated in accordance with the restrictions indicated thereon.

## NUMBERING AND REGISTRATION

### 509: CERTIFICATE OF NUMBER

You will remember that Section 17 of the Federal Boat Safety Act of 1971 requires all undocumented vessels equipped with machinery propulsion to be numbered in the state of principal use. This number will be issued by the state where the boat is principally used, on a registration form much the same as that for an automobile. If the state does not have an approved vessel numbering system, then Coast Guard Headquarters will issue the number.

### 510: GENERAL REQUIREMENTS

The law requires the certificate to be of pocket size (approximately 2-1/2" x 3-1/2",), be aboard whenever the vessel is in operation (except rented vessels), and not valid for more than three years. The Coast Guard prescribes that only the original certificate or a duplicate, in the case of loss, is acceptable. This means reproduced copies of any type are NOT acceptable. The law requires the certificate to be aboard whenever the vessel is in use, but in the case of new boats or transfer of ownership, the Coast Guard accepts a temporary certificate issued by the state. In cases where a temporary certificate has been accepted by the boarding officer for compliance of the requirement, he shall check the block marked "no" on the Report of Boarding and explain in the remarks section of the form that the vessel is not in violation as he was operating with a temporary certificate of number. This rule applies only if the temporary certificate is valid and not expired. In some cases the Certificate of Number is required to be signed in order to be valid. The certificate of number will have the name and address of the owner along with some nomenclature such as hull material, length and use, in addition to the number awarded. Figure 5-1 illustrates a sample Certificate of Number from the state of Washington.

UNITED STATES COAST GUARD  
**CERTIFICATE OF NUMBER**

THIS CERTIFICATE HAS BEEN ISSUED IN ACCORDANCE WITH THE  
 FEDERAL BOAT SAFETY ACT OF 1971 AND COAST GUARD REGULATIONS

REGISTRATION NUMBER <b>WN-5178-Y</b>	EXPIRATION DATE <b>05-19-77</b>
---	------------------------------------

Mr. James A. Franklin  
 44678 East Wayne St.  
 Seattle, WA 98166

HULL IDENTIFICATION NUMBER				STATE OF PRINCIPAL USE			
<b>SEA19617M74H-2B</b>				<b>WA</b>			
SEARS <small>MAKE OF BOAT</small>	12 <small>LGTH</small>	74 <small>BLT</small>	ALU <small>HULL</small>	OB <small>PROP</small>	RUN <small>TYPE</small>	GAS <small>FUEL</small>	PL <small>USE</small>

Figure 5-1  
 Certificate of Number

**511: EXEMPTION**

One exemption to the requirement of having the Certificate of Number aboard when in operation is as follows:

"The Certificate of Number for vessels less than 26 feet in length and leased or rented to a person for non-commercial use, for less than 24 hours may be retained on shore by the vessel's owner or his representative at the place from which the vessel departs or returns to the possession of the owner or his representative.

This means that, if a boat LESS than 26 feet is rented or leased to a person for that person's use, the use is in no way commercial, and the vessel is rented or leased for less than 24 hours, the certificate of number would not have to be aboard the vessel. However, if the vessel is propelled by machinery, it is required to properly display the number issued to it and to have aboard the lease or rental agreement. This agreement is to list at least the vessel number that appears on the Certificate of Numbers, the period of time for which the boat is rented or leased, and must be signed by both the owner or his representative and the person leasing or renting the vessel.



512: NUMBERING REQUIREMENTS

When the certificate of number is received by the boat owner, it has an awarded number designated on it. This number, required by section 21 of the Federal Boat Safety Act of 1971 and by 33 CFR 173.27 and 173.23, displayed on the vessel, consists of letters and numbers. These letters are located in the prefix and suffix of a number issued. The letters in the prefix designate the state where the vessel is registered.

513: DISPLAY OF NUMBER

The number is required to be displayed on the forward half of the vessel. The number must be either painted on or attached in some permanent way to the hull.

QUESTION: Can numbers be displayed on a board or plaque attached on the forward half of the vessel?

ANSWER : Yes, if the plaque is attached to the hull in a permanent fashion.

The numbers must be 3 inches in height, be of block character, and contrast in color to the background. When displayed, there must be a space between the prefix and the number and between the number and the suffix equal to the width of a letter or number other than "I" or "l". This space may be left blank or have a hyphen inserted in it. The numbers may not be slanted or of script character. The border, trim, outline or shading does not constitute part of the character of the number and should be disregarded if used.

QUESTION: Does this mean that border, trim, and shading cannot be considered even for contrast?

ANSWER : Yes. Completely disregard these items when considering the display of numbers.

When the numbers are displayed on a vessel, they are to be displayed so as to be read from left to right.

Improper display of the number is constantly the most noted violation on motorboats. As a boarding officer you should remember that if the number is displayed properly except for being a fraction of an inch off in height or in the spacing between the prefix and number, or number and suffix, you should accept it. However, you should inform the owner of the proper way in which to display his numbers so that he will know the

next time he applies numbers to his boat. When examining a motorboat for the proper display of numbers, DON'T BE A "NIT-PICKER."

514: VESSELS EXEMPT FROM NUMBERING

The Federal Boat Safety Act of 1971 exempts the following vessels from the numbering requirements:

(1) Foreign vessels temporarily using water subject to the United States.

(2) Military or public vessels of the United States, except those used for recreational purposes.

(3) A vessel owned by a state or subdivision thereof, and is used principally for governmental purposes and clearly identified as such. These vessels usually have a state seal displayed on the hull.

(4) Ship's lifeboats.

515: CHAPTER QUIZ

(1) What vessels must be documented? (501)

(2) What are the requirements for documentation? (502)

(3) Where and how must the official number be shown? (504)

(4) What are the two types of licenses the boarding officer will most often come in contact with? (508)

(5) Look at the following examples of numbers. Assume they are all "3" in height. Tell if they are correct or incorrect. If they are incorrect, describe why they are incorrect. (513)

*MA 3572 BD*

**MA3572BD**

**MA 3572 BD**

## CHAPTER 6

### LEGAL REQUIREMENTS

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## LEGAL REQUIREMENTS

### 601: INTRODUCTION

This chapter contains the detailed information on equipment the boarding officer will be examining on motorboats: personal flotation devices, fire extinguishers, flame arresters, and sound producing devices. In addition to an explanation of this equipment is an introduction on how this equipment is to be placed on motorboats and the condition it must be in to be acceptable to you as a boarding officer.

### 602: COAST GUARD APPROVED EQUIPMENT

The Motorboat Act of 1940 provided that the Commandant of the Coast Guard prescribed by regulation:

- a. personal flotation devices for motorboats.
- b. The number, size and type of fire extinguishers for motorboats.
- c. flame arresters.

In the implementation of those regulations, the Commandant has prescribed detailed specifications concerning the performance and design of this equipment. The equipment meeting these detailed specifications may be accepted by the Commandant of the Coast Guard and considered Coast Guard Approved. As will be noted later in this chapter, the equipment required aboard vessels depends on the length of the vessel.

The Motorboat Act of 1940, which applied to motorboats only, designated boats by class according to specified lengths. (In contrast, the Federal Boat Safety Act of 1971 applies to all non-commercial boats, however they are propelled and whatever length they are. In order for the Coast Guard to enforce the law fairly and consistently, the regulations under this Act apply to boats by length. Among other considerations, the length of boat to which a regulation applies is stated in the regulation itself. In the following chapters concerning equipment carriages, boats will be referred to by several lengths without the use of the word "class".

Measure a vessel to determine its size. When measuring a vessel, you measure from the forward end to the after end across the deck down the centerline, excluding the sheer. This means in a straight line and only that part of the hull that is per-

manent. Do not include bowsprits, bumkins, rudders, out-board motors or similar fittings. The illustration below shows the measuring procedure.

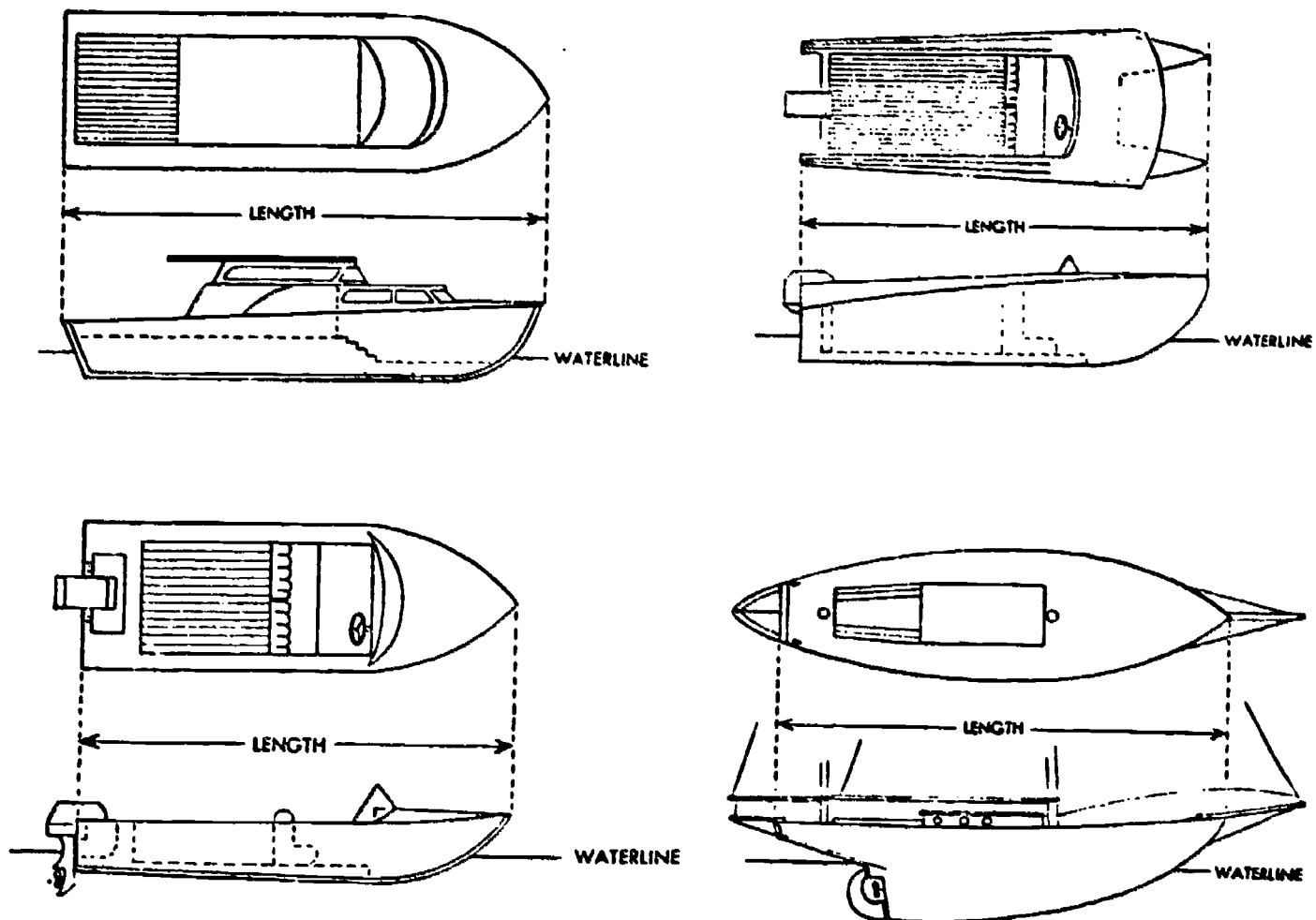


Figure 6-1

In most examinations you will not have to measure the vessel because length is listed on the certificate of number. However, it will be necessary to measure the vessel when the certificate lists the vessel as 16', 26', 40', or 65' in order to determine what length the vessel is for determining the equipment required. This is absolutely necessary if it appears that a violation of equipment requirements may exist. If a violation does in fact exist, note in the remarks section of the boarding form that the vessel was measured.

603: MARKING REQUIREMENT

All Coast Guard approved items now manufactured display markings showing Coast Guard Approval. Before 1965, flame arresters and fire extinguishers were identified by make and model number. In order for a boarding officer to know if this equipment was acceptable as Coast Guard Approved, he had to look the equipment up in CG-190, "Equipment List". This publication lists equipment which was formerly approved by the Coast Guard and is now acceptable or not acceptable on motorboats. The instructions for using this publication are found in the front of the publication.

604: WITHDRAWAL OF APPROVAL

Coast Guard approval is withdrawn by publication in the Federal Register. Notice of such withdrawal is published in Proceedings of Merchant Marine Council and in the Equipment List, CG-190. Withdrawal of approval can be for several reasons:

- (1) The product is no longer manufactured;
- (2) Does not meet new specifications.

Withdrawal of approval is no reflection on the product or the manufacturer and does not mean that their articles previously approved are now disapproved. Normally, previously approved articles are acceptable as long as they are in good and serviceable condition. Exceptions to this rule are specifically announced, such as in cases where imminent safety hazards have been disclosed. Examples of exceptions are: carbon-tet fire extinguishers and unprotected kapok or fibrous glass personal flotation devices. Unprotected means that the kapok or fibrous glass is not sealed in plastic containers.

605: DEFECTIVELY MANUFACTURED EQUIPMENT

When boarding officers detect Coast Guard approved equipment which has apparent manufacturing defects, the following action should be taken:

- (1) Obtain name and address of manufacturer, name and model of device, lot number, date and address where device was purchased. List defects.
- (2) Forward information (via chain of command) to district commander, who may: (1) take independent action with the company or (2) refer to Commandant(G-B) for appropriate action.

(3) Do not issue Notice of Violation if the defect was obviously a manufacturing one. However, do not give evidence of compliance (Boat Check Decal).

Other discrepancies or manufacturing defects which may constitute hazards should also be reported to the district commander. Examples of what may be encountered are:

- (1) Inadequate ventilation;
- (2) Improperly designed lights;

606: UNAUTHORIZED USE OF "U. S. COAST GUARD"

The Federal law (14 USC 639) provides:

"No individual, association, partnership, or corporation shall, without authority of the Commandant, use the combination of letters "USCG", or "USCGR", the words "Coast Guard", "United States Coast Guard", "Coast Guard Reserve", "United States Coast Guard Reserve", "Coast Guard Auxiliary", "United States Coast Guard Auxiliary", "Lighthouse Service", "Life Saving Service", or any combination or variation of such letters or words alone or with other letters or words, as the name under which he or it shall do business for the purpose of trade, or by way of advertisement to induce the effect of leading the public to believe that such individual, association, partnership, or corporation has any connection with the Coast Guard. No individual, association, partnership, or corporation shall falsely advertise or otherwise represent falsely by any device whatsoever, that any project or business which he or it is engaged, or product which he or it manufactures, deals in, or sells, has in any way been endorsed, authorized, or approved by the Coast Guard. Every person violating this section shall be fined not more than \$1,000, or imprisoned not more than one year, or both."

Use of the term "Made in accordance with U. S. Coast Guard Specifications" or similar phrases, may or may not be proper depending upon the equipment referred to. For example:



(1) Lights and numbers - There are at present no Coast specifications for the manufacture of lights or numbers; therefore, such advertising would be false.

(2) Personal flotation devices, flame arresters and fire extinguishers - The Coast Guard prescribed specifications for Coast Guard approved equipment. If the equipment so advertised does comply with Coast Guard specifications, there would be no false advertising. Should it be developed that the manufacturer or supplier - whoever is initially responsible - deliberately or by gross carelessness represented by advertisement or otherwise that the article meets the requirements when in fact they do not, referral to the district commander would be warranted. This is generally a matter for investigation by Intelligence personnel.

QUESTION: What should you do if you discover one of these three items advertising that it meets Coast Guard specifications and there is no approval number assigned?

ANSWER : Forward all the information available to the district commander.

607: PERSONAL FLOTATION DEVICES (PFD's)

The phrase "personal flotation device" or "PFD" encompasses life preservers, ring buoys, buoyant vests, buoyant cushions, special purpose water safety devices, and work vests. For purposes of this course, we will not go into detail concerning work vests since they are not at present approved for use as required equipment on recreational boats or passenger carrying vessels. Each PFD is designated by type. The type tells the user the performance the device is intended to provide. The following explains performance requirements for the five types of personal flotation devices.

A Type I PFD is any approved wearable device designed to turn an unconscious person from a face downward position in the water to a vertical or slightly backward position, and to give the person more than 20 pounds of buoyancy. A Type I PFD, which is less wearable than the other PFD types, is recommended for off-shore and open water boating.

A Type II PFD is any approved wearable device designed to turn an unconscious person from a face down position to a face up vertical or slightly backward position, and to give the person at least 15.5 pounds of buoyancy. A Type II PFD is more wearable than a Type I PFD and is recommended for protected water boating.

A Type III PFD is any approved wearable device designed to keep a conscious person in a vertical or slightly backward position, and to give the person at least 15.5 pounds of buoyancy. (While the Type III PFD has the same buoyancy as a Type II PFD, the lack of a requirement for turning moment makes it possible to design a comfortable and wearable device, especially for activities where it is likely that the wearer will enter the water.) Type III is recommended for use in water skiing or other water sports.

A Type IV PFD is any approved throwable device, such as a life ring buoy or a cushion designed to have at least 16.5 pounds of buoyancy.

All presently approved lifesaving devices that are acceptable as required lifesaving devices for use on recreational boats fall into one of the first four PFD type designations.

A Type V PFD is any approved device designed for a specific and restricted use. The exact specifications and performance of a Type V PFD will vary somewhat with each device. The only presently approved device that falls into the Type V designation is the work vest, a device designed and marked specifically for use by persons working around merchant vessels.

The following table explains the equivalent of each personal flotation device by type, along with the approval number assigned to the device. Approval numbers are explained later in this section.

<i>Devices marked</i>	<i>Are equivalent to</i>
160.002 Life preserver.....	Performance Type I personal flotation device
160.003 Life preserver.....	Performance Type I personal flotation device
160.004 Life preserver.....	Performance Type I personal flotation device
160.005 Life preserver.....	Performance Type I personal flotation device
160.006 Ring life buoy.....	Performance Type IV personal flotation device
160.047 Buoyant vest.....	Performance Type II personal flotation device
160.048 Buoyant cushion.....	Performance Type IV personal flotation device
160.049 Buoyant cushion.....	Performance Type IV personal flotation device
160.050 Ring life buoy.....	Performance Type IV personal flotation device
160.052 Buoyant vest.....	Performance Type II personal flotation device
160.053 Work vest.....	Performance Type V personal flotation device
160.055 Life preserver.....	Performance Type I personal flotation device
160.060 Buoyant vest.....	Performance Type II personal flotation device
160.064 Special purpose water safety buoyant devices.	A device intended to be worn may be equivalent to Type II or Type III. A device that is equivalent to Type III is marked "Type III Device—may not turn unconscious wearer." A device intended to be grasped is equivalent to Type IV.

Table 6-1

Information about each of these devices (except work vests), its construction, marking, and type designation is given in the following paragraphs.

#### LIFE PRESERVERS, TYPE I



Figure 6-2

#### Construction

Approved life preservers are of the jacket or bib design. Constructed with pads of kapok, cork, fibrous glass, plastic, and/or balsa wood, they have a vinyl dipped or cloth covering fitted with a maximum of three straps or ties. The jacket design has a covering of continuous construction whereby the flotation cells are not joined merely by straps, but are constructed as part of the jacket.

Life preservers come in two sizes: adult size and child size. The adult size is designed for persons weighing more than 90 pounds, and the child size is designed for persons weighing less than 90 pounds.

QUESTION: Would a child size life preserver be acceptable for a 6 year old weighing 100 pounds?

ANSWER : No. The child size preserver is acceptable only for persons, adult or child, weighing less than 90 pounds.

Since 1949, all life preservers have been required to be manufactured in Indian orange color; however, those manufactured before 1949 that are still in good and serviceable condition--no matter what their color--are acceptable.

A life preserver is designed to turn an unconscious person so that his face is not in the water.

#### MARKING

Each life preserver must have the following information clearly marked in waterproof lettering as a front section:

Adult (or child)

Type I - personal flotation device

(Flotation Material) life preserver

Designed to turn unconscious wearer face up in water.

Approved for use on all vessels by persons weighing more than 90 pounds (adult) or less than 90 pounds (child).

U. S. Coast Guard Approval No. 160.005 (assigned manufacturers' No.); (revision No.); (model No.); (Name and address of manufacturer or distributor); (lot No.).

Inspected

Passed

Date

Place

USCG inspection initials

## BUOYANT VESTS, TYPE II

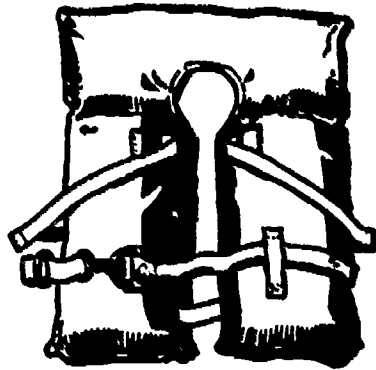


Figure 6-3

### Construction

Approved buoyant vests are the "horseshollar" design. They are constructed of pads of kapok, fibrous glass, or unicellular plastic foam and have a cloth or vinyl dipped covering which is fitted with necessary straps and ties. They are made in three sizes: adult size for persons weighing more than 90 pounds, child medium for persons weighing between 50 and 90 pounds, and child small for persons weighing less than 50 pounds. Buoyant vests may be of any color and are designed to turn an unconscious person face up in the water.

### Marking

Approved buoyant vests are marked as follows:

Type II - Personal flotation device.

(Flotation material) buoyant vest.

Designed to turn unconscious wearer face up in water.

Dry out thoroughly when wet.

Do not puncture or snag inner plastic covers.

If pads become waterlogged, replace vest.

Approved for use on uninspected commercial vessels less than 40 feet in length not carrying passengers for hire and all recreational boats by persons weighing more than 90 pounds (adult), or 50 to 90 pounds (child-medium), or less than 50 pounds (child-small).

U. S. Coast Guard Approval Number 160.047/ (assigned manufacturers' No.)/ (revision No.); (model No.).

(Name and address of manufacturer or distributor).

(Lot No.).

### SPECIAL PURPOSE WATER SAFETY BUOYANT DEVICES TYPE II, III, or IV

#### Construction

Special purpose water safety buoyant devices come in various designs and construction and are marked to show the intended purpose of the device. This is the reason for listing the device as Type II, III, or IV. These devices could fall into either type, depending on the construction.

#### Marking

Each special purpose buoyant device must have the following information clearly marked in waterproof lettering:

(1) For devices to be worn:

Type II - Personal flotation device.

Designed to keep an unconscious person face up in the water; or

Type III - Personal flotation device.

Design to keep a conscious person in a vertical or slightly backward position in the water; and

(Special purpose intended):

Approved for use on uninspected commercial vessels less than 40 feet in length not carrying passengers for hire and all recreational boats by persons weighing more than 90 pounds (adult), or 50 to 90 pounds (child-medium), or less than 50 pounds (child-small).

U. S. Coast Guard Approval No. 160.064/ (assigned manufacturers' No.) (revision No.); (model No.); (Name and address of manufacturer or distributor).

(2) For devices to be thrown:

Type IV - personal flotation device.

Designed to be thrown to a person in the water.

(Special purpose intended).

Approved for use on recreational boats less than 16 feet in length, and as a throwing device for recreational boats.

U. S. Coast Guard Approval No. 160.064/ (assigned manufacturers No.)/ (revision No.); (model No.); (Name and address of manufacturer or distributor).

#### RING BUOYS, TYPE IV

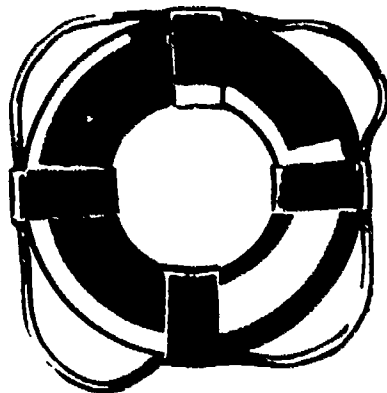


Figure 6-4

#### Construction

Approved ring buoys are available in 30", 24", and 20" sizes. They may be constructed of cork or balsa wood with a canvas cover, or of plastic foam with a special surface. All ring buoys are fitted with a grab line and may be either white or orange. Ring buoys are acceptable on class A recreational boats as meeting the PFD requirements for those on board. For

recreational boats 16 feet in length or longer, they meet the throwing device requirement only. These requirements will be explained in more detail later in this section. A 18" ring buoy is manufactured as a Special Purpose Water Safety Device and is Coast Guard Approved for use as a throwable device.

### Marking

Each ring buoy made of cork or balsa wood must have the following information clearly marked in waterproof lettering:

(a) On the body:

Passed, U. S. Coast Guard, (Inspection Date), (Inspector's Initials), (Port).

(Name and address of manufacturer or distributor)

(Size of buoy)

Coast Guard Approval No. 160.009/assigned manufacturers' No.)/ (revision No.).

(b) On the cover:

Type IV - Personal flotation device

(Cork or balsa wood) ring life buoy.

Designed to be thrown to a person in the water.

Approved for general use on recreational boats less than 16 feet in length, and as a throwing device for all vessels.

Approved, U. S. Coast Guard (inspection date), (inspector's initials), (port).

(Name and address of manufacturer or distributor)

Coast Guard Approval No. 160.009/(assigned manufacturers' No.)/ (revision No.).

(Size of buoy)

(Lot No.)



On each unicellular plastic ring buoy:

(a) On a sturdy, corrosion-resistant nameplate, permanently attached to the becket, each ring buoy must have the following information in waterproof lettering:

Type IV - personal flotation device.

Unicellular plastic foam ring life buoy.

Designed to be thrown to a person in the water.

Approved for use on recreational boats less than 16 feet in length, and a throwing device for all vessels.

U. S. Coast Guard Approval No. 160.050/ (assigned manufacturers' No.)/ (revision No.); (model No.).

(Name and address of manufacturer and distributor.)

(Size of buoy.)

(U. S. C. G. inspector's initials.)

(Lot No.)

BUOYANT CUSHIONS, TYPE IV

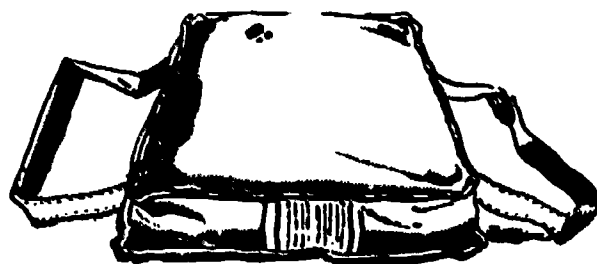


Figure 6-5

## Construction

The buoyant material of currently approved cushions may be kapok, fibrous glass, or plastic foam covered with various types of fabric. The material may be covered with upholstery cloth or vinyl dipped materials. Buoyant cushions are fitted with grab straps and come in a variety of colors. For years the buoyant cushion has been the most popular PFD used on recreational boats less than 40 feet in length. Under the new PFD regulations issued in 1973, however, the buoyant cushion is now acceptable for meeting the PFD requirement only on recreational boats less than 16 feet in length for those on board and as the throwing device for all other lengths of boat. The cushion is designed to be a grasping device, not a wearing device. For this reason, the warning "DO NOT WEAR ON BACK" is placed on the label. Do not confuse the fact that, in addition to being a grasping device, it is also a throwing device for recreational boats 16 feet in length or longer.

## Marking

(a) Each buoyant cushion must have the following information clearly marked in waterproof lettering:

Type IV - Personal flotation device.

(Flotation Material) buoyant cushion.

Designed to be thrown to a person in the water.

Warning: DO NOT WEAR ON BACK.

Do not puncture or snag inner plastic cover.

Dry out thoroughly when wet.

Replace when waterlogged.

Approved for use on recreational boats less than 16 feet in length, and as a throwing device on all other recreational boats.

U. S. Coast Guard Approval No. 160.048/ (assigned manufacturers' No.)/ (revision No.); (Model No.)

(Name and address of manufacturer or distributor.)

(Lot No.).

(Size, width, thickness and length, both top and bottom for trapezoidal cushions.)

NOTE 1: The warning "DO NOT WEAR ON BACK" has been required since 1961. If a cushion does not have the warning on the label but is in good and serviceable condition, it is acceptable as required equipment.

NOTE 2: All Coast Guard approved personal flotation devices approval numbers begin with 160.

## 608: PERSONAL FLOTATION DEVICE REQUIREMENTS

Having considered the marking and construction of personal flotation devices, you will now consider the various requirements for these devices. In order for you to easily understand these requirements, we will list them as "rules."

### Rule 1

These rules apply to all recreational boats that are propelled or controlled by machinery, sails, oars, paddles, poles, or another vessel except racing shells, rowing sculls, and racing kayaks.

### Rule 2

No person may use a recreational boat less than 16 feet in length or a canoe or kayak unless at least one PFD of the following types is on board for each person, including water skiers:

- (1) Type I PFD
- (2) Type II PFD
- (3) Type III PFD
- (4) Type IV PFD

### Rule 3

No person may use a recreational boat 16 feet or more in length, except a canoe or kayak, unless at least one PFD of the following types is on board for each person, including water skiers:

- (1) Type I PFD
- (2) Type II PFD
- (3) Type III PFD

### Rule 4

No person may use a recreational boat 16 feet or more in length, except a canoe or kayak, unless at least one Type IV PFD is on board in addition to the other PFD's required.

## Rule 5

A person using a canoe or kayak that is enclosed by a deck and spray skirt need not comply with the above rules if he wears a vest-type lifesaving device that conforms to these restrictions:

(1) Has no less than 150 separate permanently inflated air sacs made of not less than 12 mil polyvinylchloride film and has not less than 13 pounds of positive buoyancy in fresh water, if worn by a person who weighs more than 90 pounds; or

(2) Has no less than 120 separate permanently inflated air sacs made of not less than 12 mil polyvinylchloride film and has not less than 8-1/2 pounds of positive buoyancy in fresh water, if worn by a person who weighs 90 pounds or less.

## Rule 6

If and when a Type V PFD is approved for recreational boats, it may be carried in lieu of any PFD required as long as that Type V PFD is approved for the activity in which the recreational boat is being used.

## Rule 7

Personal flotation devices must meet the following four requirements to be acceptable to boating safety officers:

1. They shall be Coast Guard approved.
2. Types I, II and III must be readily accessible, that is, easy to reach in case of an emergency. Examples of personal flotation devices not readily accessible are those located in a locked locker and those stored under an anchor, anchor line, blankets, or enclosed in shipping covers.
3. The Type IV PFD must be immediately available.
4. PFD's shall be in good and serviceable condition.
5. PFD's shall be of appropriate size for the intended wearer.

The absence of any one of these five requirements would cause the operator ("user") to be in violation of the law.

## Rule 8

Rule 8 applies to commercial vessels:

1. Each vessel less than 40 feet in length which does not carry passengers for hire must have at least one life preserver, buoyant vest, or special purpose water safety buoyant device intended to be worn, of a suitable size for each person on board. Kapok and fibrous glass life preservers that do not have plastic-covered pad inserts are not acceptable as equipment required by this rule.

2. Each vessel carrying 6 or less passengers for hire and each vessel 40 feet in length or longer not carrying passengers for hire must have at least one life preserver of a suitable size for each person on board. Kapok and fibrous glass life preservers which do not have plastic-covered pad inserts are not acceptable as equipment required by this rule.

In addition, vessels carrying more than 6 passengers for hire must carry, unless the service is such that children are never carried, a number of approved life preservers of a child's size equal to at least 10% of the total number of persons carried.

3. Each vessel 26 feet in length or longer must have at least one ring life buoy in addition to the equipment required by paragraph (1) or (2) above.

4. The above PFD's shall be USCG approved, in good and serviceable condition, and readily available. The ring buoy PFD is to be immediately available and of "suitable size". The absence of any of these requirements would rule the PFD unacceptable.

QUESTION: A recreational boat 18 feet in length has six persons aboard not for hire and the boat is towing 2 skiers; how many and what type of personal flotation devices are required to be aboard?

ANSWER : Nine. Eight Coast Guard approved personal flotation devices of either Type I, II, or III, plus one Type IV device should be aboard.

QUESTION: Are water skiers required to wear personal flotation devices?

ANSWER : No. The law requires only that the devices be in the boat.

**QUESTION:** Is a recreational boat less than 16 feet in length required to carry a Type IV device in addition to the required PFD's for the person on board?

**ANSWER :** No. Only recreational boats 16 feet in length or longer are required to carry the additional Type IV device.

**QUESTION:** What Type IV device is required for commercial vessels 19 feet in length?

**ANSWER :** None. Only commercial vessels 26 feet or longer are required to carry a Type IV device and then only the Type IV Ring Buoy Device is acceptable. Other Type IV devices are not authorized for commercial vessels.

Table 6-2 is a summation of the PFD types and requirements.

PERSONAL FLOTATION DEVICE TYPE NUMBER	BRIEF DESCRIPTION OF THE DEVICE	THOSE BOATS ON WHICH THE DEVICE WOULD BE ACCEPTABLE BY THE COAST GUARD
TYPE I	LIFE PRESERVER WITH MORE THAN 20 POUNDS OF BUOYANCY, AND DESIGNED TO TURN AN UNCONSCIOUS PERSON FACE-UP	ALL RECREATIONAL BOATS
TYPE II	BUOYANT VEST WITH AT LEAST 15.5 POUNDS OF BUOYANCY AND DESIGNED TO TURN AN UNCONSCIOUS PERSON FROM A FACE-DOWN TO A FACE-UP FLOATING POSITION	ALL RECREATIONAL BOATS
TYPE III	BUOYANT VEST OR JACKET WITH AT LEAST 15.5 POUNDS OF BUOYANCY. <u>NOT</u> DESIGNED TO TURN AN UNCONSCIOUS PERSON FACE UP	ALL RECREATIONAL BOATS
TYPE IV	A THROWABLE DEVICE SUCH AS THE RING BUOY OR THE FAMILIAR BUOYANT CUSHION	ACCEPTABLE AS PRIMARY LIFESAVING EQUIPMENT ON RECREATIONAL BOATS LESS THAN 16 FEET IN LENGTH

Table 6-2

## 609: EXAMINATION OF PERSONAL FLOTATION DEVICES

### 609-1: Examination of Life Preservers

1. Life preservers are most often of the kapok type, although glass, cork, balsa wood, and unicellular plastic foam may be encountered. In general, the longer a life preserver has been in service, the more time-consuming is its examination.

2. Despite the mildew inhibitor treatment required for the cloth, webbing, tapes and thread of life preservers, certain areas of the envelope eventually will rot. This may take place over a long period of time or fairly rapidly in unfavorable conditions. More often than not, the most seriously affected surfaces of the envelope will appear stained, aged, or otherwise discolored. Where these areas appear, they should be finger-tip-tested by twisting with the tips of the fingers.

3. If a strap is missing completely, it may not be detected unless the boarding officer develops a habit of examining with this possibility in mind. The first strap to be missing would usually be the neck strap. It is most convenient, therefore, for an examiner to pick up the life preserver by its neck strap while inverting it to examine the reverse side.

4. Kapok and fibrous glass life preservers will frequently become waterlogged and unserviceable. This is particularly true of old life preservers which have been exposed to oil vapors or new life preservers where the plastic (kapok or fibrous glass) film pad covers have been punctured. By squeezing the envelope in which the plastic bag is located, the boarding officer can ascertain if the bag is airtight. If the bag is airtight, you will encounter resistance and will be able to squeeze it only so much. If the bag is punctured, it will collapse as you squeeze it.

### 609-2: Examination of Buoyant Vests and Buoyant Cushions

The guide for the inspection, repair and testing of life preservers is, in general, applicable for the inspection, repair, and testing, of buoyant vests and buoyant cushions. The dual service of the buoyant cushions as a seat cushion and lifesaving device causes them to become unserviceable rather rapidly due to the puncture of the inner plastic pad covers. Inasmuch as the cushion is a grasping device, the grasp straps should be thoroughly checked. (The grasp straps should be one continuous piece).

### 609-3: Examination of Ring Buoys

Ring life buoys may be of cork, balsa wood or unicellular plastic foam. In canvas-covered balsa or cork ring life buoys, the boarding officer should look for tears, holes, gouges, or rot in the canvas covering, especially at parts which have been in contact with metal brackets. The stitching, the canvas straps holding the line in place, and the line itself must be in good condition. Any part of the ring buoy that feels damp during the inspection probably will have its canvas rotted at that point. However, other than gouges or checks in the plastic foam, cracking of the fibrous glass coverings or casings, and eventual deterioration of canvas straps or manila line (older models), few defects develop.

### 610: AUTHORIZED REPAIRS

Previously, any damage or evidence of repairs to approved equipment was considered to render it as unacceptable, and boarding officers were given little or no discretion in judgment whether it was acceptable or not on the premise that it was better to err on the safe side than to allow a piece of slightly blemished equipment to pass. In the future, personnel performing motorboat examinations and boarding of uninspected vessels will use careful judgment to decide whether a device is good and serviceable although in need of minor repairs. If so, and no other violations are found, the "Boat Check" Decal will be issued. If the device is not good and serviceable due to a missing tie strap, then a violation (white) form will be issued regardless of whether repairs will restore it to good and serviceable condition, noting on the violation report what repairs are necessary.

### 611: IDENTIFICATION AND MARKING LABELS

Buoyant vests and buoyant cushions are identified by a Coast Guard approval number and the manufacturer model number which are contained on a label attached to the cushion or vest. Despite the fact that permanent type labels are required, the permanency of suchion labels has left a great deal to be desired. Research is being conducted looking toward more permanent labels. The end of safety are not served by rejecting acceptable equipment due to faulty labeling. The Coast Guard boarding officers should use considerable discretion in dealing with this problem. If the boarding officer is convinced that the cushion or vest was approved and is actually in good and serviceable condition except for an unreadable label, he may accept the equipment as complying with the intent of the regulations until further notice on this subject



is received. However, care should be exercised by the boarding officers in order that equipment which has NEVER been approved will not be given an unintentional avenue of acceptance.

**612: FIRE EXTINGUISHING EQUIPMENT**

**612-1: Approved Types:** The Commandant of the Coast Guard approves four types of fire extinguishers for use on motorboats. They are:

- (1) Carbon Dioxide (CO2)
- (2) Dry Chemical
- (3) Foam
- (4) Freon

Fire extinguishers containing toxic vaporizing liquid have not been approved or accepted as required equipment since 1 January 1962.

**612-2: Classification**

Each fire extinguisher is classified by a letter and a number. The letter designates the type of fire the extinguisher will extinguish, and the number represents the size of fire the extinguisher could extinguish. The number also represents the amount of extinguishing agent a fire extinguisher holds.

**NOTE::** The letters used on fire extinguishers are the same as the standard classes of fire-- "A", "B", "C" or "D" and the numbers used are the Roman Numerals I, II, and III. For purposes of this course, all required hand portable fire extinguishers and semi-portable fire extinguishing systems are of the "B" type; such as, suitable for extinguishing fires involving inflammable liquids, greases, etc.

Extinguishers approved for motorboats are hand portable of either B-I or B-II classification. The table in Figure 6-6 gives the minimum size for each classification:

Fire Extinguishers				
CLASSIFICATION (type-size)	FOAM (minimum gallons)	CARBON DIOXIDE (minimum pounds)	CHEMICAL (minimum pounds)	FREON (minimum pounds)
B-I	1-1/4	4	2	2-1/2
B-II	2-1/2	15	10	--

Figure 6-6

612-3: Markings

Formerly, all hand portable fire extinguishers, semi-portable fire extinguishing systems and fixed fire extinguishing systems were required to be of a type specifically approved by the Coast Guard. At present, however, portable fire extinguishers may be identified as approved equipment by any one of the following methods:

(1) Manufactured prior to 1 January 1962: Determine acceptability by comparing manufacturer's name and model with CG-190 "Equipment Lists". Some did contain Coast Guard approval number:

CO<sub>2</sub> - 162.005

Foam - 162.006

Dry Chemical - 162.010

(2) Manufactured between 1 January 1962 and 1 January 1965 labeled:

"MARINE TYPE USCG TYPE \_\_\_\_\_ SIZE \_\_\_\_\_"

(3) Manufactured after 1 January 1965 labeled:

"MARINE TYPE USCG TYPE \_\_\_\_\_ SIZE \_\_\_\_\_  
APPROVAL NUMBER 162.028/.../."

612-4: Requirements

The number of approved fire extinguishers a motorboat is required to have aboard depends upon the length and/or construction of the motorboat. Fire extinguishers are required on all motorboats which have compartments wherein explosive or flammable gases or vapors can be entrapped. All motorboats should carry at least the MINIMUM number of hand portable fire extinguishers required for its class. One exception is that, a motorboat LESS than 26-feet in length, propelled by an outboard motor and not carrying passengers for hire, need not carry such portable fire extinguishers if the construction of the boat will not permit the entrapment of flammable gases or vapors. From time to time, you will hear the term "open boat" when referring to fire extinguishers or ventilation requirements. This term means that the boat is so constructed that flammable gases or vapors cannot be trapped in ANY area of the boat. There are two other exceptions to the fire extinguisher requirements, and they are: (1) One B-II type fire extinguisher may be substituted for two B-I type fire extinguishers;

(2) When the boat has an approved fixed extinguishing system installed in the engine space, one less B-I extinguisher is required. If you are not aware of what a fixed extinguishing system is, it is a system installed in the engine space with the release control installed outside of the engine space. The system shall be of an approved carbon dioxide (CO2) or Halon 1301 (freon) type, and record of service indicates that service has been completed and cylinders have been weighed within the past year. Listed in figure 5-8 is a table showing what size extinguisher is required for the various sizes of motorboats.

### FIRE EXTINGUISHERS REQUIRED

Size of motorboat	Without fixed system in machinery space	With fixed system in machinery space
(Less than 16 ft.)	1 B-I-----	None
(16 ft. to under 26 ft.)*	1 B-I-----	None
(26 ft. to under 40 ft.)	2 B-I or 1 B-II	1 B-I
(40 ft. to 65 ft.)	3 B-I or 1 B-II-- and 1 B-I	2 B-I or 1 B-II

\* None required for Open O/B Boats less than 26 ft.

Figure 6-7

1. Closed compartment under thwarts and seats wherein portable fuel tanks may be stored.
2. Double bottoms not sealed to the hull or which are not completely filled with flotation material.
3. Closed living spaces.
4. Closed stowage compartments in which combustible or flammable materials are stowed.
5. Permanently installed fuel tanks.

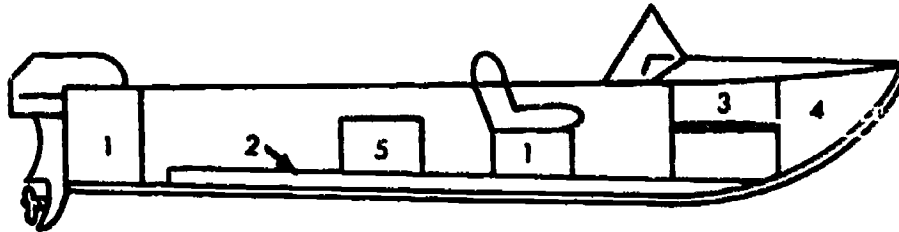


Figure 6-8

The following conditions DO NOT, in themselves, require that fire extinguishers be carried:

1. Bait wells
2. Glove compartments
3. Buoyant flotation material
4. Open slatted flooring
5. Ice chests

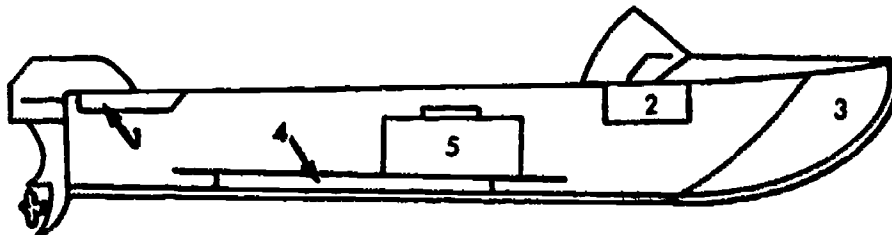


Figure 6-9

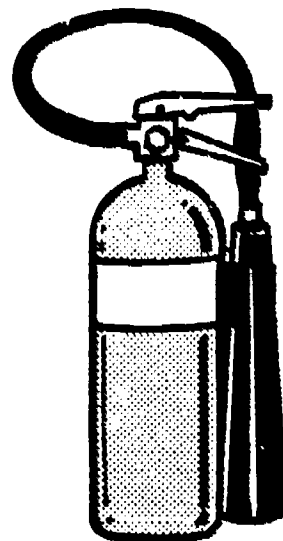
### 613: EXAMINATION OF FIRE EXTINGUISHERS

Fire extinguishers, like personal flotation devices, must meet three conditions before they are acceptable to boarding officers. The three requirements are: (1) Coast Guard approved, (2) readily accessible, and (3) in good and serviceable condition. These three elements of acceptance are determined in the same manner as for personal flotation devices. In addition to these requirements, the following items are required before the extinguisher is acceptable to the boarding officer. (NOTE that the approval number for fire extinguishers is 162.000, in lieu of the 160.--which covers personal flotation devices.)

Figure 6-10

### 614: CARBON DIOXIDE (CO<sub>2</sub>)

Carbon Dioxide extinguishers have three basic parts. These three parts are--body, valve, and assembly with discharge horn. In examining you should check the discharge horn to see that it is free of any corrosion which may affect its operation. The most important check to make in examining this type of extinguisher is to weigh it. On the label you will find the gross weight and the net weight of the extinguisher. If the gross weight is reduced by MORE than 10% of the net weight, it is not sufficiently charged and not acceptable for the boat on which it is aboard. This rule sounds confusing, but is relatively simple. Look at the following examples, which apply to this rule:



QUESTION: Is the net weight of an extinguisher also the weight of the chemical charge?

ANSWER : Yes. They are one and the same.

EXAMPLE: A CO<sub>2</sub> fire extinguisher has a gross weight of 55 pounds and a net weight of 15 lbs. When the boarding officer weighs the extinguisher it weighs 53 lbs. Is the extinguisher acceptable to the boarding officer?

15 lbs. Net Wt.  
 $\frac{10\%}{1.50}$  Lb.

55.0 Gross Weight  
 $\frac{-1.5 \text{ Lb.}}{53.5 \text{ Lbs.}}$

Remembering the rule for weighing extinguishers, you know that if the gross weight, which is in this case 55 lbs., is reduced by MORE than 10% of the net weight (net weight 15 lbs), it is not acceptable. Since the extinguisher in the example weighs only 53 lbs., it is not acceptable.

EXAMPLE: A boarding officer finds an extinguisher with a gross weight of 10 lbs. and a net weight of 5 lbs weighing 9-1/2 lbs. Is the extinguisher acceptable?

5 lb. Net Wt.  
 $\frac{10\%}{.5}$  lb.

10.0 lb (Gross Wt.)  
 $\frac{.5}{9.5 \text{ lbs.}}$

Since the extinguisher's weight is not reduced more than 10% of the net weight, it is acceptable. However, the boarding officer should advise the boat owner that his extinguisher is nearing the lower limit of acceptability.

615: DRY CHEMICAL

Dry chemical stored pressure extinguishers (both dry chemical and expellent gas in single chamber) will not bear Coast Guard approval on those manufactured after 1 June 1965 UNLESS there is a visual pressure indicator. Those formerly approved (without a pressure indicating device) are acceptable, if in good and serviceable condition which means:

(a) Inspection record tag on extinguisher shows charge was within required weight limitations (1/4 oz.) within past six months.

(b) If outer seal is broken, check frangible disc in neck to insure that it is intact; if ruptured, it is not acceptable.

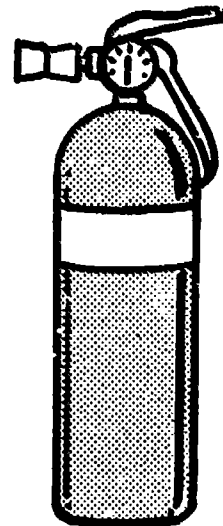


Figure 6-11

Dry Chemical stored pressure fitted with visual indicator:

(1) This type will have a visual gauge on top or on bottom of extinguisher, or a pressure indicating device that you push in and if fully charged will return to original height.

(2) Those fitted with gauge, observe that indicator is within operating range.

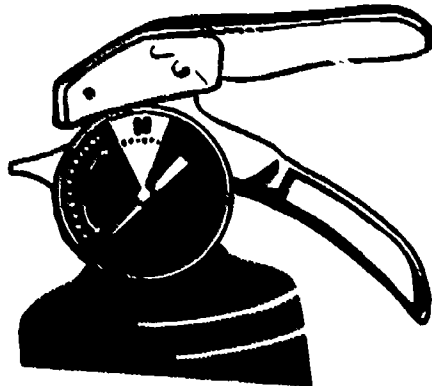


Figure 6-12

(3) Check for evidence of leaks or damages.

Cartridge type dry chemical extinguishers wherein the expellent gas is in a separate cylinder from the dry chemical are not required to be fitted with a pressure gauge, or have the six month inspection tag.

NOTE: (1) The inspection record tag should be recorded by some reputable firm such as a fire extinguisher servicing company or a local fire department. (2) Boarding officers checking extinguishers with the visual gauge at the top should ensure the plastic crystal covering the indicator needle is not pushed against the needle.

616: FOAM



Figure 6-13

Foam extinguishers have four (4) basic parts--the tank, ringtop, head stopple and inner container. The following requirements must be met for this device to be acceptable:

- (1) Evidence of having been recharged within the past year.
- (2) The outer tank and inner container filled to prescribed levels.
- (3) The hose properly attached with no obstructions.
- (4) In examining this device it is permissible and in some cases NECESSARY to remove the top and remove the inner container to determine if the device is adequately filled. Remember one thing in examining an extinguisher of this type--Do not lay this device on its side or you may activate it!

617: FREON

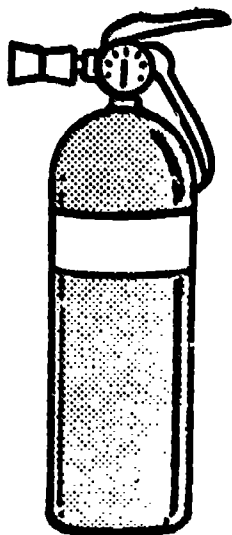


Figure 6-14

Freon fire extinguishers are fairly new to the field of boating. The proper way to examine this type of extinguisher is listed on the label of the extinguisher.

618: REVIEW

QUESTION: Would a motorboat be in violation if it had the required amount and size fire extinguisher aboard and in addition the boat had a non-approved or non-acceptable type aboard?

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ANSWER : No. The law requires a motorboat to carry a required amount of acceptable fire extinguishers aboard and does not say anything about carrying non-acceptable types.

QUESTION: How about if they are carrying passengers for hire?

ANSWER : Toxic vaporizing extinguishers may not be carried on vessels carrying more than 6 passengers for hire.

QUESTION: Is a motorboat with a fixed system that has not been weighed within the last year in violation?

ANSWER : Yes. According to the requirements of the law, the cylinder of a fixed system must be weighed annually.

QUESTION: Inasmuch as boarding officers are unable to weigh dry chemical extinguishers with the scales provided in the boating safety kits, how does he determine the acceptability of a dry chemical extinguisher without the visual gauge?

ANSWER : Dry chemical extinguishers not fitted with the visual gauge MUST be weighed and recorded by a reputable firm every six months to remain acceptable.

QUESTION: A 16-foot motorboat has a bilge space with no flotation material installed but the decking over the bilge space is open slatted constructed. How many fire extinguishers is the boat required to have aboard?

ANSWER : None. Always remember the boat must be so constructed so as to have closed spaces wherein explosive fumes or vapors can be entrapped.

619: FLAME ARRESTER

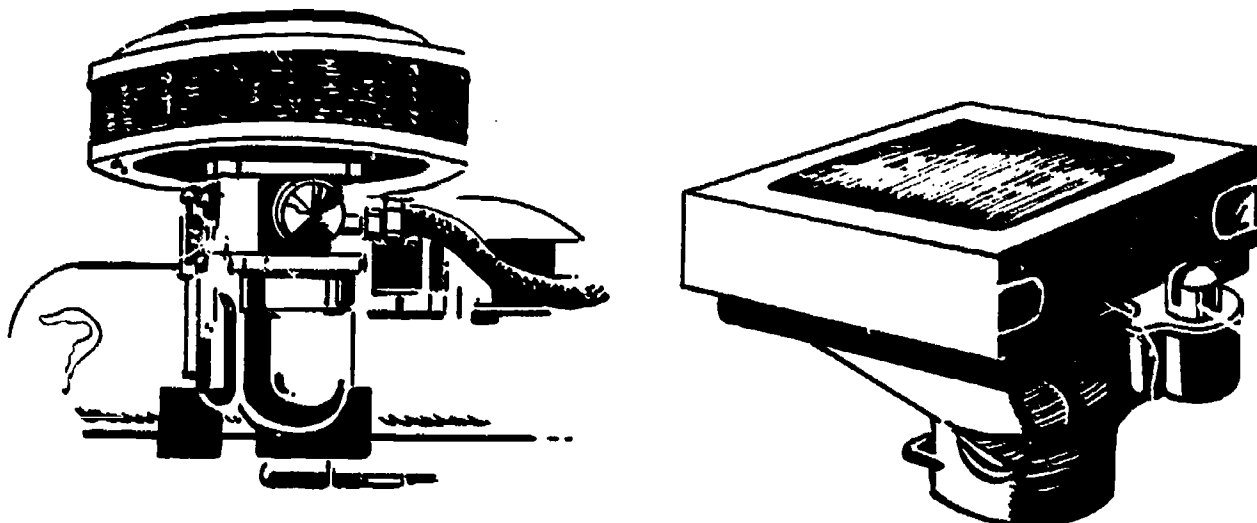


Figure 6-15

## 619-1: General Instructions

All uninspected vessels including motorboats, using gasoline as fuel (except outboard motors) shall have the carburetors fitted with an efficient flame arrester, backfire trap, or similar device as may be prescribed by or approved by the Commandant.

Frequently, the questions are posed by the public, what is the purpose of a flame arrester, and how does it work? To enable you to answer their questions, we will briefly discuss the theory of a flame arrester. Regardless of type of construction, a flame arrester has one purpose--that is to suppress or "cool" flames. As you know from basic firefighting instructions, there can be no fire without heat. In order for a flame arrester to perform the function of cooling flames, it must be constructed of metal that has the capability of absorbing the heat from flame when the flame passes through. Figure (6-15) is one of the most common types of flame arresters in service today. You will note the fine wire mesh. This wire mesh is constructed of a soft non-ferrous metal, such as brass, and has the capability of absorbing the heat from the flame of an engine backfire as the flame passes through, thereby rendering the flame harmless.

## 619-2: Acceptable Types

The following are acceptable means of backfire flame control for gasoline engines:

(1) A backfire flame arrester approved by the Commandant in accordance with 46 CFR 162.041. The backfire flame arrester shall be suitably secured to the air intake with flame tight connections.

(2) An engine air and fuel induction system approved by the Commandant under 46 CFR 162.042 properly marked and maintained in good serviceable condition. Outboard Marine Corp. and Air Cushion Vehicles, Inc. each have two cycle, 4 cylinder inboard gasoline engines with a Reed Valve assembly, and air intake screen labeled: "U. S. Coast Guard has accepted this Model \_\_\_\_\_ engine for use without an external backfire flame arrester".

(3) An attachment to the carburetor or a location of the engine air induction system by means of which flames caused by engine backfire will be dispersed to the atmosphere outside the boat in such a manner that the flames will not endanger the boat, persons on board, or nearby vessels and structures. All attachments shall be of metallic construction with flame tight connections, firmly secured to withstand vibrations, shock and engine backfire, and maintained in good and serviceable condition.

Such installations do not require Coast Guard approval and labeling, but will be accepted by Coast Guard Law Enforcement officers on the basis of the above. Many inboard ski boats are constructed so that the fuel/air induction system is above the sides of the hull. In such cases, a cowl, scoop, or a multiple installation of either will be accepted by the Coast Guard Law Enforcement Officer, provided:

(1) The cowl(s) or scoop(s) are installed as described in paragraph (2).

(2) The cowl(s) or scoop(s) face to the rear or vertically, thus directing any backfire flames to the open atmosphere.

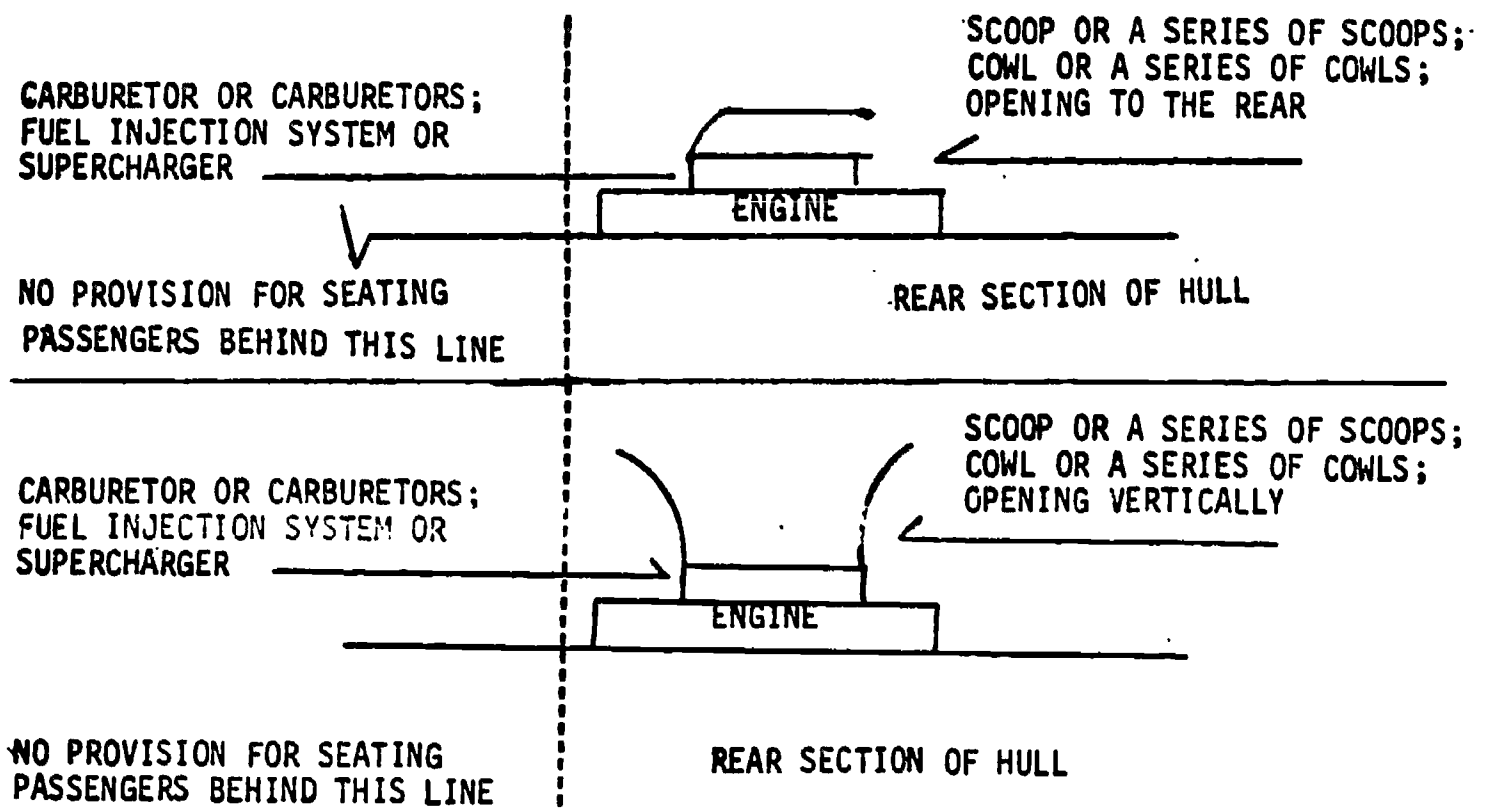
(3) There is no provision for carrying passengers behind the forward edge of the engine. (See illustration).

(4) Cowls or scoops:

a. All connections must be flame tight, firmly secured.

b. Mounted so as to direct the backfire flames away from the boat and its occupants, not sideways, but over the transom or vertically.

c. If this system is used, the boat should not be operated in a manner in which docks, other persons and other boats might be damaged in the event of a backfire.



The above illustrations display a scoop facing aft and a scoop with a vertical opening.

A motorboat engine may be exempt from the "attachment to the carburetor" requirement provided all the following conditions are met:

(1) The engine must be located in the aftermost part of the boat.

(2) The engine must be equipped with a down draft carburetor.

(3) There is no provision for carrying passengers behind the forward edge of the engine.

(4) The top of the air induction system (carburetor) must be located above the sheer (gunwale) line of the boat; if the boat is equipped with an engine box or cover, the air induction system (carburetor) must extend outside (open to the atmosphere) the engine box or cover.

#### 619-3: Examination

As a boarding officer, you should make sure the following requirements are met in examining flame arresters:

(1) Determine that the flame arrester is Coast Guard approved.

(2) Make sure the arrester is mounted on securely so as to cause flame tight connections. This means that there can be no gaskets between the flame arrester and throat of the carburetor. All connections MUST be metal to metal.

(3) There is no separation of the grid elements. The reason for this is that if the grid elements are separated in any way, the arrester no longer would contain fire from a backfire.

#### 620: SOUND PRODUCING DEVICES



Figure 6-17

## 620-1: Requirement

Motorboats of 16 feet to not more than 65 feet must have sound-producing device aboard. This requirement does not apply to motorboats engaged in a race which has been previously arranged or announced. Table 6-2 is a table of requirements for sound producing devices. You will note in this table that the device may be mouth, hand, or power operated. This requirement is determined by the length of the boat.

<u>Length of Motorboat</u>	<u>Type of device</u>
Less than 16'	None.
16' to less than 26'	<u>Mouth, hand, or power</u> operated, capable of producing a blast of 2 seconds or more duration, and audible for at least one-half mile.
26' to less than 40'	<u>Hand or power</u> operated, capable of producing a blast of 2 seconds or more duration, and audible for a distance of at least 1 mile.
40' to not more than 65'	<u>Power</u> operated, capable of producing a blast of 2 seconds or more duration, and audible for a distance of at least 1 mile.

Table 6-2

## 620-2: General

Up to this point of the chapter all the equipment we have talked about has had to be Coast Guard approved. Sound producing devices are not Coast Guard approved nor do they have an approval number listed on them. The only requirement for a sound producing device is that they be aboard the boat when in operation and meet the requirements.

QUESTION: What type of horn is that shown in Figure 6-18?

ANSWER : This type horn is considered power operated.

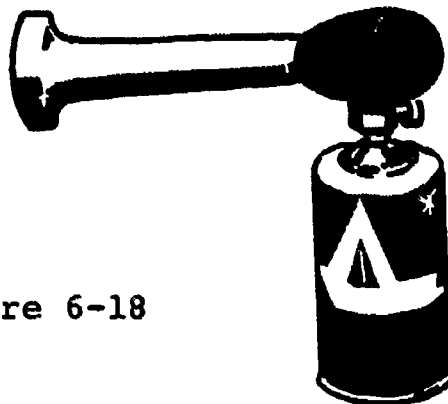


Figure 6-18

620-3: Bell

General

Motorboats 26 feet to not more than 65 feet shall carry a bell capable of producing a clear bell-like tone of full round characteristics. The bell may be carried inside the cabin, but provision should be made so that it may be mounted outside for use as a navigational warning when the boat is anchored under conditions of low visibility. This is of course only a recommendation, not a requirement. Motorboats engaged in a race which has been previously arranged or announced, or while tuning up for this race, need not carry a bell. Bells are not Coast Guard approved equipment. A bell such as a cow bell is not acceptable as it does not produce the required tone. Likewise, beating on a cooking pot with a spoon would not do the job as a bell.

621: VENTILATION

621-1: Requirement

Under the authority of the Motorboat Act of 1940, the regulation (46 CFR 25.40) states:

"All motorboats or motor vessels, except open boats, the construction or decking over of which is commenced after April 25, 1940, and which use fuel having a flash point of 110°F. or less, shall have at least two ventilator ducts, fitted with cowls or their equivalent, for the efficient removal of explosive or flammable gases on the bilges or every engine and fuel tank compartment. There shall be at least one exhaust duct installed so as to extend to a point at least midway to the bilge or at least below the level of the carburetor air intake. The cowls shall be located and trimmed for maximum effectiveness so as to prevent displaced fumes from being recirculated."

Due to the limitations set forth in the Motorboat Act of 1940, the only spaces required to be ventilated on boats are engine compartments and fuel tank compartments. No other space is required by the regulation to be equipped with ventilators, even though it is arranged or located so that it can or does accumulate flammable vapors. The existence of such a compartment would require the presence of a properly approved fire extinguisher, but there would be no regulatory requirement that it be ventilated. Certainly any compartment which is a hazard due to probable entrapment of gasoline should be ventilated in the interest of safety. However, under the present regulations, such ventilation cannot be enforced for other than engine and fuel tank compartments.

The current criteria for determination of an "open compartment" is that three conditions must be met in order to consider an engine or fuel compartment open to the atmosphere and therefore exempt from Federal ventilation requirements. These three conditions are:

(1) Engine and fuel tank compartments shall have as a minimum 15 square inches of open area directly exposed to the atmosphere for each cubic foot of net compartment volume.

(2) There must be no long or narrow unventilated spaces accessible from such compartments in which a flame front could propagate.

(3) Long narrow compartments (such as side panels) if joining engine or fuel compartments and not serving as ducts thereto, shall have at least 15 square inches of open area per cubic foot provided by frequent openings along the full length of the compartment formed.

#### 621-2: Guidelines of Terms Used

Several other terms used in the ventilation regulations require additional definition to insure uniform application. These terms include:

- (1) "ventilation ducts" size and materials
- (2) "cowl" designs
- (3) "equivalent", as pertaining to required cowls
- (4) "located and trimmed for maximum effectiveness"
- (5) "in such a manner so as to prevent displaced fumes from being recirculated"
- (6) "lower portion of the bilge"
- (7) "open to the atmosphere"

Unfortunately, as the need for these definitions arose, they were not incorporated into the regulations as changes or interpretive rulings. Consequently, specific definitions have come only in the form of guidelines. Since these guidelines are not enforceable the effectiveness of their application is dependent upon the safety consciousness of the boat owner and the manufacturer. Promotion of such safety consciousness is a primary responsibility of each enforcement official. An explanation of these terms is as follows:

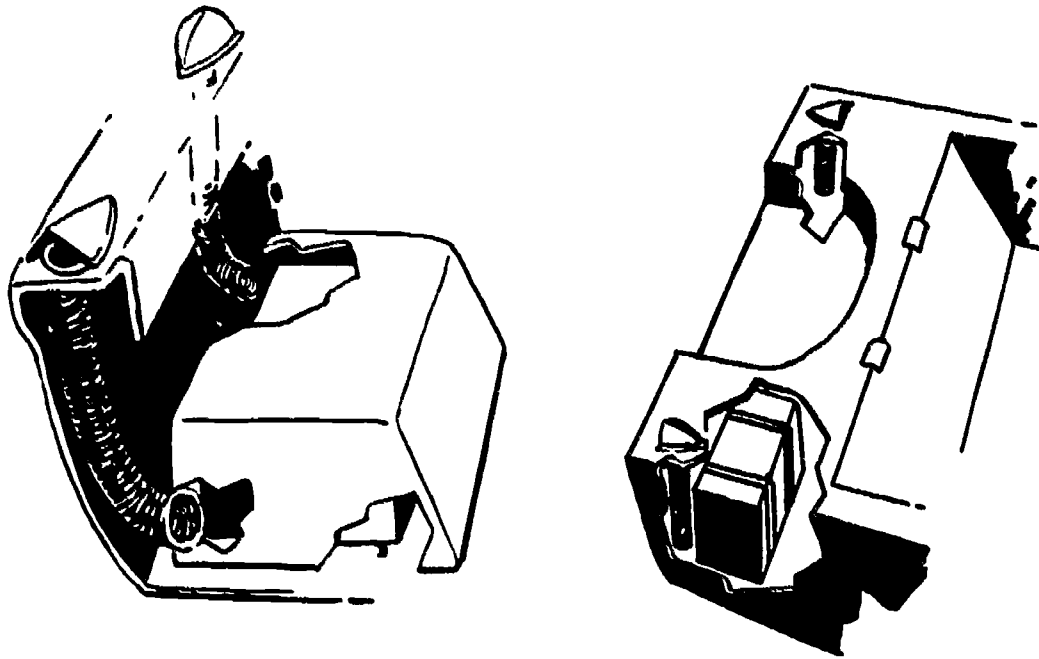


Figure 6-19

(1) Ventilator Ducts - Ventilator ducts of spiral wound wire reinforced plastic and similar construction should be firmly mounted to the rigid structure at both ends. Some exhaust ducts have been found to sag so that their lower openings were blocked by the flat bilge bottom or liquids in the sump. Ducting should be 2" in diameter.

QUESTION: Would a large boat require a bigger size than 2" ducting or do all vessels require the same size?



**ANSWER :** The larger the compartment, the larger the ducting should be. There is no requirement for the size of ducting to be used other than our policy of only accepting ducting which is at least 2" in size.

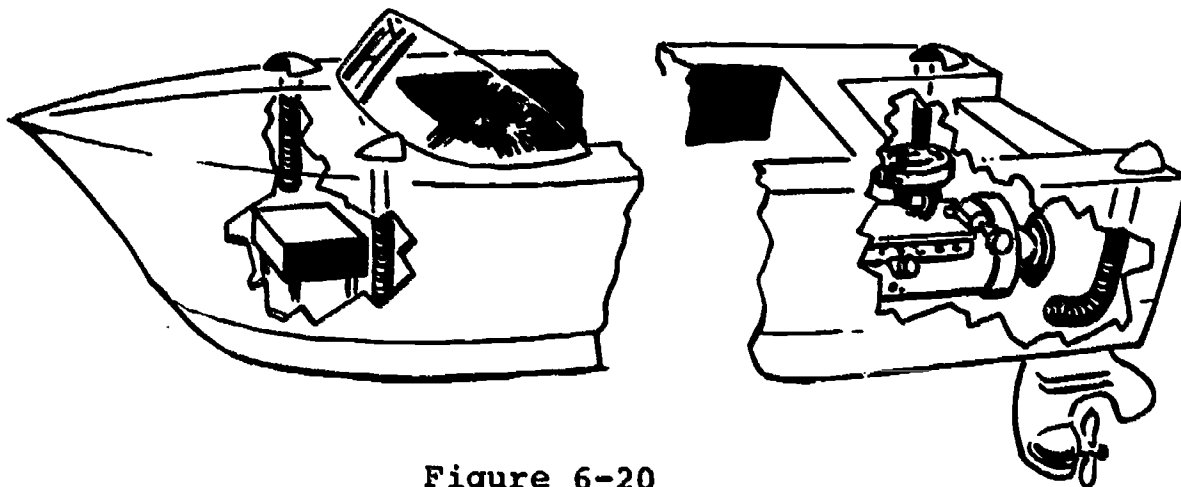


Figure 6-20

(2) Cowls - Acceptable "cowls" designs include full cowls, half cowls, clam shells, and louvers with vanes which project from the surface so as to simulate a series of clam shells.

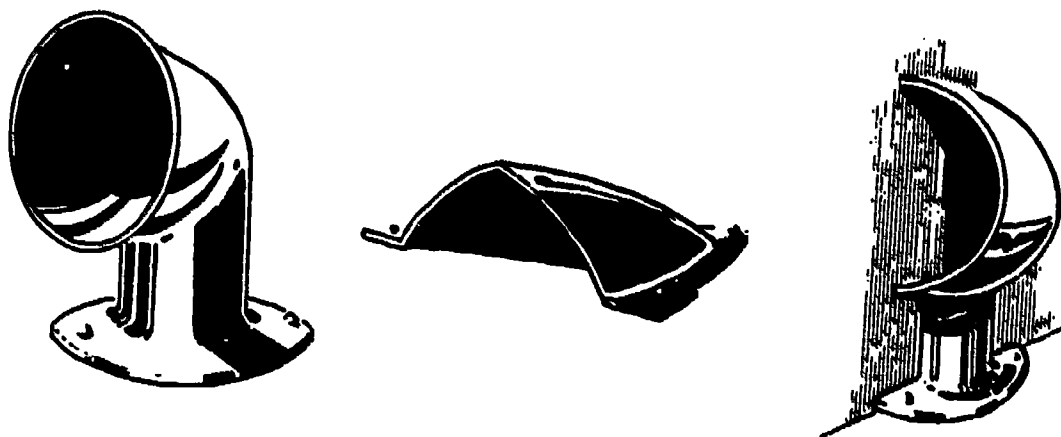


Figure 6-21

(3) Equivalents - Adequately sized wind actuated rotary exhausters and semi-flush louvers with vanes projecting at least one-half inch into the open air may be considered "equivalent" to cowls on exhaust ducts. A 1965 directive by the Commandant (COMDTINST 5910.11) provided a precedent for the additional consideration of a power blower in the exhaust duct as "equivalent" to having a cowl on the duct. When properly installed, these blowers "should not interfere with the functioning of the ducts as natural ventilators". Since these ducts would

probably not function as natural ventilators (blower not running) without exhaust cowls, it is considered inconsistent to exclude the requirement for cowls on power exhaust systems. However, in view of the precedent established in 1965, the installation of cowls on ducts containing power exhaust blowers can only be advised, not enforced.

(4) Maximum Effectiveness - In a typical cabin cruiser, where the cabin is not completely sealed off from the engine spaces, the natural air flow in the below deck spaces is from aft, forward. Therefore, when a double intake and exhaust system is used on such vessels, "maximum effectiveness" is normally realized by placing the intake cowls aft (as you face forward) and the exhaust cowls forward (as you face aft). Attention should also be paid to the placement of ventilation cowls so that they will not be obstructed by normally seated passengers or by awnings, camper tops or other flexible covers. While the location and trimming of cowls "for maximum effectiveness" is a requirement of the regulations, enforcement is difficult since the necessary guidelines do not carry regulatory authority. Therefore, until the regulations are revised, it is suggested that (with the exception of obvious and flagrant violations, which must be corrected) location and trim problems be discussed with the boat owners on an advisory basis.

(5) Recirculation - Generally, a four foot horizontal separation between intake and exhaust cowls, which are facing each other on the same plane, will provide sufficient dispersal of fumes to prevent undesirable recirculation. For each three inches that the intake is above the exhaust, the horizontal distances can be reduced by one foot without undue harm. Similar separations between the fuel fill opening (to the interior of the boat) on the same plane should be encouraged to pre-empt entry of vapors during fueling.

(6) Lower Portion of the Bilge - Due to the wide variety of hull configurations and interval arrangements, the lower portion of the bilge is somewhat difficult to define. In a hard chine boat this "lower portion" is considered to be below the chine in the amidships and after parts of the boat. However, note that the bilge depth (under this definition) would vary with the amount of deadrise. Enforcement personnel must exercise discretion in the application of the exhaust duct arrangement requirements. In all cases the duct should be located so as not to be obstructed by normal accumulation of bilge water. In the case of compartments isolated from the bilges (as are some fuel tank spaces) the "lower portion" is generally considered to be the lower one-third of the space.

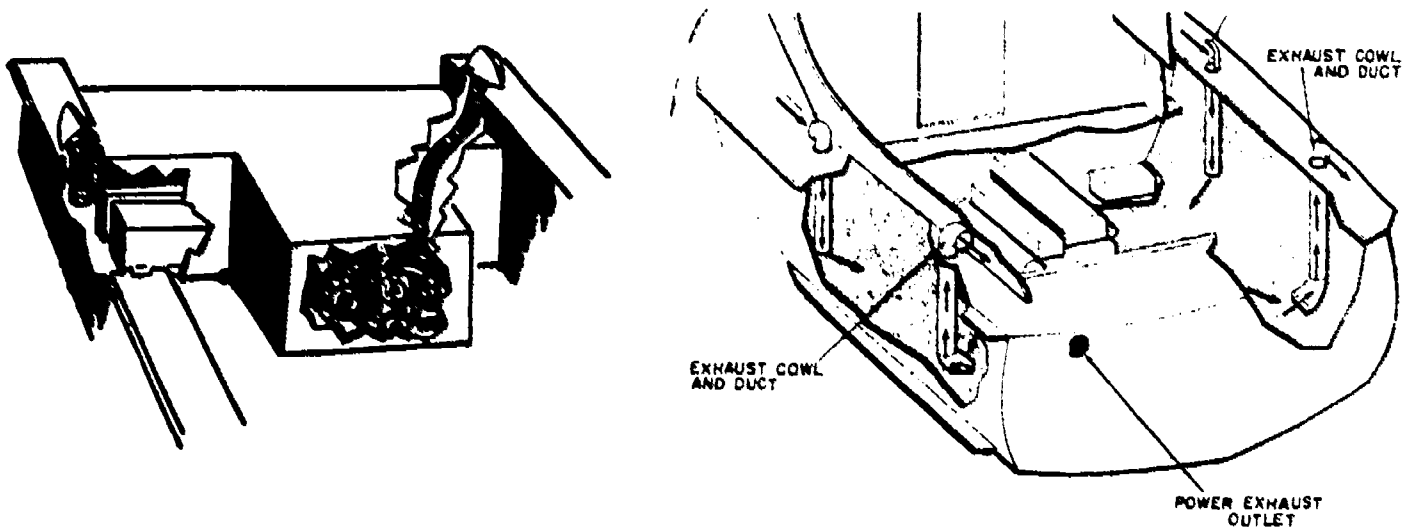


Figure 6-22

(7) Open to the Atmosphere - Under the definition of "open boats" we find that all low spaces must be "open to the atmosphere and so arranged as to prevent the entrapment of... vapors within the vessel." Closure of any such space, even by temporary curtains, to the extent that the remaining clear opening does not meet the recommendations, is not considered advisable. The provision which exempts open boats from the ventilation requirements is based on the premise that air flow over the boat will clear all areas into which vapors may flow. Curtains are just as effective as fixed bulkheads in preventing such purging, unless there is ample space for air flow around and beneath the curtains. However, it should be pointed out here, again, that discretion must be used in determining whether or not there is sufficient open area for exemption, since the existing guidelines are advisory only.

#### 622: MECHANICAL BLOWERS

Mechanical Blower Systems are not required but are preferable. The reason for this is to provide a positive means of exhausting vapors when there is little or no movement of air (calm days). Especially before starting engines, when the explosion risk is greatest, mechanical blowers are recommended for engine spaces. It is suggested that ducting separate from the natural ventilation system be installed. Exhaust blowers should be of the sealed or arcless type and if located within the compartment being ventilated be as high as possible. Blower

fan blades or impellers should be non-sparking and if installed on the exhaust duct of the natural system should not interfere with the functioning of the ducts as natural ventilators. Exterior terminations of power exhaust ducts may be fitted with louvered fitting instead of cowls.

**Examination:**

(1) Insure that there are two ventilating ducts equipped with cowls or their equivalent, that they are free from obstructions, and the ducts are 2" in diameter, and installed to proper levels. (Note ducts should not be installed so low in the bilges that they may become obstructed by normal accumulation of bilge water.)

(2) In mechanical system, check blower operation by feeling exhaust with hand or other means to detect air circulation.

(3) If fuel tank and engine compartments are not interconnected, each compartment will require a separate ventilating system. However, if the two separate compartments have a common bilge (interconnected) and the flow of vapor between them is not restricted, then separate ventilating systems for each compartment are not required.

**QUESTION:** A cabin cruiser has a cooking propane stove in the galley; is it required to have the galley ventilated?

**ANSWER :** No. You as a boarding officer would highly recommend the compartment be ventilated, but the law only requires engine and fuel tank compartments which are closed to be ventilated. This same situation would require a fire extinguisher aboard the cruiser.

**QUESTION:** A motorboat has a fuel tank in a closed compartment in the bow and the engine located in a closed compartment in the stern. The bilge compartment of the boat is open from the bow to the stern. What type of ventilation system would meet the minimum requirements for the boat?

**ANSWER :** Inasmuch as the bilge is open from the bow to the stern, the fumes could flow from the bow to the stern or visa versa. This then, according to the regulations constitutes only one space. The owner of the boat could meet the minimum requirement by installing a cowl fitted with ducting pointed aft on the stern. The ducting would be at least 2" in diameter to be acceptable. This ducting must be extended to the middle of the

bilge from the intake (bow) cowl and to the lowest most part of the bilge from the exhaust (stern) cowl. The exhaust ducting must not be so low that it would be blocked by bilge water.

#### CHAPTER QUIZ

1. What boating safety equipment does the Coast Guard approve? (602)
2. What is the penalty for the unauthorized use of "U. S. Coast Guard? (606)
3. How many sizes of Type I PFD's (life preservers) are there? What are the sizes called? (607)
4. How many sizes of Type IV PFD's are there? What sizes are they? (607)
5. How many sizes of Type II PFD's are there? What are the sizes called? (607)
6. Is the Type IV PFD a wearable device? Why? (607)
7. What length of motorboats are special purpose devices approved for? (607)
8. The Coast Guard Approval number 160./... tells you that you are looking at what? (607)
9. What should you look for when inspecting PFD's? (609)
10. What are the four types of Coast Guard approved fire extinguishers for use on motorboats? (612)
11. How many and what type and size fire extinguishers are required for each size motorboat? (612)
12. How is the Carbon Dioxide (CO<sub>2</sub>) fire extinguisher checked? (614)
13. Are flame arresters required on diesels engines? (619)
14. What are the minimum requirements by length for sound producing devices? (620)
15. What length boat must carry a bell? (620)

16. What spaces are required to be ventilated? (621)
17. Are the recommended practices for ventilation enforceable? What are they? (621)

623: BOATING SAFETY STANDARDS

Section 5 of the Federal Boat Safety Act of 1971 authorizes the Coast Guard to issue safety standards for boats and associated equipment.

Section 7 of the Federal Boat Safety Act of 1971 enables the Coast Guard to require the display of labels, plates, etc. for the purpose of certifying compliance with Federal safety regulations.

623-1: Definition of Terms

To better understand this section, a definition of terms is provided:

Boat: Any vessel manufactured or used primarily for noncommercial use; leased, or rented, or chartered to another for the latter's noncommercial use; or engaged in the carrying of six or fewer passengers.

"Monohull Boat" - means a boat on which the line of intersection of the water surface and the boat at any operating draft forms a single closed curve. For example, a catamaran, trimaran, or pontoon boat is not a monohull boat.

Associated Equipment: (a) Any system, part, or component of a boat as originally manufactured or sold for replacement, repair, or improvement of such system, part, or component.

(b) Any accessory or equipment for, or appurtenance to, a boat; and

(c) Any marine safety article, accessory, or equipment intended for use by a person on board a boat; but

(d) Excluding radio equipment.

NOTE: AT THE PRESENT TIME, THERE ARE NO COAST GUARD SAFETY STANDARDS FOR ASSOCIATED EQUIPMENT, AND THEREFORE, THE COMPLIANCE LABEL IS NOT REQUIRED OR ALLOWED ON ASSOCIATED EQUIPMENT.

623-2: Date of Certification

The date on which a boat or item of associated equipment is certified to comply with all applicable U. S. Coast Guard safety standards in effect on that date.

NOTE: ONLY BOATS THAT ARE SUBJECT TO A STANDARD ARE REQUIRED OR ALLOWED TO DISPLAY A CERTIFICATION LABEL.

"Safety Standard" - A standard required to be utilized by a manufacturer as stated in 33 CFR 183.

623-3: Display of Capacity Information (33 CFR 183)

This regulation applies to monohull boats less than 20 feet in length, except sailboats, canoes, kayaks, and inflatable boats, the construction of which began on or after 1 November 1972.

Regulations require that the capacity plate be permanently displayed in a legible manner where it is clearly visible to the operator when he is getting the boat underway.

It is the manufacturer of the boat who is responsible for affixing the capacity label to the boat. The information required to be marked must be displayed in the following manner:

(1) For outboard boats: (See Figure 6-23)

U. S. COAST GUARD CAPACITY INFORMATION

MAXIMUM HORSEPOWER.....XXX  
MAXIMUM PERSONS CAPACITY (POUNDS).....XXX  
MAXIMUM WEIGHT CAPACITY (PERSONS, MOTOR,  
AND GEAR) (POUNDS).....XXX

(2) For inboard boats, inboard-outdrive boats, and boats without mechanical propulsion:

U. S. COAST GUARD CAPACITY INFORMATION

MAXIMUM PERSONS CAPACITY (POUNDS).....XXX  
MAXIMUM WEIGHT CAPACITY (PERSONS AND GEAR)  
(POUNDS).....XXX

**623-4: Manufacturer Certification of Compliance (33 CFR 181)**

The regulation prescribes requirements for the certification of boats and associated equipment to which Section 4 of the Federal Boat Safety Act of 1971 applies and to which a safety standard applies.

Regulations require that the certification label letters and numbers, on each label, must be no less than one-eighth of an inch in height; and contrast with the basic color of the label, except the date of certification may be permanently stamped, engraved, or embossed on the label. Each certification label must contain: (See Figure 6-24)

(1) The name and address of the manufacturer who certifies the boat or associated equipment.

(2) The words:

This ("boat or equipment") complies with U. S. Coast Guard Safety Standards in effect on the Date of Certification.

There is no requirement for the location of the certification label. It may be displayed anywhere on the boat or on the associated equipment.

The manufacturer must certify his boat meets the necessary standards as required by 33 CFR 183. A testing service or contract tester may verify to the manufacturer that his boat meets the standards, but the legal responsibility for certifying to the standards rests solely with the manufacturer.

**623-5: Combined Certification Capacity Labels**

Manufacturers may, at their option, combine the certification label requirements and capacity label requirement into a combined display on a single backing. These combined displays shall meet the following guidelines: (See Figure 6-25)

(a) The capacity information must clearly be the most prominent and obvious information on the plate by virtue of larger lettering, or bolder type, or contrasting color, etc.

(b) The capacity information must be separated by a prominent line or border from all other information on the label.



(c) The entire combined label must be mounted where it is clearly visible to the operator when he is getting the boat underway.

623-6: Hull Identification Number (HIN) (33 CFR 181)

This regulation applies to the requirements for identification of all hulls of boats to which Section 4 of the Federal Boat Safety Act of 1971 applies.

Each hull identification number must consist of 12 characters as follows: (See Figure 6-26)

(a) The first three characters must consist of a manufacturer's identification code. This code is assigned by the Commandant U. S. Coast Guard.

(b) Characters 4 through 8 must be assigned by the manufacturer and must be letters of the English alphabet or Arabic numerals or both, except the letters I, O, and Q.

(c) Characters 9 through 12 must indicate the date of certification. The characters must be either--

(1) Arabic numerals with characters 9 and 10 indicating the month and characters 11 and 12 indicating the last two numerals of the year; or

(2) A combination of Arabic numerals and letters of the English alphabet with character 9 indicated as "M", characters 10 and 11 the last two numerals of the model year, and character 12 the month of the model year. The first month of the model year, AUGUST, must be designated by the letter "A", and the second month, SEPTEMBER, by the letter "B" and so on until the last month of the model year, July.

A manufacturer may display additional characters after the 12 characters required if they are separated by a hyphen.

Example: ABC456781073-C250

The hull identification number must be carved, burned, stamped, embossed, or otherwise permanently affixed to the outboard side of the transom or, if there is no transom, to the outermost starboard side at the end of the hull that bears the rudder or other steering mechanism, above the waterline of the boat in such a way that alteration, removal, or replacement would be obvious and evident.

(3) The characters of the Hull Identification Number must be no less than one-fourth of an inch in height.

623-7: Enforcement of Boating Standards Regulation

The enforcement of boating standards regulation rests with the boating standards officer assigned to each district office. When violations of these regulations are found by boating safety officers they should be reported to the district office in accordance with current 5910 series Commandant and District Instructions.

623-8: Defect Notification

(1) What is Defect Notification?

Section 15 of the Federal Boat Safety Act outlines the requirements pertaining to Defect Notification. Basically, it is the undertaking of a notification and recall program by a manufacturer to correct a safety defect or to correct non-compliance with a Coast Guard safety standard.

(2) What is a Safety Defect?

A design or performance discrepancy which creates a substantial risk of personal injury to the public.

What is Noncompliance?

The failure of a manufacturer to construct his product in accordance with a Coast Guard safety standard or regulation.

(3) What if a Manufacturer Discovers a Safety Defect or Noncompliance?

If the manufacturer of a boat, inboard engine, outboard engine, or stern drive unit discovers or acquires information that indicates these items have a safety defect or are not in compliance, he must furnish certain notifications within 30 days of the discovery.

(4) What if Coast Guard Discovers a Safety Defect or Noncompliance?

If the Coast Guard, through testing, investigation, examination of reports, or by any other means, discovers a safety defect, the manufacturer can be required to issue an appropriate defect notification. If the manufacturer disputes the Coast Guard's finding of defect, he will be given ample opportunity to present his views and to establish that there is no defect. You should understand that this authority extends

to all boats (as defined by the Act) and associated equipment (as defined by regulation) and not just those subject to a standard.

(5) What if the Defect is Discovered by a Consumer?

If a consumer discovers a defect, or a discrepancy he believes to be a defect, he should write the manufacturer, giving full details. A copy of this letter should be sent to the Commandant (G-BBE/62), U. S. Coast Guard Headquarters, Washington, D. C. 20590. The consumer should attempt to resolve the defect with the manufacturer. If that is not possible, then the consumer should contact the Commandant (G-BBC/62).

(6) What are the Notification Procedures?

To Whom Is Defect Notification Sent:

The defect notification must be sent by certified mail to:

- a. The first purchaser (retail customer), or the subsequent purchaser, if known.
- b. The dealers or distributors to whom the defective products have been delivered.
- c. The Commandant (G-BBC/62), U. S. Coast Guard Headquarters, Washington, D. C. 20590.

(7) The Contents of a Defect Notification:

The defect notification must contain the following information:

- a. The name and address of the manufacturer
- b. Data or classifications necessary to identify the boats or associated equipment affected by the defect or failure to comply includes:
  - (1) Make
  - (2) Model year, if appropriate
  - (3) Inclusive dates (month and year) of manufacture or inclusive serial members, and
  - (4) Any other identifying data.

- c. A clear description of the defect or failure to comply with an applicable standard.
- d. An evaluation of the hazard that can reasonably be expected to result from the defect or failure to comply.
- e. A statement of the measures to be taken to correct the defect or failure to comply and an undertaking by the manufacturer to take such measures at his sole cost and expense.

(8) What Defect Notification Reports Must be Sent to the Coast Guard?

a. An initial defect notification report must be sent to the Commandant (G-BBC/62) at the same time the defect notification is sent to purchasers and dealers. The initial report must contain at least the following information:

- (1) A true or representative copy of each notice, bulletin, and any other communication sent to the purchasers, dealers, and distributors.
- (2) The total number of boats or associated equipments potentially affected by the defect or failure to comply with an applicable standard.
- (3) If the defect or failure to comply with an applicable standard is discovered or determined by the manufacturer, a chronology of all principal events upon which the determination of defect or failure to comply is based.

If, for some reason, any part of this information is not available at the time the report must be submitted, the manufacturer must explain why the information was not submitted and must estimate when it will become available.

b. A followup defect notification report must be sent to the Commandant within 60 days after the initial report. The followup report must contain at least the following information:

- (1) A positive identification of the initial report
- (2) The number of units in which the defect or failure to comply with an applicable standard was discovered as of the date of the followup report.

- (3) The number of units on which corrective action has been completed as of the date of the followup report.
- (4) The number of first purchasers not notified because of out-of-date names and addresses.
- (5) An updating, as necessary, of the information submitted in the initial report.

The Coast Guard now has a computerized Defect Notification System. This program is handled by the Product Assurance Branch, Defect Notification Section at Coast Guard Headquarters.

(9) What is a Manufacturer's Responsibility for Correction of Defects?

In addition to notifying the purchaser of the defect, the manufacturer must correct the defect at his sole cost and expense. Examples of acceptable ways in which a manufacturer could fulfill this requirement are:

- a. Replacement of defective product with an equivalent item not defective.
- b. Refund full purchase price upon surrender of defective product.
- c. Have the defect corrected at a dealer/service facility near the customer.
- d. Have the customer transport the product to his factory for correction of defect (Note: The manufacturer would have to pay reasonable transportation costs to and from the factory.)

(10) What Does Coast Guard Headquarters Expect U. S. Coast Guard Units to do if They Come Across a Potential Safety Defect?

**Answer:** Report potential defects in accordance with district instructions. Most districts will want all of the following information:

- (1) Make of boat or associated equipment.
- (2) Model.
- (3) Hull Identification Number.
- (4) Name, address, and telephone number of owner.
- (5) Description of problem.

624: OIL POLLUTION PREVENTION REGULATIONS

33 CFR 155.360 Bilge slops on vessels less than 100 gross tons.

No person may operate a vessel of less than 100 gross tons unless it has a fixed or portable means to discharge oily bilge slops to a reception facility.

33 CFR 155.440 Placard.

No person may operate a vessel, except a foreign vessel or a vessel less than 26 feet in length, unless it has a placard at least 5 by 8 inches, made of durable material, fixed in a conspicuous place in the machinery spaces, or at the bilge and ballast pump control station, stating the following:

DISCHARGE OF OIL PROHIBITED

The Federal Water Pollution Control Act prohibits the discharge of oil or oily waste into or upon the navigable waters and contiguous zone of the United States if such discharge causes a film or sheen upon, or discoloration of, the surface of the water, or causes a sludge or emulsion beneath the surface of the water. Violators are subject to a penalty of \$5,000.

33 CFR 155.770 Machinery oil drains: U. S. vessels.

No person may drain the sumps of oil lubricated machinery or the contents of oil filters, strainers, or purifiers into the bilge of any U. S. vessel.

625: GUIDELINES FOR ENFORCEMENT OF POLLUTION REGULATIONS

The guidelines provided herein are in addition to those guidelines set forth in reference (a) of this COMDTNOTE.

33 CFR 155.360. A bucket or bailer is considered to be a portable means. It need only be determined that the operator can remove bilge slops to a reception facility via whatever device he presents as evidence of compliance with this section.

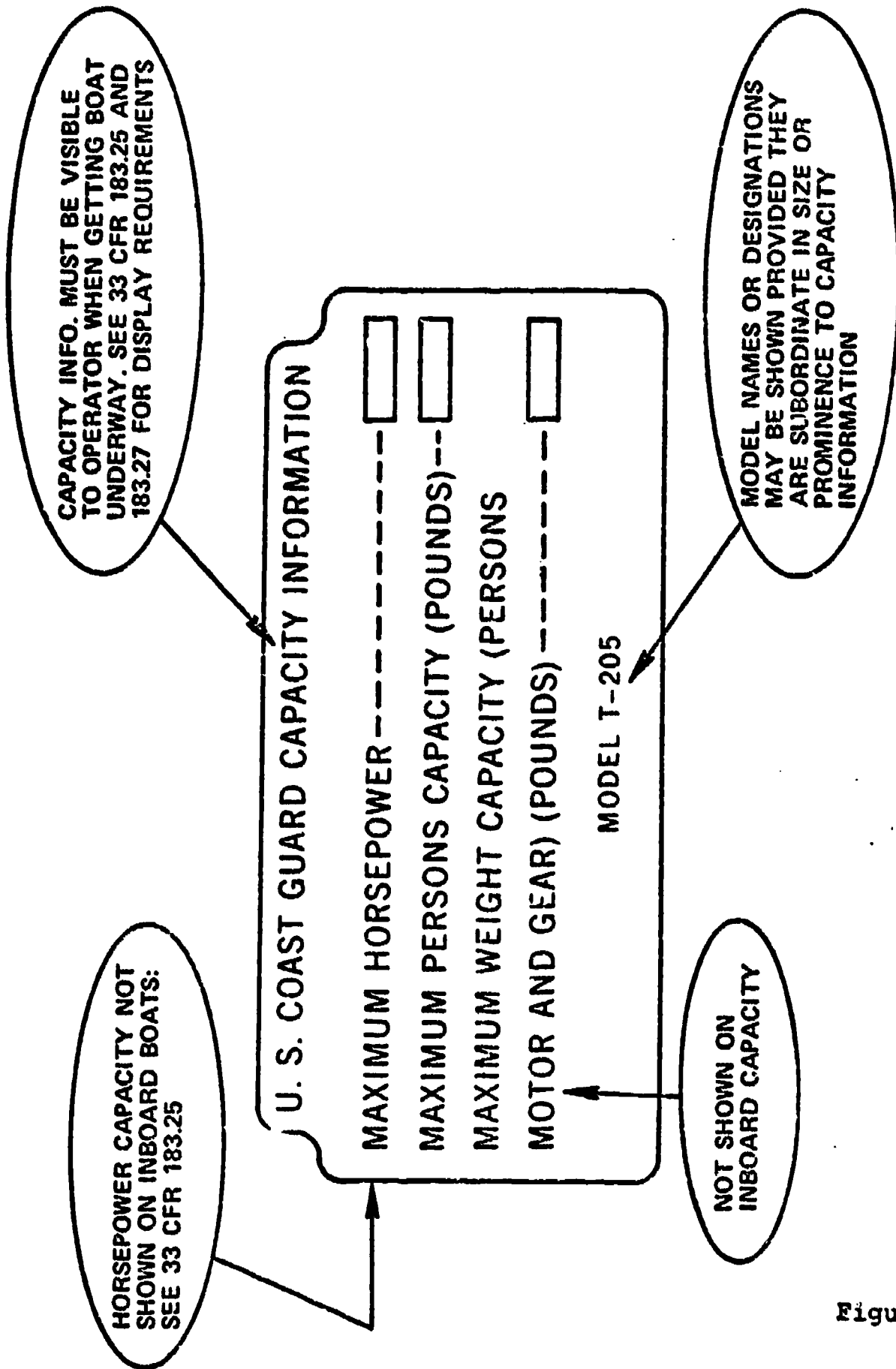
33 CFR 155.440: This placard is required only on vessels with machinery spaces which will generate and collect oily waste such as gear case or crankcase oil, including auxiliary (generator) spaces. The placard should be posted in such a manner that it will be conspicuous to the operator as he enters a machinery space,

or when he lifts an engine box or cover to gain access to the machinery space within or below. It is not required on those vessels using an outboard motor for auxiliary propulsion when the motor is mounted in such a way that no oil or grease drippings can get into the vessel's bilges. Also, since the recreational boatman generally is much concerned with the aesthetic appearance of his vessel, it is not required that the placard be posted at the control station. Placards must be made of a durable material. For the purpose of these Regulations, any hard finish material, flexible or firm, which is not subject to rapid deterioration or cannot be easily torn or defaced may be considered durable. Examples are vinyl, bakelite, metal, heavy water-resistant coated paper, etc. The information required by this Section may be stencilled on. The stencilled sign must be of at least the minimum 5" x 8" size.

33 CFR 155.770: A violation of this Section of the Regulations standing alone may not be detectable by an enforcement officer. Nevertheless, it may be a factor in the case where the discharge of an oily waste is alleged or observed and the violation of this Section is the source of the oil.

#### 626: SUMMARY

This chapter has covered the equipment required by federal law to be carried on boats, the techniques in examining this equipment, U. S. Coast Guard approval, the nomenclature of some of the equipment and a section explaining the boating standards requirements. This chapter contains 90% of the requirements you need to know to become an efficient Coast Guard boarding officer. Study it well and review it from time to time and your knowledge on the subject matter will reflect greatly on whether you do a good job or           ?.



**U. S. COAST GUARD CAPACITY INFORMATION**

Figure 6-23



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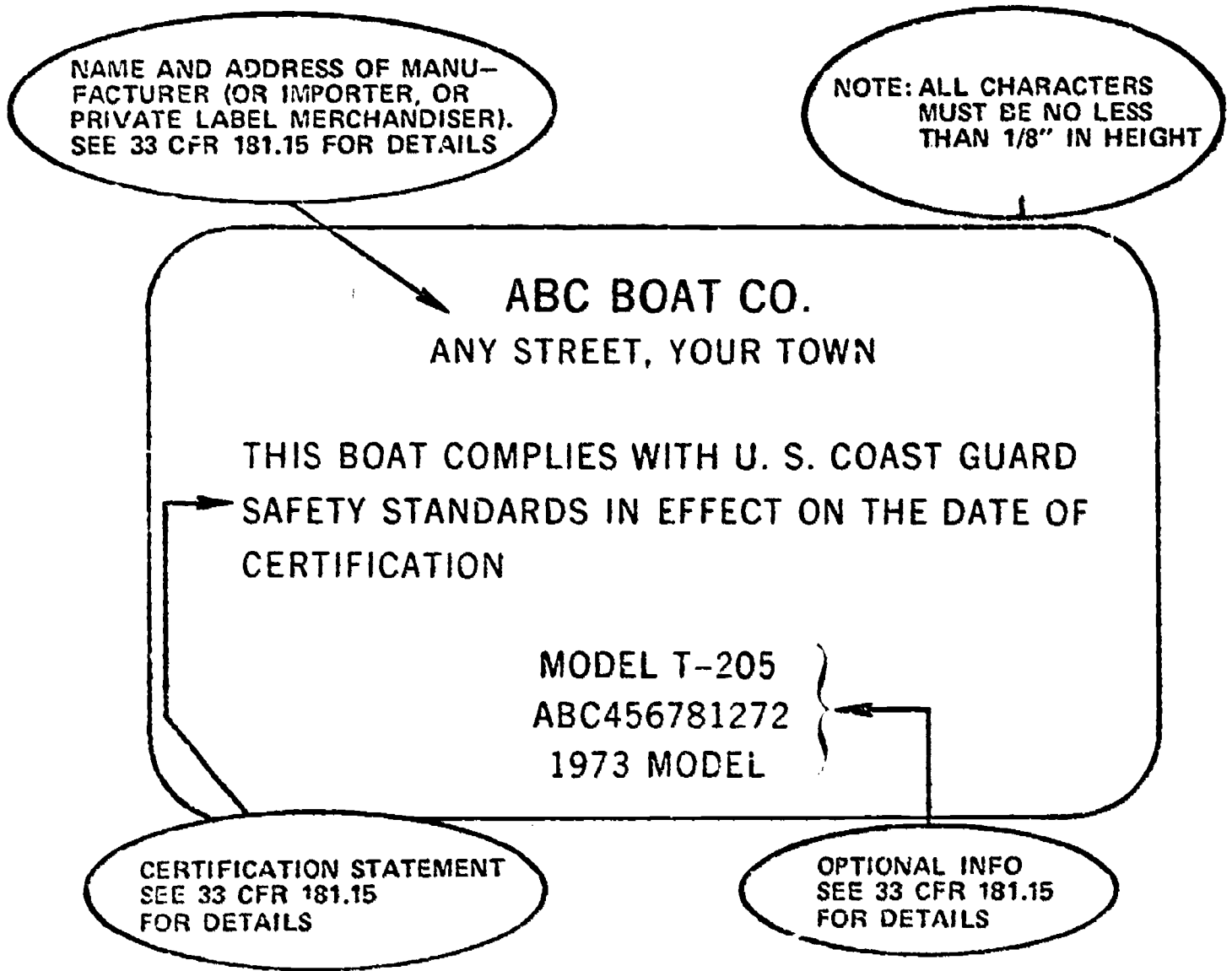
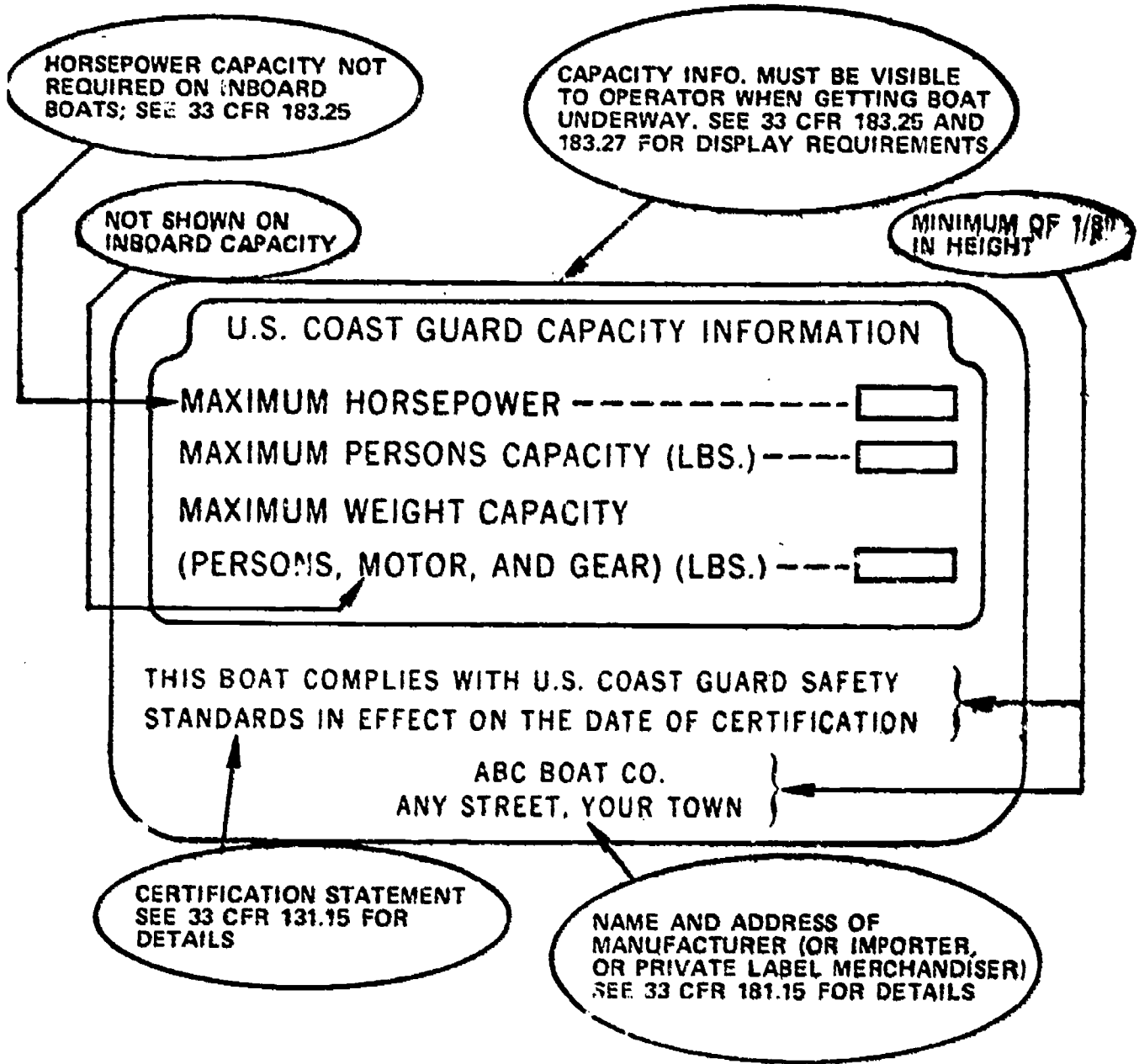


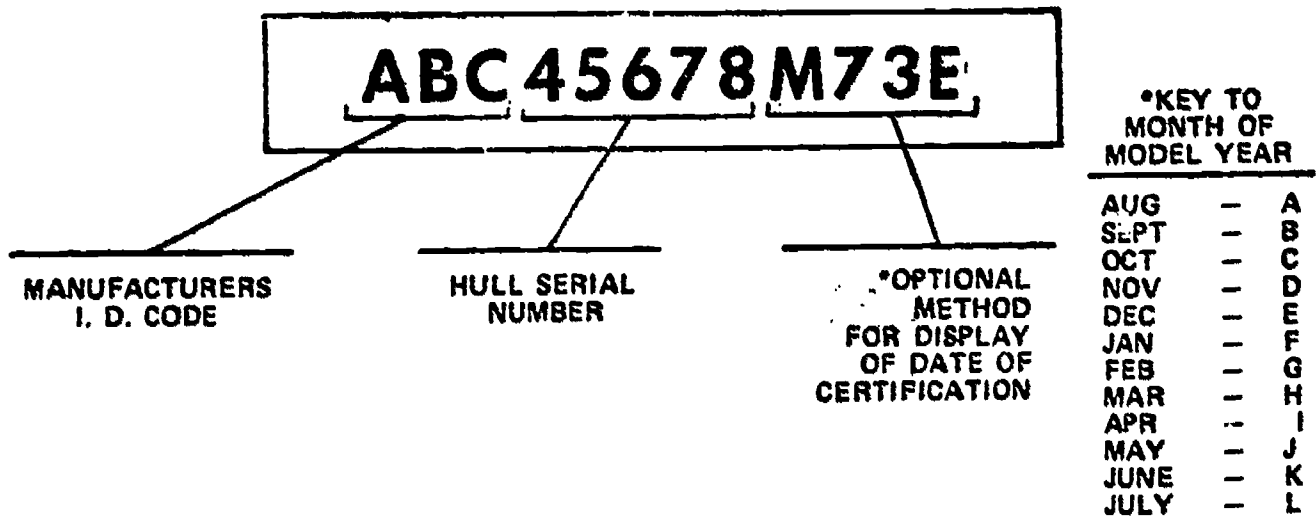
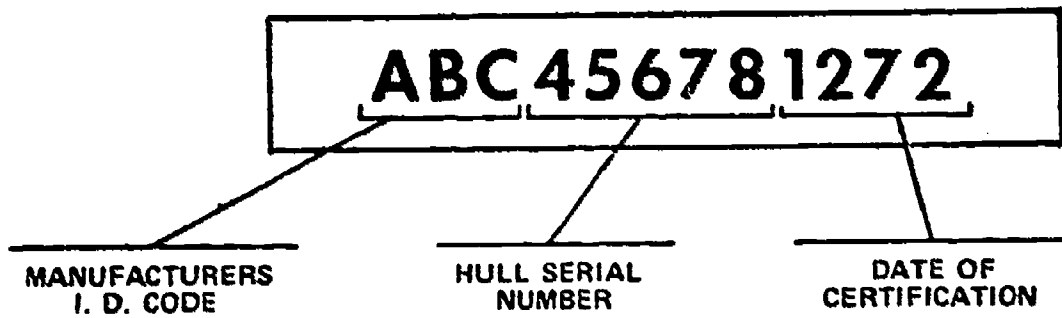
Figure 6-24

## CERTIFICATION LABEL



**COMBINED CAPACITY AND CERTIFICATION LABEL**

Figure 6-25



**HULL IDENTIFICATION NUMBER (H I N)  
FORMAT**

Figure 6-26

## CHAPTER 7

### RULES OF THE ROAD

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## RULES OF THE ROAD

### 701: INTRODUCTION

This chapter summarizes two general portions of the Rules of the Road that are especially pertinent to Boating Safety: Navigation Lights (Sections 702-709) and Steering and Sailing Rules (Sections 710-712). The text consists of figures and charts accompanied by short explanations. The questions that have been included at the end of the chapter highlight the most important facts.

### 702: DEFINITION OF TERMS

In this section there are a few terms used which you should understand. These terms, along with their definitions, are as follows:

"Visible" means visible in a dark night with clear atmosphere.

"Forepart of Vessel" means that part of the vessel forward of the amidships beam.

"Aft of the Beam" means that part of the vessel aft of the amidships beam.

"Combination Lights" means one light fixture with both red and green side lights mounted on it.

"Point of the Compass" means an arc of  $11\frac{1}{4}$  degrees of the compass. Thirty-two points equal 360 degrees.

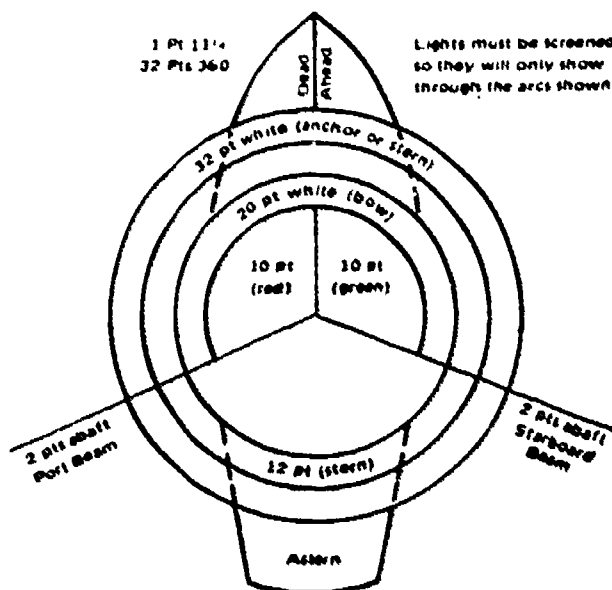


Figure 7-1  
Arcs necessary for lights on various vessels.

### 703: LIGHTING REQUIREMENTS

The Motorboat Act of 1940 prescribes lighting requirements for motorboats using waters governed by the Inland, Great Lakes and Western Rivers Rules of the Road. The Act also provides that the lights prescribed by the International Rules of the Road may be displayed by motorboats operating on inland, Great Lakes, and western rivers waters.

Motorboats operating outside of the waters governed by the Inland, Great Lakes, and Western Rivers Rules, may only display the lights required by the International Rules of the Road.

Legally, a combination light cannot have any separation of light sources, but for law enforcement purposes fixtures which, when lighted, appear at a reasonable distance to be a single light, may be considered a combination light. You should consider a separation of up to six inches acceptable if the lights appear combined at a distance of 300 feet or more.

Lights must be exhibited from sunset to sunrise. No violation exists between sunrise and sunset if a vessel has no lights or does not exhibit them.

### 704: LIGHTS REQUIRED ON MOTORBOATS AT ANCHOR

(1) Vessels under 150 feet in length are required to show one all around white light forward (32 point light).

(2) In special anchorage areas designated by the Corps of Engineers, anchor lights are not required if the vessel is 65 feet in length or less.

(3) Motorboats under 26 feet are exempt from carrying the anchor light forward as long as a 32 point white light is displayed on the vessel.

### 705: LIGHTS REQUIRED ON ROWING VESSELS

A rowing vessel must show a white flare-up light of any type upon approach of another vessel in sufficient time to prevent collision.

**POWER BOATS** under 65 feet and all Sailing Vessels at anchor must display anchor lights except those under 65 feet in "special anchorage areas." An anchor light is a white light visible to a boat approaching from any direction, and is displayed in the fore part of the vessel.



**ROWING BOATS:** Rowing boats whether under oars or sail shall have ready at hand a lantern showing a white light which shall be temporarily exhibited in sufficient time to prevent collision.

Figure 7-2

### Lights For Use When Anchored or Rowing

#### 706: ADDITIONAL REQUIREMENTS

Lights should not be obscured by sails, awnings, boat wakes, or persons on board the vessel.

Lights required to be visible for 3 miles should be mounted at least three feet above the water to allow for the curvature of the earth.

#### 707: BASIC RULES FOR NAVIGATION LIGHTS

The rules fall into two categories: rules for vessels using Inland Waters and rules for vessels using International Waters. In this manual, you will find the rules for Inland Waters explained in section 708 with a chart illustrating the rules on page 7-5. You will find the rules for International Waters explained in section 709 with a chart illustrating the rules on page 7-7.

#### 708: RULES FOR BOATS IN INLAND WATERS

For motorboats operating on waters governed by Inland, Western Rivers, and Great Lakes Rules of the Road, the rules are as follows:

(1) Combination lanterns or side lights shall be visible for at least one mile and shall show from right ahead to two points abaft the beam. All white lights shall be visible for two miles. (In figure 7-3, see parts A, B and C)

(2) Every motorboat under 26 feet long must carry two lights. First, it shall carry a bright white light aft to show all around the horizon (32 points of the compass). In

addition, every motorboat shall carry a combination light in the fore part of the vessel and lower than the white light aft. The combination light, which shows green to starboard and red to port, is fixed to throw the light from dead ahead to two points abaft the beam on respective sides. (In figure 7-3, see parts A,B, and C)

(3) Every motorboat 26 feet long to not more than 65 feet long shall carry a bright white light in the fore part of the vessel as near the stem as practicable. Constructed to show an unbroken light over a 20 degree arc of the horizon, this white light shall be fixed to show right ahead to two points abaft the beam on either side. In addition, every motorboat of this size shall have a second white light aft, fixed higher than the white light forward and showing all around the horizon. Finally, boats of this size require separate lights showing from right ahead to two points abaft the beam on either side. These side lights are fitted with inboard screens that are high enough to keep the lights from being seen across the bow. (In figure 7-3, see parts D,E, and F)

(4) Motorboats under 26 feet, when propelled by sail alone, shall carry a combination light forward and one 12 point stern light that is visible from at least 2 miles away. The white 12 point stern light is optional on the Great Lakes. (In figure 7-3, see part C)

(5) Boats 26 feet to not more than 65 feet under sail only, shall carry separate side lights visible for one mile (properly screened). These boats shall also carry one white, 12 point stern light aft, visible for two miles. (The white 12 point stern light is optional on the Great Lakes.)

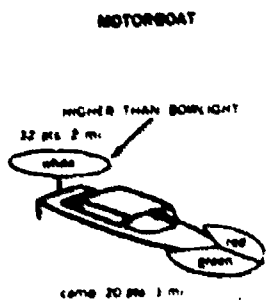
(6) When a boat is under sail and power both, she shall carry the same lights as those required for power alone.

(7) All motorboats equipped with the proper International lights, instead of those prescribed by the Motorboat Act of 1940, may operate on inland waters, western rivers, and the Great Lakes.

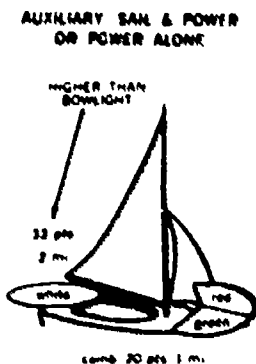
(8) An interpretive ruling concerning white lights on motorboats reads as follows: "Every white light required by the Act of 25 April 1940, as amended, shall be carried in the centerline of the motorboat, except that the all around white light aft on a motorboat under 26' may be carried off the centerline."



UNDER 26 FEET



A.



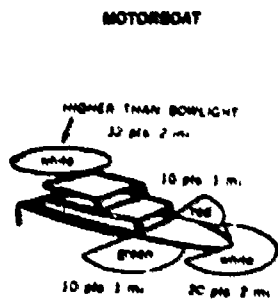
B.



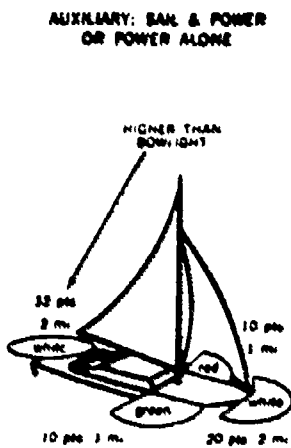
C.

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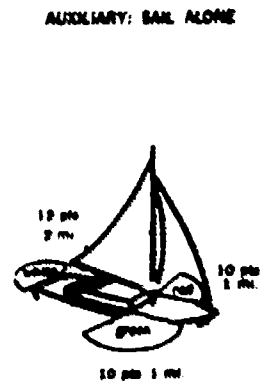
26 FEET TO NOT MORE THAN 65 FEET



D.



E.



F.

Figure 7-3

VESSELS USING ONLY INLAND WATERS

709: RULES FOR BOATS ON INTERNATIONAL WATERS

For motorboats operating on waters governed by International Rules, the rules are as follows:

(1) All motorboats operating with lights prescribed under International Rules shall carry a bright white light of 20 points. The boats shall carry the white light in the fore part of the vessel where it can be best seen, and higher than the combination or separate side lights. The white light shall be fixed to show 10 points on each side from right ahead to 2 points abaft the beam. The light shall be visible for 3 miles or more.

(2) Power vessels under 65 feet in length, with lights prescribed under International Rules, shall carry red and green side lights of 10 points each. The side lights shall show from right ahead to two points abaft and be visible for one mile. Also acceptable is a combination lantern of 20 points, carried not less than three feet below the white light.

(3) Under International Rules, power driven vessels of under 65 feet in length shall carry a white stern light of 12 points, visible for 2 miles, which shall show 6 points from right astern to each side.

(4) Under International Rules, sailing vessels of 40 feet in length or over must carry separate side lights, visible two miles.

An important point for Coast Guard boarding officers to remember is that a violation may not be written for any discrepancy found in the navigation lights on a motorboat, except between sunset and sunrise. These are the basic rules for lights. You as a boarding officer should read the applicable Rules of the Road for the area in which you will be examining motorboats.

NOTE: Motorboats may display only one set of lights and not combine the various rules. This means a motorboat cannot be rigged according to half International Rules and half Motorboat Act of 1940 rules.

QUESTION: Under International Rules, could a 50 foot motorboat display a combination light?

ANSWER : Yes. Under International Rules any size of motorboat may display either the combination light or separate side lights.

VESSELS LESS THAN 65 FEET\*\*

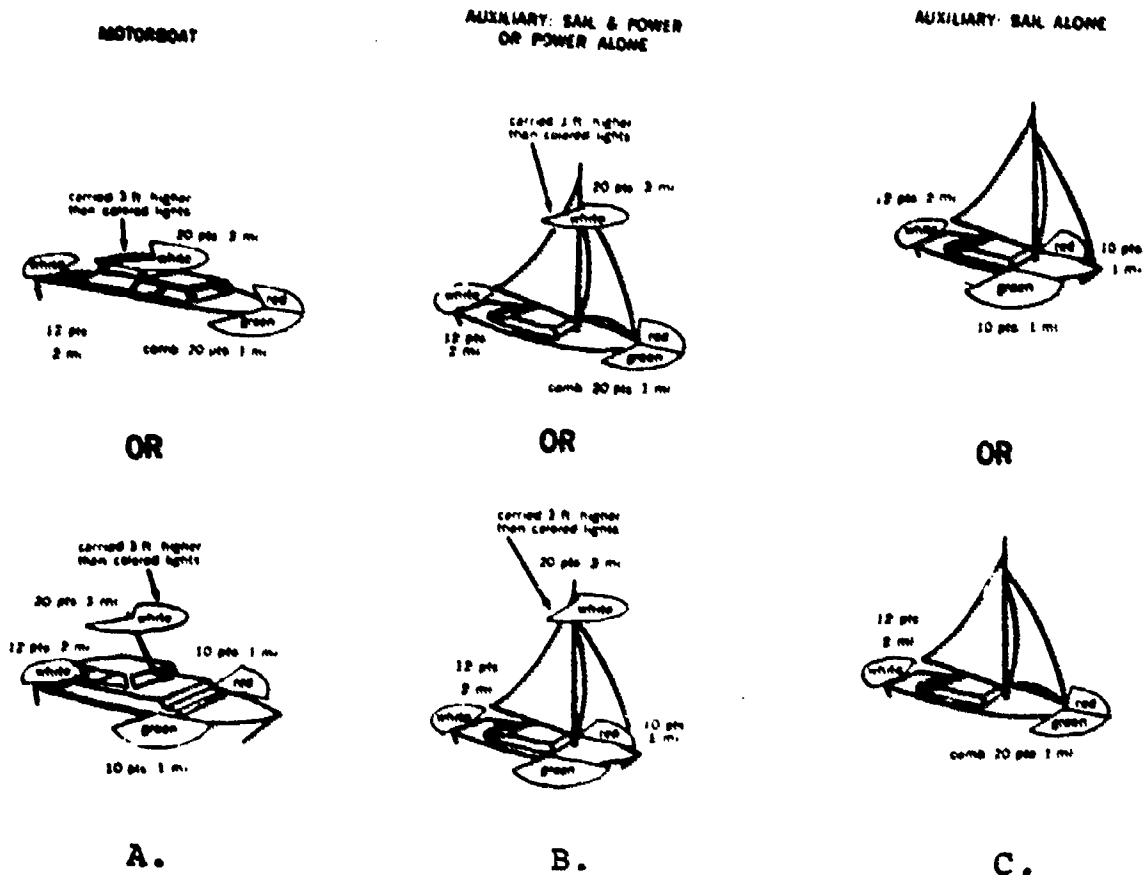


Figure 7-4  
VESSELS USING INTERNATIONAL WATERS

\*\* The requirements for all the vessels indicated in the chart above are the same, regardless of size, with these three exceptions:

A. Motorboats 40 feet to less than 65 feet must carry the forward white light at a location 9 feet above the gunnels and 3 feet higher than the colored lights. In contrast, motorboats under 40 feet carry the forward white light 3 feet higher than the colored lights.

B. For sailboats 40 feet, to less than 65 feet, the side lights must be visible from 2 miles away. In contrast, the sidelights of sailboats under 40 feet long may be visible from only one mile.

C. A sailing vessel may carry on the top of the foremast two 20 point lights in a vertical line one over the other and separated so as to be clearly distinguished. The upper light shall be red and the lower light shall be green.

710: STEERING AND SAILING RULES: BURDEN AND PRIVILEGED VESSEL:

Privileged: When you are privileged, you should maintain course and speed unless you are faced with possible collision; then you must act to avoid collision.

Burdened: As a burdened vessel, you must take positive early action to stay clear of the privileged vessel. You must also avoid (if possible) crossing ahead of privileged vessel.

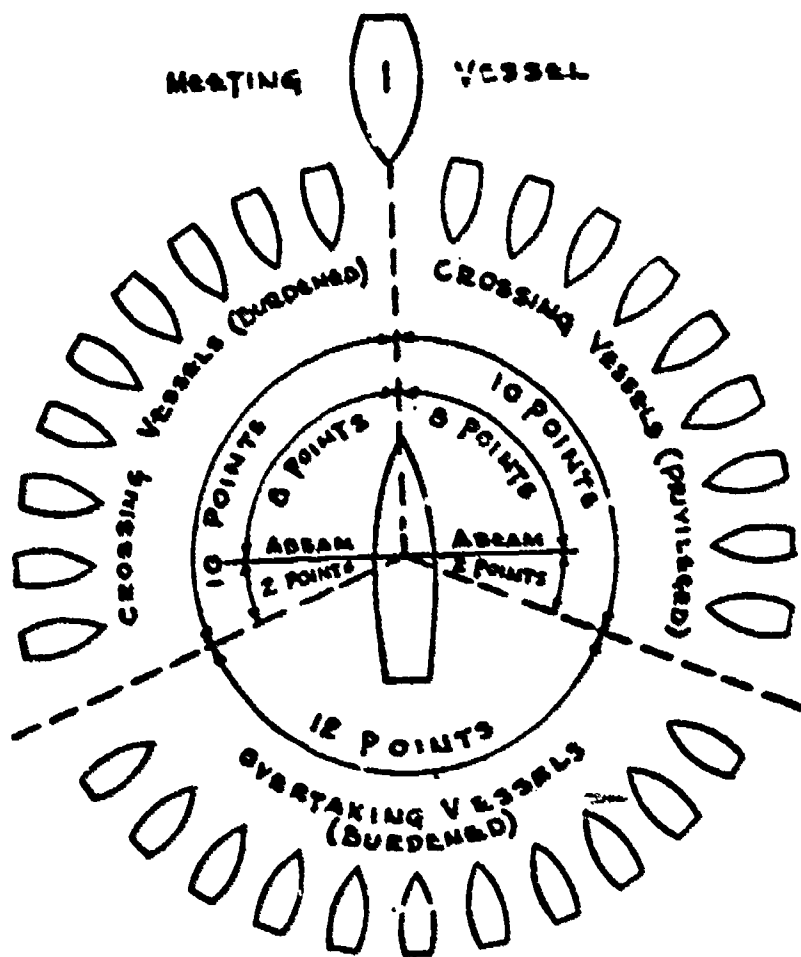


Figure 7-5  
Privileged/Burdened Situations

711: STEERING AND SAILING RULES: SOUND SIGNALS

The following charts consist of signals given by ships, when in sight of each other, by whistle. The following symbols are used for signals:

- a short whistle blast (about one second duration)
- # a prolonged whistle blast (four to six seconds duration)

INLAND RULES

<u>SIGNAL</u>	<u>MEANING</u>
-	Meeting Vessel I intend to pass you port to port, or I assent to a port-to-port passage
--	Intend to pass you starboard to starboard, or I assent to a starboard-to-star- board passage
- --	Overtaking vessel I desire to pass on your starboard hand I desire to pass on your port hand
- -- ---- (or more)	Overtaken vessel I assent to your passing on my starboard hand I assent to your passing on my port hand I do not assent to your passing as proposed
-	Privileged vessel in a crossing situa- tion I intend to hold course and speed
-	Burdened vessel in a crossing situation I intend to keep out of your way

## SIGNAL

## MEANING

---	All cases My engines are going full speed astern
----	Danger exists or I do not under- stand your actions or intentions or I object or cannot comply
-	*I am directing my course to starboard
--	*I am directing my course to port
---	*My engines are going astern
---- (or more)	Danger, keep clear; I am privileged
#	I am within 1/2 mile of the blind bend. (Given, in answer, by approaching vessels)

In Inland Rules, the signals are sounded for intention of a change of course and should be answered with the same signal. Cross signals are prohibited. In International Rules, the signal is given when a course change is made; no recognition signal is given.

Inland Rules have two cases when steam vessels may give sound signals, on the whistle, when not in sight of each other: (1) a long blast of eight to 12 seconds duration means I am leaving a slip; or I am approaching from within 1/2 mile of the obscured bend in the channel; or I am around the bend and hear you; (2) the danger signal, four or more short blasts, can be given in Inland Rules when danger exists even if vessels are not in sight of each other.

\*The main points to remember for International Rules are that the signals are sent when the action is taking place and that these signals are only given when the vessels are in sight of each other.

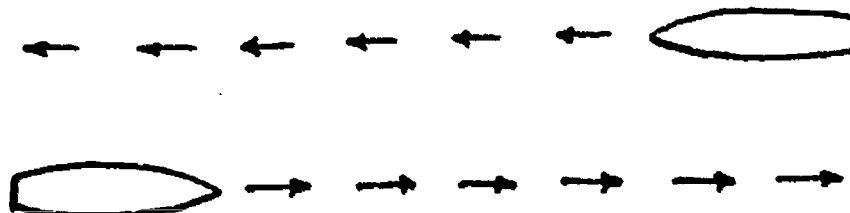
712: STEERING AND SAILING RULES: EXAMPLES OF SITUATIONS

FIRST SITUATION



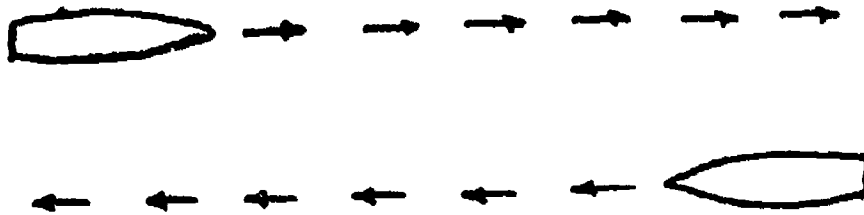
At night, both vessels would see both colored lights, indicating their direct approach "head and head" toward each other. In this situation it is a standing rule that both shall direct their courses to starboard and pass on the port side of each other. In Inland Rules, one vessel would sound a single short blast, the other vessel would sound a single short blast and then they would alter their course. In International Rules the vessels would sound one short blast when they alter their course to starboard.

SECOND SITUATION



In this situation the red light only is visible to each, the screens preventing the green lights from being seen. Both vessels are evidently passing to port of each other, which is rulable in this situation. In Inland Rules each vessel would give one short blast signifying his attention to pass port to port. In International Rules both vessels could maintain course.

### THIRD SITUATION



In this situation the green light only will be visible to each, the screens preventing the red light from being seen. They are therefore passing starboard to starboard which is ruleable in this situation. In Inland Rules each would sound two short blasts. In International Rules, if the vessels are well clear of each other, they will maintain course and speed; no signals will be sent.

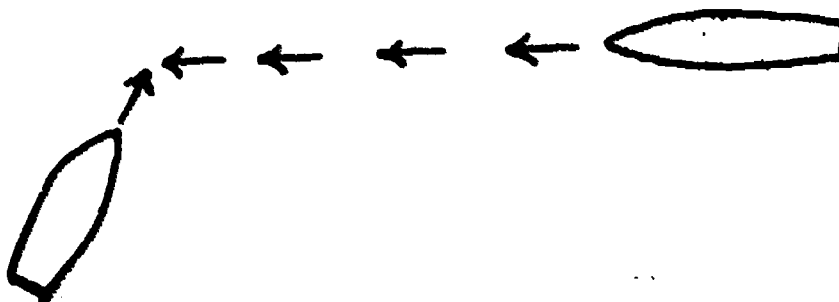
### FOURTH SITUATION



In this situation one power driven vessel is overtaking another power driven vessel from some point within the angle of two points abaft the beam of the overtaken power driven vessel. The overtaking vessel may pass on the starboard or port side of the vessel ahead. In Inland Rules, the overtaking vessel would signal which way he intends to pass, wait for an answer, and then pass on that side. In International Rules the overtaking vessel (burdened) will indicate the change of course he is making to pass the vessel.



## FIFTH SITUATION



In this situation the two vessels are approaching each other at right angles or at oblique angles in such manner as to involve risk of collision, other than where one vessel is overtaking another. The vessel which has the other on her own port side shall hold course and speed, and the other shall keep clear by crossing astern of the vessel that is holding course and speed, or, if necessary to do so, shall slacken her speed, stop, or reverse. In Inland Rules the burdened vessel will signal any intended change of course and the privileged vessel will signal one short blase (i.e., holding course and speed) or the danger. In International Rules the burdened vessel will signal any change of course.

NOTE: The above situations apply to power driven vessels. A sailing vessel, on the other hand, has the right of way except in two situations. First, a sailing vessel has the right of way unless it is in a narrow channel with another vessel that can safely navigate only within that channel. Second, a sailing vessel has the right of way unless it is overtaking another vessel.

### 713: CHAPTER QUIZ

1. How many degrees are in a "point of the compass"? How many points equal 360 degrees? (702)
2. What navigation lights would a 17 foot motorboat be required to show at night, while under way, in inland waters? International waters? (706)
3. What navigation lights would a 36 foot motorboat be required to show at night, while underway, in inland waters? International waters? (708 and 709)
4. What navigation lights would a 60 foot motorboat be required to show at night, while underway, in inland waters? International waters? (708 and 709)

5. What navigation lights would a 17 foot sail boat (moving under sail only) show at night in inland waters? International waters? (706)

6. For the following examples, determine which vessel is the burdened vessel. (Consider yourself and the other vessel to be a power driven vessel unless otherwise states.)

- a. The other vessel is off your port bow.
- b. The other vessel is off your starboard bow.
- c. The other vessel is overtaking you.

7. What is the main difference between Inland and International steering signals?

## CHAPTER 8

### NEGLIGENT AND GROSSLY NEGLIGENT OPERATION

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802:	Definition of Negligent Operation	8-1
803:	Definition of Grossly Negligent Operation	8-1
804:	Examples of Negligent Operation	8-1
805:	Procedures	8-3
805-1:	A Citizens Complaint	8-3
806:	Actual Negligent Operation Cases	8-5
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806-3:	West Coast	8-7
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## NEGLIGENT AND GROSSLY NEGLIGENT OPERATION

### 801: INTRODUCTION

In Chapters 6 and 7 we discussed the equipment required by law for motorboats. In this chapter we will discuss the type of motorboat operation which constitutes the biggest hazard to safety afloat -- negligent operation. (The term reckless or negligent operation has been changed to negligent or grossly negligent under the Federal Boating Safety Act of 1971).

If the sport of boating is to remain safe, the unsafe motorboat operators must be found and educated on safe motorboat operation. This education can be administered in the form of instructions from boarding officers, civil penalties assessed by the Coast Guard, or the harshest education of all -- arrest. Regardless of the method used to educate the public; negligent operation of a motorboat must be stopped whenever detected by a boarding officer. Negligent operation will normally be handled by means of civil penalty or criminal prosecution.

### 802: DEFINITION OF NEGLIGENT OPERATION

Negligent operation is the failure to exercise that degree of care necessary under the circumstances to prevent the endangering of life, limb or property of any person. Negligent operations may be caused by the operator's ignorance, inattention, indifference, or general carelessness.

### 803: DEFINITION OF GROSSLY NEGLIGENT OPERATION

Grossly negligent implies extreme forms of negligence. Gross negligence is an absence of all care. The term means that the operator of a boat knows that a certain act can create an unreasonable risk of harm, even though he does not necessarily intend to cause harm.

### 804: EXAMPLES OF NEGLIGENT OPERATION

804-1: Failure to reduce speed in areas where boating is concentrated. Excessive speed can create a dangerous wake causing other boats in the vicinity to ship water, lose equipment, or in other ways receive damage. This wake can also threaten the safety of persons in near by boats. This kind of operation can endanger life, limb, and/or property.

804-2: Operating at excessive speed under storm conditions or in fog. Hazardous conditions are also present when maneuvering room is restricted by narrow channels or when vision is obstructed by such things as jetties, land, or other boats.

804-3: Operating while under the influence of intoxicants or drugs. This is not in itself a violation of the law unless the operation of the boat is erratic. In other words, if you are examining a motor-boat and the operator is drinking beer, but the vessel as you observed it was operating in a normal manner, no violation exists. However, if you had observed the boat operating in a way that could endanger life, limb, or property you would cite the operator for negligent operation. Supporting evidence would be the fact that you had observed the operator consuming intoxicants. If a case such as this goes to court, the boarding officer has to prove the operation of the boat was negligent, not that the operator was intoxicated. The fact that the operator was drinking, or taking drugs, will help support the fact that boat was being operated erratically. If, in your opinion, the boat's erratic movement was caused by the operator's use of intoxicants or drugs, you should not permit the operator to continue using the boat. In this situation, you have several alternatives. It might be appropriate to tow the vessel to the nearest mooring, or to have a capable passenger on the boat take over operation (with the permission from the person who is in charge of the boat). Or, if the operator will not or is incapable of granting such permission, you may place an operator aboard from your boating safety crew. In some instances, you may want to request the assistance of local law enforcement officers and handle the case under state law. These are only suggestions; your choice of action will depend on the circumstances. Regardless of what action you take or is taken by other authorities, if you observe a vessel operating in a negligent manner, you are required to file a notice of violation with the district commander.

804-4: Towing water skiers in an area where a fallen skier might be hit by other vessels may constitute negligent operation. Also, towing water skiers in areas where obstructions exist may fall in the same category.

804-5: Operation within swimming areas when bathers are present. The mere operation in an area where swimmers are normally present but are not present at the time would be difficult to prove applicable under the language of the law which states: "so as to endanger the life, limb, or property of any person." However, if the area is posted, the case becomes aggravated and if swimmers are present, a grossly negligent situation probably exists.

804-6: Operation in the vicinity of dams when such areas are known to be hazardous. When the areas are marked by warning signs, posters, buoys, or other means to inform the public of the hazards present, operation there would be of a greater degree of negligence than if not posted. Where there has been previous usage of the waters by boatmen, it may be difficult to prove a negligent case unless there is a history of casualties at the specific locale or in a similar area.

804-7: Cutting through an area where a regatta or marine parade is in progress in a way that could hazard participants or spectators, interfere with the safe conduct of the event, or otherwise cause an unreasonable nuisance is negligence.

These are just a few examples of negligent operation. As a boarding officer, you will encounter other negligent operation cases. You will have to decide whether the operation is negligent or not, review paragraph VIII-12 of CG-253 for a complete discussion on this. Just remember, operation of a vessel which endangers life, limb, or property in anyway is negligent operation.

805: PROCEDURES

The following discussion concerns the steps a Coast Guard boarding officer should take when observing an act of negligent or grossly negligent operation:

- (1) Stop the subject.
- (2) Inform the operator of the reasons why his operation is negligent and tell him to cease this type of operation.
- (3) Examine the vessel.
- (4) Fill out and complete Report of Boarding (CG-4100) plus a supplemental report furnishing the information required on page 8-14 and 15 of the Boarding Manual. (Also given in chapter on CG-4100). Be sure this form and the supporting papers contain all applicable information concerning the violation. (SEE ILLUSTRATION AT END OF CHAPTER)
- (5) Give the Violation copy of Form CG-4100 to the operator of the vessel.
- (6) The commanding officer or officer-in-charge of the reporting unit will review the report and its supporting papers; procure additional information, if it is needed and can be readily obtained, and then forward the report and the supporting papers in accordance with district instructions.

805-1: A CITIZENS COMPLAINT

If a citizen's complaint of negligent operation is received by telephone, apply the following procedures:

- (1) If action is still occurring and it is within the capability of the unit to take positive action, dispatch personnel to the scene of the incident. The personnel dispatched will:
  - (a) If the offending vessel is still at the scene, board and examine the vessel.

- (b) If the offending vessel has departed the scene, attempt to contact the citizen making the complaint, and obtain the information required by paragraph 2, page 8-14-15 of the Boarding Manual, CG-253.

(2) If action has ceased at the time the complaint is received, the receiving Coast Guard unit will:

- (a) Request the citizen complainant forward a written complaint of the incident, to the Coast Guard ~~advising~~ the complainant of what facts should be included in the complaint, or
- (b) Request the complainant come to the unit where the Coast Guard will assist the complainant in preparing a written complaint, or
- (c) If only a short time has elapsed since the incident, and it seems advantageous to make immediate inquiry into the matter, dispatch personnel to inquire into it.

If a citizen's written complaint has been received, or a preliminary inquiry of an incident has been made by Coast Guard personnel but no actual boarding has taken place, the following instructions apply:

(1) The commanding officer or officer-in-charge will review the complaint or the results of the inquiry. If additional information is necessary and it is readily obtainable, take steps to obtain it.

- (a) If from the facts available it appears that a negligent operation violation occurred, complete Form CG-4100 and forward it, together with any supporting papers, to the district commander via the chain of command. A copy will also be sent directly to the district commander.
- (b) If from the facts available it appears that a negligent operation violation did NOT occur, forward the material to the district commander via the chain of command. Do not complete a Form CG-4100. In all of the above cases an individual complainant may be advised that Coast Guard action in no way limits his right to pursue civil action or to make complaint to State or local authorities (especially where violations of State or local laws are alleged).

In some cases it may be necessary to arrest the operator of a vessel for negligent operation. If you must arrest, follow the arrest procedures listed in Chapter 12 or the step-by-step procedure listed in section VIII-12, paragraph (4), pages 8-17 and 8-18 of the Boarding Manual, CG-253.

#### 806: ACTUAL NEGLIGENT OPERATION CASES

This section covers three actual cases of negligent operation. We have selected one each for the west coast, east coast, and Great Lakes area. This does not signify that these are the predominant kinds of negligent operation cases in these areas. Instead, the examples show you that negligent operation occurs in all areas where there is boating activity.

##### 806-1: East Coast

While a boating safety detachment was on safety patrol, they spotted a small outboard motorboat with a young girl riding on the bow. Upon closer investigation, the detachment personnel found that the small girl was not only sitting on the bow, but was also hanging her legs over the side. The boat was underway at approximately five knots and had no rail on the bow to hold onto. The detachment stopped the motorboat and cited it for negligent operation.

**QUESTION:** Why was this boat cited for negligent operation?

**ANSWER :** The boat was cited for negligent operation because it was carrying a girl on its bow who was hanging her legs over the side. There was nothing for her to hold onto. The danger in this type of operation is caused by the possibility of the girl falling over the side from a jerk or roll of the boat as it moves through the water and the boat running over the girl. This operation endangers life and is the basis for the negligent operation citation.

##### 806-2: Great Lakes

This case occurred in the Great Lakes region on an inland lake classified as Federal waters because of its location between two states. A safety patrol was underway on the lake. At approximately 0035, the patrol spotted an outboard motorboat operating with no navigation lights except for the 12-point stern light. The safety patrol stopped the motorboat and informed the operator that he was operating without the proper lights.

An examination of the boat was then conducted and the following violations were found:

- (1) Insufficient personal flotation devices aboard.



- (2) No Certificate of Number aboard.
- (3) No sound producing device aboard.
- (4) Number improperly displayed.
- (5) Improper navigation lights.

In addition, the operator was very uncooperative and used abusive language to the boarding officer. After the operator was given the violation copy of the Report of Boarding, he placed his motorboat's throttle full forward. As the boat was moving forward, it scraped the side of the patrol boat. When the amidship section of the vessel was passing the safety patrol boat's bow, the operator placed his boat in a hard right turn.

Due to the darkness and the shallowness of the area's waters, the boarding officer did not chase the motorboat. Since he had all the necessary information from the examination, all he needed to do was add the violation of negligent operation to the boarding form.

**QUESTION:** Since the violation was not listed on the operator's copy of the boarding form, can the operator be cited for a violation, and why, in this case, was the boat cited for negligent operation?

**ANSWER :** To answer the first part of the question--yes, the operator can still be cited for the violation. Just as the supporting information that you list on the district commander's copy of the boarding form need not appear on the operator's copy, neither must the description of the violation appear on the operator's copy. In the case just mentioned, the boarding officer had the necessary information from the examination he had performed before the negligent operation took place. In order to prevent possible injury to the personnel on both boats, the boarding officer avoided a chase. In this case, negligent operation was demonstrated in several ways. The patrol boat was damaged when the other boat took off. The people on the outboard were threatened with injury because the boat was operated too fast for conditions, and the sharp turn could have thrown the occupants out of the boat. Finally, operating after dark without proper lighting was deemed negligent operation due to the inability of other boats to see the improperly lighted boat. However, improper lighting is not always negligent operation; it will depend on the specific situation.

806-3: West Coast

A boating safety detachment (BOSDET) was patrolling a regatta in Newport Bay, California. The regatta was a yacht race and there were numerous spectator vessels in the bay area. Just before the start of the race, the BOSDET noticed a small outboard motorboat proceeding through the starting area at a high rate of speed. The BOSDET hailed the boat with a loud hailer, but the operator continued to proceed at a high rate of speed toward the starting line. The outboard was hailed again by the BOSDET and was directed to proceed out of the starting area and to standby for an examination. At this time the operator of the motorboat proceed through the starting area again at a high rate of speed. The BOSDET commenced to chase the offender as it appeared that the boat was not following their instructions. The BOSDET chased the outboard for approximately two miles. At this time the boat slowed down. The BOSDET maneuvered as close to the offender as possible in order to direct him to stop for an examination. When the BOSDET was near the motorboat, the operator was again ordered to stop. The operator of the motorboat then asked the boarding officer what authority he had to stop his boat. (Keep in mind that both boats are still moving). The boarding officer replied that under 14 USC 89, Coast Guard commissioned, warrant and petty officers had the authority to stop and examine vessels on federal waters. The operator of the motorboat laughed, made some obscene remarks, and maneuvered his boat in such a way that the BOSDET boat was unable to go alongside. A few minutes passed and the offender again took off at a high rate of speed away from the BOSDET boat. The BOSDET boat commenced to chase the outboard again. When the BOSDET boat caught up this time, the motorboat was again ordered to stop and again the operator refused. After attempting all the methods known to the boarding officer to stop the motorboat, the boarding officer threw a piece of nylon line at the propeller of the boat. This frightened the operator of the motorboat and this time he stopped. The BOSDET boat then went alongside and the boarding officer arrested the operator for negligent operation. The operator was placed on the BOSDET boat in custody of the boarding officer and the operator's boat was taken in tow. Enroute to the Coast Guard moorings, the boarding officer read the arrested man his rights (though not required for this type arrest), and notified the nearest Coast Guard unit that he was bringing in an arrested man and his boat (the district (RCC) was also advised). After the operator was arrested his outboard was examined and the following violations found: No personal flotation devices aboard for the four POB, and the Certificate of Number was not aboard. In addition to these violations, the following notations were added: Negligent operation and failure to stop for a Coast Guard examination.

The negligent operation of the motorboat occurred when the operator was operating at a high rate in an area where there were numerous other boats. This operation endangered those on the motorboat as well as the other boats in the area.

The operator was arrested because he meant to operate the motorboat in a careless fashion and if allowed to continue he most likely would have caused injury or damaged some property. Under the new FBSA Act this would probably be defined as "grossly negligent" operation.

The case was dismissed under criminal prosecution due to the operator's age (17). The case was handled under civil penalty proceedings and the operator was fined \$300.00 for the violations.

807: SUMMARY

Proper enforcement of negligent operation will enhance boating by making it a safer sport. The curtailment of negligent operation will hopefully make our water ways safer.

Before conducting boating safety patrols, you should review the 5910 series of Commandant and district commander instructions concerning the various policies in this field.

U.S. COAST GUARD (ILLUSTRATION) INFORMATION SHEET

REPORT OF NEGLIGENT OR GROSSLY NEGLIGENT OPERATION

1. Type of Offense

- Excessive speed.
- Overloading of vessel.
  - a. Number of persons on board. \_\_\_\_\_
  - b. Rated load capacity (if available). \_\_\_\_\_
- Operating under the influence of liquor, drugs, etc.
- Operating within restricted bathing area or otherwise near swimmers.
- Operating in area posted as dangerous.
- Other (Specify).

NOTE: The actions listed above do not, under all circumstances, constitute negligent or grossly negligent operation. A full explanation of the incident must be provided in Item #11.

2. Description of Offending Vessel

Vessel Number: \_\_\_\_\_ Vessel Name: \_\_\_\_\_  
Hull Material: \_\_\_\_\_ Make & Model: \_\_\_\_\_  
Engine Horsepower: \_\_\_\_\_ Length: \_\_\_\_\_  
Use:  Pleasure Propulsion:  Inboard  
 Passengers for hire  Outboard  
 Commercial fishing  Inboard-Outboard  
 Other (Specify)  Other (Specify)

3. Name and Address of Owner (Offending Vessel)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Name and Address of Operator (Offending Vessel)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Time and Place of Incident

Date: \_\_\_\_\_ Time: \_\_\_\_\_ ( ) A.M.  
(Month, Day, Year) Nearest ( ) P.M.  
Body of Water: \_\_\_\_\_ Town or City: \_\_\_\_\_

Exact Location (Bearing and distance from known landmark or latitude and longitude): \_\_\_\_\_

### Instruction to Complainant

1. The complainant is requested to complete this Information Sheet to the best of his ability and knowledge (including Item #11).
2. If there were witnesses to the incident, obtain statements from each and mail these statements along with this completed Information Sheet to:

( PUT THE ADRESS OF YOUR DISTRICT HERE)

### Instruction to Coast Guard Personnel

1. Coast Guard personnel receiving complaints of negligent or grossly negligent operation, which they did not witness, shall furnish the complainant a copy of this Information Sheet and direct him to comply with the above instructions. Any assistance which can be given the complainant in completing this sheet or in obtaining supporting statements from witnesses shall also be provided.
2. Negligent or grossly negligent operation witnessed by Coast Guard Personnel shall be handled as follows:
  - a. "Report of Boarding and Notice of Violation" (Form CG-4100) shall be prepared at the time of boarding. The preparation of this Information Sheet does not alter the Boarding Officer's responsibility to also prepare Form CG-4100.
  - b. The Boarding Officer shall obtain from all witnesses a brief, clear statement containing their observations of the incident. These statements shall be attached to this form as a part of the preliminary inquiry.
  - c. Form CG-4100, this Information Sheet, and any supporting statements from witnesses shall be forwarded to the district commander via the chain of command and the OCMI having geographical jurisdiction.
  - d. In order to apprise the district commander of the status of cases of this nature, a copy of Form CG-4100 shall be forwarded direct to the District Commander by the commanding officer or Officer-in-Charge of the unit reporting the violation.

6. Weather and Sea Conditions

<u>Weather:</u>	<u>Visibility:</u>	<u>Water:</u>	<u>Wind:</u>
<input type="checkbox"/> Clear	<input type="checkbox"/> Good	<input type="checkbox"/> Calm	<input type="checkbox"/> None
<input type="checkbox"/> Rain	<input type="checkbox"/> Fair	<input type="checkbox"/> Choppy	<input type="checkbox"/> Light
<input type="checkbox"/> Fog	<input type="checkbox"/> Poor	<input type="checkbox"/> Rough	<input type="checkbox"/> Moderate
<input type="checkbox"/> Other (Specify)		<input type="checkbox"/> Strong	<input type="checkbox"/> Strong
		Current	<input type="checkbox"/> Storm

7. Attitude and Conduct of Operator ( Offending Vessel)

- Cooperative
- Uncooperative (explain below)

8. Injuries Sustained

	<u>Name</u>	<u>Address</u>	<u>Injury</u>
1.	_____	_____	_____
		_____	
2.	_____	_____	_____
		_____	
3.	_____	_____	_____
		_____	

(If additional space is needed, use attached sheet)

9. Property Damage (Include nature and extent)

10. Witnesses

	<u>Name</u>	<u>Adress</u>	<u>Willing to testify</u>	
			<u>Yes</u>	<u>No</u>
1.	_____	_____	( )	( )
		_____		
2.	_____	_____	( )	( )
		_____		
3.	_____	_____	( )	( )

(If additional space is needed, use attached sheet).

11. Description of Incident (Include, as applicable, the following information).

- a. Description of area (a sketch or scale drawing would be helpful).
- b. Proximity of bathers, waterskiers, or vessels.
- c. Approximate routes and speeds of offending vessel and reporting vessel.
- d. Action which endangered life and/or property.
- e. Approximate size of wake.

(If additional space is needed, use attached sheet).

12. Offense Reported By:

Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
Address \_\_\_\_\_  
(or Unit): \_\_\_\_\_ Telephone No: \_\_\_\_\_  
\_\_\_\_\_

## CHAPTER 9

### CORRECTION OF AN ESPECIALLY HAZARDOUS CONDITION

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906: Preparation of CG-4100 When Terminating Use	9-3



## CORRECTION OF AN ESPECIALLY HAZARDOUS CONDITION

### 901: AUTHORITY FOR CORRECTION OF AN ESPECIALLY HAZARDOUS CONDITION

Termination of unsafe use as a means of correction of an especially hazardous condition derives its authority from section 13 of the Federal Boat Safety Act of 1971 which reads as follows:

Section 13. If a Coast Guard boarding officer observes a boat being used without sufficient lifesaving or firefighting devices or in an overloaded or other unsafe condition as defined in regulations of the Secretary, and in his judgment such use creates an especially hazardous condition, he may direct the operator to take whatever immediate and reasonable steps would be necessary for the safety of those aboard the vessel, including directing the operator to return to mooring and to remain there until the situation creating the hazard is corrected or ended.

### 902: INSUFFICIENT LIFESAVING AND FIREFIGHTING DEVICES

First, we will clarify the terms insufficient lifesaving devices (personal flotation devices) and firefighting devices. For example, you have stopped a boat and in your examination you find the boat either has fewer personal flotation devices than required for the number of people on board, or has insufficient firefighting devices aboard. In your opinion, if the boat is used further with either of these deficiencies, an especially hazardous condition will be created. You, as a boarding officer, may require the operator to take corrective action necessary for the safety of those persons on board the boat. If the corrective action can only be obtained by having the boat returned to the nearest safe mooring, you are authorized to require the boat to return to the mooring, and in addition, to remain there until the deficiencies are corrected or ended.

### 903: OVERLOADING

Another example where this authority could be used by boarding officers would be for an overloaded boat. You, as a boarding officer, stop a boat which has very little freeboard, and is taking or could take on water very easily. You determine this boat to be overloaded, and if the boat is continued to be used, the people on board could find themselves with a sinking or capsized vessel. For this reason an especially hazardous condition is created by the overloading, and you would terminate

the use of the boat. However, you must exercise extreme caution in this case. Should you order the boat back to mooring without providing an escort or reducing the overloaded condition (by taking passengers or gear aboard your patrol boat), the boat may sink or capsize while carrying out your order. Whenever in doubt about the safety of the persons on board the boat, escort the terminated vessel to the nearest safe mooring.

#### 904: OTHER UNSAFE CONDITIONS

Finally, Section 13 refers to "other unsafe conditions as defined by the Secretary." These other unsafe conditions are determined by the Commandant of the Coast Guard, not the boarding officer, and are published as regulations. If the boarding officer considers an unsafe condition to exist other than insufficient personal flotation or firefighting devices, or overloading, it must be one of the unsafe conditions published in regulations before it can be enforced. At the present, "other unsafe condition" means a boat--

(a) Does not display the navigation lights between sunset and sunrise;

(b) Has fuel leakage from either the fuel system or engine;

(c) Has an accumulation of fuel in the bilges or a compartment other than a fuel tank;

(d) Does not meet the ventilation requirements for tanks and engine spaces;

(e) Does not meet the requirements for backfire flame control.

(f) Hazardous bars. (CCGD 13 only)

(g) Manifestly unsafe voyage (guidelines for enforcement under development by Headquarters).

#### 905: USE OF TERMINATION AUTHORITY

The important thing to remember when considering this action is that three conditions must exist before it is authorized. First, the boat must have insufficient personal flotation devices, or insufficient firefighting devices, or it must be overloaded or have one of the "other unsafe conditions" listed in regulations. Second, the unsafe condition cannot be corrected on the spot. Third, continued use of the boat with one or more of these unsafe conditions

present would have to create an especially hazardous condition, "especially hazardous" meaning a condition involving a substantial risk of injury or loss of life.

All three conditions must apply before the boarding officer can terminate the use of a boat. Prior to using this authority, make sure you are authorized. Much embarrassment will be created if you use it and are not authorized. At present, only those petty officers holding either the D-8 or D-0 designator and designated officers are authorized to exercise this authority. Refer to Commandant Instruction 5910.15 series for a complete discussion.

QUESTION: What is an example of insufficient firefighting devices which may create an especially hazardous condition?

ANSWER : A 30' motorboat is examined and is found to have neither of the required fire extinguishers aboard. When stopped, the vessel was headed off-shore with 5 POB. The boat is equipped with two gasoline engines, and has 200 gallons of gasoline aboard. The possibility of a fire exists due to the gasoline engines and extra fuel. As the boat is headed off-shore, should it have a fire, extra time may be required for assistance to arrive on scene. This, therefore, creates an especially hazardous condition.

The authority to terminate use of a vessel can help prevent injuries or loss of life and property on the water. However, this authority must be properly used less we interfere with the constitutional rights of our countrymen. Remember Alexander Hamilton's statement in Chapter One.

#### 906: PREPARATION OF CG-4100 WHEN TERMINATING USE

When a boarding officer orders the termination of a boat he must check the appropriate box/boxes on the Notice of Violation, CG-4100 and list any instructions given to the operator of the boat being terminated in the remarks section.

The following illustrations are examples of what one district is doing when ordering termination of a boat. The first illustration is an explanation of the termination authority. This is given to the operator along with the Report of Boarding (CG-4100). Note that the boarding officer lists his name and unit on this sheet. The second illustration is a form on which the boarding officer can submit information concerning the circumstance surrounding the termination. This form is forwarded to the district as an attachment to the CG-4100. This sheet is not given to the operator. These are examples which can aid you in the enforcement of the termination authority. These illustrations are suggested aids, not requirements.

ILLUSTRATION A

DEPARTMENT OF TRANSPORTATION UNITED STATES COAST GUARD

INFORMATION FOR BOAT OPERATOR CONCERNING COAST GUARD AUTHORITY  
TO DIRECT THE CORRECTION OF AN ESPECIALLY HAZARDOUS CONDITION

Federal Boat Safety Act of 1971 (PL 92-75)

Section 13. If a Coast Guard Boarding Officer observes a boat being used without sufficient lifesaving or firefighting devices or in an overloaded or other unsafe condition as defined in Regulations of the Secretary (of the Department in which the Coast Guard is operating), and in his judgment such use creates an especially hazardous condition, he may direct the operator to take whatever immediate and reasonable steps would be necessary for the safety of those aboard the vessel, including directing the operator to return to mooring and to remain there until the situation creating the hazard is corrected or ended.

For the purpose of section 13 of the Act "other unsafe condition" means a boat--

Does not display the navigation lights required  
Has fuel leakage from either the fuel system or engine;  
Has an accumulation of fuel in the bilges or a compartment other than a fuel tank.  
Does not meet the ventilation requirements for tanks and engine spaces  
Does not meet the requirements for backfire flame control.

Your boat is being boarded to determine if the above authority provided to the Coast Guard should be used to insure the safety of the persons on your boat.

Your Boarding Officer is \_\_\_\_\_, of Coast Guard Unit \_\_\_\_\_, and is specifically trained and authorized to perform this function. He will not unnecessarily interrupt your boating pleasure, but he must be assured of your safety. Your cooperation will aid considerably in reducing the amount of time required.

Should any violation of the above federal requirements be observed and, in the Boarding Officer's judgment, such deficiency creates an especially hazardous condition to the occupants of the boat, you will be directed to take specific steps to correct the unsafe condition. Immediate compliance is required for safety purposes.

Failure to comply with the directions of the Boarding Officer will result in a citation for that non-compliance as well as the specific violations which created the unsafe condition. Continued use could result in prosecution in a Federal Court resulting in a sentence of up to one (1) year in jail and \$1,000 fine for use of the boat in a grossly negligent manner so as to endanger life, limb, or property of a person.

Please remember that the action taken is for your safety and if you have any questions, the Boarding Officer will answer them or advise you where to find the answer.

ILLUSTRATION B

UNIT \_\_\_\_\_  
DATE \_\_\_\_\_

SUPPLEMENT SHEET TO BOARDING REPORT # \_\_\_\_\_  
(Refer to # on CG-4100)

1. IN MY JUDGMENT THE BELOW NOTED CONDITIONS CREATED AN ESPECIALLY HAZARDOUS CONDITION.

2. The following unsafe conditions were observed:

- |   |  |
|---|--|
| a. _____ Insufficient lifesaving devices  | e. _____ Fuel leakage (Fuel system or engine)                |
| b. _____ Insufficient firefighting devices  | f. _____ Fuel accumulation (Other than fuel tank)            |
| c. _____ Overloaded (Detailed explanation required)<br>Operator must be cited for negligent operation | g. _____ Failure to meet ventilation requirements            |
| d. _____ Failure to display required navigation lights  | h. _____ Failure to meet backfire flame control requirements |

3. Distance offshore \_\_\_\_\_ mi.      Sea height \_\_\_\_\_ feet  
Greatest wind \_\_\_\_\_ knots      Visibility \_\_\_\_\_ miles

4. Other conditions contributing to hazard:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Specific instructions given the operator were:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Boarding Officer action to assist insuring safety:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. REMARKS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



CHAPTER 10  
MOTORBOAT EXAMINATION TECHNIQUES

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## 1001: INTRODUCTION TO MOTORBOAT EXAMINATION TECHNIQUES

This chapter discusses the safety patrol concept and recommends various techniques for examining motorboats, yachts and uninspected vessels. Much of the material presented on boarding techniques has been taken from the experience of professional boating safety personnel. These techniques are recommended to help you in your examination and can be modified as needed to fit your situation. Each boarding officer will perfect his own techniques with practice.

The majority of boats that are examined each year are primarily pleasure boats. The people aboard these pleasure boats are, for the most part, relaxing and temporarily escaping from their daily responsibilities. Consequently, these people don't really want to be bothered with a safety examination. Some of the boating public will consider a Coast Guard examination as an inconvenience and an infringement of personal rights. You as a boarding officer are going to have to make these boatmen feel that the examination is useful and is being made for their safety. Even with this thought in mind you should examine vessels with a minimum of delay, yet still be thorough. If at all possible, you should make examinations in locations where other boat traffic is not obstructed, and where it is easy to maneuver alongside safely. In the following sections we discuss the proper methods of selecting areas for safety patrols, duties of a safety patrol and suggested techniques in examining vessels.

## 1002: SAFETY PATROL CONCEPT

A "Safety Patrol" is defined as a roving waterborne patrol of boating areas for the purpose of deterring, detecting, and reporting unsafe practices; observing aids to navigation and reporting deficiencies; and being immediately available for response to a search and rescue demand. Boating safety detachments and Coast Guard shore facilities constitute the backbone of the "Safety Patrol Program." District operational units should use the safety patrol concept in motorboat law enforcement whenever possible. Only trained and certified boarding officers should be employed in charge of these patrols. Through their very presence, these patrols, especially if observed stopping and examining safety violators at varying times and locations, should serve to deter the operator who is prone to endangering others. The safety patrol should operate in areas of boating concentrations and be alert to detect unsafe practices such as: excessive speed, overloading, improper loading, operating in swimming areas, operating in posted dangerous waters, erratic operation, etc. The patrol shall stop and examine those boats observed in unsafe operations. Also, any boat to which assistance is rendered will be examined (if feasible). Notices of Violation will be issued when violations exist.



The effectiveness of safety patrols will not be measured in terms of the number of boardings conducted. Therefore boarding officers shall not, without reason, board boats displaying valid examination decals issued by the Coast Guard Auxiliary, or by law enforcement agencies recognized by the Coast Guard as having equivalent requirements. They shall not be so overzealous in their examination as to be distracted from their alertness to observe unsafe practices and render assistance. A mass routine boarding program will not normally be conducted unless the district commander feels a safety problem exists within a given area. Thus the safety patrol concept does not eliminate boardings in enforcement of motorboat laws, it merely places greater emphasis on penalizing unsafe operators rather than unduly interfering with the activities of the law abiding boatman. With the above in mind, the patrol will still be expected to board a percentage of those boats in any area, whether observed in an unsafe condition or not, to check for compliance with equipment laws.

The safety patrols provide an excellent means of meeting the boating public and directing their attention to the various boating education courses and the Courtesy Motorboat Examination program offered by the Coast Guard Auxiliary. These programs will be discussed in detail in Chapter 14. Boarding officers should obtain the names of Auxiliarists who may be contacted locally for further information on these efforts.

There is obviously plenty of room for all of us to work without competition or conflict in the boating safety field. Through careful scheduling, the Auxiliary's effort can be used to complement the safety patrol concept, and vice versa. Close liaison with the U S. Power Squadrons in this regard is also desirable. Finally, liaison with State and other Federal agencies should be maintained and schedules of operations exchanged to obtain maximum effectiveness with a minimum of overlap.

When selecting an area to be assigned for a safety patrol, the need for the patrol and the conditions last found at the location should be considered. When possible, a safety patrol should operate in an assigned area for a relatively brief period of time and then move on to another area. In this way the Coast Guard can extend its influence to a greater segment of the boating public. This movement from one area to another has been proven most effective by Coast Guard boating safety detachments.

QUESTION: What if you observe no unsafe practices while on safety patrol but there are approximately 100 boats in the safety patrol area?

ANSWER : You should randomly stop and examine a number of these boats. This will keep the equipment laws enforced and keep the boater on his alert that

even though he is observed operating safely, he could still be stopped and examined by the Coast Guard in the interest of safety.

### 1003: EXAMINATION PROCEDURES

Hailing. Hail the vessel to be examined in a clear manner. This hail can be made with any of the following items:

- (1) A blue flashing light--This light can be seen in daylight as well as night and is generally an attention getter. This light has been accepted for use in maritime law enforcement work. To use this device, you turn on the light, and inform the vessel to stop.
- (2) Stop sign--This is a sign made up the same as a street stop sign or a lettered placard with the word "stop". When used, it is held up so that the boat you want to stop can see it clearly.
- (3) Hand horn or Police Whistle--These are basically attention getters and after the attention is received, inform the vessel to stop.
- (4) Hold arm straight out--This procedure is usually involved in every examination regardless of what other hailing device is used. You simply hold out your arm with your hand held palm out, towards the boat you intend to stop. This method is often mistaken as a greeting or wave and will probably require other methods as well.
- (5) Loud Hailer--This is probably the most commonly used device. It is pointed in the direction of the vessel to be stopped and the instructions from you are broadcast in high volume. This device usually eliminates any misunderstanding.
- (6) Siren--This device is a definite attention getter, but should be used as a last resort. The reason for this is that it can embarrass the boatman by drawing the attention of fellow boatmen. This does not mean that you should never use the siren. There are times when this is the only way you can stop a vessel.

There are other devices or methods used to hail vessels, but these are the most common.

After you have the attention of the vessel you should state to the operator, "Stop--I am coming alongside," or "Come alongside my boat;" you may order the vessel to reduce speed, or to follow your boat; different situations will call for various instructions.

#### 1004: APPROACH

As you approach to within about 100 feet of the vessel, check the number (name and hailing port if documented) for proper display. Record this information so that it can be checked against the vessel's certificate or document when presented. If after sunset, you will also check for the proper navigation light display. As you approach you will order the vessel to be examined to come alongside or state that you are coming alongside. A general rule in going alongside is that the smaller vessel usually goes alongside the larger. Prior to the approach you should check to see that enough fenders are out and that enough personnel are available to handle the boarding. Having sufficient fenders and personnel will prevent possible damage and embarrassment when going alongside.

#### 1005: VESSELS ALONGSIDE

After the vessel is alongside, the first thing you do is greet the operator with a "good morning or afternoon, sir or ma'am," as appropriate. If the vessel to be examined is a cabin cruiser you will have to go on board. However, if the vessel is a small open boat, you can examine it from your patrol boat. In either case, remember--DO NOT ASK PERMISSION TO GO ABOARD OR TO EXAMINE THE VESSEL. Asking permission allows the owner/operator to decline and place you at a disadvantage at the very beginning of the examination. Remember, we have already stated that the operators of most of these vessels are relaxing and may consider your boarding an irritating inconvenience. Your asking permission to board gives him an opportunity to voice his irritation and put you on the defensive.

After extending the greeting to the operator, state, "I am petty officer Willis, Coast Guard boarding officer, may I see your certificate of number or document (whichever applies), and some personal identification (driver's license, fishing license, social security card, etc.) please." If the person offers these items while they are still in a wallet or purse, do not take the wallet or purse. Request that the owner or operator remove the items asked for and hand them to you. When these items are presented to you, make sure you hold on to them securely and do not allow them to fall over the side. This has happened before and is very embarrassing to the boarding officer.

Now that you have the items needed to fill out the "identification section" of the Boarding Form, CG-4100, record the information required. Compare the number or name you recorded on approach with that listed on the certificate or document ( Remember each vessel will have either a certificate or document not both).

When the identification section of the boarding form (CG-4100) is completed, then ask the owner/operator for all equipment required in accordance with the ~~size~~ of vessel. Commence the examination of the items required one type at a time. By this we mean examine all the personal flotation devices before examining for firefighting devices and flame arrestor. You will have to examine for the proper amount, approval, serviceable condition and in the case of personal flotation and fire-fighting devices, that they are readily accessible.

After filling in the check-off section of the Boarding Form (CG-4100) explain any violations, in the remarks section of the form. If the violation is one that a warning can be given for, sign the warning statement above the remarks section on the reverse of the original copy of the boarding form. If the vessel has a violation, issue the original copy of Form CG-4100 to the operator and then explain the violation to him. You should always have copies of the pamphlet Pleasure Craft, CG-290, with you when examining vessels. This pamphlet has the requirements for vessels listed in it and if you show the applicable section of this pamphlet to the operator as you explain the violation, it is easier for him to understand. You should carry other pamphlets relating to boating safety as well, especially those dealing with state requirements. This literature serves two purposes: One, it helps promote boating safety, and secondly, it improves the public image of the Coast Guard.

If the vessel has no violation, give the operator a "Boat Check" decal along with a copy of the pamphlet Pleasure Craft and congratulate the operator. Make the congratulation in such a manner that the operator takes pride for complying with the law.

If a citation was given to the operator, inform him that he will receive a letter from the district commander stating what action is going to be taken in regards to the violation. If a warning for such a violation is issued, make sure you ask the operator if it is his first such violation. If it is the operator's first offense and a warning is issued, no letter will be sent by the district commander. One item worth mentioning while we are talking about violations is that boarding officers are not authorized to excuse any type of violation which vessels may have.

QUESTION: What if the operator informs the boarding officer that he will correct the violation immediately?

ANSWER : You would issue a violation or warning (if authorized) for the basic violation. Inform the operator that when he corrects the violation, to bring the vessel back to you. You will then

re-examine the vessel and if the vessel meets all requirements of the law, issue the operator a Boat Check decal. You must also inform him that this in no way excuses the first violation. However, you will make a notation on your copy and the district's copy of the first boarding form stating that the owner or operator was re-examined and found to be in compliance.

**QUESTION:** What should I do if asked: "May I cruise around the lake again?" or "I'm on vacation, where can I purchase the required equipment?" or "The Marinas here charge too much, can I wait until I return home from the weekend or vacation?"

**ANSWER :** You as a boarding officer should advise the owner, or operator that further operation in violation of the law could subject him to additional penalties. Strongly recommend that the owner/operator return to shore and obtain the necessary equipment. You cannot tell the owner/operator that it is OK with you if he continues to operate in violation for the remainder of the day, weekend, etc. Learn your area so you can answer questions on where boatman may purchase approved equipment. Remember many of the boatmen you will meet are from other areas.

#### 1006: PREVIOUS EXAMINATIONS

In the beginning of this chapter, we mentioned that in addition to the Coast Guard, the Coast Guard Auxiliary, and some states perform vessel examinations. Each organization gives some type of certificate to those vessels found in compliance with the applicable requirements. The Coast Guard Auxiliary gives a decal such as that shown in figure 10-1. The color of these decals change each calendar year.



Figure 10-1

This decal is placed on the windshield or on one of the cabin windows of the vessel. The states give a variety of items which designate compliance with their law such as: decals, certificates, colored stickers, etc.

If you recognize any of these decals on a vessel to be examined, and you have not observed the vessel operating in an unsafe manner, you can accept this as evidence that the vessel complies with the law and therefore need not be stopped. Some districts have set different policies concerning acceptance of these decals. You should consult your district instructions concerning individual policy. Remember, these items are only accepted when you observe the vessel operating in a safe manner. If the vessel is observed in an unsafe manner, you are compelled to examine the vessel. One last rule to remember is: Boarding officers EXAMINE vessels; marine inspection officers INSPECT vessels.

QUESTION: What would you do if a vessel you hailed gives you a vulgar gesture and does not stop?

ANSWER : This is another reason for observing and recording the number/name of the vessel on approach. If the area is not congested and you could chase the vessel without causing damage to other vessels in the area, you would pursue the vessel. If you could not pursue the vessel, you would record the name/number of the vessel on a Boarding Form, CG-4100, with all applicable information concerning the situation in the remarks section of the form. Make sure you provide the district with as much information as possible concerning the description of the boat.

QUESTION: What should I do if the operator of a vessel I am examining calls me insulting and vulgar names?

ANSWER : This will probably be your greatest test as a professional boarding officer. However, words, no matter how insulting or vulgar, are not a violation of Federal law. You as a boarding officer are going to have to take the abusive language, informing the operator that the examination is for his SAFETY and is not harassment. But regardless of the outcome of the examination, do not give the operator the colored copy of the boarding form. Furnish all the information to the district office including the ACTUAL language used by the operator. Do not list this information on the vessel's copy.

#### 1007: SUMMARY

In this chapter we have explained what a safety patrol is and how they should be conducted. We have also listed some suggestions on how to examine a vessel.

The selection of an area in which to perform safety patrols is most important to the success of your boating safety efforts. Assigning a safety patrol to an area where there is a heavy concentration of boating would have a greater impact on safe boating than selection of a less active water way.

Developing your own technique in examining vessels will also enhance the program. A good technique will detain the operator of a vessel for a minimum amount of time. After you have performed this technique a number of times, the preparation of the reporting form will become routine and chances for making a mistake are decreased. This is not to imply that you should go out and examine every vessel you see in order to develop a technique. Remember the policy is to be on the lookout for the unsafe operator. If none are observed, you should make random examinations of those boats present for compliance with equipment requirements.

Other items mentioned in this chapter were the acceptance of the decals issued by the Coast Guard Auxiliary and various states to vessels complying with their regulations. We have also discussed the procedures for handling an abusive or foul-mouthed boatman.

Boarding officers are authorized to use discretion in many aspects of their duties. This discretion will be put to its utmost test when you have a hostile operator alongside and he is calling you every name in the book. You must keep in mind that this is not a violation of Federal law and you must take the abuse by KEEPING YOUR COOL. Never let a situation like this cause you to return the slander either by words or assaulting measures. That type of action places blame on you as well as the operator. Remember the abusive words used by the operator only for purposes of recording them on the boarding form which will be sent to the district commander (not the operator's copy) and then forget them even though your pride may have been wounded.

1008: CHAPTER QUIZ

1. Define a "safety patrol" giving the three main goals. (1004)
2. Name four methods of hailing a vessel. (1005)
3. Should you, as a Coast Guard boarding officer, ask permission to board? Why? (1007)
4. Boarding officers \_\_\_\_\_ vessels; marine inspection officers \_\_\_\_\_ vessels. (1008)

## CHAPTER 11

### PREPARATION OF NOTICE OF VIOLATION FORM CG-4100 AND THE BOAT CHECK DECAL PROGRAM AND WARNINGS

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PREPARATION OF NOTICE OF VIOLATION  
FORM CG-4100

1101: INTRODUCTION

The Notice of Violation Form CG-4100 has been designed on the "traffic ticket" concept for use in conjunction with the Coast Guard's boating safety program. It can be used for two purposes: (1) to give the owner, master, or operator written notice of an alleged violation of the law, or (2) to give the owner, master or operator a written warning of an alleged violation of the law.

You, as a boarding officer, are required to be proficient in the preparation of this form. The inability of a boarding officer to prepare the form correctly and swiftly not only detains the vessel but could also delay the processing of a case by requiring unnecessary correspondence to obtain information that should have been recorded on the form.

At the time of this printing, a new CG-4100 form has been developed, but has not yet been printed. The new form will be ready for use 1 January 1975. At that time the old CG-4100 form will become obsolete.

The new CG-4100 is 8" x 10", has an original and 3 copies per set, all of which is white, and contains 25 sets per pad. The new form, which is used only to serve notice of violation or warning, requires more information to be recorded than the old form.

You will remember that the old CG-4100 had color copies for presentation to boats in compliance with the regulations. The new CG-4100 has no color copies and will only be given to those boats having a violation. If the boat complies with the regulations, on the other hand, the operator will be presented a "Boat Check" decal in accordance with Commandant Notice 5910 dated 29 March 1974. This Notice is printed on page for your information and guidance.

1102: PREPARATION OF NEW NOTICE OF VIOLATION (CG-4100)

The following information is the proposed instruction for preparing the new CG-4100 form. Because the form is still being printed the instruction is only in the proposed stage. If there are any changes in the preparation instruction from those contained here, they are expected to be minor. Possibly, by the time you receive this class, the Commandant Instruction implementing the new form will have been released.

Guideline for Completion of Notice of Violation (CG-4100)

1. The following guidelines are issued to ensure uniform procedures in the preparation and processing of CG-4100.

2. Block description

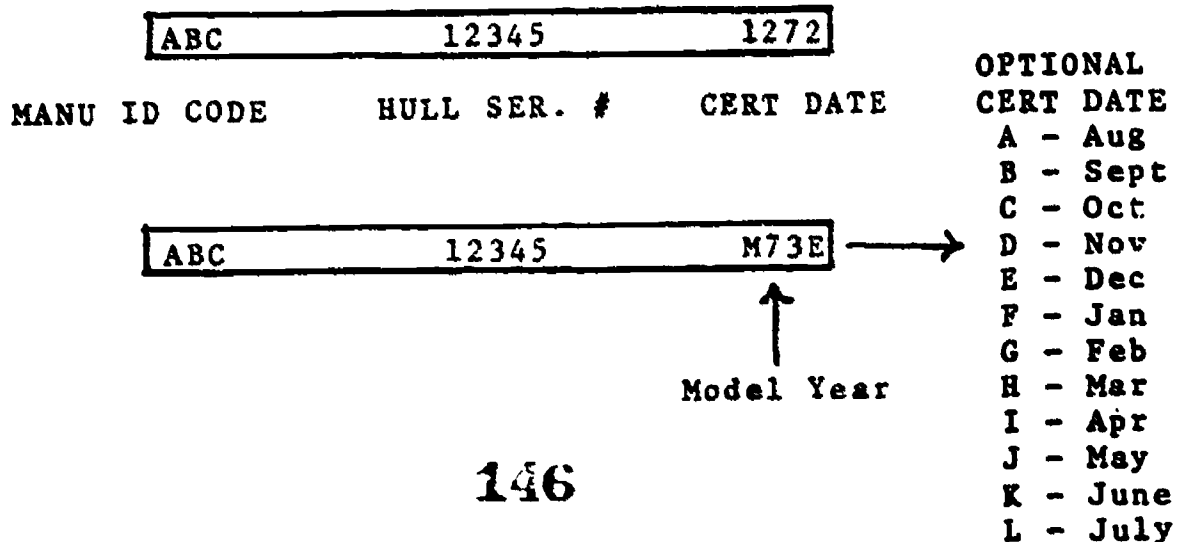
a. Report Number - as established by district commander.

Most common procedure is OPFAC number plus consecutive number.

b. Vessel Number - state or Coast Guard number issued to boat from certificate of number or from vessel document.

c. Vessel Name - insert name of boat. If none insert N/A.

d. Hull Identification Number - boats whose construction began after 31 October 1972 are required to have a 12 character identification number affixed to the hull either outboard on the transom or, in the absence of a transom, on the starboard outboard side nearest the end bearing the steering mechanism. A sample, broken down by sections, is provided:



e. Vessel Data

(1) Fuel and Engine Compartment - mark appropriate boxes. These compartments are considered "open" when spaces are open to the atmosphere where entrapment of vapors and gases is not possible.

(2) Make, Model, and Model Year - indicate manufacturer, model and model year. If homebuilt indicate this by utilizing abbreviation "H/B". If HIN is given, list only model as other information is provided in HIN. Indicate any data which cannot be provided by using "unk".

(3) Hull Material - enter main material of hull.

(4) Persons on Board - enter appropriate number. Do not break down by adult, child, male or female. All waterskiers are to be counted as POB and one approved PFD for each must be aboard the vessel or be worn by the skier.

(5) Net Tons - from vessel document. If boat is numbered insert N/A.

(6) Length - overall length measured in a straight line from end to end over the deck along the center line excluding bow sprit, sheer, deckhouse, and equipment. This measurement may have to be taken where the certificate of number does not reflect this measurement or is near the various departure lengths that would determine differences in equipment carriage.

(7) Construction - mark appropriate block. For the purposes of fire extinguishers and ventilation requirements, open construction is defined as when fuel, machinery, or other compartments and decking are open to the atmosphere not allowing the entrapment of fuel vapors or gases. Permanently installed fuel tanks constitute CLOSED construction.

(8) Horsepower - Indicate total rated horsepower of mechanical propulsion. In denoting total horsepower, do not use decimals (7 1/2 vice 7.5). NOTE: If HP exceed that listed on capacity plate, make note in remarks section.

(9) Main Propulsion and Fuel - Mark appropriate boxes. A boat propelled by inboard/outboard propulsion is considered as an inboard. The following symbols are to be used in the event the fuel or propulsion is other than as listed on the form:

(a) Propulsion

1 O=oar, paddle, pole, etc.

2 S=Sail

(b) Fuel

1 P=propane

2 E=electricity

Any other variation should be noted in remarks section.

(10) Use - mark appropriate block. If the normal use is different from the use observed at the time of boarding, mark the block denoting observed use and circle title denoting normal use

f. Owner Name and Address - obtain from acceptable identification. State zip code in all addresses. While the owner is not required to furnish the social security number, a concerted effort shall be made to obtain it as law enforcement and other agencies are increasing their use of the social security number for identification and record purposes. It is best to obtain the social security number from the social security card or other acceptable document but, lacking this tangible evidence, the owner's word will suffice. If any information is unobtainable insert "UNK". Mark Mr. or Ms. block as appropriate. Mark block "owner on board" when appropriate.

g. Operator Name and Address - process identical to above section. Fill in age block is applicable. Mark block "same as owner" when appropriate and only obtain age information.

h. Observed in Use:

(1) Date - state numerical equivalents of month/day/year. Example: 13 May 1974 is 5/13/74

(2) Time/Zone - enter 12 hour time figure and circle appropriate AM or PM designation. Enter geographic time zone as follows:

(a) EST, CST, etc.

(b) if daylight savings time is in effect enter EDST, CDST, etc.

(3) Body of Water - charted or published name.

(4) City and State - nearest city, town, or village that can be found on a chart or map. Use standard postal abbreviations for states. If outside 3 mile limit, enter nearest state.

(5) Detailed location - enter as:

(a) latitude and longitude, or

(b) bearing and distance from charted object or fixed landmark

(c) if moored, exact position

i. Violation Section

(1) List of Violations - mark only the general violation(s) observed. Enter in the "Remarks" section the description of the specific violation. As this form informs the operator of violations committed, it is imperative that the specific violation be listed in the Remarks section. The list of violations on the inner front over-flap cites violations pertinent to the recreational boatman as well as selected violations applicable to commercial craft.

(2) #2, Personal Flotation Devices - enter in remarks section amplifying information pertaining to discrepancies in size, type, condition, etc. On those boats over 16 feet in length, note distribution as to wearable and throwable (i.e. 5 POB-4W/2T). There are two regulatory citations listed in this block, recreational and commercial. Circle the appropriate cite.

(3) #9, Negligent Operation - enter in remarks section any descriptive notes which would further explain this violation. Bow, gunwale and seatback riding are not violations of regulations but may be a factor in determining negligent operation where the attendant circumstances endanger life and limb. Amplifying information concerning negligent operation is required by The Boarding Manual (CG-253).

(4) #11, Other - enter in remarks section any observed violation not covered by the general descriptive terms above. If known, insert appropriate regulatory

citation. Listed on inner front over-flap are some of the more common violations which might be encountered.

j. Unsafe Conditions Section

(1) This section follows the process necessary to establish the need to exercise termination of use authority as authorized under Section 13 of FBSA '71.

(2) Item 1 - includes those items which have been checked in the Violations Section of the form. These items, which have been shaded for easy reference, are those equipment violations which may create an especially hazardous condition.

(3) Items 2 through 6 - reflect additional unsafe conditions which may create an especially hazardous condition.

(4) If any one of items 1 through 6 are checked, the boarding officer must then determine if, in his judgment, an especially hazardous condition is created.

(5) If an especially hazardous condition is determined to exist, the action taken, either on-the-spot-correction or termination of use, must be noted in the appropriate block. Amplifying instructions are found in COMDTINST 5910.15 series.

(6) Warning Issued - if issued, mark box and draw a diagonal line through the penalty notification section on the reverse side. The warning section on the reverse side shall be noted to the operator. Warnings are given only for those violations listed in COMDTINST 5910.12 series.

(7) Issued Decal - enter serial number of Boat Check decal. Enter N/A in those cases where issuance is not authorized.

k. Remarks Section

(1) The remarks section is very important when processing the violation case. It is therefore imperative that this section be utilized to record any amplifying

information which might be pertinent to the case.

(2) Examples of entries in remarks section

- (a) #1 - Numbers: display  
Numbers not on contrasting background  
(black numbers - brown background)
- (b) #2 - PFD: condition  
3 PFD (kapok), covers rotted
- (c) #2 - PFD: stowage  
1 PFD inaccessible
- (d) #2 - PFD: suitable size  
4 adult POB, 3 adult PFD, 1 child PFD
- (e) #2 - PFD: devices required  
5 POB, 4 PFD - 1 of the POB skier  
W/ski belt - acceptability of ski  
belt argued - explained lack of  
approval
- (f) #9 - Neg. Ops speed  
observed approx. 20 kts, seas 2 ft and  
choppy, bow rider life and limb  
endangered as no rails, handgrabs,  
or cockpit on the bow
- (g) #A (9)-B - Outbound, 12 POB, approx.  
200 lbs. equipment/food, sea 2 ft  
chop, max freeboard 8", removed 3 POB,  
terminated use, escorted to safe mooring
- (h) #C-2" fuel in bilges,  
headed toward Peanut Island for picnic,  
terminated use, towed to (location)

(3) Additional remarks - if there is insufficient space in the remarks section, obverse and reverse, additional pages may be appended with report number and date noted in upper right corner.

1. Boarding Officer's Name - sign on first line and print on second line. This signature attests to the violations and unsafe conditions indicated or to compliance with applicable regulations.

m. Unit to which attached - enter name. Use standard abbreviations.

n. Rank/Rate - enter in abbreviated form

o. CG-4100 (Reverse Side)

(1) Penalty Notification Section - This section informs the operator of the penalty action which will occur in processing his violation case and will be lined out in the event:

(a) a warning is issued, or

(b) a boat is terminated for an unsafe condition which is not a violation.

When issuing a violation, draw a diagonal line through the warning section (reverse side). The Boarding Officer shall advise the boatman being issued the violation to read this section of the form.


(2) Warning Section - when applicable, note to operator after drawing a diagonal line through the penalty notification section.

2. Distribution. Distribute copies as follows (file copy to remain with boarding unit):

- a. Violation, termination, warning - original to operator, copies 1 and 2 to district commander.
- b. Compliant examination - Boat Check decal to operator of recreational boat. DO NOT issue Boat Check decal to charter, rental, commercial, etc., boat; issue copy 1. Original and remaining copy(s) to district commander.
- c. Copies 1 and 2 are provided for use of district commander as desired.



Figure 14-1

		NOTICE OF VIOLATION			REPORT NUMBER
		VESSEL NUMBER	VESSEL NAME	HIN	
VESSEL DATA	FUEL COMPARTMENT <input type="checkbox"/> OPEN <input type="checkbox"/> CLOSED	MAKE / MODEL / MODEL YEAR	HULL MATERIAL	PQB	
	ENGINE COMPARTMENT <input type="checkbox"/> OPEN <input type="checkbox"/> CLOSED	NET TONS / LENGTH	CONSTRUCTION <input type="checkbox"/> OPEN <input type="checkbox"/> CLOSED	HP	
		MAIN PROPULSION: <input type="checkbox"/> IB <input type="checkbox"/> OB <input type="checkbox"/> OTHER	USE: <input type="checkbox"/> PLEASURE		
		FUEL: <input type="checkbox"/> GAS <input type="checkbox"/> OIL <input type="checkbox"/> OTHER	<input type="checkbox"/> PASSENGER <input type="checkbox"/> COMMERCIAL		
OWNER NAME AND ADDRESS (FIRST, MIDDLE INIT, LAST) <input type="checkbox"/> MR <input type="checkbox"/> MRS <input type="checkbox"/> MISS <input type="checkbox"/> MS			SSN		
			<input type="checkbox"/> OWNER ONBOARD		
			ZIP:		
OPERATOR NAME AND ADDRESS (FIRST, MIDDLE INIT, LAST) <input type="checkbox"/> MR <input type="checkbox"/> MRS <input type="checkbox"/> MISS <input type="checkbox"/> MS			SSN		
			— AGE, IF UNDER 18		
<input type="checkbox"/> SAME AS OWNER			ZIP		
OBSERVED IN USE	DATE	TIME / ZONE AM PM	BODY OF WATER	DETAILED LOCATION	
	CITY AND STATE				
<input checked="" type="checkbox"/>	VIOLATION	CITATION	<input checked="" type="checkbox"/>	UNSAFE CONDITION	CITATION
1	NUMBERING	33 CFR 173	1	UNSAFE CONDITIONS NOTED IN VESSEL LOG	33 CFR 177.07
2	PERSONAL FLOTATION DEVICE	33 CFR 175/46 CFR 25	2	OVERLOADED	33 CFR 177.07
3	SOUND PRODUCING DEVICE	46 CFR 25.05	3	ACCUMULATION OF FUEL IN BILGES	33 CFR 177.07
4	BELL	46 CFR 25.05	4	FUEL LEAK - ENGINE OR FUEL SYSTEM	33 CFR 177.07
5	FIRE EXTINGUISHERS	46 CFR 25.30	5	MANIFESTLY UNSAFE VOYAGE	33 CFR 177.07
6	FLAME ARRESTOR	46 CFR 25.35	6	HAZARDOUS GASES (WITH DISCOVERY)	33 CFR 177.07
7	VENTILATION	46 CFR 25.40		UNSAFE CONDITIONS CREATE ESPECIALLY HAZARDOUS CONDITIONS	
8	NAVIGATION LIGHTS	46 CFR 25.05		CORRECTED ON THE SPOT	
9	NEGLIGENT OPERATION	46 CFR 1461(d)		TERMINATED USE UNTIL CORRECTED (33 CFR 177.07)	
10	FAILURE TO TERMINATE	33 CFR 177.05		WARNING ISSUED	
11	OTHER			NO VIOLATION OR UNSAFE CONDITIONS. ISSUED DECLAR	
REMARKS: (CONTINUE ON REVERSE AND BEAR IN MIND IF NECESSARY)					
BOARDING OFFICERS SIGNATURE				UNIT	
BOARDING OFFICERS NAME (PRINT)				RANK/RATE	
DEPARTMENT OF TRANSPORTATION, UNITED STATES COAST GUARD CG FORM 1600-1 (10-79) PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE			SEE REVERSE SIDE FOR ADDITIONAL INFORMATION		ORIGINAL

IMPORTANT NOTICE TO OWNER OR OPERATOR  
CORRECT DISCREPANCY AS SOON AS POSSIBLE

Continued operation without required safety equipment may be an invitation to a serious accident. It may also result in additional penalties for repeated violation of Federal law.

1. PROCEDURES

A copy of this form will be mailed to the responsible Coast Guard District Commander who will review all applicable information to determine if administrative civil penalty action is indicated.

Should civil penalty action be considered appropriate for the violation(s) noted, you will be notified in writing by the Coast Guard District Commander of the charges against you, the maximum penalty which may be assessed, and the procedures used in assessing and collecting the penalty. Within 15 days of receipt of this notification you may provide, in writing or in person, any information or material that denies, explains, or mitigates the violation. The information obtained will be used in the determination of whether to assess a penalty, close the case without action, remit or mitigate the penalty, or take some other appropriate action.

If it is determined to assess a civil penalty, you will be notified of the amount of the penalty assessed and, if mitigation or remission is considered appropriate, the mitigated amount of the penalty or that the penalty is remitted. You must respond to this assessment notification within 30 days of receipt or the Coast Guard may begin proceedings to collect the penalty in a Magistrate's or U. S. District Court.

The maximum civil penalty is not more than \$500.00 for each violation. The maximum criminal penalty is not more than \$1000.00 or one year imprisonment or both for each willful or grossly negligent violation.

2. PROMOTE BOATING SAFETY

The Coast Guard requests your cooperation in promoting the safety of life and property on the nation's waterways. By observing the prescribed laws and regulations and by following safe boating practices, you can help reduce the number of lives lost or injuries sustained and prevent damage to property. By practicing good seamanship, you can set an example for others to follow.

The Coast Guard Auxiliary, a volunteer civilian adjunct of the regular Coast Guard offers free public instruction courses in small boat handling and seamanship. The auxiliary also conducts a complete safety examination of motorboats at the request of the owner. Special decals are issued to boats passing this courtesy motorboat examination. Your participation in those programs is encouraged.

WARNING

Based on the premise that the discrepancies noted will be corrected before the next use of this boat and your statement that this is your first citation for a violation of the federal boating laws/regulations within the past year, no penalty action will be instituted. This warning will be kept on file one year and will be considered in the event of a future violation.

\_\_\_\_\_  
(Signature of B/O)

-----  
ADDITIONAL REMARKS SECTION:



DEPARTMENT OF TRANSPORTATION  
UNITED STATES COAST GUARD

MAILING ADDRESS:  
U.S. COAST GUARD (G-BBE-3)  
400 SEVENTH STREET SW.  
WASHINGTON, D.C. 20560  
PHONE: (202) 426-1062

• COMDTNOTE 5910  
29 MAR 1974

1103: BOAT CHECK DECAL PROGRAM

COMMANDANT NOTICE 5910

Subj: "BOAT CHECK" Program; implementation of

1. Purpose. The purpose of this Notice is to promulgate the "BOAT CHECK" program which will replace the 1973 Federal Equipment Check (FEC) program.

2. Publications Affected. The Boarding Manual (CG-253) will be amended to include the provisions of this Notice.

3. Background. The Federal Equipment Check (FEC) program was implemented in 1973 to provide an opportunity for face-to-face dialogue with operators of recreational boats less than 16 feet in length. This effort was carried out by Coast Guard Boating Safety Detachments (BOSDETs) and the Coast Guard Auxiliary. This past year's experience pointed out some problem areas:

a. Limiting the program to boats under 16 feet in length proved detrimental to the intended educational aspect of the FEC program since a great number of trailerable boats range up to 20 feet in length, and a significant number of operators of boats over 16 feet in length expressed an interest in the FEC program.

b. The emphasis on the power boat as the primary target of the FEC program further inhibited the educational intent of the FEC program since a great percentage of the smaller recreational boats are not mechanically propelled.

c. The ramp checks conducted by BOSDET and Reserve augmentation personnel in some areas interfered with or detracted from the Coast Guard Auxiliary's Courtesy Motorboat Examination (CME) efforts.

4. Discussion.

a. The emphasis on basic boating safety education of the boating public through face-to-face dialogue with the boatman will be continued by the Coast Guard through the "BOAT CHECK" program, which supersedes the FEC program.

The "BOAT CHECK" will now provide ALL recreational boatmen, regardless of type or length of their boat, the opportunity to receive a ramp check with the awarding of a distinctive decal (enclosure (1)) upon satisfactory completion.

b. The "BOAT CHECK" decal also will be used by qualified Coast Guard boarding officers as evidence of successful completion of a Coast Guard law enforcement boarding.

c. Primary responsibility for the implementation of this program will be placed on the Coast Guard Boating Safety Detachments, including Reserve augmentation personnel when assigned and duly qualified.

#### 5. Action.

a. District commanders shall ensure that every effort is made to coordinate on-the-water and ramp courtesy boarding activities of Coast Guard, Coast Guard Reserve and Coast Guard Auxiliary forces. RAMP INSPECTIONS BY RESERVE AUGMENTATION PERSONNEL WILL BE SCHEDULED ONLY IN AREAS WHERE NO COAST GUARD AUXILIARY CME EXAMINERS ARE OPERATING.

b. District commanders will advise the Boating Law Administrators of the states within their respective districts of this program. The states should be requested to honor the decal in the course of their boating safety patrols.

c. An initial supply of "BOAT CHECK" decals will be distributed to each district commander (b/ob) for further distribution to Coast Guard field units. The initial distribution of the decals will be based on the 1973 FEC and boarding statistics.

d. BOSTEAM Commanding Officers shall collect and destroy all unused FEC decals issued to units under their command. District Directors of Auxiliary will insure that all FEC decals issued to Auxiliarists are disposed of.

e. The following guidelines will be adhered to:

(1) Decals may be awarded to ALL recreational boats after ramp checks and law enforcement boardings except as follows:

(a) If the boat does not meet all Federal requirements:

(b) After SAR;

- (c) If an unsafe practice is observed;
- (d) If terminating use;
- (e) If any violation is observed; and
- (f) If a valid CME decal has been awarded.

(2) Recognition of the "BOAT CHECK" decal is to be identical to that of the CME decal in that boarding officers should refrain from boarding those boats displaying the decal unless a violation or unsafe practice is observed.

(3) Enforce strict accountability of decals. Decals are serially numbered to identify the awarding unit.

(4) Upon successful completion of the "BOAT CHECK" the boarding officer will affix the decal to the boat. The decal is to be affixed to the windshield (lower port corner) or on boats with no windshield, in a conspicuous area on the port quarter. If the operator specifically requests the decal be placed at a location other than the foregoing, the boarding officer will comply. When placing the decal in another position the operator will be advised that lack of visibility of the decal may defeat the "no further boarding" benefit. If the operator does not desire to have the decal placed anywhere on his boat, no decal will be issued. This will be noted on the CG-4100 or on the Ramp Boarding Record noted in (5) below. UNDER NO CIRCUMSTANCES WILL THE BOARDING OFFICER IMPLY A GUARANTEE OF "NO FURTHER BOARDINGS" WHEN THE DECAL IS DISPLAYED.

(5) The boarding officer shall note in the "Remarks" section of the present CG-4100 (Report of Boarding) the serial number of the decal awarded. The revised CG-4100, to be available approximately 1 June 1974, will contain a block for decal checkoff on the front of the form. As receipt of the decal indicates successful completion of a Coast Guard boarding, boarding officers will not give a copy of CG-4100 to those boats receiving the decal. The CG-4100 will not be completed for ramp boardings. A separate form, CG-4100E, has been developed for this purpose. The serial number of the decal awarded shall be noted in the appropriate block of this form.

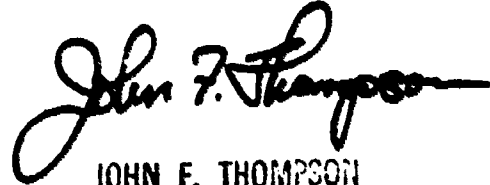
6. Form Availability. Following the initial direct distribution of the "BOAT CHECK" decal, CG-4100D, district (b/ob) may obtain additional quantities from Commandant (G-BB-3).

COMDTNOTE 5910

29 MAR 1974

Following the initial direct distribution of the Ramp Boarding Record, CG-4100E, additional quantities may be obtained from Coast Guard Supply Center, Brooklyn utilizing stock number 7530-F02-4370.

7. Cancellation. This Notice is cancelled upon amendment of the Boarding Manual (CG-253) and for record purposes on 31 December 1974.



JOHN F. THOMPSON  
Chief, Office of Boating Safety

Encl: (1) Sample "BOAT CHECK" decal (drawing)

Dist: (SDL No. 98)

A: ijk1(1)

B: c(20); defghjnr(5); bp(1)

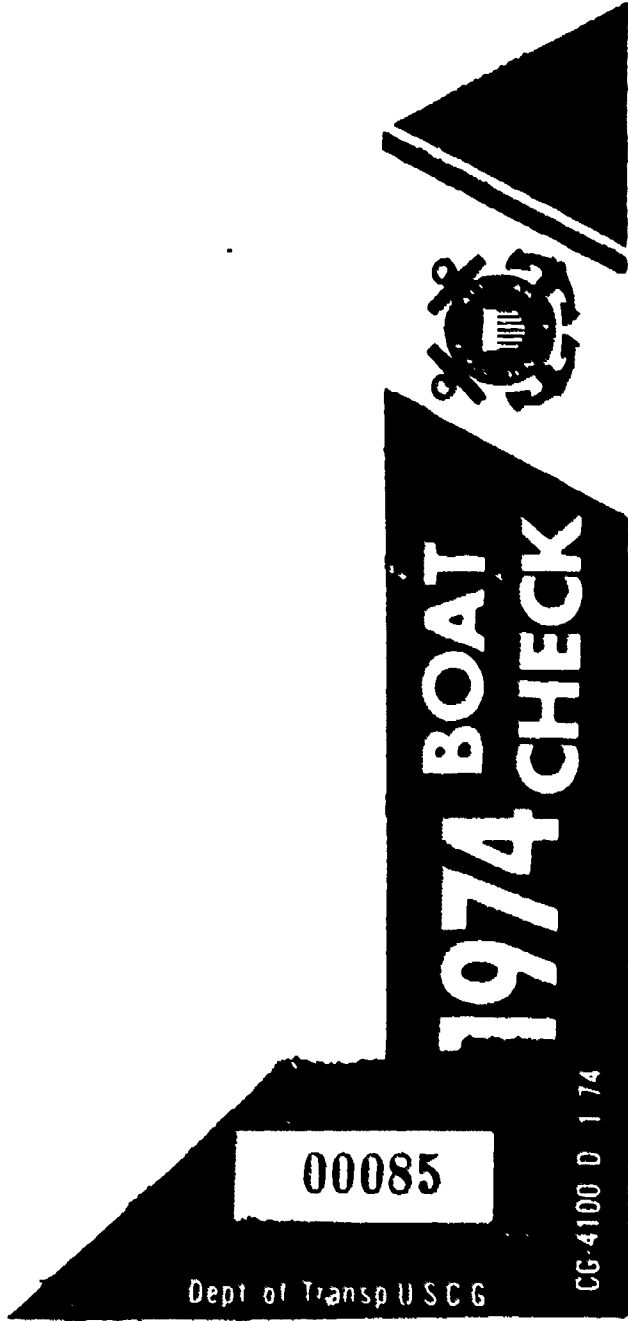
C: abdfghijknopx(1)

D: dm(1)

E: r(2); ijklosy(1)

F: abcdikmprtv(1)

Figure 11-2



160

11-16



1104: LETTER REPORTS

In Chapter VIII, section VIII-12(2) of the Boarding Manual, CG-253 a letter report is required for negligent operation cases. This letter should come from the boarding officer to the district officer via the chain of command. The letter should contain the following information:

- (1) Date, time and exact location of the incident.
- (2) Name, address, and age of the operator of the offending vessel.
- (3) Name and address of the owner of the offending vessel.
- (4) Description of the offending vessel.
  - (a) Type of vessel (open motorboat, closed motorboat, etc.)
  - (b) Name and/or number of vessel.
  - (c) Hull construction (wood, aluminum, steel, plastic, etc.)
  - (d) Length of vessel.
  - (e) Type of propulsion (inboard, outboard, etc.)
  - (f) Color arrangement.
  - (g) Rig.
- (5) Weather.
- (6) Visibility.
- (7) Sea Conditions.
- (8) Wind Conditions.
- (9) Names and addresses of witnesses and statements concerning their willingness to testify.
- (10) Proximity of bathers or other vessels.
- (11) Attitude and conduct of the operator.
- (12) Concise summary of injuries to persons or property.
- (13) A clear description of pertinent facts relative to the manner in which the vessel was being negligently operated.

Keep in mind that this letter is very important in determining how the case will be processed.

## WARNING AND CITATIONS

### 1105: INTRODUCTION

The issuance of on-the-spot written warnings has proven to be an effective way for qualified boarding officers to handle minor boating violations. These warnings may be issued to first offenders who display a cooperative attitude toward the boarding officer, and who indicate that any discrepancies will be promptly corrected. This authority does not apply in those cases where the operator is required to be licensed or in cases of negligent or grossly negligent operation.

The boarding officer must ask the owner/operator if the violation is his first offense. The owner/operator's verbal statement that it is his first offense is sufficient justification for the boarding officer to issue a warning. A copy of the list of violations for which warnings may be issued should be placed in each boating safety kit for use as a ready reference for boarding officers.

Instances have arisen in the past where the operator has advised the boarding officer that his violation was a first offense and a written warning was issued. On occasion, a subsequent record check has disclosed that it was not a first offense. In cases such as this, district commanders are to rescind the written warning and invoke appropriate penalties.

### 1106: WHEN WARNING SHOULD BE GIVEN

Designated Officers/Boarding Officers are authorized to issue warnings for the following boating law violations, if a first offense within one year, in lieu of issuing a Notice of Violation:

1. Whistle/Sound producing devices
  - a. Improper for length of boat
  - b. Improper operation or not audible for required distance (JUDGMENT)
2. Fire Extinguishers
  - a. Not readily accessible
3. Personal Flotation devices
  - a. Not readily accessible or immediately available
  - b. Not suitable or appropriate size
4. Flame arrestor
  - a. Not properly maintained (openings blocked, loose, otherwise in good and serviceable condition)

5. Ventilation

- a. Installed, but minor discrepancy, corrected on the spot (EXAMPLES: blocked, loose cowl or ducting, etc.)

6. Numbers

- a. Invalid certificate of number or no certificate on board
- b. Numbers improperly displayed

7. Documented Yachts

- a. Name and home port not displayed conspicuously

8. Oil pollution prevention

- a. No fixed or portable means to remove oily waste from bilges
- b. No placard posted
- c. Observed draining sumps of machinery into bilges.

No written warning will be issued if a boat has three or more violations at one time.

1107: SITUATIONS

This section contains four situations. You are to determine if you would give a warning or citations and give your reasons. Discuss your answer and reasoning with a classmate and/or your instructor.

SITUATION #1: A 19ft. boat: has improper number display (not properly spaced) and electric horn inoperative. The operator states: "Those @#\$\$ loose wires must have got pulled apart again when we threw the skis under the bow deck, just a second and I'll fix it for you." The operator removes skis and gets on all fours, crawls under bow, twists the wires together, gets up, and blows the horn.

SITUATION #2: At 2300 you observe a boat approaching you from dead ahead, combination red and green lantern burning bright, but no white light visible. Upon stopping subject vessel, which is an 18ft. outboard, you find that the operator has taped the front of the light, blocking out approximately 15 to 20 points. Operator states that he did this to get rid of the glare and feels he is safer because he can see better.

**SITUATION #3:** You stop a 19ft. inboard/outboard boat with two couples on board. One girl asks, "Why did you stop us; we were doing anything wrong?" Operator: "They just wanted to get a better look at you baby, all these guys have to do is ride around and stop boats with good looking girls in them. You fellows really have it made; we tax-payers buy you a boat, and furnish your gas so you can ride around and look at our girlfriends. Boy, I sure wish that I had gone in the Coast Guard." Upon completing the examination you have noted dry chemical fire extinguisher with gauge reading zero and four Coast Guard approved buoyant vests, one of which is not serviceable due to missing straps.

**SITUATION #4:** It is a Sunday afternoon in June and you have stopped a 22 ft. cruiser for a routine examination. The passengers on this cruiser are very foulmouthed, using terms such as--"Knew @\$%¢ well we shouldn't have come today, hand me that +@\$%¢¢ fire extinguisher. Empty?! @@#\$% I just bought the @@#\$%¢ thing. Oh @\$%¢ what's wrong with the %¢&\*) horn. No other violations are noted but profanity continues to flow as above.

**1108: SUMMARY**

As we mentioned earlier in the chapter, the Notice of Violation Form, CG-4100, was designed on the "traffic ticket" concept to be used in the examination of vessels. It is most important that all the applicable information be recorded and that the information be correct. After you have prepared the form a few times it will serve as a check-off list as well as a report. We spoke of how the form is distributed for each case, violation, warning, or no violation. You should review the 5910.12 series of Commandant Instructions concerning the issuance of warnings for certain violations. Remember to cover the procedures paragraph on the Notice of Violation (original) copy when issuing warnings. The letter report in support of negligent operation cases is very important to the district commander in determining whether to handle the case under civil penalty procedures or recommending criminal prosecution by a United States District Court. Prepare this form correctly, but swiftly, so as not to detain the vessel being examined.

## CHAPTER 12

### ARREST

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## ARREST

### 1201: INTRODUCTION

In chapter 2 you studied the three elements of jurisdiction and are able to determine when you have the jurisdiction to enforce law. You are now ready to learn about another function of law enforcement--arrest.

Arrest is the taking into official custody of the person accused of a criminal complaint before a court or in response to a subpoena. Under law, an accused person is innocent until he has been found guilty by a judge or jury. Likewise, an accused is generally entitled to be released on bail until the trial. Therefore, arrest is not considered punishment. The condition of arrest must not be any more oppressive than necessary to keep the arrested person in custody.

The word arrest, as used in this section and generally in Federal law enforcement, is different from the term arrest as used in the Manual for Courts-Martial, United States, 1969 (Revised) (MCM). In the MCM the term arrest is applied to a moral restraint; however, in this course arrest applies to actual physical custody.

The power of arrest must be exercised with extreme caution; it is used when arrest is the only feasible way to protect society, to prevent destruction of property and injury to persons, or to restrain criminals and secure their attendance at trial. The Federal Government cannot be held liable for the illegal acts of its agents or acts outside the scope of the agents' authority.

In other words, responsibility for an illegal or false arrest rests with you. This makes you subject to suits for damages for false arrest, as well as to prosecution by the Government for abuse of your authority. The improper exercise of discretion, when authority for arrest exists, generally does not subject you to civil suits. However, the arrest of a person when the authority to arrest does not exist is illegal, although the conviction of the person arrested will protect you.

QUESTION: If you make a false arrest of a person who is subsequently convicted for the offense, can you be held accountable for the false arrest?

ANSWER: Only if it can be shown that you acted without any reasonable basis and out of spite or other malicious reasons, can you be held accountable for the false arrest.

### 1202: CRIMINAL OFFENSES

Under Federal law, criminal offenses are classified as follows:

1202-1: Felony

Any criminal offense punishable by death or imprisonment for a term exceeding one year is a felony. An example of a felony is a forcible assault upon a boarding officer in the pursuit of his duties.

1202-2: Misdemeanor

Any offense other than a felony is a misdemeanor. Grossly negligent operation of a vessel is an example of a misdemeanor.

1202-3: Petty Offense

Any misdemeanor, the penalty for which does not exceed imprisonment for a period of six months or a fine of not more than \$500, or both, is a petty offense. Simple assault upon a private citizen is a petty offense. The significance of a petty offense is that a trial for such an offense may be held before a U. S. Magistrate without a jury if the defendant so desires.

The important thing for you to remember is that the difference between felonies and misdemeanors, in many cases, determines the right to arrest and affects the procedures for you to follow if an accused person attempts to resist arrest.

The only way you can determine whether an offense is a felony or a misdemeanor is by studying the statute or regulation involved. If the statute is not available when the offense is committed, a good rule is that if an act is one which injures or could injure another person or one which is a crime of violence or destroys property, then it is a felony. If an act is not a felony but is close enough to a felony that it would be classed as a "breach of the peace," you can treat it as a felony for the purpose of arresting a suspect. An example would be assault by beating (assault and battery) in the special territorial and maritime jurisdiction.

1203: CIVIL OFFENSE

Where the statute involved does not declare imprisonment and does not specifically direct arrest or does not specifically indicate that the violation is a crime, then it is classed as a civil penalty offense, for which no arrest can be made. Examples of civil penalty offenses include failing to have a certificate of number on a vessel required to be numbered, or carrying passengers for hire without a licensed operator aboard.



Civil penalty offenses are generally handled by a Coast Guard senior officer who determines the amount of the penalty. If the accused does not pay, the penalty must be sued for in a law-suit brought by a U. S. Attorney in a Federal District Court. Many of the Coast Guard enforced statutes, particularly those dealing with the motorboat laws, specify that the district commander or Commandant shall determine the amount of the penalty. Such offenses are handled by a report which is generally submitted to the district commander.

It is important to recognize that civil offenses are not considered crimes. You may not arrest a person simply for a civil offense. However, arrest may become authorized if a crime has also been committed, for example, the offender assaults or forcibly obstructs you while you are carrying out your duties in conjunction with the civil offense.

#### 1204: AUTHORITY FOR ARREST

General authority for Coast Guard officers and petty officers to arrest is found in 14 USC 89, which in part reads as follows: "When from such inquiries, examination, inspection, or search it appears that a breach of the laws of the United States rendering a person liable to arrest is being, or has been committed, by any person, such person shall be arrested or if escaping to shore, shall be immediately pursued and arrested on shore, or other lawful and appropriate action shall be taken...."

From this quote, you can deduce that the only persons you have the jurisdiction to arrest are persons who break laws of the United States which render persons liable to arrest. If you read together the phrases "shall be arrested" and, "or other lawful and appropriate action shall be taken," you can easily infer that the alternative to making an arrest is taking other lawful and appropriate action. In most violations of motorboat laws, "other lawful and appropriate action" means filing a letter report or a Report of Violation (CG-4100). Whether you should arrest a person or take other lawful and appropriate action depends on the gravity of the case and the circumstances surrounding it.

#### 1205: ARREST OFFENSES

There are many statutes which authorize arrest for a violation of their terms, and among those with which you will be most frequently concerned are the following:

1. Negligent operation of a motorboat or vessel (46 USC 1461D).

2. Deposit of refuse in navigable waters of the United States (33 USC 413).
3. Violation of customs laws (19 USC 1581).

There are many other laws which authorize you to make an arrest, especially in offenses on the navigable waters of the United States. Therefore, it is important for you to know in every case whether you may arrest the suspect and if so, whether arrest is necessary under the circumstances to prosecute the suspect.

#### 1206: ARREST WITH OR WITHOUT A WARRANT

As you have just learned, you are responsible for determining whether you may make an arrest. Another determination for which you are responsible is whether to make an arrest with a warrant or without a warrant. Thus, you will now learn what a warrant is, how to seek a warrant for a suspect's arrest, when to make an arrest with a warrant, and when to make an arrest without a warrant.

An arrest warrant is a legal document issued by a Federal judge or magistrate which commands a law enforcement official to take into custody the person named in the warrant. In order for the warrant to be issued, probable cause must be shown to the United States judge, magistrate, or justice of the peace who is asked to issue it. Probable cause is shown by the complaint, affidavit, or sworn statement given to the judicial officer which alleges the facts necessary to convince him that an offense has been committed and that the person named has committed it. It is not necessary to convince the judicial officer with proof beyond a reasonable doubt. The judicial officer must be convinced only that the facts and circumstances as presented to him would lead a reasonably prudent man to believe that the suspected person probably committed the offense charged.

When it is necessary for you to seek a warrant, report the facts to a United States attorney having jurisdiction over the area. He will assist you in preparing the affidavit and in appearing before the United States magistrate to obtain the warrant. Normally, you will not serve the warrant; instead, personnel of the office of the United States Marshal having jurisdiction in the area concerned will serve the warrant. Whenever a Federal judge or magistrate does ask you to serve a warrant, you are given the right to make the arrest of the lawbreaker.

When you must determine whether or not to seek a warrant, follow the guidelines given below:

1. Generally, it is desirable to seek a warrant to effect an arrest unless the seriousness of the offense, the possibility of repetition, or the likelihood of flight to avoid prosecution are great.

Some serious cases such as assault with a dangerous weapon or forcible obstruction of a Federal official often require prompt action, and arrest without a warrant may become necessary.

2. If a crime is a misdemeanor, you may make an arrest without a warrant only if you have personally witnessed the offense.

3. If the crime is a felony, you may make an arrest without a warrant if you either: (a) have witnessed the crime or (b) have probable cause to believe that a felony has been committed and that it was committed by the person you are seeking. Under this last situation, you may proceed only if there is a reasonable basis for your belief--not a simple suspicion.

It is far better in every case where justice and protection of society will not suffer to obtain an arrest warrant for every offense, whether felony or misdemeanor, because then you need not concern yourself with the sometimes very close determinations about the magnitude of the offense and about the propriety of arresting without a warrant.

#### 1207: ELEMENTS OF ARREST

There are three indispensable elements of a valid arrest: authority, intent, and compliance by the accused. Each is an independent item, but without one of the items, an arrest is either illegal or cannot be consummated.

#### 1207-1: Authority

As you will recall, you have the authority to arrest persons who break laws of the United States which render persons liable to arrest. When determining whether the circumstances of a particular case guarantee you the authority to make an arrest, carefully consider the following four factors:

1. Has a Federal law been violated? Have all conditions necessary for a crime to have been committed been fulfilled? Remember that under Federal law, an attempt to commit a crime is the same thing as actually having committed the deed. Also remember that an act which constitutes an offense if committed in one place under one condition may not be an offense if committed elsewhere under other circumstances. For example, it is not a Federal crime to murder someone--generally speaking--on shore, but it is a Federal crime to commit such an act on a U. S. flag vessel beyond three miles from shore.

2. Does the Coast Guard have jurisdiction? In other words, is the statute which has been violated one for which the Coast Guard has been designated as an enforcement agency? If not, is the act a felony or a breach of the peace such that you have the right to arrest in your capacity as a private citizen ( a citizen's arrest)?

Unless the answer to one of these questions is "yes", you must not make the arrest.

3. Is it reasonable and necessary for you to make an arrest? It is reasonable for you to make an arrest if you have witnessed the offense, and it is necessary for you to make an arrest if the offender might otherwise escape and thereby avoid prosecution because you may not know his identity. As a law enforcement official, you may properly require an offender to identify himself.

4. How did you become aware of the crime? If you saw the crime occur, your authority to arrest is unquestioned. However if you become aware of the crime through hearsay, i.e., information provided by a third party (even another Coast Guard official), it is usually better to obtain a warrant before making the arrest unless the facts are clear and an immediate arrest is necessary to prevent the escape of the person committing the crime.

#### 1207-2: Intent

After you have determined that you have the authority to make an arrest, it is not sufficient for you to merely make up your mind to arrest a person. You must also clearly indicate to the suspect that you are arresting him (depriving him of his liberty) and that you have the authority to make the arrest. The working of your intent must be such that a reasonable man would know that he is lawfully under arrest. Use the words: "You are under arrest; I am a Coast Guard boarding officer."

The fact that you are in uniform does not completely relieve you of the responsibility of identifying yourself. Likewise, phrases such as "come with me" or the equivalent impose no obligation on the citizen to obey, nor do they impose the status of arrest.

Having declared your intent, you should immediately inform the person of the nature of the offense for which you are arresting him. Avoid unnecessary conversation. Do not discuss the merits of, or justification for, the arrest.

#### 1207-3: Compliance

The third element of arrest is compliance by the accused. It is necessary that the accused acknowledge in some fashion, ordinarily by complying with the order of arrest, that he has recognized his status of being under arrest. It is not necessary to lay hands on the accused if he obeys an order after you have made the order of arrest. If the accused does not comply, then it would be necessary to touch the accused to complete the status of arrest. Without such compliance or such touching, a person is not technically under arrest.

It is widely believed that touching is always necessary; however, it is necessary only if other compliance has not been shown. Whenever possible, it is wise not to touch, since the movement of the hand toward a person is often regarded, especially by those under the influence of intoxicants, as an offer to fight.

QUESTION: Is compliance indicated by a person who attempts to flee after being informed of the arresting officer's intentions?

ANSWER: It would be reasonable to assume that the person understands what is taking place in this instance. However, if no touching has occurred, the act of fleeing is not in itself a submission to arrest. If the arrested person first goes with the Coast Guardsman and then changes his mind and runs, his escape is an attempt to resist arrest. His initial compliance, though, makes the arrest complete.

After a suspect has submitted to arrest and is in your custody, you must protect him. It is your duty to prevent bystanders from assaulting him. Allow no one to use physical force on him after you have taken him into custody. When you must use restraints such as handcuffs or rope, apply them correctly to prevent injuring the prisoner.

#### 1208: TECHNIQUES OF ARREST

Although you may never make an arrest, it is necessary that you know and understand how to arrest, not only for your safety but also for the safety of the person you are arresting. Since arrest is the act of depriving an individual of his freedom, you must realize that no two individuals react in the same way to this experience. There is no such thing as a routine arrest, there is always an element of danger.

Even though situations vary, never attempt to arrest without some plan of action. In certain instances, time will permit only a few moments of planning. It is on these occasions that your training and past experiences become decisive factors, because within a matter of seconds you must react. There can be no hesitation. Your action must be speedy and resolute, but responsive to the situation and controlled by your judgment. You must know what is expected of you and what your plan of action will be.

Whenever you are called upon to make an arrest, you must, of necessity, take control and remain the master of the situation. Your tone of voice is of prime importance in obtaining attention and compliance. Your attitude, bearing, and appearance also help you achieve these objectives.

Fear, doubt, or lack of confidence is quickly transmitted by your voice--by what you say and how you say it. If you possess

self-confidence, you do not need to impress the suspect with your voice. Raise it only to be heard, not to camouflage inadequacies. The tone should imply a command, not a request. If you speak in a clear, decisive voice, you leave no room for discussion as to who is in charge. Hesitation or overemphasis is an indication of nervousness or inexperience, and either may lead to difficulties.

You should always avoid profanity, since it is an indication of weakness. It reduces you to the level of the criminal. In turn, profanity may influence the suspect to resist. If a suspect uses profanity toward you, remember that it detracts from your position to reply in a like manner.

As a symbol of the law, you must act in an impartial and impersonal manner. If you radiate authority and strength, stand erect, and have a neat appearance and businesslike attitude, you are less likely to encounter a "fighter."

#### 1209: USE OF FORCE

Since there is the possibility that the person you are arresting will not recognize the arrest or will resist being arrested, it is important for you to know what force you can use in making an arrest or in securing the custody of an accused.

A general statement is that when an accused resists arrest or attempts to escape from arrest, you may use whatever reasonable and necessary force is required to insure compliance with the order of arrest. The use of any additional force may impose upon you personal civil liability for assault and battery, as well as possible disciplinary action from the Coast Guard under the UCMJ. What is reasonable depends entirely on the circumstances, the physical resistance offered by the accused, the seriousness of the crime, and the alternatives open to you. Plainly, it is not proper for you to vent your feelings on the accused.

In every arrest situation, you must be firm and be prepared to protect yourself as well as others. Obtaining obedience to your instructions may require steps that vary from a command to actual physical contact. However, the only force which you may use is that actually necessary to complete the arrest. You must never physically assault a person who is peacefully submitting to the arrest. When determining whether to use force, consider the following factors:

1. Is the suspect submitting peacefully or is he resisting?
2. Is the suspect armed?
3. What is the nature of the crime committed?

4. How does the suspect's size and strength compare with your size and strength?

5. How many persons are involved in the crime and what is your available support at the scene?

#### 1210: USE OF FIREARMS AND WEAPONS

The use of firearms, because of their inherent danger, requires special treatment. Before you may wear firearms, the district commander must authorize their use. Normally, you will not wear firearms in the enforcement of boating safety laws. However, if, in your opinion, you feel that you should wear firearms due to conditions in a particular area, you should forward a letter of recommendation to the district commander (via chain of command) requesting and justifying their use.

If and when authority is issued for you to carry firearms, you should keep in mind that this authority permits use only for defensive purposes. The mere fact that you are authorized to enforce certain Federal statutes is no protection for you if you use the firearms for an offensive purpose.

You should not be issued a firearm unless you can demonstrate that you know how and when to use it. Remember that the armed marine law enforcement agents of the various States and other Federal agencies are required to complete hours of training before being issued their weapon and must regularly re-qualify in its use.

If you are armed, you should always remember two points: (1) an accused is innocent until convicted by a court, and (2) it is a very serious offense to forcibly resist a Federal officer. The courts will adequately punish the offender who attempts the use of force in trying to resist or break arrest.

A rule has been established that in an arrest for a misdemeanor, you may not use a weapon which could inflict serious bodily harm. If you must kill or inflict serious bodily harm on a person accused of a felony, it will be necessary for the Coast Guard to prove that your acts were reasonable. This proof will be given long after the passions and excitement of the moment have passed. Courts have normally felt that any shots fired at a person may kill that person.

#### 1211: PROCEDURES AFTER ARREST

One requirement of the law is that you take the arrested without unnecessary delay to a U. S. magistrate or other judicial officer. Even though unnecessary is a flexible word, you should follow the spirit of the law as much as possible. Courts have held that a few hours is not an excessive delay. Remember that laws are written to protect all citizens, even those who have been arrested.

When you make an arrest during the normal working day, retain custody of your prisoner until you bring him before a committing magistrate or until you have been directed to give the prisoner to another law enforcement officer. In all cases of arrest that you handle, seek the advice and assistance of a U. S. Attorney, for it is upon him that the burden of going forward with the government's case will fall. The district legal officer will probably help you in making contact with a U. S. Attorney.

In some cases you will arrest a suspect after the normal working day of a U. S. magistrate and with none of the other appropriate officials immediately available. In such cases you should deliver your prisoner to a Federal detention facility if one is available or to the municipal or county jail, to be held there as a Federal prisoner. Then bring the arrested person before a committing magistrate without any unnecessary delay on the next working day of such magistrate. In every case you will be required to file a complaint, which is a sworn written statement alleging the offense and stating that the prisoner committed or probably committed the offense. Whenever possible, immediately advise your unit duty officer or the district RCC of the arrest and ask their assistance in arranging disposition of the case.

Three generally recognized and permitted delays are as follows: searching the suspect, warning the suspect, and preliminary unofficial examination of the suspect.

#### 1212: SEARCHING THE SUSPECT

After you have arrested a suspect, your first action should be to search him. It is lawful to make a search, and doing so serves as a necessary protection to you. Carefully perform the search to enable discovery of any weapons, means of committing crimes, fruits of the crime, and evidence of the crime.

On making a search, it is preferable to have the person being searched off-balance and with his back to you. One recognized method is to have the accused lean forward and place his hands widespread against a wall. His feet should also be well spread. This position will make possible a thorough search of all parts of his body and will make awkward any hostile movement. If you keep one foot between the prisoner's feet, you will be able to throw the prisoner to the ground with ease should there be any resistance. Although such a search may sound extreme, remember that persons are not normally arrested unless their continued presence at large would constitute a threat to society.

Women shall not normally be given such a search, except by another woman. A search of a woman's handbag and overcoat should suffice.



In general, conduct searches in as discreet a manner as possible, insuring the safety of yourself, the success of the search, and the dignity of the prisoner.

1213: WARNING THE SUSPECT

After searching the suspect, you may question him, take him to other authorities for questioning, or both. Before asking him questions, other than his name and address, however, you must give him a proper warning of his rights. Giving proper warning is very important, because if you do not meet the warning requirements, any incriminating evidence obtained through information supplied by the suspect cannot be used against him at the trial.

Because of the importance of the warning and because you may not remember the full wording of the warning, it may be better to take the suspect directly to appropriate officials for interrogation by better trained personnel. If you do wish to question him, however, you must give him the following warning (Miranda Warning) or other words to this effect:

"You are under arrest. You have the right to remain silent. You do not have to answer any questions or make any statement concerning this suspected offense. I must warn you that any statement you do make may be used as evidence against you in court. You are also advised that you have the right to talk to a lawyer before you answer any questions or make any statements, and to have a lawyer present during the questioning, if any. If you cannot afford to retain a lawyer then one will be appointed for you. Do you fully understand your rights to remain silent and to have counsel at this stage? Do you understand that if you do want to answer questions that you may at any time during the questioning exercise these rights? If you want to rely on your rights at any time, the questioning will immediately stop."

If, after you have given the accused this warning, he desires to waive his rights and make a statement, you may question him about the suspected offense. During this questioning, you must never offer any threats, use any force, or make any promises of reward, immunity, or lenient treatment; in other words, the statement or answers he gives must be completely voluntary. If you prolong the questions or delay the prisoner's appearance before a magistrate, legal problems and surrounding confusion multiply. Therefore, keep the questioning short.

1214: PRELIMINARY UNOFFICIAL EXAMINATION

A usual practice before a prisoner is brought before a magistrate is an unofficial preliminary questioning by appropriate officials. The nature of the offense determines by whom the case is reviewed.

In every boating safety case involving arrest notify the U. S. attorney's office in your area and the immediate superior in the chain of command. A message to the appropriate official or officer

will take only a few minutes and will determine the action to be taken.

1215: TAKING PERSONAL PROPERTY INTO CUSTODY

If the person arrested has been operating his own vessel at the time of his arrest, you may direct one of your Coast Guard party to bring the vessel in and transfer the prisoner to the Coast Guard vessel. However, if you have no competent person aboard to bring the civilian boat in, you may direct the prisoner to bring his boat in himself and to stay ahead of the Coast Guard vessel. If there are passengers aboard the civilian vessel, you may release the vessel to one of them if there is an operator aboard who is qualified to operate the vessel and who agrees to do so and if the operator who has been arrested agrees to this procedure. Towing may also be considered, however the arrested operator should be kept in your boat.

1216: RESPONSIBILITY FOR, AND SAFEKEEPING OF, PERSONAL PROPERTY

In all instances in which a Coast Guard crew goes aboard a civilian vessel or where the arrested person is permitted to bring the vessel in, the vessel should be taken to a Coast Guard, other U. S. Government, or harbor police mooring. There, measures should be taken to safeguard the boat, both for the protection of the property itself and the preservation of evidence if the boat is evidence. Always remember that while the boat is being operated by or for the Coast Guard and while it is moored at a Coast Guard facility, the government is liable for damage to the boat and its equipment or cargo caused by negligence. Therefore, insure a high standard of care for the boat.

QUESTION: Does the above paragraph suggest that you can take a vessel into custody and moor it at a State police mooring?

ANSWER: It means that if at all possible, you should moor the vessel at a Coast Guard unit. However, when circumstances dictate, you may moor the vessel to a State police pier if the State police have granted permission. When a vessel is at a State police mooring, you are still responsible for the vessel. In fact, no matter where you place the vessel, you are responsible for its safekeeping.

1217: INVENTORY OF PERSONAL PROPERTY

Once the boat has been moored for safekeeping at the selected place, there are a few basic rules you should follow in order to protect yourself and the government.

1. As soon as the boat arrives at the place of safekeeping, you should take an inventory of the boat's contents. This inventory

should be very thorough and include not only the normal equipment but also items such as rags, charts, beverages of all kind, food-stuffs, etc.

2. If at all possible, take pictures of the boat with a Polaroid camera or any other camera that is available. Be sure to identify each photograph as to what each shows and then sign and date each photograph. During the inventory and picture-taking, try to have a witness. The witness should sign the inventory and pictures.

3. Type or print up the inventory in an original (to be forwarded with the boarding report) and at least four copies (one copy for yourself, one copy for the U. S. Attorney, one copy for the arrested person or his attorney, and one copy for the unit files). It is not necessary to have this many pictures; however, it is always wise for the Coast Guard unit to which you are assigned to have extra copies for their files even though it is not required.

#### 1218: INDICTMENT PROCEDURES

In those cases requiring an indictment (i.e., all felonies) the next step after the case has been presented to the Federal Magistrate is the Federal Grand Jury. The Grand Jury is a judicial investigative body of citizens that investigates crimes and determines whether sufficient ground exist to present criminal cases to a Federal district court for trial.

If you have made the arrest, usually you will gather the evidence (for cases of crime on the high seas, you will gather evidence with the FBI) and report it to the U. S. Attorney. He, in turn, will present the case to the Grand Jury. At this presentation, the Grand Jury will desire to hear your sworn testimony.

#### 1219: PROCEDURES AFTER AN INDICTMENT

Following the return of a true bill (indictment) for a felony, or the filing of criminal information for a misdemeanor (or for a felony if the defendant waives an indictment), the defendant is brought to trial in a U. S. district court. Here again, you, the arresting Coast Guardsman, must be prepared to testify in open court about all of the circumstances surrounding the arrest, including the precise facts of the case.

Since you must be able to show to the satisfaction of the U. S. magistrate, the Federal Grand Jury, and a U. S. district court the facts concerning the case, you must have accurate facts and knowledge of the offense. The possibility is strong that there will be months between the time of the arrest and the day of the trial. Therefore, it is essential that you make complete and

detailed notes as soon as possible after the arrest and that you submit a complete report of all of the circumstances, facts, witnesses, and evidence to the U. S. Attorney through your commanding officer and district commander.

## 1220: EVIDENCE

Evidence is a general term which applies to anything which tends to prove or disprove a question in dispute or to influence a belief respecting it. There may be times when you, during the performance of your boating safety duties, will have to collect or preserve evidence. No matter what situation you investigate, it is essential that you be able to offer as much proof as possible to support the facts of the case. Therefore, you should be aware of the basic rules concerning evidence.

In any investigation, do not overlook anything or any circumstance at the scene of a crime, incident, or violation. Gather and hold as evidence anything which may have a bearing on the case. Remember the following points when you are collecting and preserving evidence:

1. Gather everything that might be of significance to the case.
2. Connect your pieces of evidence to the circumstances at the scene through photographs, sketches, and written descriptions.
3. Mark all evidence by tagging and initialing it to aid in later identification of it.
4. Disturb or handle evidence as little as possible, lest it lose evidential value.
5. Protect all evidence from unauthorized persons, who might destroy its evidential value through either design or ignorance.
6. Protect evidence from adverse weather conditions or other harmful situations.
7. Store pieces of evidence carefully so that they remain intact.
8. Maintain a chain of custody. A chain of custody is a receipting process whereby there is always a continuous line of custody maintained for any piece of evidence. Thus, the possession of the evidence at all times is accounted for, and its unchanged character can be attested to from the time of the crime until it appears in court.

QUESTION: If you hand over a piece of evidence to a person who will safeguard it, must you obtain a signed receipt from that person?

ANSWER: Yes. Regardless of who the person is, you must obtain a signed receipt. Remember, evidence is of critical importance to any case, and failure to deal with it properly can completely cancel out its value in court.

#### 1221: TYPES OF EVIDENCE

Evidence is of two types: direct and indirect. By direct evidence is meant evidence which tends directly to prove or disprove a fact in issue. If a person has actually seen a particular act performed and that person testified as to what he has seen, his testimony is direct evidence about the performance of the act. Indirect evidence, on the other hand, is that evidence which does not tend directly to prove or disprove a fact or circumstance from which either by itself or combined with other facts and circumstances, the existence or nonexistence of a fact which is in issue may reasonably be inferred according to the common experience of mankind. Indirect evidence is also referred to as circumstantial evidence and always involves the use of inferences to be drawn from related facts as to facts which are in dispute. For example, testimony establishes that immediately prior to passage of a boat through a channel, an aid to navigation in that channel was intact, and that immediately subsequent to passage of that boat, the aid and the boat were damaged; it could reasonably be inferred that the boat in question damaged the aid although no one saw the boat strike or damage the aid.

The danger in sole reliance upon circumstantial evidence lies in the fact that circumstances may so combine as to result in a strong circumstantial case against an innocent party. In other words, the inferences drawn may be incorrect. Because many cases lack direct evidence, it is necessary that you carefully gather circumstantial evidence.

#### 1222: FORMS OF EVIDENCE

Both direct and indirect evidence may take any of the following three forms: oral, documentary, or real. First, there may be oral evidence. This is evidence which is spoken, being given under oath by a witness at a trial or hearing. The witness relates to the court those things pertaining to issues before it about which he has knowledge. With rare exceptions, opinions are not permitted.

The testimony must concern facts which came to the witness through his senses--hearing, sight, touch, smell, and taste. With oral evidence, there are the following safeguards with regard to truthfulness--the oath taken by the witness, confrontation, cross-examination, and the opportunity for the court to observe the appearance and demeanor of the witness while he is giving evidence.

The second form which evidence may take is documentary. This may consist of writing, papers, records, and the like which have a bearing on the issues involved in the case. Such documents, when offered in evidence, are subject to the inspection and objection of opposing counsel. Generally speaking, only the originals of documents may be admitted as evidence, although exceptions to this rule exist. Because of a tendency for people to lend great weight to printed materials, documentary evidence--if it is admitted into evidence by the court--is considered strong in support of the position for which it is offered.

The third form which evidence may take is demonstrative or real evidence. This evidence consists of persons, places, or things which are involved in the issues before the court and which are exhibited to the view of the court. Because of its nature, demonstrative evidence is very strong evidence in support of the position for which it is offered. The viewing of scars, tattoos, wounds, the scene of a crime or accident, the weapon or instrument used, all of which are demonstrative in nature, can, if properly presented, have a forceful impact on the court. In some cases, the demonstrative evidence may be necessary to prove the commission of a crime, as in smuggling cases when the goods in question can be produced in court.

#### 1223: SUMMARY

After you have determined whether you have jurisdiction concerning a violation of a law, you must determine if the violation is a criminal offense (one for which you may arrest a person) or a civil offense (one for which an arrest may not be made). Arrest is the taking of a person accused of criminal complaint into official custody before a court or in response to a subpoena. Section 89 of Title 14 authorizes you to arrest persons who break Federal laws which render persons liable to arrest. Along with this authority comes the responsibility for any illegal or false arrests you may make. Generally, it is desirable to obtain a warrant to effect an arrest, but as you have learned, there are exceptions to this generalization that are based on whether the crime is a felony or a misdemeanor, whether there is a witness to the crime, whether the crime is serious or likely to be repeated, and whether escape is likely.

For an arrest to be legal, you must have the authority to arrest.

Ask yourself the following questions: (1) Has a Federal law been violated? (2) Does the Coast Guard have jurisdiction? (3) Is it reasonable and necessary for you to make an arrest? (4) How did you become aware of the crime? After determining your authority, you must indicate to the suspect that you are arresting him (show your intent), and he, in turn, must show compliance to the arrest. When making the arrest, remember the following factors: (1) There is no such thing as a routine arrest, (2) There is always an element of danger when making an arrest, (3) Maintain control of the arrest at all times, (4) Consider carefully whether to use force, and (5) Protect yourself, bystanders, and the arrested person.

After making an arrest, notify your command immediately and then, depending upon instructions received, take your suspect without unnecessary delay to a Federal magistrate or other judicial officer and seek the advice of the U. S. Attorney in your area. Permitted delays include searching the suspect, warning him of his rights (Miranda warning) and conducting an unofficial questioning of him. You must protect the offender and take his personal property (his boat and its belongings) into custody and safeguard it. Make an inventory of the property and also take pictures. Take detailed notes as soon as possible after an arrest so that you can accurately testify to the Grand Jury of the U. S. District Court in cases requiring indictments. Gather and hold as evidence anything which may have a bearing on a case. Evidence is either direct or indirect (circumstantial), and both of these types may be oral, documentary, or real.

#### 1224: CHAPTER QUIZ

1. Define arrest as used in this chapter. (1201)
2. Define the three types of criminal offences. (1202)
3. Define a civil offence. (1203)
4. May you arrest a person for a civil offense? (1203)
5. Where do Coast Guard officers and petty officers get their authority for arrest? (1204)
6. When can you make an arrest without a warrant? (1206)
7. What are the three elements of arrest? (1207)
8. What are the four factors to consider in determining your authority? (1207-1)
9. What constitutes compliance with the order of arrest? (1207-3)
10. How much force may you use to make an arrest? (1209)
11. What are the normal procedures to follow after arrest? (1211)

12. After making an arrest should you search the person? (1212)
13. What steps should you go through to protect the personal property of the person you have arrested? (1215-1217)
14. Why should you make complete and detailed notes of all circumstances surrounding the arrest? (1210)
15. What are the two types of evidence? Define them. (1221)
16. What are the forms of evidence? (1222)



## CHAPTER 13

### STATE BOATING SAFETY PROGRAMS

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## STATE BOATING SAFETY PROGRAMS

### 1301: INTRODUCTION

The primary purpose of State boating safety programs is the same as that of the Federal Boating Safety Program-- to promote safe boating. The one difference is that a State program applies only to waters of a particular State, whereas the Federal program applies to all Federal waters. The two programs working together should result in safe boating on all waters.

State boating safety programs stem from State boating safety laws the same as the Coast Guard's Boating Safety Program stems from Federal boating safety laws. State boating laws are much the same as Federal boating laws in that the former requires certain equipment to be on board a vessel when the vessel is in operation, requires a vessel to be registered and display the registered number, and requires a vessel to be operated safely. Some State laws require various navigation lights. State boating laws are usually stricter than Federal boating laws. A comparison of State boating laws to Federal boating laws is presented later in this chapter.

With the sport of boating continuing to grow as it has in the past few years, the State boating safety programs have been a definite asset in the total program of promoting boating safety. Their assistance has been especially helpful on State waters where the Coast Guard has no jurisdiction. The states, in addition to performing boating safety patrols and the actual enforcing of boating laws, have concentrated heavily on establishing boating safety educational programs. Many states have pursued their educational programs by requiring minors to have a safety certificate in order to operate a motorboat. The only way these minors can obtain this certificate is by completing some type of boating safety education course. The majority of states offer or recommend voluntary adult-type boating safety courses. To assist the states in this educational endeavor, the Coast Guard Auxiliary and the U. S. Power Squadron have in some cases made their members available to teach the state boating safety courses in addition to their own public education courses.

To lend further support to boating safety on State waters, the vast majority of states have adopted the Uniform State Waterway Marking System for marking their waters. Some states are also dredging waterways to remove underwater obstructions. These two programs definitely make State waters safer. The dredging program is being conducted in only a few states at the present time due to the great expense involved with dredging operations. In addition to the foregoing, many states are also constructing large and modern mooring facilities in an effort to make boating safer and more pleasurable to the boating public.

In order that the promotion of boating safety may reach total accomplishment, Coast Guard and State boating safety forces must possess a knowledge of each other's boating safety laws and programs. To aid in this accomplishment, we are providing in this chapter State boating safety legal requirements so you can compare them to Federal boating safety legal requirements. Also given are some of the programs in which various states are involved. This information is included to provide you an understanding of the State boating laws for the state in which you are assigned. This information was current as of 1 August 1971 but may have changed between that date and the present. State laws are like Federal laws in that they are subject to change from time to time. In order for you to know if the information in this chapter is still current, you should obtain a current copy of the State boating laws from the respective State to which you are assigned.

1302: STATE NUMBERING SYSTEM INFORMATION

<u>State</u>	<u>Period of Validity</u>	<u>Date of Expiration</u>
ALABAMA	1 year	One year after date of issue
ALASKA	Issued by CG	
ARIZONA	1 year	Jan. 1 of the following year
ARKANSAS	1 year	June 30
CALIFORNIA	1 year	Dec. 31
COLORADO	1 year	Dec. 31
CONNECTICUT	1 year	Apr. 30
DELAWARE	1 year	Mar. 31
D. C.	Issued by CG	
FLORIDA	1 year	June 30
GEORGIA	3 years	End of month of owner's birthday
HAWAII	1 year	1 year after date of issue
IDAHO	3 years	3 years after date of issue
ILLINOIS	2 years	June 30 of year of expiration
INDIANA	3 years	End of month 3 years after issue

<u>State</u>	<u>Period of Validity</u>	<u>Date of Expiration</u>
IOWA	2 years	April 30 of odd numbered years
KANSAS	3 years	3 years from date of issuance
KENTUCKY	1 year	April 30
LOUISIANA	3 years	End of quarter 3 years after date of issuance
MAINE	3 years	3 years after date of issuance
MARYLAND	1 year	Dec. 31
MASSACHUSETTS	1 year	Date of Birth
MICHIGAN	3 years	Dec. 31 of every third pre-determined year
MINNESOTA	3 years	Dec. 31 of every 3rd pre-determined year
MISSISSIPPI	2 years	June 30 of odd numbered years
MISSOURI	3 years	May stagger to distribute the workload
MONTANA	1 year	April 30
NEBRASKA	1 year	Dec. 31
NEVADA	1 year	Dec. 31
NEW HAMPSHIRE	Issued by CG	
NEW JERSEY	1 year	12 mos. after date of issuance
NEW MEXICO	3 years	Dec. 31 of 3rd year after issue
NEW YORK	3 years	3 years after date of issue
N. CAROLINA	1 year	Dec. 31
NORTH DAKOTA	3 years	Dec. 31 of every 3rd pre-determined year
OHIO	1 year	Last day of February
OKLAHOMA	1 year	March 31
OREGON	1 year	Dec. 31
PENNSYLVANIA	1 year	March 31
RHODE ISLAND	2 years	Dec. 31 of even numbered years
SOUTH CAROLINA	3 years	End of month 3 years after date of issue
SOUTH DAKOTA	3 years	Dec. 31 of every 3rd pre-determined year
TENNESSEE	3 years	3 years after date of issue
TEXAS	2 years	March 31 2 years after issue
UTAH	1 year	Feb. 28
VERMONT	1 year	Feb. 28
VIRGINIA	3 years	3 years from 1st day of month of issuance
WASHINGTON	Issued by CG	
WEST VIRGINIA	1 year	June 30
WISCONSIN	3 years	March 31 of every predeter-mined year
WYOMING	1 year	Dec. 31
GUAM	Issued by CG	
PUERTO RICO	3 years	3 years after date of issue
VIRGIN ISLANDS	1 year	1 year after date of issue

1303: STATE REGISTRATION REQUIREMENTS

Alabama: All watercraft rental.

Alaska: All motorboats.

Arizona: All watercraft.

Arkansas: All undocumented motorboats of more than 10 horsepower.

California: All motorboats and all sailboats over 8 feet in length.

Connecticut: All motorboats.

Colorado: All motorboats and sailboats.

Delaware: All motorboats.

District of Columbia: All motorboats.

Florida: All motorboats over 10 horsepower.

Georgia: All motorboats and sailboats over 12 feet.

Guam: All motorboats.

Hawaii: All motorboats and sailboats over 8 feet.

Idaho: All motorboats.

Illinois: All motorboats and sailboats over 12 feet.

Indiana: All motorboats.

Iowa: All motorboats.

Kansas: All motorboats and sailboats.

Kentucky: All motorboats.

Louisiana: All motorboats.

Maine: All motorboats.

Maryland: All motorboats.

Massachusetts: All motorboats.

Michigan: All motorboats.

Minnesota: All watercraft-except: duck boats during duck hunting season; sailboats; canoes and rice boats during the harvest season provided they are not equipped with motors in excess of 10 horsepower.

Mississippi: All motorboats.

Missouri: All motorboats 7-1/2 horsepower.

Montana: All motorboats over 10 horsepower.

Nebraska: All motorboats.

Nevada: All motorboats.

New Hampshire: All motorboats are numbered by the Coast Guard. All motorboats must also be registered by New Hampshire.

New Jersey: All motorboats.

New Mexico: All motorboats and sailboats.

New York: All motorboats.

North Carolina: All motorboats over 10 horsepower.

North Dakota: All motorboats over 10 horsepower.

Ohio: All watercraft.

Oklahoma: All watercraft.

Oregon: All motorboats and sailboats 12 feet or over.

Pennsylvania: All motorboats.

Puerto Rico: All motorboats.

Rhode Island: All motorboats.

South Carolina: All motorboats.

South Dakota: All motorboats.

Tennessee: All motorboats.

Texas: All motorboats.

Utah: All motorboats and sailboats.

Vermont: All motorboats.

Virgin Islands: All motorboats.

Virginia: All motorboats.

Washington: All motorboats.

West Virginia: All motorboats over 5 horsepower.

Wisconsin: All motorboats. All sailboats over 12 feet in length.

Wyoming: All motorboats over 5 horsepower.

1304: STATES WITH PRE-CONDITIONS TO NUMBERING

Alabama: None

Alaska: None

Arizona: None

Arkansas: Proof that Boat has been assessed properly for taxes must accompany application for number.

California: None

Colorado: None

Connecticut: None

Delaware: None

D. C.: None

Florida: None

Georgia: None

Hawaii: None

Idaho: Number will not be issued without proof of payment of sales tax.

Illinois: None

Indiana: None

Iowa: None

Kansas: None

Kentucky: If boat is equipped with a head, the state's pollution requirements must be met before a certificate of num-

ber will be issued.

Louisiana: None

Maine: None

Maryland: Title must be obtained before number will be issued.  
Sales (or title) tax must be paid before a title  
can be obtained.

Massachusetts: None

Michigan: None

Minnesota: None

Mississippi: Serial numbers of boat, motor and trailer must be  
furnished to the Sheriff's Office before a certi-  
ficate of number will be issued.

Missouri: Certificate of title must be obtained before number  
will be issued.

Montana: Certificate of tax of personal property showing tax  
on boat has been paid, must accompany application for  
certificate of number.

Nebraska: None

Nevada: Proof of payment of sales or use tax must accompany  
application for certificate of number.

New Jersey: Proof of payment of sales tax must accompany appli-  
cation for certificate of number. Numbers will not  
be issued to boats on non-tidal waters unless pollution  
requirements are met.

New Mexico: None

New Hampshire: None

New York: None

North Carolina: Certificate of number will not be issued to  
boats which do not conform to the State's pollution  
laws.

North Dakota: None

Ohio: None

Oklahoma: Certificates of Title & Number are combined. 1% of  
value is charged before it will be issued.



Oregon: Certificate of Title must be obtained before number will be issued.

Pennsylvania: None

Rhode Island: None

South Carolina: None

South Dakota: None

Tennessee: None

Texas: None

Utah: A current year county property tax receipt must accompany application for number. Number may be withheld or suspended for non-compliance of pollution laws.

Vermont: None

Virginia: None

Washington: None

West Virginia: None

Wisconsin: Proof of payment of sales or use tax must accompany application for number.

Wyoming: None

#### 1305: STATES WITH NON-CONFORMING FIRE EXTINGUISHER REQUIREMENTS

Alabama: Requires one portable or semi-portable CG approved device on all inboards and closed construction outboards. Has no requirement to carry 2 or 3 units on class 2 and 3 boats.

Alaska: Only requires a device capable of extinguishing burning gasoline on boats "for hire".

Arizona: Same as Model Act except open Class "A" & "1" outboards are not exempt.

Arkansas: None required.

California: \*

Colorado: \*

Connecticut: \*

Delaware: \*

D. C.: \*

Florida: \*

Georgia: Required only on mechanically propelled class 2 & 3.

Hawaii: \*

Idaho: All motorboats must carry at least one C.G. approved extinguisher.

Illinois: One C.G. approved extinguisher required on all motorboats 10 h.p. or over.

Indiana: None required.

Iowa: One C.G. approved extinguisher required on all motorboats 10 h. p. or over.

Kansas: \*

Kentucky: Must be C.G. approved. No breakdown by boat class. Open construction outboards with more than 30 in. of decking are not exempt.

Louisiana: H.B. 718 § 1950 - Hand operated fire extinguisher required on all watercraft and movables. Need not be C.G. approved. Marine law is the same as the Model Act.

Maine: \*

Maryland: \*

Massachusetts: \*

Michigan: C.G. approved extinguisher required on all motorboats of closed or semi-closed construction.

Minnesota: Shall comply with C.G. requirements.

Mississippi: \*

Missouri: None required.

Montana: \*

Nebraska: \*

Nevada: \*

New Hampshire: Same as Model Act except open construction class "A" & "1" outboards are not exempt.

New Jersey: \*

New Mexico: \*

New York: \*

North Carolina: Same as Model Act except 10 h.p. or less are exempt.

North Dakota: \*

Ohio: C. G. approved extinguisher(s) required on all motorboats (except electric motors).

Oklahoma: \*

Oregon: Same as Model Act except required on all motorboats.

Pennsylvania: \*

Rhode Island: \*

South Carolina: None required.

South Dakota: Extinguisher must be U. L. approved. None for class "A", 1 for class "1", 2 for class "2", 3 for class "3"

Tennessee: \*

Texas: \*

Utah: \*

Vermont: \*

Virginia: \*

Washington: None required.

West Virginia: Not applicable unless over 3-1/2 h.p.

Wisconsin: Same as Model Act except hand portable extinguisher need not be C.G. approved and all open outboards, regardless of size, are exempt.

Wyoming: At least one C.G. approved extinguisher required on all inboards and all other watercraft 16 feet and over.

Guam: \*

Puerto Rico: \*

Virgin Islands: \*

\*Conforms with Model Act. (Act of 1971)

1306: STATES WITH NON-CONFORMING LIGHT REQUIREMENTS

Alabama: \*

Alaska: On inland waters only one 360° white light is required on all watercraft between sunset & sunrise.

Arizona: Same as Model Act, except rowboats & other craft are exempt when used on waters where power driven craft are prohibited.

Arkansas: On State waters only a white light, sufficient to make motorboats presence & location known, is required during hours of darkness.

California: \*

Colorado: \*

Connecticut: \*

Delaware: \*

D. C. : \*

Florida: \*

Georgia: On State waters only a white light sufficient to make watercrafts presence & location known to all other watercraft within 200 ft. is required during hours of darkness.

Hawaii: \*

Idaho: \*

Illinois: \*

Indiana: Combination light required on all motorboats over 15 h.p. and all pontoon boats. A 32 pt. white stern light is required on all motorboats and sailboats. Dinghies and tenders need only have a white hand held light when operated as such.

Iowa: Same as Model Act. Law does not provide for international lighting.

Kansas: \*

Kentucky: \*

Louisiana: \*

Maine: Same as Model Act except motorboats of 10 h.p. or less are not required to display comb. bow lights on inland waters of the state.

Maryland: \*

Massachusetts: \*

Michigan: Same as Model Act except motorboats less than 11 h.p. are only required to carry either a flashlight or lantern.

Minnesota: Motorboats under 36 feet are required to have only a flashlight or lantern. Motorboats 26 feet and over same as Model Act.

Mississippi: \*

Missouri: Same as Model Act except motorboats 7-1/2 h.p. or less are only required to carry a white light the same as rcwboats.

Montana: Same as Model Act except on State waters a 32 pt. white light is not required on Class "A" and "1" boats while anchored.

Nebraska: \*

Nevada: \*

New Hampshire: \*

New Jersey: \*

New Mexico: \*

New York: \*

North Carolina: Under 10 h.p. requires only stern light or flashlight.

North Dakota: State Law requires only a light sufficient to make motorboats presence & location known to other vessels during hours of darkness.

Ohio: Same as Model Act except law does not regulate sailboat lights exactly the same.

Oklahoma: \*

Oregon: \*

Pennsylvania: \*

Rhode Island: \*

South Carolina: State regulations require only one 32 pt. white light to be displayed on motorboats at night.

South Dakota: \*

Tennessee: \*

Texas: \*

Utah: \*

Vermont: \*

Virginia: \*

Washington: State law requires only one white light distinctly visible for 300 ft. during hours of darkness.

West Virginia: Not applicable unless over 3-1/2 HP.

Wisconsin: \*

Wyoming: \*

\* Conforms with Act of 1971

1307: STATES WITH P. F. D. REQUIREMENTS DIFFERENT THAN FEDERAL

Alabama: State does not require life preservers or ring buoys for vessels carrying passengers for hire.

Alaska: State Law requires one life preserver or life belt or ring buoy or other device approved by C. G. for each person on all watercraft - vessels carrying passengers for hire need C. G. approved life preservers.

Arizona: Children under 8 years must wear a C. G. approved device.

Arkansas: State Law requires one C. G. approved P. F. D. or ski belt for each person on a motorboat - at night all watercraft must carry P. F. D.'s.

California: P. F. D.'s required on all watercraft - does not specify wearable and throwable.

Colorado: State Law requires C. G. approved P. F. D.'s on all watercraft except kayaks & w/w/canoes.

Connecticut: State law requires one C. G. approved device for each person on all watercraft.

Delaware: Same as Federal Regulations.

District of Columbia: C. G. approved P.F.D. required on all watercraft.

Florida: C. G. approved P.F.D. required on all watercraft.

Georgia: C. G. approved P.F.D. required on all watercraft.

Hawaii: C. G. approved P.F.D. required on all watercraft except sailboats and manual propelled boats less than 16 feet built with sufficient flotation to keep from sinking in event of filling or capsizing.

Idaho: C. G. approved P.F.D. required on all watercraft - does not specify condition or accessibility.

Illinois: C.G. approved P.F.D. required on all watercraft. Type I or ring buoy for class 3.

Indiana: C.G. approved P.F.D. required on all watercraft.

Iowa: C. G. approved P.F.D. required on all watercraft.

Kansas: \*

Kentucky: C. G. approved P.F.D. required on all watercraft.

Louisiana: C. G. approved P.F.D. required on all watercraft.

Maine: C. G. approved P.F.D. required on all watercraft.  
(Canoes owned by boys or girls camps are exempt during training periods when within 500 ft. of shore.)

- Maryland: C. G. approved P.F.D. required on all watercraft.
- Massachusetts: P.F.D.'s required on all watercraft.
- Michigan: C. G. approved P.F.D. required on all watercraft.
- Minnesota: C. G. approved P.F.D. required on all watercraft except non-motorized canoes and kayaks.
- Mississippi: C. G. approved P.F. required on all watercraft.
- Missouri: C. G. approved P. F. D. required only on motorboats over 7-1/2 h.p.
- Montana: C. G. approved P.F.D. required on all watercraft - must be worn by persons 12 years or less on class "A" and "1" boats.
- Nebraska: C. G. approved P.F.D. required on all watercraft - persons under 12 yrs. must wear while on board - all persons on vessels carrying passengers for hire must wear while on board.
- Nevada: C. G. approved P.F.D. required on all watercraft.
- New Hampshire: C. G. approved P.F.D. required on all watercraft.
- New Jersey: C. G. approved P.F.D. required on all watercraft except surfboards, racing shells and sailboats without cockpits.
- New Mexico: C. G. approved P.F.D. required on all watercraft.
- New York: C. G. approved P.F.D. required on all watercraft.
- North Carolina: Required on motorboats only.
- North Dakota: C. G. approved P. F. D. required on all watercraft - does not specify life preserver or ring buoy for vessels carrying passengers for hire.
- Ohio: C. G. approved P. F. D. required on all watercraft; persons under 10 yrs. must wear while on board watercraft less than 18 ft. in length.
- Oklahoma: C. G. approved P.F.D. required on all watercraft.
- Oregon: C. G. approved P.F.D. required on all watercraft.
- Pennsylvania: Persons under 9 yrs. must wear P.F.D. on state owned water impoundments. (Sailboats not exempt)



Rhode Island: Required on motorboats only.

South Carolina: C. G. approved PFD required on all watercraft - not specific about accessibility.

South Dakota: C. G. approved PFD required on all watercraft.

Tennessee: Same as Federal Law.

Texas: C. G. approved P.F.D. required on all watercraft - children under 12 yrs. must wear while on board.

Utah: C. G. approved P.F.D. required on all watercraft same as Federal Regulations - children under 12 yrs must wear - all persons on River float trips must wear.

Vermont: C. G. approved P.F.D. required on all watercraft. (Exempts boats from organized summer camps)

Virginia: Same as Federal Law. (Motorboats only.)

Washington: State law only requires a life preserver (C. G. approved not specified) or life float for each passenger that a boat carrying passengers for hire has capacity for.

West Virginia: Not applicable on less than 3-1/2 h.p.

Wisconsin: C. G. approved P.F.D. required on all watercraft.

Wyoming: C. G. approved P.F.D. required on all watercraft.

Guam: Same as Federal Law.

Puerto Rico: Same as Federal Law.

Virgin Islands: C. G. approved P.F.D. required on all watercraft.

1308: STATES WITH NON-CONFORMING VENTILATION REQUIREMENTS.

Alabama: Requires an efficient system. No mention of cowls or ducts.

Alaska: None required.

Arizona: \*

Arkansas: Requires an efficient system. No mention of cowls or ducts.

California: \*

Colorado: \*

Connecticut: \*

Delaware: \*

D. C.: \*

Florida: \*

Georgia: \*

Hawaii: \*

Idaho: Requires an efficient system - No mention of cowls or ducts.

Illinois: \*

Indiana: \*

Iowa: Requires an efficient system. No mention of cowls or ducts.

Kansas: \*

Kentucky: Requires an efficient system. No mention of cowls or ducts.

Louisiana: Requires an efficient system. No mention of cowls or ducts.

Maine: \*

Maryland: \*

Massachusetts: \*

Michigan: None required.

Minnesota: Requires an efficient system. No mention of cowls or ducts.

Mississippi: \*

Missouri: Requires an efficient system. No mention of cowls or ducts.

Montana: Requires an efficient system. No mention of cowls or ducts.

Nebraska: Cowls and ducts required on navigable waters only.

Nevada: \*

New Hampshire: \*

New Jersey: \*

New Mexico: \*

New York: Only cowls required. No mention of ducts.

North Carolina: Boats of 10 h.p. or less are exempt from requirements.

North Dakota: Requires an efficient system. No mention of cowls or ducts.

Ohio: Ducts are not mentioned in Law or Regulations.

Oklahoma: Requires an efficient system. No mention of cowls or ducts.

Oregon: \*

Pennsylvania: \*

Rhode Island: \*

South Carolina: Requires an efficient system. Cowls or ducts are not required on State waters.

South Dakota: \*

Tennessee: \*

Texas: \*

Utah: \*

Vermont: Exempts boats used solely on State waters.

Virginia: \*

Washington: None required by State law.

West Virginia: Not applicable on less than 3-1/2 h.p.

Wisconsin: \*

Wyoming: \*

Guam: \*

Puerto Rico: \*

Virgin Islands: \*

1309: ADDITIONAL EQUIPMENT BY STATE

Alabama: Airboats must display a flag (no description) on a 12 foot mast.

Alaska: None

Arizona: Fire extinguishers are required on all gasoline powered boats.

Arkansas: None

California: None

Colorado: None

Connecticut: None

Delaware: Class "A" boats must carry a horn or whistle, line, and an anchor.

D. C.: Boat must be of sound construction.

Florida: Oar or paddle, line, and anchor. A hull serial number is required on every boat.

Georgia: None

Hawaii: A hull serial number is required on every boat.

Idaho: Fire extinguisher is required on all motorboats.

Illinois: Fire extinguisher is required on all motorboats over 10 h.p. - batteries must be covered.

Indiana: None

Iowa: Fire extinguishers are required on all motorboats over 10 h. p.

Kansas: None

Kentucky: Line, anchor and bailer. All outboards are required to carry oars. All vessels must maintain clean bilges.

Louisiana: None

Maine: None

Maryland: None

Massachusetts: Paddle, line, anchor, and bailer. All motorboats must carry a flashlight or a lantern.

Michigan: None

Minnesota: Fire extinguisher required on all gasoline powered motorboats.

Mississippi: Paddle

Missouri: None

Montana: None

Nebraska: Oars or paddles, bucket or bailer or sponge. All motorboats and sailboats must carry a flashlight or a lantern.

Nevada: None

New Hampshire: None

New Jersey: None

New Mexico: Oars or paddles, line and bucket or bailer.

New York: Line, and anchor. All motorboats over 13 foot must carry a distress flag and three red flares.

North Carolina: None

North Dakota: None

Ohio: Line, anchor, and distress flag. Fire extinguishers are required on all motorboats (electric excepted).

Oklahoma: None

Oregon: None

Pennsylvania: Ski pennant must be displayed on ski pick-up boat.

Rhode Island: None

South Carolina: Oars or paddle.

South Dakota: Oars or paddles, line, anchor, and bucket or or bailer.

Tennessee: None

Texas: None

Utah: Oars or paddle, line, anchor, and bucket or bailer. Motorboats under 26 feet, capable of being beached, do not need line or anchor.

Vermont: None

Virginia: None

Washington: None

West Virginia: None

Wisconsin: Battery covers are required on all storage batteries.

Wyoming: Fire extinguishers are required on all watercraft over 16 feet.

Guam: None

Puerto Rico: None

Virgin Islands: Line and anchor.

1310: STATES WITH OPERATOR AGE RESTRICTIONS

Alabama: Operator under 12 yrs. of age must have a boating safety certificate.

Alaska: None

Arizona: None

Arkansas: Operators under 12 yrs. of age must be accompanied by an adult.

California: None

Colorado: None

Connecticut: Operators under 16 yrs of age need a boating safety certificate to operate over 5 h.p. alone.

Delaware: None

D. C.: Operators under 16 yrs. of age must be under the supervision of a qualified adult.

Florida: None

Georgia: None

Hawaii: None

Idaho: None

Illinois: Persons under 12 yrs. must be accompanied by someone over 16 yrs.

Indiana: Persons under 14 yrs must pass a boating course or be with an adult in order to operate over 10 h.p.

Iowa: Persons under 12 yrs. must be accompanied by someone at least 18 yrs. of age to operate over 6 h.p.

Kansas: Operators under 12 yrs. must be accompanied by someone over the age of 17.

Kentucky: None

Louisiana: None

Maine: Persons under 12 yrs must be accompanied by someone over the age of 16 to operate over 10 h.p.

Maryland: An operator must be at least 12 yrs. of age before he may tow skiers.

Massachusetts: None

Michigan: Persons under 12 yrs. must be accompanied by someone over 16 yrs. to operate over 6 h.p. Persons from 12 to 16 yrs. may operate over 6 h.p. alone if they have a safety certificate.

Minnesota: Persons under 13 yrs. must be accompanied by person over 15 to operate over 24 h.p.

Mississippi: Persons under 12 yrs. must be accompanied by someone over 17 yrs. to operate over 10 h.p.

Missouri: Persons under 12 yrs. must be accompanied by someone over 16 yrs. to operate over 7-1/2 h.p.

Montana: None

Nebraska: Illegal for persons under 14 yrs. of age to operate a motorboat.

Nevada: None

New Hampshire: Persons under 13 yrs. must be accompanied by an adult when operating a boat in excess of 25 h.p.

New Jersey: Operator must be at least 13 yrs of age to obtain outboard operators license required for non-tidal waters of the State. (16 yrs for inboard operation)

New Mexico: None

New York: Persons between the age of 10 & 16 must be accompanied by someone over 16 yrs except if they have a safety certificate they may operate alone.

North Carolina: None

North Dakota: None

Ohio: Operators under 12 yrs. of age must be supervised by someone over 16.

Oklahoma: None

Oregon: None

Pennsylvania: None



Rhode Island: None

South Carolina: Unlawful for persons under 15 yrs to operate any vessel from 1 hour after sunset to 1 hr. before sunrise.

South Dakota: None

Tennessee: None

Texas: None

Utah: Operators under 16 yrs. of age must be accompanied by someone over 16.

Vermont: None

Virginia: None

Washington: None

West Virginia: None

Wisconsin: None

Wyoming: None

Guam: None

Puerto Rico: None

Virgin Islands: None

1311: PENALTIES FOR VIOLATION OF STATE BOAT LAWS AND REGULATIONS

Federal Law or Regulation Violation Penalty - Up to \$1,000.00 fine and/or up to 1 year imprisonment

<u>Alabama</u> :	Misdemeanor	From \$10.00 to \$100.00 + costs for all violations.
<u>Alaska</u> :	Misdemeanor	Up to \$500.00 and/or 6 months for all violations
<u>Arizona</u> :	Misdemeanor	Up to \$300.00 and/or 90 days.
<u>Arkansas</u> :	Misdemeanor	Numbering & equipment up to \$50.00; livery & water skiing up to \$100.00; reckless or negligent up to \$500.00 and/or 6 months.

<u>California:</u>	Misdemeanor	Numbering & equipment up to \$500.00 and/or 5 days; skiing up to \$100.00; reckless or negligent up to \$500.00 and/or 6 months.
<u>Colorado:</u>	Misdemeanor	Up to \$25.00 for all violations
<u>Connecticut:</u>	Misdemeanor	Numbering & equipment up to \$25.00. Reckless or negligent up to \$100.00
<u>Delaware:</u>	Summary	From \$25.00 to \$100.00 or 10 days for all violations.
<u>D. C.:</u>		Penalty set by court.
<u>Florida:</u>	Misdemeanor	Up to \$25.00 for all violations.
<u>Georgia:</u>	Misdemeanor	No specific amount set.
<u>Hawaii:</u>	Misdemeanor	Up to \$1,000.00 and/or 1 year and up to 2 years operators privileges suspension.
<u>Idaho:</u>	Misdemeanor	Numbering & equipment up to \$100.00 and/or 30 days and up to 2 years operator's privileges suspension. Up to \$500.00 and/or 6 months for operating while privileges are suspended.
<u>Illinois:</u>	Misdemeanor	Numbering & equipment \$10.00 to \$100.00; up to \$500.00 and/or 90 days for operating while privileges suspended; reckless or negligent \$50.00 to \$500.00 and/or 30 days to 6 months and up to 2 years operator privileges suspension.
<u>Indiana:</u>	Misdemeanor	Violation of Regulations, 1st offense \$1.00 to \$10.00 and/or 30 days, 2nd - \$25.00 to \$100.00 and/or 30 days. Violation of Law, 1st offense \$10.00 to \$100.00 and/or 90 days - 2nd offense \$25.00 to \$250.00 and/or 180 days.

<u>Iowa:</u>	Misdemeanor	Equipment & numbering up to \$100.00 or 30 days; under influence of alcohol or drugs 1st offense \$300.00 to \$1,000.00 and/or 1 year; 2nd offense \$500.00 to \$1,000.00 and/or up to 3 years in penitentiary.
<u>Kansas:</u>	Misdemeanor	Equipment & Numbering up to \$50.00; livery & water skiing up to \$100.00; reckless or negligent up to \$500.00 and/or 6 months.
<u>Kentucky:</u>	Misdemeanor	From \$15.00 to \$100.00 for all violations.
<u>Louisiana:</u>	Misdemeanor	Numbering & equipment up to \$25.00; livery operators up to \$100.00; reckless or negligent up to \$500.00 and/or 1 year.
<u>Maine:</u>	Misdemeanor	From \$10.00 to \$500.00 and/or 90 days for all violations.
<u>Maryland:</u>	Misdemeanor	Up to \$200.00 for all violations.
<u>Massachusetts:</u>	Misdemeanor	Numbering & equipment up to \$50.00; lifesaving violations from \$10.00 to \$50.00; reckless or operating or skiing under the influence of alcohol or drugs up to \$500.00 and/or 6 months.
<u>Michigan:</u>	Misdemeanor	Numbering & equipment up to \$25.00. Reckless or negligent up to \$2,000 and/or 2 years
<u>Minnesota:</u>	Misdemeanor	Up to \$100.00 or 90 days for all violations.
<u>Mississippi:</u>	Misdemeanor	Numbering & equipment \$10.00 to \$100.00. Reckless or negligent up to \$100.00 and/or 30 days.
<u>Missouri:</u>	Misdemeanor	Numbering & equipment up to \$100.00. Reckless, negligent or under the influence up to \$500.00 and/or 6 months.

<u>Montana:</u>	Misdemeanor	From \$10.00 to \$500.00 and/or 30 days for all violations.
<u>Nebraska:</u>	Misdemeanor	Numbering & equipment \$10.00 to \$100.00 and/or 30 days; livery operators \$20.00 to \$100.00 and/or 30 days; reckless or negligent from \$50.00 to \$500.00 and/or 6 months.
<u>Nevada:</u>	Misdemeanor	No specific amount set.
<u>New Hampshire:</u>	Misdemeanor	Numbering & equipment up to \$100 and/or 1 year. Reckless, negligent or under the influence up to \$100 and/or 6 months; up to \$1,000 and/or 5 years if death results.
<u>New Jersey:</u>	Misdemeanor	Up to \$200 and/or 90 days for all violations.
<u>New Mexico:</u>	Misdemeanor	Up to \$50 and/or 30 days for all violations.
<u>New York:</u>	Misdemeanor	Up to \$50 and/or 90 days for all violations.
<u>N. Carolina:</u>	Misdemeanor	Equipment & numbering up to \$50; reckless, negligent or under the influence up to \$500 and/or 6 months.
<u>N. Dakota:</u>	Misdemeanor	Up to \$100 and/or 30 days for all violations.
<u>Ohio:</u>	Misdemeanor	From \$10 to \$100 for all violations. Reckless or negligent causing death - 2nd degree man-slaughter - up to \$500 and/or 20 years in penitentiary.
<u>Oklahoma:</u>	Misdemeanor	Numbering & equipment up to \$50; livery & skiing up to \$100; reckless, negligent or under the influence up to \$500 and/or 6 months.
<u>Oregon:</u>	Misdemeanor	Numbering & capacity plate up to \$50 and/or 30 days; speeding \$50 and/or 30 days; equipment, negligent or reckless up to \$100 and/or 90 days.

<u>Pennsylvania:</u>	Summary	From \$5 to \$100 or 30 days for all violations.
<u>Rhode Island:</u>	Misdemeanor	Numbering & equipment up to \$50; livery & skiing up to \$100; reckless or negligent up to \$500 and/or 6 months.
<u>South Carolina:</u>	Misdemeanor	Numbering & equipment \$10 to \$100 or 30 days; reckless or negligent \$50 to \$100 or 30 days.
<u>S. Dakota:</u>	Misdemeanor	Numbering & equipment \$10 to \$100 and/or 30 days; reckless, negligent or under the influence \$100 to \$500 and/or 6 months.
<u>Tennessee:</u>	Misdemeanor	Numbering & equipment \$10 to \$50; reckless or negligent \$50 to \$500 and/or 6 months.
<u>Texas:</u>	Misdemeanor	Numbering & equipment up to \$200; under the influence \$50 to \$500 and/or 6 months; reckless or negligent \$25 to \$500.
<u>Utah:</u>	Misdemeanor	No specific amount set.
<u>Vermont:</u>	Misdemeanor	Numbering & equipment up to \$50; reckless, negligent or under the influence up to \$300 and/or 3 months. (Death resulting, up to \$2,000 and/or 5 years).
<u>Virginia:</u>	Misdemeanor	Up to \$50 for all violations.
<u>Washington:</u>	Misdemeanor	No specific amount set.
<u>W. Virginia:</u>	Misdemeanor	From \$10 to \$100 except on federally owned waters from \$20 to \$300 for all violations. Using a light from a boat to locate game while armed \$100 to \$500 and 10 to 100 days.
<u>Wisconsin:</u>	Misdemeanor	Numbering & equipment up to \$50 and/or 30 days, 1st offense; up to \$100 and/or 90 days, 2nd off.; reckless, negligent or under the influence up to \$200 and/or 6 months.

<u>Wyoming:</u>	Misdemeanor	Up to \$100 and/or 30 days and up to 2 yrs. suspension of operating privileges for all violations.
<u>Guam:</u>		Enforced by Coast Guard.
<u>Puerto Rico:</u>	Misdemeanor	Numbering/Equipment up to \$50; livery/skiing up to \$100; negligent or grossly negligent or under the influence up to \$100 and/or sixty (60) days.
<u>Virgin Is:</u>	Misdemeanor	Equipment & Numbering up to \$50; livery & skiing up to \$100; reckless, negligent or under the influence up to \$500 and/or 6 months.

## CHAPTER 14

### U. S. COAST GUARD AUXILIARY

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## U. S. COAST GUARD AUXILIARY

### 1401: BACKGROUND AND HISTORY

The U. S. Coast Guard Auxiliary was established by Congress in 1939 as a non-military, volunteer affiliate of the U. S. Coast Guard. It was originally called the Coast Guard Reserve and renamed the Coast Guard Auxiliary in 1941 when world conditions required Congress to establish a military reserve component for the Coast Guard. The Auxiliary's basic mission is to assist the Coast Guard in promoting safe boating.

### 1402: PREREQUISITES FOR MEMBERSHIP

The prerequisites for membership are: must be a citizen of the U. S., or its territories or possessions; be at least 17 years of age; and own at least 25% interest in a motorboat, yacht, amateur radio station, or aircraft or have special qualifications desired by Auxiliary.

### 1403: MEMBERSHIP QUALIFICATION.

Qualification of Auxiliary members is regulated by the Commandant. Qualification procedures are promulgated by Coast Guard publications and Coast Guard approved qualification examinations are provided for each area of achievement. The qualification program is administered in each Coast Guard district by the district director of Auxiliary. At all achievement levels the Commandant's requirements are sufficiently pliable to provide for insertion of any special qualifications deemed necessary by the district commander. There are two basic levels of qualifications.

(1) Basic Qualification. Before a new or conditional member of the Auxiliary may become a basically qualified member, he must complete a course of instructions and pass an examination. Such areas as history and organization of the Coast Guard and the Auxiliary, seamanship, communications, search and rescue, basic piloting, Federal Boating Regulations, and administrative procedures are covered. Basic qualification does not make the member an expert in any phase, but does qualify him to participate in all Auxiliary functions, to wear the uniform, fly the auxiliary ensign, and to pursue advanced study.



(2) Advanced Qualifications. After a member has met the basic qualifications he may elect to qualify in one of the Auxiliary's areas of advanced training. Of these there are three:

(a) Instructor - These Auxiliarists execute the Auxiliary's public education and member training programs.

(b) Courtesy Examiner - These Auxiliarists execute the Auxiliary's Courtesy Motorboat Examination program and perform vessel facility inspections.

(c) Operations - Auxiliarists who wish to participate in the operational area may qualify in any or all of six separate specialties:

- |                       |                |
|-----------------------|----------------|
| (1) Communications    | (4) Seamanship |
| (2) Search and Rescue | (5) Piloting   |
| (3) Patrol Procedures | (6) Weather    |

The program is taught around operational specialty textbooks and training aids which are directed to knowledge areas prescribed by the Commandant and which bear his endorsement. The Coast Guard provides qualification examinations for each course in qualifying in all operational specialty courses, plus a seventh course in Auxiliary administration, the Auxiliarist advances to the coveted OPERATIONAL MEMBER CATEGORY - (AUXOP), the Auxiliary's most qualified member category.

#### 1404: ADMINISTRATION OF THE AUXILIARY

Administration of the Coast Guard Auxiliary is vested in the Commandant of the Coast Guard. The basic publication by which this administration is carried out is the Auxiliary Manual, CG-305. At the Coast Guard Headquarters level an officer is assigned to act as Division Chief for Auxiliary Affairs under the Chief, Office of Boating Safety. This officer is referred to as the Chief Director, Auxiliary and administers the overall program for the Commandant and deals with policy matters affecting the Auxiliary as a whole.

Within each Coast Guard district the Auxiliary program is administered by the district commander through the district director of Auxiliary. This officer is therefore directly concerned with the Auxiliarists within his district, inter-relationships between the Auxiliary and other interests, and with maintaining the program standards promulgated by the Commandant.

While the Coast Guard is responsible for the overall administration of the Auxiliary, the specific accomplishment of stated missions rests as much as possible with the Auxiliary's own elected officers and staff. Such an approach builds responsibility on the part of those individuals and fosters greater pride among the membership in the success of the program. Top elected officers at the national and district level maintain close liaison with the Coast Guard director and receive necessary guidance from him.

The basic unit of the Auxiliary is the flotilla. A flotilla consists of 10 or more members who own facilities. A flotilla elects its two top officers. The district director can refer you to the flotilla closest to your area of operation and provide you with a copy of the district Auxiliary directory. When there are five or more flotillas in a given area an administrative unit called a DIVISION is formed. The "Division Board" which promotes activity among flotillas in the same area and with similar interests is composed of the respective flotilla commanders and two elected division officers. Senior officer is called the Division Captain. Division Captains throughout the district in turn compose the "District Board" which is responsible for performance of all flotillas throughout the district. Some Districts Boards are also legal entities. A District Commodore, a Vice Commodore, and one or more rear commodores are elected. These elected officers are approved for election by the district commander.

Uniforms, awards, and flags are prescribed for the Auxiliary by the Commandant. Refer to the Auxiliary Uniform, Awards, and flag Code Manual, CG-404.

Specific questions regarding regulations or procedures should be referred to the Auxiliary Manual and/or District director of Auxiliary.

#### 1405: PUBLIC EDUCATION (PEC)

Each year the public receives boating education from the Auxiliary. The only charge is for books, materials, and registration, which cannot exceed \$3.00. The Auxiliary offers four such courses to the public: Skipper's Outboard Special and others, each 1-lesson; Safe Boating, 3-lessons; Principles of Safe Sailing, 7-lessons; and Boating Skills and Seamanship, 6 to 13-lessons. Courses are designed for the beginner and cover such subjects as aids to navigation, rules of the road, small boat maneuvering, charts and compass, and nomenclature. Instructors are qualified by the Auxiliary before they are permitted to instruct. Public education has branched into television in many localities, and in several states, Auxiliary

safe boating courses have been introduced into secondary schools. This program can make the work of enforcement and SAR personnel easier for the Coast Guard by providing a better educated and safer boating public. At the same time, Coast Guard boarding and law enforcement officers can assist the Auxiliary by determining the locations and times of such courses and recommending them to boatmen they contact.

1406: COURTESY EXAMINATION (CME)

Specially qualified members are authorized as Courtesy Examiners to conduct Courtesy Motorboat Examinations (CME) on motorboats when requested by the owner or operator. CME standards embrace all the requirements of Federal law and additional standards for safety which have been adopted by the Auxiliary, or imposed into Auxiliary requirements by the Coast Guard. No report is made to any law enforcement agency if a boat fails to pass. If the boat passes, it is awarded a distinctive decal, which signifies that the boat has met Auxiliary standards. This decal is honored by the Coast Guard and most states and will normally exempt the boat from routine boardings unless an obvious violation is evident.

What boats are eligible for a CME? All motorboats and documented yachts 65 feet or less used for pleasure, may receive a Courtesy Motorboat Examination. NO vessel used commercially regardless of size may be examined. Further, the examination must be requested by the owner, and he or his agent must be present during the examination. The standards for the CME Program, the procedures, and the standards for Facility Inspections, are covered thoroughly in the COURTESY EXAMINERS HANDBOOK, CG-289. A Facility is an Auxiliarist's vessel. It too must be examined annually and display a current Facility decal. The color of the CME decal is changed annually. All old decals must be removed before the current one is applied.

Listed below are some advantages of the CME to the boatman:

(a) He requests an examination of his boat from an experienced fellow boatman. This promotes cooperation and an open attitude on the boatman's part.

(b) The Courtesy Examiner is not a law enforcement officer; no report of violations is made. The boatman is advised of any deficiencies and offered advice on their correction. The examiner also offers advice on safe practices and provides a list of recommended optional safety equipment.

(c) The boatman who receives the decal will not ordinarily be boarded by enforcement personnel for enforcement of the motorboat regulations unless an obvious violation or unsafe practice is observed.

(d) The service is provided only upon request, and is free.

Advantages of CME to CG enforcement personnel:

a. The CME can reach vessels that the enforcement officer might not have an opportunity to board.

b. The CME requirements extend far beyond the minimum Federal legal requirements. It considers not only equipment, but the boat's general condition as well.

c. By promoting safer boats and safety practices, the program indirectly prevents accidents and makes the enforcement officer's job easier. ~~The examiner can assist enforcement personnel by "passing the word" on new regulations and safety practices.~~

d. The Auxiliary's standards are established by the Commandant in CG-289 and exceed basic Federal legal requirements.

e. Display of the CME decal indicates a boat which carries proper safety equipment and whose owner has exhibited his interest in safety afloat. He should not be boarded for enforcement of motorboat regulations unless an obvious violation or unsafe practice is observed. This is especially true of Auxiliary vessels (Facilities) which have been required to pass an annual examination with extremely high standards.

1407: OPERATIONS

The Auxiliary's operational work most frequently falls along two major avenues; Search and Rescue and Patrol of Marine Events.

Search and Rescue. The Auxiliary is often called upon to perform assistance missions. The Auxiliarist operates under official Coast Guard orders in the performance of these missions.

Patrol of Marine Events. Operating under official orders, Auxiliary facilities manned by qualified Auxiliarists patrol numerous regattas. These patrols may be in conjunction with regular Coast Guard units, generally the case with large well-known regattas. Auxiliary regatta patrols may, however, be made without Coast Guard operational control. This very

valuable function supplements Coast Guard forces for patrol and thereby limits the reduction in SAR readiness imposed by deploying a large number of regular Coast Guard units for regatta patrol.

1408: STATUS OF AN AUXILIARIST "UNDER ORDERS"

If and when an Auxiliarist becomes properly qualified, he may be placed under orders. Further, if his vessel has passed an annual Facility Inspection he may, if he chooses, "Offer it for Use" to the Coast Guard. This would include "Call-up" for emergency cases or assignment to routine regatta or safety patrols. Orders are issued to Auxiliarists as outlined in the District OPLAN. Frequently Group Commanders may have this call-up authority. In other districts, Auxiliary orders are issued only at the district level. Obviously, it is well for local commanders to become personally familiar with the nearby Auxiliarists and their capabilities. Still, what does it really mean when an Auxiliarist is under orders? It means the following:

(a) The Auxiliary vessel becomes a Vessel of the United States insofar as the Government assumes responsibility for the vessel against damage, loss or liability. (Without orders, that responsibility rests with the Auxiliarist.)

(b) He operates on Coast Guard radio frequencies in accordance with district CCMPPLAN.

(c) The Auxiliarist may be reimbursed for necessary operating expenses while under orders.

Being under orders DOES NOT mean the following:

- a. That he must unduly risk himself or his vessel.
- b. That he is subject to UCMJ.
- c. That he has any law enforcement authority whatsoever.

It should be stressed that an Auxiliarist NEED NOT be placed under official orders to engage in authorized Auxiliary activities, however, it is to his advantage.

1409: ASSIGNMENT OF CG PERSONNEL TO AUXILIARY VESSELS

Frequently, particularly for regatta patrol, a Coast Guard officer or petty officer will be assigned to an Auxiliary vessel. HE IS PLACED ABOARD IN THIS CASE TO ENFORCE REGULATIONS. The Coast Guard ensign is flown from the vessel, but the authority does not extend to the Auxiliarist. The officer assigned DOES NOT assume command of the vessel.

1410: RECOMMENDATIONS FOR COAST GUARD ENFORCEMENT PERSONNEL  
IN DEALING WITH AUXILIARY

- a. Recommend Auxiliary public education classes to boatmen contacted. Have schedules available if possible.
- b. Recommend that vessels who have equipment violations (or are on the borderline) correct deficiencies and seek an Auxiliary Courtesy Examination.
- c. Don't criticize the Auxiliary before other boatmen. Be willing to tactfully correct Auxiliarists where indicated. (Remember many Auxiliarists occupy important and influential positions in private life.)
- d. Do not request Auxiliarists to exceed their authority. Before working with them, become familiar with the Auxiliary Manual, (CG-305).
- e. Do not disparage the entire Auxiliary on the basis of imprudent acts of individual Auxiliarists or units. Their failings are often reflections of insufficient instruction from the Coast Guard.
- f. Occasionally Auxiliarists may act imprudently or conduct themselves poorly. Refer serious deficiencies or errors on the part of the Auxiliary to the district director of Auxiliary. You as Coast Guard officers and petty officers can exercise no disciplinary action over Auxiliarists. The director can take corrective action if indicated.

1411: HOW MAY THE MOTORBOAT BOARDING OFFICER AND THE  
AUXILIARY WORK TOGETHER

- a. If able and qualified, agree to serve as guest instructor occasionally either for public education courses or for member training.
- b. Many Auxiliarists are very influential in the field of public relations. They can be of great assistance in bringing the message of boating safety to their community. They can also frequently arrange for you to speak before local organizations on boating safety.
- c. Auxiliarists are usually eager to assist the Coast Guard. Their assistance can be especially valuable to you in your boating safety efforts. They ask only the Coast Guard's respect and recognition in return.

1412: CHAPTER QUIZ

1. The Coast Guard Auxiliary was originally called the Coast Guard Reserve. TRUE/FALSE (1401)
2. Prerequisite(s) for Membership in the Auxiliary is/are:(1402)
  - a. U. S. citizen.
  - b. A minimum of 17 years of age.
  - c. Own at least 25% interest in a motorboat, yacht, amateur radio station, or aircraft, or have other special qualifications desired by the Auxiliary.
  - d. All of the above.
3. The two levels of Auxiliary member qualification are: (1403)
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_
4. A basically qualified member of the Auxiliary may elect to qualify in one of the 3 following advanced training areas: (1403)
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_
  - c. \_\_\_\_\_
5. The Auxiliary's most qualified member category is a \_\_\_\_\_ member awarded to Auxiliarists who complete the 6 separate operations specialties plus a seventh course in Auxiliary Administration. (1403)
6. An Auxiliarist onboard a Coast Guard patrol craft has similar law enforcement authority to that of the boarding officer. TRUE/FALSE (1408)
7. The standards for issuance of a CME decal are the same as for issuing the colored copy of a CG-4100 following a courtesy boarding. TRUE/FALSE (1406)
8. Coast Guard boarding officers may be assigned to Auxiliary vessels to enforce regulations. TRUE/FALSE (1409)
9. Auxiliary vessels may be assigned to carry out SAR missions. TRUE/FALSE
10. When under orders, the Auxiliarist is subject to the UCMJ. TRUE/FALSE (1408)

## CHAPTER 15

### BOATING ACCIDENTS

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## BOATING ACCIDENTS

### 1501: INTRODUCTION

This section contains instructions for reporting boating accidents. Certain boating accidents are required to be reported. The responsibility for reporting these accidents rests with the people involved in the casualty. Further, certain boating accidents are required to be investigated by the Coast Guard, and this investigative responsibility is a function delegated to the various Marine Inspection offices.

In addition to a Federal statute requiring certain vessel casualties to be investigated, another statute requires the Commandant of the Coast Guard to compile statistics from Boating Accident reports and to publish them annually. By studying these accident and investigative reports, the Coast Guard determines the causes of accidents and casualties from which recommendations for preventative measures may be made. This may entail the promulgation of regulations, and standards or publishing information to the boating public that will help reduce or prevent vessel casualties or accidents.

After a discussion of general terms, this section deals with boating accidents, boating accidents statistics, reportable accidents and casualties, boating accident reporting requirements, reporting procedures, preparing the Coast Guard's Boating Accident Report form, and some basic information on boating accident investigation.

### 1502: DEFINITION OF TERMS

So that we will not have to define certain terms each time we use them, we are providing here the following definitions, as stated in the Federal Boating Safety Act of 1971.

Vessel includes every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

Boating Accident means a collision, grounding, sinking, or other casualty that involves a vessel, its equipment, or its appendages.

A vessel is considered to be involved in a boating accident whenever the occurrence results in damage by or to the vessel or its equipment, injury or loss of life to any person, or the disappearance of any person from on board under circumstances

which indicate the possibility of death or injury. A boating accident includes, but is not limited to, a vessel's capsizing, collision, foundering, flooding, fire explosion, and disappearance other than by theft.

A documented yacht is a vessel 5 net tons or over, used exclusively for pleasure, owned by a citizen of the United States, and registered with the Coast Guard.

Marine Casualty means a casualty similar to a boating accident, except that this type of casualty involves and is reported by documented vessels. As you will see later in the section, vessels documented for pleasure also fall into the boating accident definition.

### 1503: STATISTICS

There were 5,322 boating accidents involving 6,738 vessels reported for calendar year 1973. From these accidents, 1,754 fatalities resulted. There were also 829 personal injuries reported. These accidents accounted for \$11,376,600 in property damage.

The above statistics were compiled by Coast Guard Headquarters from boating accident reports received from Coast Guard units and the various States. The Coast Guard is required to compile and publish these statistics annually. This information is published as "Boating Statistics" (year) annually.

### 1503-1: LOSS OF LIFE

These statistics show that vessel capsizings have consistently accounted for more of the lives lost each year than any other type of accident. Operator's faults in mishandling vessels cause the great majority of capsizings. The operator fault that caused the most capsizings in 1973 was overloading or improperly loading the boat. Other operator faults that cause a large number of capsizings include ignoring weather warnings and proceeding under unfavorable weather conditions, and operating in waters which exceed the limits of the craft and/or the operator's training or experience. (This type of information is found in "Boating Statistics 1973," which was mentioned above.) After capsizings, falls overboard and vessel floodings were the second and third major types of casualties resulting in boating fatalities.

### 1503-2: PERSONAL INJURIES

Over half of the vessels reported in accidents were involved in collisions. These collisions accounted for most of the personal injuries. The principal cause of a vessel

colliding with another vessel or with a fixed object is the operator's failure to maintain a forward lookout. The increasing popularity of water skiing has contributed to this safety problem since the operator often attempts to divide his attention between ahead and astern. Fires and explosions resulted in the second largest number of personal injuries.

#### 1503-3: PROPERTY DAMAGE

Fires and explosions also continue to account for the greatest amount of property damage, with vessel collisions following in second place. In the majority of cases where the cause of the accident could be determined, the fires and explosions were caused by the operator, who may have improperly installed or maintained the engine or equipment, disobeyed safe fueling practices, or lacked operating experience.

#### 1504: REPORTABLE ACCIDENTS AND CASUALTIES

A reportable boating accident is any accident that involves a vessel used by its operator for recreational purposes or that is required to be numbered (including those documented for pleasure), except for those vessels required to have a Certificate of Inspection, which results in any one or more of the following:

1. Loss of life.
2. A person loses consciousness, or receives medical treatment, or is disabled for more than 24 hours.
3. Damage to the vessel or vessels and other property totaling more than \$100.00.
4. A person disappears from the vessel under circumstances that indicate death or injury.

QUESTION: If two vessels were involved in a collision and each vessel received \$60.00 damage, would this be a reportable accident?

ANSWER : Yes. The total damage to both vessels is more than \$100.00 so a report is required from each vessel.

#### 1505: REPORTING REQUIREMENTS

The operator of a vessel involved in a reportable boating accident is required to submit a written report of the incident within 48 hours of the occurrence if a person dies within 24 hours of the occurrence; within 48 hours of the occurrence if a person loses consciousness, receives medical treatment, or is disabled for more than 24 hours or disappears from a vessel; and within 5 days after any other type of occurrence. (If a person should die after the 24 hour period, the boating accident report is

required within 5 days after the death if an earlier report has not been submitted.)

The operator of a vessel involved in a reportable boating accident is responsible for submitting the report. When the operator is unable to submit the report, then the owner shall submit the report.

QUESTION: If a boating accident occurred and one person on boat "A" were killed, but on boat "B" only \$200 damage resulted, how soon would the report have to be submitted?

ANSWER : The reports must be submitted from both vessels within 48 hours because the accident resulted in a death.

#### 1506: REPORTING PROCEDURES

Whenever a boating accident has occurred, the operator of the vessel involved is required to submit a written report to the State where the casualty occurred if that State has an approved numbering system. The operator must send the report to the Coast Guard if the State does not have an approved numbering system. The operator must send the report to the Coast Guard if the State does not have an approved numbering system. If the vessel is documented (for pleasure only), the same reporting requirements as stated above apply. If, however, the documented vessel (documented for pleasure only) is involved in an accident which is considered a marine casualty, the operator is required to file a marine casualty report with the OCMI nearest the location of the accident in addition to the boating accident report.

States with approved numbering systems furnish the Coast Guard with a copy of each boating accident report submitted in accordance with their reporting requirements, which must be at least as strict as the Federal requirements. Some variations in reporting requirements among the States do exist, however. For example, some States require that accidents resulting in any injury be reported, some others require reporting only when the injuries require medical attention, while two States require that only "serious injuries" be reported. Also, some States require reporting when there is \$50.00 damage, and one State requires reporting when there is \$25.00 damage. For the sake of consistency, the Coast Guard does not include in its statistics those accidents for which the reporting requirements are stricter than the Coast Guard's. Reports are effectively screened to eliminate multiple reporting of the same accident and to avoid duplication of statistics.

A boating accident report may be submitted in written narrative form, on a State boating accident report form like that shown in figure 15-1, or on the Coast Guard Boating Accident Report

(CG-3865) shown in figure 15-2. A documented vessel must submit its report on a Report of Vessel Casualty or Accident (CG-2692) or on the Report of Personal Injury or Loss of Life (CG-924E), shown in figures 15-3 and 4 respectively. Documented pleasure vessels must also submit a Boating Accident Report.

If a written report is submitted in lieu of the prescribed form, the following information must be included:

- (1) Numbers and names of each vessel involved.
- (2) Name and address of each owner or of each vessel involved.
- (3) Name of the nearest city or town, the county, the State, and the body of water.
- (4) Time and date the casualty or accident occurred.
- (5) Location on the water.
- (6) Visibility, weather, and water conditions.
- (7) Estimated air and water temperatures.
- (8) Name, address, age (or date of birth), telephone number, vessel operating experience, and boating safety training of the operator making the report.
- (9) Name and address of each operator of each vessel involved.
- (10) Number of persons on board or towed on skis by each vessel.
- (11) Name, address, and date of birth of each person injured or killed.
- (12) Cause of each death.
- (13) Weather forecasts available to, and weather reports used by, the operator before and during the use of the vessel.
- (14) Name and address of each owner of property involved.
- (15) Availability and use of personal flotation devices.
- (16) Type and amount of each fire extinguisher used.
- (17) Nature and extent of each injury.
- (18) Description of all property damage and vessel damage with an estimate of the cost of all repairs.
- (19) Description of each equipment failure that caused or contributed to the cause of the casualty.
- (20) Description of the vessel casualty or accident.
- (21) Type of vessel operation (cruising, drifting, fishing, hunting, skiing, racing, or other), and the type of accident (capsizing, sinking, fire, or explosion, or other).
- (22) Opinion of the person making the report as to the cause of the casualty.
- (23) Make, model, type (open, cabin, house, or other), beam width at widest point, length, depth from transom to keel, horsepower, propulsion (outboard, inboard, inboard-outdrive, (wood, steel, aluminum, plastic, fiberglass, or other) and year built (model year) of the reporting operator's vessel.

15-4

S. C. Wildlife & Marine Resources Department		<b>BOATING ACCIDENT REPORT</b> Figure 15-1			Forward Report To: S. C. Division of Boating P. O. Box 12869 Charleston, S. C. 29412	
The operator of every vessel involved is required to file a report in writing whenever a boating accident results in loss of life; loss of consciousness, medical treatment or disability in excess of 24 hours or property damage in excess of \$100. Reports in death and injury cases must be submitted within 48 hours; reports in other cases are required within 5 days. Any person violating these requirements is liable to a civil penalty of not more than \$100 for each violation.						
<b>COMPLETE ALL BLOCKS (Indicate those not applicable by "NA")</b>						
NAME AND ADDRESS OF OPERATOR			AGE	OPERATOR'S EXPERIENCE THIS TYPE OF BOAT    OTHER BOAT OPERATING EXP. <input type="checkbox"/> UNDER 20 HOURS <input type="checkbox"/> UNDER 20 HOURS <input type="checkbox"/> 20 TO 100 HOURS <input type="checkbox"/> 20 TO 100 HOURS <input type="checkbox"/> 100 TO 500 HOURS <input type="checkbox"/> 100 TO 500 HOURS <input type="checkbox"/> OVER 500 HOURS <input type="checkbox"/> OVER 500 HOURS		
NAME AND ADDRESS OF OWNER			RENTED BOAT <input type="checkbox"/> YES <input type="checkbox"/> NO	NO. OF PERSONS ON BOARD	FORMAL INSTRUCTIONS IN BOATING SAFETY <input type="checkbox"/> NONE <input type="checkbox"/> STATE <input type="checkbox"/> USCG AUXILIARY <input type="checkbox"/> OTHER (Indicate) <input type="checkbox"/> U.S. POWER SQUADRON <input type="checkbox"/> AMERICAN RED CROSS	
<b>VESSEL NO. 1</b>						
BOAT NUMBER	BOAT NAME	BOAT MAKE	BOAT MODEL	MFR HULL IDENTIFICATION NO.		
TYPE OF BOAT <input type="checkbox"/> OPEN MOTORBOAT <input type="checkbox"/> CABIN MOTORBOAT <input type="checkbox"/> AUXILIARY SAIL <input type="checkbox"/> SAIL (ONLY) <input type="checkbox"/> ROWBOAT <input type="checkbox"/> OTHER (Specify)	HULL MATERIAL <input type="checkbox"/> WOOD <input type="checkbox"/> ALUMINUM <input type="checkbox"/> STEEL <input type="checkbox"/> FIBERGLASS (Plastic) <input type="checkbox"/> OTHER (Specify)	ENGINE <input type="checkbox"/> OUTBOARD <input type="checkbox"/> INBOARD GASOLINE <input type="checkbox"/> INBOARD DIESEL <input type="checkbox"/> INBOARD-OUTDRIVE <input type="checkbox"/> OTHER (Specify)	BOAT DATA (Propulsion) NO. OF ENGINES _____ MAKE OF ENGINE _____ HORSEPOWER (Total) _____ YEAR BUILT (Engine) _____	BOAT DATA (Construction) LENGTH _____ WIDTH BEAM _____ DEPTH (Inner Transom To Keel) _____ YEAR BUILT (Boat) _____		
<b>ACCIDENT DATA</b>						
DATE OF ACCIDENT	TIME _____ AM _____ PM	NAME OF BODY OF WATER		LOCATION (Give location precisely)		
STATE	NEAREST CITY OR TOWN		COUNTY			
WEATHER <input type="checkbox"/> CLEAR <input type="checkbox"/> RAIN <input type="checkbox"/> CLOUDY <input type="checkbox"/> SNOW <input type="checkbox"/> FOG <input type="checkbox"/> HAZY	WATER CONDITIONS <input type="checkbox"/> CALM <input type="checkbox"/> CHOPPY <input type="checkbox"/> ROUGH <input type="checkbox"/> VERY ROUGH <input type="checkbox"/> STRONG CURRENT	TEMPERATURES (Estimate) AIR _____ °F WATER _____ °F	WIND <input type="checkbox"/> NONE <input type="checkbox"/> LIGHT (0-6 MPH) <input type="checkbox"/> MODERATE (7-14 MPH) <input type="checkbox"/> STRONG (15-25 MPH) <input type="checkbox"/> STORM (Over 25 MPH)	VISIBILITY <input type="checkbox"/> GOOD <input type="checkbox"/> FAIR <input type="checkbox"/> POOR	WEATHER ENCOUNTERED <input type="checkbox"/> WAS AS FORECAST <input type="checkbox"/> NOT AS FORECAST <input type="checkbox"/> NO FORECAST OBTAINED	
OPERATION AT TIME OF ACCIDENT (Check all applicable) <input type="checkbox"/> CRUISING <input type="checkbox"/> AT ANCHOR <input type="checkbox"/> APPROACHING DOCK <input type="checkbox"/> TIED TO DOCK <input type="checkbox"/> WATER SKIING <input type="checkbox"/> FUELING <input type="checkbox"/> RACING <input type="checkbox"/> FISHING <input type="checkbox"/> TOWING <input type="checkbox"/> HUNTING <input type="checkbox"/> BEING TOWED <input type="checkbox"/> SKIN DIVING OR SWIMMING <input type="checkbox"/> DRIFTING <input type="checkbox"/> OTHER (Specify)		TYPE OF ACCIDENT <input type="checkbox"/> GROUNDING <input type="checkbox"/> COLLISION WITH FIXED OBJECT <input type="checkbox"/> CAPSIZING <input type="checkbox"/> COLLISION WITH FLOATING OBJECT <input type="checkbox"/> FLOODING <input type="checkbox"/> FALLS OVERBOARD <input type="checkbox"/> SINKING <input type="checkbox"/> FALLS IN BOAT <input type="checkbox"/> FIRE OR EXPLOSION (Fuel) <input type="checkbox"/> BURNS <input type="checkbox"/> FIRE OR EXPLOSION (Other than fuel) <input type="checkbox"/> HIT BY BOAT OR PROPELLER <input type="checkbox"/> COLLISION WITH VESSEL <input type="checkbox"/> OTHER (Specify)		WHAT, IN YOUR OPINION, CAUSED THE ACCIDENT? <input type="checkbox"/> WEATHER CONDITIONS <input type="checkbox"/> FAULT OF HULL <input type="checkbox"/> EXCESSIVE SPEED <input type="checkbox"/> FAULT OF MACHINERY <input type="checkbox"/> NO PROPER LOOKOUT <input type="checkbox"/> FAULT OF EQUIPMENT <input type="checkbox"/> OVERLOADING <input type="checkbox"/> OTHER (Specify) _____ <input type="checkbox"/> IMPROPER LOADING _____ <input type="checkbox"/> HAZARDOUS WATERS _____ <input type="checkbox"/> FAULT OF OTHER PERSON _____		
PERSONAL FLOTATION DEVICES WAS THE BOAT ADEQUATELY EQUIPPED WITH CG APPROVED LIFESAVING DEVICES <input type="checkbox"/> YES <input type="checkbox"/> NO WERE THEY ACCESSIBLE <input type="checkbox"/> YES <input type="checkbox"/> NO WERE THEY USED <input type="checkbox"/> YES <input type="checkbox"/> NO			WAS THE VESSEL CARRYING NON-APPROVED LIFESAVING DEVICES <input type="checkbox"/> YES <input type="checkbox"/> NO WERE THEY ACCESSIBLE <input type="checkbox"/> YES <input type="checkbox"/> NO WERE THEY USED <input type="checkbox"/> YES <input type="checkbox"/> NO		FIRE EXTINGUISHERS WERE THEY USED - (If yes, list type(s) and number used.) <input type="checkbox"/> YES _____ <input type="checkbox"/> NO _____ <input type="checkbox"/> NOT APPLICABLE _____	
PROPERTY DAMAGE (Est.) THIS BOAT \$ _____ OTHER BOAT \$ _____ OTHER PROPERTY \$ _____	DESCRIBE PROPERTY DAMAGE					
NAME AND ADDRESS OF OWNER (Damaged Property)						

PREVIOUS EDITIONS ARE OBSOLETE

COMPLETE BOTH SIDES

COMPLETE ALL BLOCKS (Indicate those not applicable by "NA")

DECEASED

NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM- <input type="checkbox"/> SWIMMER <input type="checkbox"/> NON-SWIMMER	DEATH CAUSED BY <input type="checkbox"/> DROWNING <input type="checkbox"/> DISAPPEARANCE <input type="checkbox"/> OTHER
NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM- <input type="checkbox"/> SWIMMER <input type="checkbox"/> NON-SWIMMER	DEATH CAUSED BY <input type="checkbox"/> DROWNING <input type="checkbox"/> DISAPPEARANCE <input type="checkbox"/> OTHER
NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM- <input type="checkbox"/> SWIMMER <input type="checkbox"/> NON-SWIMMER	DEATH CAUSED BY <input type="checkbox"/> DROWNING <input type="checkbox"/> DISAPPEARANCE <input type="checkbox"/> OTHER

INJURED

NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	INCAPACITATED OVER 24 HOURS <input type="checkbox"/> YES <input type="checkbox"/> NO
NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	INCAPACITATED OVER 24 HOURS <input type="checkbox"/> YES <input type="checkbox"/> NO
NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	INCAPACITATED OVER 24 HOURS <input type="checkbox"/> YES <input type="checkbox"/> NO

ACCIDENT DESCRIPTION

DESCRIBE WHAT HAPPENED (Include Failure of Equipment, If diagram is needed attach separately)

VESSEL NO. 2

NAME OF OPERATOR	ADDRESS	BOAT NUMBER
TELEPHONE NUMBER		BOAT NAME
NAME OF OWNER	ADDRESS	

WITNESSES

NAME	ADDRESS	TELEPHONE NUMBER
NAME	ADDRESS	TELEPHONE NUMBER
NAME	ADDRESS	TELEPHONE NUMBER

SIGNATURE OF PERSON COMPLETING REPORT	ADDRESS	DATE SUBMITTED
QUALIFICATION (Check one) <input type="checkbox"/> OPERATOR <input type="checkbox"/> OWNER <input type="checkbox"/> INVESTIGATOR <input type="checkbox"/> OTHER		TELEPHONE

(do not use) - FOR REPORTING AUTHORITY REVIEW (use agency date stamp)

NAME OF REVIEWING OFFICE	DATE RECEIVED	CAUSES BASED ON (Check one) <input type="checkbox"/> THIS REPORT <input type="checkbox"/> INVESTIGATION AND THIS REPORT <input type="checkbox"/> INVESTIGATION <input type="checkbox"/> COULD NOT BE DETERMINED
PRIMARY CAUSE OF ACCIDENT		
SECONDARY CAUSE OF ACCIDENT		REVIEWED BY

DEPARTMENT OF TRANSPORTATION U. S. COAST GUARD CG-3865 (Rev. 5-72)	<b>BOATING ACCIDENT REPORT</b> Figure 15-2	FORM APPROVED OMB No. 04-R3012
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The operator of every vessel involved is required to file a report in writing whenever a boating accident results in loss of life; loss of consciousness, medical treatment or disability in excess of 24 hours or property damage in excess of \$100. Reports in death and injury cases must be submitted within 48 hours; reports in other cases are required within 5 days. All reports shall be submitted to the Officer in Charge, Marine Inspection, U. S. Coast Guard nearest the place where the accident occurred. Any person violating these requirements is liable to a civil penalty of not more than \$500 for each violation.

**COMPLETE ALL BLOCKS (Indicate those not applicable by "NA")**

NAME AND ADDRESS OF OPERATOR	AGE	OPERATOR'S EXPERIENCE THIS TYPE OF BOAT    OTHER BOAT OPERATING EXP. <input type="checkbox"/> UNDER 20 HOURS <input type="checkbox"/> UNDER 20 HOURS <input type="checkbox"/> 20 TO 100 HOURS <input type="checkbox"/> 20 TO 100 HOURS <input type="checkbox"/> 100 TO 500 HOURS <input type="checkbox"/> 100 TO 500 HOURS <input type="checkbox"/> OVER 500 HOURS <input type="checkbox"/> OVER 500 HOURS
NAME AND ADDRESS OF OWNER	RENTED BOAT <input type="checkbox"/> YES <input type="checkbox"/> NO	NO. OF PERSONS ON BOARD FORMAL INSTRUCTIONS IN BOATING SAFETY <input type="checkbox"/> NONE <input type="checkbox"/> STATE <input type="checkbox"/> USCG AUXILIARY <input type="checkbox"/> OTHER (Indicate) <input type="checkbox"/> U.S. POWER SQUADRON <input type="checkbox"/> AMERICAN RED CROSS

**VESSEL NO. 1**

BOAT NUMBER	BOAT NAME	BOAT MAKE	BOAT MODEL	MFR HULL IDENTIFICATION NO.
TYPE OF BOAT <input type="checkbox"/> OPEN MOTORBOAT <input type="checkbox"/> CABIN MOTORBOAT <input type="checkbox"/> AUXILIARY SAIL <input type="checkbox"/> SAIL (ONLY) <input type="checkbox"/> ROWBOAT <input type="checkbox"/> OTHER (Specify)	HULL MATERIAL <input type="checkbox"/> WOOD <input type="checkbox"/> ALUMINUM <input type="checkbox"/> STEEL <input type="checkbox"/> FIBERGLASS (Plastic) <input type="checkbox"/> OTHER (Specify)	ENGINE <input type="checkbox"/> OUTBOARD <input type="checkbox"/> INBOARD GASOLINE <input type="checkbox"/> INBOARD DIESEL <input type="checkbox"/> INBOARD-OUTDRIVE <input type="checkbox"/> OTHER (Specify)	BOAT DATA (Propulsion) NO. OF ENGINES _____ MAKE OF ENGINE _____ HORSEPOWER (Total) _____ YEAR BUILT (Engine) _____	BOAT DATA (Construction) LENGTH _____ WIDTH BEAM _____ DEPTH (Inner Transom To Keel) _____ YEAR BUILT (Boat) _____

**ACCIDENT DATA**

DATE OF ACCIDENT	TIME _____ AM _____ PM	NAME OF BODY OF WATER	LOCATION (Give location precisely)
STATE	NEAREST CITY OR TOWN	COUNTY	

WEATHER <input type="checkbox"/> CLEAR <input type="checkbox"/> RAIN <input type="checkbox"/> CLOUDY <input type="checkbox"/> SNOW <input type="checkbox"/> FOG <input type="checkbox"/> HAZY	WATER CONDITIONS <input type="checkbox"/> CALM <input type="checkbox"/> CHOPPY <input type="checkbox"/> ROUGH <input type="checkbox"/> VERY ROUGH <input type="checkbox"/> STRONG CURRENT	TEMPERATURES (Estimate) AIR _____ °F WATER _____ °F	WIND <input type="checkbox"/> NONE <input type="checkbox"/> LIGHT (0-6 MPH) <input type="checkbox"/> MODERATE (7-14 MPH) <input type="checkbox"/> STRONG (15-25 MPH) <input type="checkbox"/> STORM (Over 25 MPH)	VISIBILITY <input type="checkbox"/> GOOD <input type="checkbox"/> FAIR <input type="checkbox"/> POOR	WEATHER ENCOUNTERED <input type="checkbox"/> WAS AS FORECAST <input type="checkbox"/> NOT AS FORECAST <input type="checkbox"/> NO FORECAST OBTAINED
--	--	---	--	---	--

OPERATION AT TIME OF ACCIDENT (Check all applicable) <input type="checkbox"/> CRUISING <input type="checkbox"/> AT ANCHOR <input type="checkbox"/> APPROACHING DOCK <input type="checkbox"/> TIED TO DOCK <input type="checkbox"/> WATER SKIING <input type="checkbox"/> FUELING <input type="checkbox"/> RACING <input type="checkbox"/> FISHING <input type="checkbox"/> TOWING <input type="checkbox"/> HUNTING <input type="checkbox"/> BEING TOWED <input type="checkbox"/> SKIN DIVING OR SWIMMING <input type="checkbox"/> DRIFTING <input type="checkbox"/> OTHER (Specify)	TYPE OF ACCIDENT <input type="checkbox"/> GROUNDING <input type="checkbox"/> COLLISION WITH FIXED OBJECT <input type="checkbox"/> CAPSIZING <input type="checkbox"/> COLLISION WITH FLOATING OBJECT <input type="checkbox"/> FLOODING <input type="checkbox"/> FALLS OVERBOARD <input type="checkbox"/> SINKING <input type="checkbox"/> FALLS IN BOAT <input type="checkbox"/> FIRE OR EXPLOSION (Fuel) <input type="checkbox"/> BURNS <input type="checkbox"/> FIRE OR EXPLOSION (Other than Fuel) <input type="checkbox"/> HIT BY BOAT OR PROPELLER <input type="checkbox"/> COLLISION WITH VESSEL <input type="checkbox"/> OTHER (Specify)	WHAT, IN YOUR OPINION, CAUSED THE ACCIDENT? <input type="checkbox"/> WEATHER CONDITIONS <input type="checkbox"/> FAULT OF HULL <input type="checkbox"/> EXCESSIVE SPEED <input type="checkbox"/> FAULT OF MACHINERY <input type="checkbox"/> NO PROPER LOOKOUT <input type="checkbox"/> FAULT OF EQUIPMENT <input type="checkbox"/> OVERLOADING <input type="checkbox"/> OTHER (Specify) <input type="checkbox"/> IMPROPER LOADING <input type="checkbox"/> HAZARDOUS WATERS <input type="checkbox"/> FAULT OF OTHER PERSON
--	---	--

**PERSONAL FLOTATION DEVICES**

WAS THE BOAT ADEQUATELY EQUIPPED WITH CG APPROVED LIFESAVING DEVICES? <input type="checkbox"/> YES <input type="checkbox"/> NO WERE THEY ACCESSIBLE <input type="checkbox"/> YES <input type="checkbox"/> NO WERE THEY USED <input type="checkbox"/> YES <input type="checkbox"/> NO	WAS THE VESSEL CARRYING NON-APPROVED LIFESAVING DEVICES? <input type="checkbox"/> YES <input type="checkbox"/> NO WERE THEY ACCESSIBLE <input type="checkbox"/> YES <input type="checkbox"/> NO WERE THEY USED <input type="checkbox"/> YES <input type="checkbox"/> NO
---	--

**FIRE EXTINGUISHERS**

WERE THEY USED - (If yes, list type(s) and number used.) <input type="checkbox"/> YES _____ <input type="checkbox"/> NO _____ <input type="checkbox"/> NOT APPLICABLE
--

PROPERTY DAMAGE (Est.) THIS BOAT \$ _____ OTHER BOAT \$ _____ OTHER PROPERTY \$ _____	DESCRIBE PROPERTY DAMAGE
--	--------------------------

NAME AND ADDRESS OF OWNER (Damaged Property)
--





COMPLETE ALL BLOCKS (Indicate those not applicable by "NA")

**DECEASED**

NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM- <input type="checkbox"/> SWIMMER <input type="checkbox"/> NON-SWIMMER	DEATH CAUSED BY <input type="checkbox"/> DROWNING <input type="checkbox"/> DISAPPEARANCE <input type="checkbox"/> OTHER
NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM- <input type="checkbox"/> SWIMMER <input type="checkbox"/> NON-SWIMMER	DEATH CAUSED BY <input type="checkbox"/> DROWNING <input type="checkbox"/> DISAPPEARANCE <input type="checkbox"/> OTHER
NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM- <input type="checkbox"/> SWIMMER <input type="checkbox"/> NON-SWIMMER	DEATH CAUSED BY <input type="checkbox"/> DROWNING <input type="checkbox"/> DISAPPEARANCE <input type="checkbox"/> OTHER

**INJURED**

NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	INCAPACITATED OVER 24 HOURS <input type="checkbox"/> YES <input type="checkbox"/> NO
NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	INCAPACITATED OVER 24 HOURS <input type="checkbox"/> YES <input type="checkbox"/> NO
NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	INCAPACITATED OVER 24 HOURS <input type="checkbox"/> YES <input type="checkbox"/> NO

**ACCIDENT DESCRIPTION**

DESCRIBE WHAT HAPPENED (Include Failure of Equipment, if diagram is needed attach separately)

**VESSEL NO. 2**

NAME OF OPERATOR	ADDRESS	BOAT NUMBER
TELEPHONE NUMBER		BOAT NAME
NAME OF OWNER	ADDRESS	

**WITNESSES**

NAME	ADDRESS	TELEPHONE NUMBER
NAME	ADDRESS	TELEPHONE NUMBER
NAME	ADDRESS	TELEPHONE NUMBER

**PERSON COMPLETING REPORT**

SIGNATURE	ADDRESS	DATE SUBMITTED
QUALIFICATION (Check one) <input type="checkbox"/> OPERATOR <input type="checkbox"/> OWNER <input type="checkbox"/> INVESTIGATOR <input type="checkbox"/> OTHER		TELEPHONE

(do not use) - FOR REPORTING AUTHORITY REVIEW (use agency date stamp)

NAME OF REVIEWING OFFICE	DATE RECEIVED	CAUSES BASED ON (Check one) <input type="checkbox"/> THIS REPORT <input type="checkbox"/> INVESTIGATION AND THIS REPORT <input type="checkbox"/> INVESTIGATION <input type="checkbox"/> COULD NOT BE DETERMINED
PRIMARY CAUSE OF ACCIDENT	REVIEWED BY	
SECONDARY CAUSE OF ACCIDENT		

DEPARTMENT OF TRANSPORTATION U. S. COAST GUARD CG-924E (Rev. 9-68)	<b>REPORT OF PERSONAL INJURY OR LOSS OF LIFE</b> Figure-15-3	Form Approved (Budget Bureau No. 004R-2004)  REPORTS CONTROL SYMBOL MYL-4016
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**INSTRUCTIONS**

1. This form shall be completed for every loss of life and for every injury which incapacitates the injured for a period in excess of seventy-two hours (3 days), if the accident involves any vessel except those numbered under the Federal Boating Act.
2. Injuries to longshoremen or harbor workers are not required to be reported unless the injury arises out of failure of ship's equipment, a vessel casualty, misconduct or negligence of ship's personnel or the injury results in death.
3. A signed original and two signed copies shall be submitted as soon as possible to the Officer in Charge, Marine Inspection, U. S. Coast Guard, in whose district the accident occurred, or in whose district the vessel first arrive(s)d after such casualty.
4. The master or person in charge is required to report in person to the Officer in Charge, Marine Inspection as soon as possible after the casualty occurs unless it can be shown that it was inconvenient to do so because of the distance involved. However, nothing shall relieve the person in charge of the vessel from submitting this report.
5. This report should be completed in full. Blocks which do not apply to a particular case should be indicated as "NA." Where answers are unknown or none, they should be indicated as such.
6. Report all vessel casualties or accidents on Form CG-2692, Report of Vessel Casualty or Accident. Attach a Form CG-924E to the CG-2692 for each person killed, missing or injured as a result of the marine casualty or accident.

TO: Officer in Charge, Marine Inspection, Port of _____	DATE SUBMITTED _____
---	----------------------

**I. PARTICULARS OF VESSEL**

1. NAME OF VESSEL _____	2. OFFICIAL NUMBER _____	3. VESSEL INSPECTED BY USCG <input type="checkbox"/> YES <input type="checkbox"/> NO	4. NATIONALITY _____
5. TYPE OF VESSEL (Frt., pass., etc.) _____	6. PROPULSION (Steam, diesel, etc.) _____	7. NAME OF OWNER(S), OPERATOR(S), OR AGENT (Indicate which) _____	
8(a) NAME OF MASTER OR PERSON IN CHARGE (Indicate which) _____		8(b) LICENSED BY COAST GUARD <input type="checkbox"/> YES <input type="checkbox"/> NO	

**II. PARTICULARS OF PERSON INJURED, DECEASED OR MISSING (Believed dead)**

9(a) NAME OF PERSON _____	9(b) HOME ADDRESS _____	9(c) DATE OF BIRTH _____
10. BOOM OR "Z" NUMBER _____	11. LICENSED BY COAST GUARD <input type="checkbox"/> YES <input type="checkbox"/> NO	12. STATUS OR CAPACITY ON VESSEL _____
13. ACTIVITY ENGAGED IN AT TIME OF CASUALTY _____		14. IF CREW MEMBER OR SHORE WORKER <input type="checkbox"/> ON WATCH <input type="checkbox"/> WORKING <input type="checkbox"/> OTHER
15(a) NAME OF IMMEDIATE SUPERVISOR AT TIME OF CASUALTY _____		15(b) SUPERVISOR'S CAPACITY OR STATUS ON VESSEL _____

**III. PARTICULARS OF ACCIDENT OR CASUALTY**

16. DATE OF CASUALTY _____	17. TIME OF CASUALTY (Local or zone) _____	18. ZONE DESCRIPTION _____	19. TIME OF DAY <input type="checkbox"/> DAY <input type="checkbox"/> NIGHT <input type="checkbox"/> "ALIGHT"
20(a) DID CASUALTY OCCUR WHILE UNDERWAY <input type="checkbox"/> YES <input type="checkbox"/> NO		20(b) IF YES, LAST PORT OF DEPARTURE _____	20(c) IF YES, WHERE BOUND WHEN CASUALTY OCCURRED _____
21(a) VESSEL LOCATION AT CASUALTY (Latitude and longitude; distance and TRUE bearing from charted object; dock; anchored; etc.) _____		21(b) BODY OF WATER (Geographical name) _____	
22(a) RESULT OF CASUALTY: <input type="checkbox"/> INJURY <input type="checkbox"/> DEATH <input type="checkbox"/> MISSING (Complete INJURY or DEATH entries below, as appropriate)			
22(b) NATURE OF INJURY _____			22(c) TOTAL DAYS INCAPACITATED _____
23(a) REASON FOR DEATH _____			23(b) LOCATION OF INDIVIDUAL AT DEATH _____
			23(c) DATE OF DEATH _____



1. DESCRIPTION OF CASUALTY (List events leading up to casualty and how it occurred. Attach diagram & additional sheets, if necessary.)

24. WITNESSES TO ACCIDENT (At least two, if possible)

NAME	NAME
ADDRESS	ADDRESS
NAME	NAME
ADDRESS	ADDRESS

**IV. ASSISTANCE AND RECOMMENDATIONS**

25 (a) MEDICAL (Medical) MESSAGE SENT  YES  NO

(b) IF YES, GIVE DATE OF FIRST MESSAGE

(c) IF YES, GIVE TIME OF FIRST MESSAGE (Local or zone and description)

26 (a) TREATMENT ADMINISTERED  YES  NO

(b) IF YES, BY WHOM

SHIP'S DOCTOR  OTHER SHIP'S PERSONNEL  OTHER (Specify)

27 FULLY DESCRIBE TREATMENT (If administered by other than M. D.)

28 (a) NAME OF HOSPITAL, IF PERSON WAS HOSPITALIZED

(b) ADDRESS OF HOSPITAL

29 RECOMMENDATIONS FOR CORRECTIVE SAFETY MEASURES PERTINENT TO THIS CASUALTY

TITLE

SIGNATURE

DEPARTMENT OF TRANSPORTATION U. S. COAST GUARD CG-2692 (Rev. 12-70)	<b>REPORT OF VESSEL CASUALTY OR ACCIDENT</b> Figure 15-4	Form Approved OMB No. 04-R3003 REPORTS CONTROL SYMBOL MVI-0017	
<b>INSTRUCTIONS</b>			
1. An original and two copies of this form shall be submitted, without delay, to the Officer in Charge, Marine Inspection, in whose district the casualty occurred, or in whose district the vessel first arrived after such casualty.	3. This form should be completed in full; blocks which do not apply to a particular case should be indicated as "NA". Where answers are unknown or none, they should be indicated as such. All copies should be signed.		
2. If the person making the report is a licensed officer on a vessel required to be manned by such officer, he must make the report in writing and in person to the proper Marine Inspector. If because of distance it may be inconvenient for such an officer to submit the report in person, he may submit the required number of copies by mail. However, to avoid delay in investigations, it is desired that reports be submitted in person.	NOTE: (1) Report all deaths and injuries, which incapacitate in excess of 72 hours, on CG-924E whether or not there was a vessel casualty. (2) Attach separate Form CG-924E to this report for each person killed or injured and incapacitated in excess of 72 hours as a result of the vessel casualty reported herein.		
TO: Officer in Charge, Marine Inspection, Port of _____		DATE SUBMITTED _____	
<b>I PARTICULARS OF VESSEL</b>			
1. NAME OF VESSEL	2. OFFICIAL NUMBER	3. HOME PORT	4. NATIONALITY
5. TYPE OF VESSEL (Frt., pass., tkr., etc.)	6. PROPULSION (Steam, diesel, etc.)	7. GROSS TONNAGE	8. REGISTERED LENGTH OR L. O. A.
9. HULL MATERIALS	10. YEAR BUILT	11. RADIO EQUIPMENT <input type="checkbox"/> TRANSMIT <input type="checkbox"/> RECEIVE <input type="checkbox"/> VOICE <input type="checkbox"/> CW (Key)	
12. (a) RADAR EQUIPPED <input type="checkbox"/> YES <input type="checkbox"/> NO		(b) IF YES, RADAR OPERATING AT TIME OF CASUALTY <input type="checkbox"/> YES <input type="checkbox"/> NO	
13. (a) CERTIFICATE OF INSPECTION ISSUED AT PORT OF _____		(b) DATE CERTIFICATE OF INSPECTION ISSUED _____	
14. (a) NAME OF MASTER OR PERSON IN CHARGE (Indicate which)		(b) DATE OF BIRTH _____	(c) LICENSED BY COAST GUARD <input type="checkbox"/> YES <input type="checkbox"/> NO
15. (a) NAME OF PILOT (If on board at time of accident)		(b) PILOT SERVING UNDER AUTHORITY OF LICENSE ISSUED BY <input type="checkbox"/> USCG <input type="checkbox"/> STATE <input type="checkbox"/> FOREIGN	
16. (a) NAME OF OWNER(S), OPERATOR(S) OR AGENT (Indicate which)		(b) ADDRESS OF OWNER(S), OPERATOR(S), OR AGENT _____	
<b>II PARTICULARS OF CASUALTY</b>			
17. (a) DATE OF CASUALTY _____	(b) TIME OF CASUALTY (Local or zone)	(c) ZONE DESCRIPTION _____	(d) TIME OF DAY <input type="checkbox"/> DAY <input type="checkbox"/> NIGHT <input type="checkbox"/> TWILIGHT
18. LOCATION OF CASUALTY (Latitude and longitude; distance and TRUE bearing from charted object; depth; anchorage; etc.) _____			
19. BODY OF WATER (Geographical name)	20. RULES OF THE ROAD APPLICABLE <input type="checkbox"/> INLAND <input type="checkbox"/> GREAT LAKES <input type="checkbox"/> WESTERN RIVERS <input type="checkbox"/> INTERNATIONAL <input type="checkbox"/> OTHER (Specify) _____		
21. (a) DID CASUALTY OCCUR WHILE UNDERWAY: <input type="checkbox"/> YES <input type="checkbox"/> NO			
(b) IF YES, LAST PORT OF DEPARTURE _____		(c) IF YES, WHERE BOUND WHEN CASUALTY OCCURRED _____	
22. (a) WEATHER CONDITIONS WHEN CASUALTY OCCURRED: <input type="checkbox"/> CLEAR <input type="checkbox"/> PARTLY CLOUDY <input type="checkbox"/> OVERCAST <input type="checkbox"/> FOG <input type="checkbox"/> RAIN <input type="checkbox"/> SNOW <input type="checkbox"/> OTHER (Specify) _____			
(b) VISIBILITY (Miles, yds., ft., etc.) _____	(c) WIND DIRECTION _____	(d) FORCE IN KNOTS _____	(e) GUSTY <input type="checkbox"/> YES <input type="checkbox"/> NO
(f) AIR TEMPERATURE _____			
23. (a) SEA CONDITIONS WHEN CASUALTY OCCURRED _____	(b) SEA WATER TEMP (If available) _____	(c) HEIGHT OF SEA _____	(d) DIRECTION OF SEA _____
(e) HEIGHT OF SWELL _____	(f) DIRECTION OF SWELL _____		
24. (a) NATURE OF CARGO (Specify) _____	(b) AMOUNT OF DRY CARGO (Long tons) _____	(c) AMOUNT OF BULK LIQUID (Long tons) _____	(d) AMOUNT OF DECK LOAD (Long tons) _____
25. (a) DRAFT FORWARD _____		(b) DRAFT AFT _____	
26. (a) TYPES OF LIFESAVING EQUIPMENT USED, IF ANY _____		(b) NO LIVES SAVED WITH LIFESAVING EQUIPMENT	(c) LIFESAVING EQUIPMENT SATISFACTORY <input type="checkbox"/> YES <input type="checkbox"/> NO (If no, explain in item 24)

PREVIOUS EDITION MAY BE USED

15-13 (Over)  
226

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Reverse of CG-2692 (Rev. 12-70)

<b>27</b> CREW PASSENGERS OTHER (Specify) NUMBER ON BOARD DEAD/MISSING INCAPACITATED (over 3 days)	<b>28</b> ESTIMATED LOSS/DAMAGE TO YOUR VESSEL \$ ESTIMATED LOSS/DAMAGE TO YOUR CARGO \$ ESTIMATED LOSS/DAMAGE TO OTHER PROPERTY \$ (Specify whether vessel, deck, bridge, etc.)
<b>29</b> NATURE OF THE CASUALTY (Check one or more of the following. Give pertinent details in item 30.)	
COLLISION WITH OTHER VESSEL(S) (Specify)  COLLISION WITH FLOATING OR SUBMERGED OBJECTS COLLISION WITH FIXED OBJECTS (Piers, bridges, etc.) COLLISION WITH ICE COLLISION WITH AIDS TO NAVIGATION COLLISION (Other) EXPLOSION/FIRE (Involving cargo) EXPLOSION/FIRE (Involving vessel's fuel) FIRE (Vessel's structure or equipment) EXPLOSION (Boiler and associated parts) EXPLOSION (Pressure vessels and compressed gas cylinders)	EXPLOSION/FIRE (Other) GROUNDING FOUNDER (Sinking) CAPSIZING WITHOUT SINKING FLOODING, SWAMPING, ETC. WITHOUT SINKING HEAVY WEATHER DAMAGE CARGO DAMAGE (No vessel damage) MATERIAL FAILURE (Vessel structure) MATERIAL FAILURE (Engineering machinery, including main propulsion, auxiliaries, boilers, evaporators, deck machinery, electrical, etc.) EQUIPMENT FAILURE CASUALTY NOT NAMED ABOVE
<b>30</b> DESCRIPTION OF CASUALTY (Events and circumstances leading to casualty and present when it occurred. Attach diagram and additional sheets, if necessary)	
<b>31</b> DAMAGE (Give brief general description and state if vessel is a total loss.)	
<b>III ASSISTANCE AND RECOMMENDATIONS</b>	
<b>32.</b> AUTO ALARM TRANSMITTED BY YOUR VESSEL: <input type="checkbox"/> YES <input type="checkbox"/> NO	
<b>33(a)</b> ASSISTANCE RENDERED BY STATIONS AND VESSELS (Include Coast Guard and other stations and vessels)	<b>(b)</b> OTHER ASSISTANCE RENDERED
<b>34.</b> RECOMMENDATIONS FOR CORRECTIVE SAFETY MEASURES PERTINENT TO THIS CASUALTY (Include explanation of unsatisfactory if leaving in person)	
<b>TITLE.</b>	<b>SIGNATURE</b>

- (24) Name, address, and telephone number of each witness.  
(25) Manufacturer's hull identification number, if any, of the reporting operator's vessel.  
(26) Name, address, and telephone number of the person submitting the report.

To accomplish the effective flow of boating accident reports to Coast Guard Headquarters, designated Coast Guard officers perform duties as liaison officers for specified States. A copy of each boating accident report submitted to a State must be forwarded by the State to the appropriate Coast Guard liaison officer. The Coast Guard liaison officer is then responsible for forwarding these accident reports to Coast Guard Headquarters for review and statistical processing.

Coast Guard Headquarters processes each accident and records each under the State in which the accident occurred. Problems may arise when a boat numbered in one State is involved in an accident in another State. The federal law says "The State shall require that reports be made to it of accidents involving vessels under their jurisdiction..." As a matter of practice, the Coast Guard is interested only in receiving an accident report on each vessel involved in a boating accident, regardless of the source. Many States in which this type of "two-State" accident occurs have the accident investigated and forward a copy of the accident report to the State in which the boat is numbered, as well as to the Coast Guard liaison officer. This is an accepted and recommended procedure.

QUESTION: If a boating accident occurs in North Carolina, and one boat is registered in Indiana and the other in South Carolina, where would the boating accident report be sent?

ANSWER : North Carolina.

1507: PREPARATION OF BOATING ACCIDENT REPORT (CG-3865)

While the parties involved in an accident are responsible for filing the proper reports, you, as a boating safety officer, may be called upon to assist in properly preparing the form particularly the CG-3865. Therefore, the following information is provided to help you better understand this form. Figure 15-5 illustrates the front and reverse sides of the Boating Accident Report (CG-3865). Follow along with the foldout as we explain the information required in each block on the form.

- Block 1 - List the operator's name and address with zip code.
- Block 2 - List the operator's age.
- Block 3 - Check the boat operation experience of the operator, in hours.
- Block 4 - List the name and address with zip code of the owner(s) of the vessel. If the owner is the same as the operator, list "Same As Operator" in this block.
- Block 5 - Check "Yes" for rented or leased boats and "No" for all other boats. This will provide information about the number of rented or leased vessel involved in accidents. At present there are indications that rented or leased vessels may be a problem area in boating safety.
- Block 6 - List the total number of persons on board the vessel.
- Block 7 - Check for formal instructions in boating safety. The information provided by this block will give the Commandant a statistical analysis of the value of the boating safety education.
- Block 8 - List the boat number, such as NC 1234 AA.
- Block 9 - List the name of the vessel. If the vessel has no name, list "None."
- Block 10 - List the make of the boat, such as Lyman and Cris Craft.
- Block 11 - List the model of the boat, such as Pullman and Cavellers.
- Block 12 - List the Hull Identification Number if the boat has one assigned.
- Block 13 - Check the type of boat involved in the accident. Consider a cabin motorboat to be a motorboat with a cabin which can be completely closed by means of doors or hatches. If the boat is not one of those listed, check, the "other" block and insert type. "Other" includes kayaks, hydro-planes, houseboats, rafts, etc.

- Block 14 - Check the hull material of the boat involved in the accident. If the hull material is different than the materials listed within the block, check "other" and list the material under that block.
- Block 15 - Check the type of engine the boat has for propulsion. If the engine is different than those engines listed, check the "other" block and list the type of engine under that block.
- Block 16 A & B - List the data asked for in the block. Make sure to list the total horsepower capable of being used.
- Block 17 - List the date of the boating accident.
- Block 18 - List the time before the applicable AM or PM.
- Block 19 - List the name of the body of water on which the accident occurred.
- Block 20 - List the detailed location where the accident occurred, using known landmarks, charted aids to navigation with bearings and ranges from each, or latitude and longitude.
- Block 21 - List the State in which the accident occurred.
- Block 22 - List the city or town located nearest the place where the boating accident occurred.
- Block 23 - List the county in which the accident occurred.
- Block 24 - Check the applicable weather condition as best observed or determined.
- Block 25 - Check the block for the applicable water condition as can best be observed or determined.
- Block 26 - List the temperature of air and water.
- Block 27 - Check the applicable block concerning the speed of the wind.
- Block 28 - Check the applicable block concerning visibility at the time the accident occurred.
- Block 29 - Check the block for weather encountered at time of accident.



Block 30 - Check the type of operation in which the boat was engaged when the accident occurred. Check as many of the blocks as needed. Water skiing includes use of surfboards, sleds, discs, and any other device used to tow a person behind a boat.

Block 31 - Check the type of accident that occurred. If the type is not listed, check the "other" block and list the type under this block. To help you understand types of accidents which are sometimes hard to define, we are providing the following definitions:

Grounding: A vessel running aground, striking, or pounding upon rocks, reefs, shoals, or the bottom.

Capsizing: A vessel overturning or upsetting.

Flooding: A vessel filling with water, regardless of method of ingress, but retaining sufficient buoyancy to remain upon the surface.

Falls overboard: A spilling out of a person or persons without overturning the vessel.

Sinking: A vessel losing enough buoyancy to settle below the surface of the water.

Collision with Vessel: Any striking together of two or more vessels, regardless of the operation at the time of the accident; includes colliding with the tow of another vessel, regardless of the nature of the tow, i.e., surfboard, ski-ropes, skiers, etc.

Collision with A Fixed Object: The striking together of a vessel and any fixed object, above or below the surface of the water except bottom. (The striking of rocks, reefs, shoals, etc. on the bottom is a "grounding.")

Block 32 - List your opinion of what caused the accident.

Block 33 - 37 Self explanatory; Fill in the appropriate space.

Block 38 - List name, address, and zip code of owner if property was involved other than vessels.

Block 39 - If deaths resulted from the accident, list the deceased person's name, address, zip code, date of birth, swimmer/non-swimmer, and cause of death.

- Block 40 - If personal injury resulted, list the injured person's complete name, address, zip code, date of birth, nature of injury, and check the applicable block concerning incapacitation.
- Block 41 - The operator should sketch in this space what happened or included a larger sketch and a thorough description of just how the accident occurred. If a death occurred, the operator should describe in detail how the victim died.
- Block 42 - List the information requested for the other vessel involved in the accident.
- Block 43 - List name, address, zip code, and telephone number of all witnesses to the accident.
- Block 44 - The person completing the report should sign in this space. Make sure the "Qualification" block is checked.
- Block 45 - The person preparing the form should leave this space blank. This space is for Coast Guard or State review of the report.

As you can see, the form is self-explanatory. All blocks should be completed. If a block is not applicable, indicate this by "NA." If information is not known, indicate this by writing "Unknown" in the applicable block.

Remember, the preparation of this form is required of the operators or the owners of vessels involved in accidents unless they are deceased. If they are deceased, then you, as the boating safety officer on scene, may prepare the report. When preparing or helping this form, keep in mind that this information is vitally important to the Commandant for compiling statistics and determining areas where emphasis should be placed in the Boating Safety Program.

#### 1508: BOATING ACCIDENT INVESTIGATION

The Coast Guard investigates all reportable boating accidents involving death, or a violation, or an alleged violation of Title 52 of the revised statutes on waters over which the Coast Guard has exclusive or joint jurisdiction. It is assumed that all boating accidents reported to a State will be investigated by State or local authorities, and as a practical matter, the duplication of investigations by State or local authorities and the Coast Guard would not normally be in the public interest.

DEPARTMENT OF TRANSPORTATION U. S. COAST GUARD CG-3865 (Rev. 5-72)	<b>BOATING ACCIDENT REPORT</b> Figure 15-5	FORM APPROVED OMB No. 04-R3012
The operator of every vessel involved is required to file a report in writing whenever a boating accident results in loss of life; loss of consciousness, medical treatment or disability in excess of 24 hours or property damage in excess of \$100. Reports in death and injury cases must be submitted within 48 hours; reports in other cases are required within 5 days. All reports shall be submitted to the Officer in Charge, Marine Inspection, U. S. Coast Guard nearest the place where the accident occurred. Any person violating these requirements is liable to a civil penalty of not more than \$500 for each violation.		
COMPLETE ALL BLOCKS (Indicate those not applicable by "NA")		
NAME AND ADDRESS OF OPERATOR <b>MR. IVEY L. GASKILLE</b> <b>ROUTE 2</b> <b>SWANSBORO, N.C. 28584</b>		AGE <b>29</b>
NAME AND ADDRESS OF OWNER <b>MR. JACK L. WILSON</b> <b>970 MORE AVE.</b> <b>SOUTHPORT, N.C. 28461</b>		OPERATOR'S EXPERIENCE THIS TYPE OF BOAT: <input checked="" type="checkbox"/> UNDER 20 HOURS, <input checked="" type="checkbox"/> 20 TO 100 HOURS, <input type="checkbox"/> 100 TO 500 HOURS, <input type="checkbox"/> OVER 500 HOURS OTHER BOAT OPERATING EXP.: <input checked="" type="checkbox"/> UNDER 20 HOURS, <input type="checkbox"/> 20 TO 100 HOURS, <input type="checkbox"/> 100 TO 500 HOURS, <input type="checkbox"/> OVER 500 HOURS
NO. OF PERSONS ON BOARD <b>4</b>		FORMAL INSTRUCTIONS IN BOATING SAFETY <input type="checkbox"/> NONE, <input checked="" type="checkbox"/> STATE, <input type="checkbox"/> USCG AUXILIARY, <input checked="" type="checkbox"/> OTHER (Indicate) <b>NC STATE</b> , <input type="checkbox"/> U.S. POWER SQUADRON, <input type="checkbox"/> AMERICAN RED CROSS
VESSEL NO. 1		
BOAT NUMBER <b>NC 1234 AA</b>	BOAT NAME <b>PASALA</b>	BOAT MAKE <b>GULLIKIN</b>
BOAT MODEL <b>SKI SLED</b>	MFR HULL IDENTIFICATION NO. <b>123456</b>	
TYPE OF BOAT <input checked="" type="checkbox"/> OPEN MOTORBOAT, <input type="checkbox"/> CABIN MOTORBOAT, <input type="checkbox"/> AUXILIARY SAIL, <input type="checkbox"/> SAIL (ONLY), <input type="checkbox"/> ROWBOAT, <input type="checkbox"/> OTHER (Specify)	HULL MATERIAL <input checked="" type="checkbox"/> WOOD, <input type="checkbox"/> ALUMINUM, <input type="checkbox"/> STEEL, <input type="checkbox"/> FIBERGLASS (Plastic), <input type="checkbox"/> OTHER (Specify)	ENGINE <input type="checkbox"/> OUTBOARD, <input checked="" type="checkbox"/> INBOARD GASOLINE, <input type="checkbox"/> INBOARD DIESEL, <input type="checkbox"/> INBOARD-OUTDRIVE, <input type="checkbox"/> OTHER (Specify)
BOAT DATA (Propulsion) NO. OF ENGINES: <b>1</b> MAKE OF ENGINE: <b>FORD</b> HORSEPOWER (Total): <b>220</b> YEAR BUILT (Engine): <b>1972</b>		BOAT DATA (Construction) LENGTH: <b>16' 4"</b> WIDTH BEAM: <b>37"</b> DEPTH (Inner Transom To Keel): <b>20"</b> YEAR BUILT (Boat): <b>1972</b>
ACCIDENT DATA		
DATE OF ACCIDENT <b>6/7/72</b>	TIME <b>4:40 AM</b>	NAME OF BODY OF WATER <b>BOQUE SOUND</b>
STATE <b>N.C.</b>	NEAREST CITY OR TOWN <b>SWANSBORO, N.C.</b>	LOCATION (Give location precisely) <b>100 yds. 270° T, FROM USCG STATION</b>
WEATHER <input type="checkbox"/> CLEAR, <input type="checkbox"/> RAIN, <input type="checkbox"/> CLOUDY, <input type="checkbox"/> SNOW, <input checked="" type="checkbox"/> FOG, <input type="checkbox"/> HAZY	WATER CONDITIONS <input type="checkbox"/> CALM, <input checked="" type="checkbox"/> CHOPPY, <input type="checkbox"/> ROUGH, <input type="checkbox"/> VERY ROUGH, <input type="checkbox"/> STRONG CURRENT	TEMPERATURES (Estimate) AIR: <b>84° F</b> WATER: <b>51° F</b>
WIND <input type="checkbox"/> NONE, <input type="checkbox"/> LIGHT (0-6 MPH), <input checked="" type="checkbox"/> MODERATE (7-14 MPH), <input type="checkbox"/> STRONG (15-25 MPH), <input type="checkbox"/> STORM (Over 25 MPH)	VISIBILITY <input type="checkbox"/> GOOD, <input type="checkbox"/> FAIR, <input checked="" type="checkbox"/> POOR	WEATHER ENCOUNTERED <input type="checkbox"/> WAS AS FORECAST, <input type="checkbox"/> NOT AS FORECAST, <input checked="" type="checkbox"/> NO FORECAST OBTAINED
OPERATION AT TIME OF ACCIDENT (Check all applicable) <input checked="" type="checkbox"/> CRUISING, <input type="checkbox"/> APPROACHING DOCK, <input type="checkbox"/> WATER SKIING, <input type="checkbox"/> RACING, <input type="checkbox"/> TOWING, <input type="checkbox"/> BEING TOWED, <input type="checkbox"/> DRIFTING, <input type="checkbox"/> AT ANCHOR, <input type="checkbox"/> TIED TO DOCK, <input type="checkbox"/> FUELING, <input type="checkbox"/> FISHING, <input type="checkbox"/> HUNTING, <input type="checkbox"/> SKIN DIVING OR SWIMMING, <input type="checkbox"/> OTHER (Specify)	TYPE OF ACCIDENT <input type="checkbox"/> GROUNDING, <input type="checkbox"/> CAPSIZING, <input type="checkbox"/> FLOODING, <input type="checkbox"/> SINKING, <input type="checkbox"/> FIRE OR EXPLOSION (Fuel), <input type="checkbox"/> FIRE OR EXPLOSION (Other than fuel), <input checked="" type="checkbox"/> COLLISION WITH VESSEL, <input type="checkbox"/> COLLISION WITH FIXED OBJECT, <input type="checkbox"/> COLLISION WITH FLOATING OBJECT, <input type="checkbox"/> FALLS OVERBOARD, <input type="checkbox"/> FALLS IN BOAT, <input type="checkbox"/> BURNS, <input type="checkbox"/> HIT BY BOAT OR PROPELLER, <input type="checkbox"/> OTHER (Specify)	WHAT, IN YOUR OPINION, CAUSED THE ACCIDENT? <input type="checkbox"/> WEATHER CONDITIONS, <input checked="" type="checkbox"/> EXCESSIVE SPEED, <input checked="" type="checkbox"/> NO PROPER LOOKOUT, <input type="checkbox"/> OVERLOADING, <input type="checkbox"/> IMPROPER LOADING, <input type="checkbox"/> HAZARDOUS WATERS, <input checked="" type="checkbox"/> FAULT OF OTHER PERSON, <input type="checkbox"/> FAULT OF HULL, <input type="checkbox"/> FAULT OF MACHINERY, <input type="checkbox"/> FAULT OF EQUIPMENT, <input type="checkbox"/> OTHER (Specify)
PERSONAL FLOTATION DEVICES		FIRE EXTINGUISHERS
WAS THE BOAT ADEQUATELY EQUIPPED WITH CG APPROVED LIFESAVING DEVICES? <input checked="" type="checkbox"/> YES, <input type="checkbox"/> NO	WAS THE VESSEL CARRYING NON-APPROVED LIFESAVING DEVICES? <input type="checkbox"/> YES, <input checked="" type="checkbox"/> NO	WERE THEY USED - (If yes, list type(s) and number used.) <input checked="" type="checkbox"/> YES, <input type="checkbox"/> NO, <input type="checkbox"/> NOT APPLICABLE
WERE THEY ACCESSIBLE? <input checked="" type="checkbox"/> YES, <input type="checkbox"/> NO	WERE THEY ACCESSIBLE? <input checked="" type="checkbox"/> YES, <input type="checkbox"/> NO	WERE THEY USED? <input checked="" type="checkbox"/> YES, <input type="checkbox"/> NO
PROPERTY DAMAGE (Est.) THIS BOAT: <b>\$146</b> OTHER BOAT: <b>\$220</b> OTHER PROPERTY: <b>000</b>	DESCRIBE PROPERTY DAMAGE <b>A HOLE IN THE PORT SIDE OF MY BOAT.</b> <b>BOW STOVE id ON OTHER BOAT.</b>	
NAME AND ADDRESS OF OWNER (Damaged Property) <b>None</b>		

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Reverse of CG-3865 (Rev. 5-72)

COMPLETE ALL BLOCKS (Indicate those not applicable by "NA")

### DECEASED

NAME <b>NONE</b>	ADDRESS <b>(39)</b>	DATE OF BIRTH	WAS VICTIM- <input type="checkbox"/> SWIMMER <input type="checkbox"/> NON-SWIMMER	DEATH CAUSED BY <input type="checkbox"/> DROWNING <input type="checkbox"/> DISAPPEARANCE <input type="checkbox"/> OTHER
NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM- <input type="checkbox"/> SWIMMER <input type="checkbox"/> NON-SWIMMER	DEATH CAUSED BY <input type="checkbox"/> DROWNING <input type="checkbox"/> DISAPPEARANCE <input type="checkbox"/> OTHER
NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM- <input type="checkbox"/> SWIMMER <input type="checkbox"/> NON-SWIMMER	DEATH CAUSED BY <input type="checkbox"/> DROWNING <input type="checkbox"/> DISAPPEARANCE <input type="checkbox"/> OTHER

### INJURED

NAME <b>MR. JACK L. WILSON</b>	ADDRESS <b>970 MORE AVENUE SOUTHPORT, N.C. 28461</b>	DATE OF BIRTH <b>1/14/40</b>	NATURE OF INJURY <b>BROKEN LEG</b>	INCAPACITATED OVER 24 HOURS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
NAME <b>(46)</b>	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	INCAPACITATED OVER 24 HOURS <input type="checkbox"/> YES <input type="checkbox"/> NO
NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	INCAPACITATED OVER 24 HOURS <input type="checkbox"/> YES <input type="checkbox"/> NO

### ACCIDENT DESCRIPTION

DESCRIBE WHAT HAPPENED (Include Failure of Equipment, If diagram is needed attach separately)

**I WAS PROCEEDING SOUTH IN THE ICW WHEN THE OTHER BOAT CAME OUT OF BOUGUE CUT AND RAN INTO THE SIDE OF MY BOAT. VISIBILITY WAS 1/2 MILE, AND I WAS SOUNDING THE REQUIRED FOG SIGNAL.** (4)

### VESSEL NO. 2

NAME OF OPERATOR <b>MR. K.G. FLOWERS</b>	ADDRESS <b>1005 E. RAYMOND ST. BEAUFORT, N.C. 28516</b>	BOAT NUMBER <b>NC 2468 B</b>
TELEPHONE NUMBER <b>919-786-0182</b>		BOAT NAME <b>IDA B</b>
NAME OF OWNER <b>SAME AS OPERATOR</b>	ADDRESS <b>N/A</b>	

### WITNESSES (3)

NAME <b>MR. H.S. STOODT</b>	ADDRESS <b>RT. 2, SWANBORO, N.C. 28584</b>	TELEPHONE NUMBER <b>919-777-4444</b>
NAME <b>MRS. B.R. LAWRENCE</b>	ADDRESS <b>GENERAL DELIVERY, BOGUE, N.C. 28584</b>	TELEPHONE NUMBER <b>919-777-4164</b>
NAME <b>MR. GRADY FULLCHER</b>	ADDRESS <b>RT. 2, OTWAY, N.C. 28413</b>	TELEPHONE NUMBER <b>919-246-8000</b>

### PERSON COMPLETING REPORT

SIGNATURE <b>Quincy L. Huskille</b>	ADDRESS <b>RT. 2, SWANBORO, N.C. 28584</b>	DATE SUBMITTED <b>6/8/72</b>
QUALIFICATION (Check one) <input checked="" type="checkbox"/> OPERATOR <input type="checkbox"/> OWNER <input type="checkbox"/> INVESTIGATOR <input type="checkbox"/> OTHER		TELEPHONE <b>919-777-3210</b>

(do not use) - FOR REPORTING AUTHORITY REVIEW (use agency date stamp)

NAME OF REVIEWING OFFICE	DATE RECEIVED	CAUSES BASED ON (Check one) <input type="checkbox"/> THIS REPORT <input type="checkbox"/> INVESTIGATION AND THIS REPORT <input type="checkbox"/> INVESTIGATION <input type="checkbox"/> COULD NOT BE DETERMINED
PRIMARY CAUSE OF ACCIDENT		REVIEWED BY
SECONDARY CAUSE OF ACCIDENT		

The purpose of all of these investigations is to determine the cause of the accident so that appropriate measures may be taken to promote the safety of life and property at sea. Coast Guard investigations are not intended to fix civil or criminal responsibility. The investigation of a boating accident must determine, as closely as possible, the following:

1. What the cause of the accident was.
2. Whether there is evidence that any failure of material (either physical or design) was involved or contributed to the casualty, so that proper recommendations may be made to prevent recurrence of similar casualties.
3. Whether there is evidence that any misconduct, inattention to duty, negligence, or willful violation of law on the part of any licensed or certificated man contributed to the casualty, so that appropriate proceedings against the license or certificate of such a person may be recommended and taken under Title 46, U. S. Code, section 239.
4. Whether there is evidence that any Coast Guard personnel or any representative or employee of any other government agency or any other person caused or contributed to the cause of the casualty.
5. Whether the accident shall be further investigated by a Marine Board of Investigation.

The officer-in-charge of a Coast Guard Marine Inspection office (OCMI) is responsible for investigating those boating accidents requiring investigation that occur within his jurisdictional area. The findings in each investigation are transmitted to the Commandant in a detailed written narrative report. This narrative report, which includes findings of fact, conclusions, and recommendations by the investigating officer, is reviewed and endorsed by the officer-in-charge, Marine inspection. It is then forwarded to the district for review and endorsement by the district commander. After endorsement by the district commander, it is forwarded to the Commandant for final review and action.

Although only trained investigators from a Marine Inspection office (MIO) are assigned to investigate boating accidents, you can be of assistance to these investigators by obtaining certain information. In those cases in which you come upon boating accidents, you will almost always arrive on the scene before an investigator. By obtaining information the investigator will need to complete his report, you will aid him greatly and you will eliminate a delay in the submission of the report.

gation. The following listing is the usual information needed by an investigator of a boating accident. When you arrive on scene before an investigating officer, try to obtain as much of this information as possible and make sure the appropriate Boating Accident Report is completed.

1. General statement telling how the casualty occurred.
2. The cause of the accident as you can best determine it.
3. Disposition of deceased persons.
4. Weather condition.
5. Detailed description of boat(s).
6. Safety equipment available (personal flotation devices, fire extinguishers, etc.).
7. Whether safety equipment was used and whether or not the equipment performed as intended.
8. Whether the casualty was a result of material or equipment failure.
9. Whether Coast Guard maintenance of aids to navigation caused or contributed to the casualty.
10. Whether Coast Guard or other Federal agency personnel contributed to the casualty.
11. Whether a violation of a Federal law or regulation occurred.
12. Names and addresses of witnesses.

Some cases will often require additional information. Always remember that gathering too little information is certainly a greater danger than gathering too much. Also, be sure that the above information, when collected, is delivered to the investigating officer or to the responsible OCMI.

Should you be the first to arrive on the scene of a boating accident, you should take the following action:

1. If a death or serious injury has occurred, immediately notify State or local law enforcement authorities, arrange to obtain aid for the injured, and administer first aid.

2. Provide for the security and preservation of the accident scene until law enforcement personnel arrive.

3. Obtain the names and addresses of all witnesses to the casualty.

4. Identify vessels involved (including names of owner and/or operator).

5. Insure that the owner, operator, or some other responsible party for each vessel involved knows the accident reporting requirements. If all are deceased, compile the information required on CG-3685 and forward the same to the district commander (b).

6. Record weather data (wind, seas, visibility, etc.).

7. Identify law enforcement personnel investigating the casualty.

8. Determine the disposition of the bodies of any deceased persons.

9. If it appears that a Coast Guard aid to navigation may have caused or contributed to the casualty, notify your command immediately.

10. Report the boating accident to the district commander (b), and the nearest senior Coast Guard investigating officer, or to other appropriate personnel in accordance with local policy.

In order that you may properly respond to boating accidents and assist the OCMI in his investigation, you should become acquainted with the officer-in-charge, Marine Inspection office, and have the name, address, and telephone number of the senior investigating officer assigned to the OCMI office. If requested to assist the OCMI in conducting an investigation, you will be informed by the investigating officer what information he needs.

Each unit having a boating safety capability should have certain boating accident forms and information in its boating safety kits. This might include:

1. CG 3865, Boating Accident Report, for undocumented vessels.

2. Appropriate State boating accident forms for the State(s) in which unit has responsibility.

3. CG-2692, Report of Vessel Casualty or Accident, for documented vessels.

4. CG-924E, Personal Injury or Loss of Life Report, for documented vessels.

5. Copies of State and Federal regulations concerning boating accidents.

1509: SUMMARY

A boating accident is any accident involving a vessel that is used by its operator for recreational purposes or that is required to be numbered (including those documented for pleasure). The accident is to be reported by the operator of the boat when the accident results in any one or more of the following:

1. Loss of life.
2. A person loses consciousness, receives medical treatment, or is disabled for more than 24 hours.
3. Damage to the vessel or vessels and other property totals more than \$100.00.
4. A person disappears from the vessel under circumstances that indicate death or injury.

In all cases, the report is to be submitted within 48 hours. The only exceptions are accidents involving just damage; then the report is to be submitted within 5 days. If death occurs more than 24 hours after the accident, the report is to be submitted 5 days after the death unless a report has previously been submitted.

A marine casualty involves only documented vessels and must be reported if the results are the same as those listed above, except that the property damage must be in excess of \$1,500. You must remember that vessels documented for pleasure fall into a dual reporting requirement in that the operators must file a report involving those items listed for boating accidents as well as for marine casualties.

If a boating accident occurs, the operator must submit a written report to the State in which the accident occurred or to the responsible Coast Guard district if the State does not have an approved reporting system. This requirement applies to vessels documented for pleasure as well as to undocumented pleasure vessels.



Documented vessels reporting a marine casualty will submit their report to the officer-in-charge, Marine Inspection (OCMI), nearest the location of the accident or port of arrival. A vessel documented for pleasure must file both a boating accident report and a Marine Casualty Report to the OCMI if both reporting requirements are applicable.

NOTE: Remember, only vessels documented for pleasure fall into the dual reporting requirement. Boating accident reports may be submitted either in written narrative form, on a State boating accident form, or on the Coast Guard Boating Accident Report (CG-3865). Marine casualties are reported on a Vessel Casualty Report (CG-2692) or Report of Personal Injury or Loss of Life (CG-924E). To recall the contents of each form, refer to Figures 15-1 through 15-5.

Through a Coast Guard liaison officer, States furnish the Coast Guard with a copy of each boating accident report. From these reports, the Commandant processes each accident, compiles statistics, and publishes the statistics in Boating Statistics (year) (CG-357). State boating accident reporting requirements must be at least as strict as Federal reporting requirements. When accidents are reported for which State requirements are stricter than the Coast Guard's, the Commandant does not include the data in the statistics. By studying these statistics, the Commandant can determine reasons for the accidents and then issue regulations and information to the public in order to reduce or prevent vessel casualties.

Even though each party involved in a boating accident must file an accident report, you may be asked to assist in the report preparation and, therefore, must know how to prepare boating accident reports (especially the CG-3865).

To determine the cause of a boating accident so that steps may be taken to insure the safety of life and property on water, the OCMI is responsible for investigating all reportable accidents occurring on waters over which the Coast Guard has exclusive or joint jurisdiction and which involve death, a violation, or an alleged violation of Title 52 of the revised statutes. A trained investigator from an OCMI office investigates boating accidents, but you can assist him, especially when you arrive at the scene before him, by obtaining as much of the necessary information as possible (as listed earlier in this section).

If you are the first to arrive at the scene of a boating accident, notify State or local law enforcement authorities if a death or serious injury occurred, and also obtain aid and administer first aid. Provide security and preservation of the accident scene until law enforcement personnel arrive. Record weather data. Obtain names and addresses of witnesses and identify the vessel and its owner and/or operator. Inform the

owner/operator of reporting requirements, and if all boat occupants are deceased, fill out a CG-3865 and forward it to your district commander (b). Determine the disposition of the deceased persons. Report the accident to your district commander (b), and the nearest OCMI, or to other appropriate personnel in accordance with local policy. If a Coast Guard aid to navigation caused or contributed to the accident, notify your command immediately.

**CHAPTER 16**  
**MARINE EVENTS AND REGATTAS**

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## REGATTAS AND MARINE EVENTS

### 1601: INTRODUCTION

If you are assigned to a unit located in an area where boating is a popular sport, you will more than likely come in contact with marine events or regattas. The information contained herein will provide you with a working knowledge of marine events and regattas so you can respond to questions from the public. If you are assigned as a marine event patrol commander, this information will help you to carry out your duties.

We will cover the laws and regulations governing marine events and regattas, the application and approval of permits to hold a marine event, the issuance of Special Local Regulations by the Coast Guard, special aids to navigation which may be issued for a marine event, the assignment of a patrol commander, and the duties of a patrol commander and other members of the patrol.

### 1602: LAWS

The laws which govern marine events (called marine parades in the law) and regattas are contained in 46 USC 454 through 46 USC 457. These laws read as follows:

#### 46 USC 454 Regulations for Regattas

"The Commandant of the Coast Guard is authorized and empowered in his discretion to issue from time to time regulations, not contrary to law, to promote the safety of life on navigable waters during regattas or marine parades."

#### 46 USC 455 Enforcement of Regulations; Use of Public or Private Vessels

"To enforce such regulations the Commandant of the Coast Guard may detail any public vessel in the service of the Coast Guard and make use of any private vessel tendered gratuitously for the purpose, or upon the request of the Commandant of the Coast Guard the head of any other department may enforce the regulations issued under sections 454 and 456 of this title by means of any public vessel of such department and of any private vessel tendered gratuitously for the purpose."

46 USC 456 Transfer of Authority to  
Regulate to Head of Other Department

"The authority and power bestowed upon the Commandant of the Coast Guard by sections 454 and 455 of this title may be transferred for any special occasion to the head of another department by the President whenever in his judgement such transfer is desirable."

46 USC 457 Penalties for Violations  
of Regulations

"For any violation of regulations issued pursuant to sections 454-456 of this title the following penalties shall be incurred:

(a) A licensed officer shall be liable to suspension or revocation of license in the manner now prescribed by law for incompetency or misconduct.

(b) Any person in charge of the navigation of a vessel other than a licensed officer shall be liable to a penalty of \$500.

(c) The owner of a vessel (including any corporate officer of a corporation owning the vessel) actually on board shall be liable to a penalty of \$500, unless the violation of regulations shall have occurred without his knowledge.

(d) Any other person shall be liable to a penalty of \$250.

The Commandant of the Coast Guard is authorized and empowered to mitigate or remit any penalty herein provided for in the manner prescribed by law for the mitigation or remission of penalties for violation of the navigation laws."

1603: REGULATIONS

In accordance with the authority granted in 46 USC 454, the Commandant issued regulations concerning marine events and regattas. These regulations are found in Title 33 Code of Federal Regulations, Part 100, and read as follows:

100.01 Purpose and Intent

"(a) The purpose of the regulations in this part is to provide effective control over regattas and marine parades conducted on the navigable waters of the United States so as to insure safety of life in the regatta or marine parade area."

100.05 Definition of Terms Used in This Part

"(a) Regatta or marine parade means an organized water event of limited duration which is conducted according to a prearranged schedule.

"(b) Navigable waters of the United States means those waters of the United States, including the territorial sea adjacent thereto, the general character of which is navigable and which, either by themselves or by uniting with other waters, form a continuous waterway on which boats or vessels may navigate or travel between two or more States, or to or from foreign nations.

"(c) District Commander means the Commander of the Coast Guard District in which the regatta or marine parade is intended to be held.

"(d) State authority means any official or agency or a State having power under the law of such State to regulate regattas or marine parades on waters over which such State has jurisdiction."

#### 100.10 Coast Guard-State Agreements

"(a) The District Commander is authorized to enter into agreements with State authorities permitting, regulation by the State of such classes of regatta or marine parade on the navigable waters of the United States as, in the opinion of the District Commander, the State is able to regulate in such a manner as to insure safety of life. All such agreements shall reserve to the District Commander the right to regulate any particular regatta or marine parade when he deems such action to be in the public interest."

#### 100.15 Submission of Application

"(a) An individual or organization planning to hold a regatta or marine parade which, by its nature, circumstances or location, will introduce extra or unusual hazards to the safety of life on the navigable waters of the United States, shall submit an application to the Coast Guard District Commander having cognizance of the area where it is intended to hold such regatta or marine parade. Examples of conditions which are deemed to introduce extra or unusual hazards to the safety of life include but are not limited to: an inherently hazardous competition, the customary presence of commercial or pleasure craft in the area, any obstruction of navigable channel which may reasonably be expected to result, and the expected accumulation of spectator craft.

"(b) Where such events are to be held regularly or repeatedly in a single area by an individual or organization, the Commandant or the District Commander may, subject to conditions set from time to time by him, grant a permit for such series of events for a fixed period of time, not to exceed one year.

"(c) The application shall be submitted no less than 30 days prior to the start of the proposed event.

"(d) The application shall include the following details:

- (1) Name and address of sponsoring organization.
- (2) Name, address, and telephone of person or persons in charge of the event.
- (3) Nature and purpose of the event.
- (4) Information as to general public interest.
- (5) Estimated number and types of watercraft participating in the event.
- (6) Estimated number and types of spectator watercraft.
- (7) Number of boats being furnished by sponsoring organizations to patrol event.
- (8) A time schedule and description of events.
- (9) A section of a chart or scale drawing showing the boundaries of the event, various water courses or areas to be utilized by participants, officials, and spectator craft."

100.20 Action on Application for Event  
Assigned to State Regulation by Coast  
Guard-State Agreement

"(a) Upon receipt of an application for a regatta or marine parade of a type assigned to a State for regulation under a Coast Guard-State agreement, the District Commander will forward the application to the State authority having cognizance of the event. Further processing and decision upon such an application shall be conducted by the State."

100.25 Action on Application for Event  
Not Assigned to State Regulation by  
Coast Guard-State Agreement

"(a) Where an event is one of a type not assigned to the State for regulation under a Coast Guard-State agreement (or where no such agreement has been entered), the Commander of a Coast Guard District who receives an application for a proposed regatta or marine parade to be held upon the navigable waters of the United States within his district shall take the following action:

(1) He shall determine whether the proposed regatta or marine parade may be held in the proposed location with safety of life. To assist in his determination, he may, if he deems it necessary, hold a public hearing to obtain the views of all persons interested in, or who will be affected by, the regatta or marine parade.

(2) He will notify the individual or organization which submitted the application:

(i) That the application is approved, and the nature of the special local regulations, if any, which he will promulgate pursuant to part 100.35; or

(ii) That the interest of safety of life on the navigable waters of the United States requires specific change or changes in the application before it can be approved; or,

(iii) That the event requires no regulation or patrol of the regatta or marine parade area; or,

(iv) That the application is not approved, with reasons for such disapproval."

#### 100.30 Approval Required for Holding Event

"(a) The Commander of a Coast Guard District, after approving the plans for the holding of a regatta or marine parade within his district, is authorized to promulgate such special local regulations as he seems necessary to insure safety of life on the navigable waters immediately prior to, during, and immediately after the approved regatta or marine parade. Such regulations may include a restriction upon, or control of, the movement of vessels through a specified area immediately prior to, during, and immediately after the regatta or marine parade.

"(b) After approving the plans for the holding of a regatta or marine parade upon the navigable waters within his district, and promulgating special regulations thereto, the Commander of a Coast Guard District shall give the public full and adequate notice of the dates of the regatta or marine parade, together with full and complete information of the special local regulations, if there be such. Such notice should be published in the local notices to mariners.

"(c) The special local regulations referred to in paragraph (a) of this section, when issued and published by the Commander of a Coast Guard District, shall have the status of regulations issued pursuant to the provisions of section 1 of the Act of April 28, 1908, as amended (46 U.S.C. 454)."

#### 100.40 Patrol of the Regatta or Marine Parade

"(a) The Commander of a Coast Guard District in which a regatta or marine parade is to be held may detail, if he deems the needs of safety require, one or more Coast Guard vessels to patrol the course of the regatta or marine parade for the purpose of enforcing not only the special local regulations but also for assistance work and the enforcement of laws generally.



"(b) The Commander of a Coast Guard District may also utilize any private vessel or vessels to enforce the special local regulations governing a regatta or marine parade provided such vessel or vessels have been placed at the disposition of the Coast Guard pursuant to section 826 in Title 14, U.S. Code, for such purpose by any member of the Coast Guard Auxiliary, or any corporation, partnership, or association, or by any State or political subdivision thereof. Any private vessel so utilized shall have on board an officer or petty officer of the Coast Guard who shall be in charge of the vessel during the detail and responsible for the law enforcement activities or assistance work performed by the vessel during such detail. Any private vessel so utilized will display the Coast Guard ensign while engaged in this duty.

"(c) The Commander of a Coast Guard District may also utilize any private vessel or vessels placed at the disposition of the Coast Guard pursuant to section 826 in Title 14, U.S. Code, by any member of the Coast Guard Auxiliary, or any corporation, partnership, or association, or by any State or political subdivision thereof, to patrol the course of the regatta or marine parade for the purpose of promoting safety by performing assistance work, effecting rescues, and directing the movement of vessels in the vicinity of the regatta or marine parade. Vessels utilized under the authority of this paragraph are not authorized to enforce the special local regulations or laws generally."

QUESTION: In view of the fact that law implies that the officer or petty officer assigned to a civilian craft is in charge of such craft, is his responsibility and authority aboard this craft extended beyond that of law enforcement and SAR, i.e., navigation, conduct of crew, etc.?

ANSWER: This question is best answered by the below statement which is contained in the Auxiliary Manual (CG-305) and reads: "...assuming that the Auxiliary vessel has been accepted for and assigned to a specific operation in charge of its owner Auxiliary member, the presence of Coast Guard personnel is for the sole purpose of exercising police powers and law enforcement authority. In the execution of law enforcement duties, it may become necessary for the Coast Guard person aboard the vessel to direct the Auxiliarist in the movement of his vessel such as to pursue, overtake, or come alongside another vessel. In complying with such directions, the Auxiliarist-Master has the sole responsibility for the safety of his vessel and of the crew. If in his considered judgment the directed operation is not within the capabilities of his vessel, or if he concludes that such movement would hazard his vessel, he may decline the direction. The Coast Guard does not possess authority to take over command of the vessel or to compel the Auxiliarist to comply with his request. Such action may properly become a matter of investigation by the district commander at a later time.

Unless the orders specifically designate that the Auxiliary facility vessel shall be in charge and in command of Coast Guard personnel, the owner-Auxiliarist (or such other Auxiliarist designated by competent orders) shall be in charge and in command of the vessel (Master), and as such he has the sole responsibility for its operations."

#### 100.45 Establishment of Aids to Navigation

"(a) The Commander of a Coast Guard District will establish and maintain only those aids to navigation as he deems necessary to assist in the observance and enforcement of the special local regulations issued by him. All other aids to navigation incidental to the holding of a regatta or marine parade shall be considered as private aids to navigation."

#### 1604: APPLICATION AND APPROVALS

The regulations covering application and approval of marine events or regattas are listed in 33 CFR 100.15, 100.20, and 100.30. A further explanation of each is provided below.

An individual or organization planning to hold a marine event on the navigable waters of the United States must submit an application to hold such event 30 days in advance of the date on which the event is to be held. Figure 16-1 is a copy of this application.

This application should be submitted to the district commander or to a State (where the event will be held) having a Coast Guard-State Marine Event Agreement. Various districts may differ in their policies concerning the submission of these applications. You should review your 5903 series to district instructions or your district OPLAN to find out what the submission policy is in your district.

The ever-increasing number of boatmen and boating organizations has caused the number of marine events to increase tremendously in the past few years. The number of events will continue to increase, because the Coast Guard Chief Counsel has ruled that a marine event includes: "Any concentration of traffic on water, craft or not, participant or spectator, of a competitive or noncompetitive nature, which is organized, limited in duration, conducted according to a pre-arranged schedule and which would interfere with the ordinary Rules of the Road in such a way as to require supplementary regulation." This could include an air show over water or a fireworks display over water (which originated on land or barges), in addition to the typical events such as sailboat races, motorboat races, water parades, and water ski shows. Thus, the Coast Guard's authority covers events

Form Approved  
OMB No. 94-R3624

DEPARTMENT OF TRANSPORTATION U. S. COAST GUARD CG-1522 (Rev. 8-79)		APPLICATION FOR APPROVAL OF MARINE EVENT		DATE SUBMITTED
<p><b>INSTRUCTIONS</b></p> <p>1. Submit this form in triplicate. Please complete on a typewriter or print in black ink (to permit reproduction).</p> <p>2. This application must reach the District Office at least 30 days prior to the event.</p> <p>3. Attach a section of a chart or a scale drawing showing boundaries and/or courses and markers contemplated.</p> <p>4. Submit a copy of your entry requirements, and any special rules pertaining to equipment, rigs or procedures.</p>				
1. NAME OF EVENT	2. DATE OF EVENT	13. HAVE ANY OBJECTIONS BEEN RECEIVED FROM OTHER INTERESTED PARTIES? <input type="checkbox"/> NO <input type="checkbox"/> YES (Explain)		
3. LOCATION	4. TIME (Area, hr)	14. VESSELS PROVIDED BY SPONSORING ORGANIZATION FOR SAFETY PURPOSES (number and description)		
5. NAME AND ADDRESS OF SPONSORING ORGANIZATION (Include Zip Code)		15. DOES THE SPONSORING ORGANIZATION DEEM THEIR PATROL ADEQUATE FOR SAFETY PURPOSES? <input type="checkbox"/> YES <input type="checkbox"/> NO (Explain)		
6. NO. PARTICIPANTS	7. SIZES OF BOATS	16. IS A COAST GUARD OR COAST GUARD AUXILIARY PATROL REQUESTED FOR CONTROL OF SPECTATOR AND/OR COMMERCIAL TRAFFIC? <input type="checkbox"/> NO <input type="checkbox"/> YES (If YES, how many vessels do you recommend, and why?)		
8. TYPES OF BOATS	9. NO. SPECTATOR CRAFT	17. PERSON IN CHARGE	18. WHERE WILL "PERSON IN CHARGE" BE DURING THE EVENT?	
10. DESCRIPTION OF EVENT		19. HOW CAN "PERSON IN CHARGE" BE CONTACTED DURING THE EVENT?		
11. WILL THIS EVENT INTERFERE OR IMPEDE THE NATURAL FLOW OF TRAFFIC? <input type="checkbox"/> NO <input type="checkbox"/> YES (Explain)		20. PERSON TO BE CONTACTED FOR FURTHER DETAILS (Name, address, Zip code)		
12. WHAT EXTRA OR UNUSUAL HAZARD (to participants or non-participants) WILL BE INTRODUCED INTO THE REGATTA AREA?		AREA CODE & TELEPHONE NO. <input type="checkbox"/> The undersigned has full authority to represent the sponsoring organization		
		21. SIGNATURE <input type="checkbox"/> 22. TITLE		
		23. ADDRESS (Include Zip code)		
		AREA CODE & TELEPHONE NO. <input type="checkbox"/> SEE REVERSE SIDE FOR MAILING INSTRUCTIONS		
		24. TO: <input type="checkbox"/> Coast Guard District		

GPO 94-07

Figure 16-1 - Application for Approval of Marine Event.

PREVIOUS EDITIONS ARE OBSOLETE



**BEST COPY AVAILABLE**

on, in and under the water if the activity restricts the normal flow of navigation.

In order to process all of the anticipated applications for marine events and to assist the public in properly applying for a permit, the Coast Guard sends annual notices to all boat clubs and yachting associations who normally conduct regattas and marine events. This notice contains application forms and instructions for applying for a Permit for Marine Event. The Coast Guard-State Marine Event Agreements designate which agency (State or Coast Guard) will issue the permit for certain events.

As previously stated, the district commander acts on applications submitted to the Coast Guard. He either (1) approves them, (2) disapproves them, (3) returns them without action because a permit is not required, or (4) returns them for additional information or changes. Applications submitted to a State are processed in much the same manner.

If an application is approved by the Coast Guard, a Permit for Marine Event is issued. Figure 16-2 is a copy this permit. This permit will specify one or more of the following:

DEPARTMENT OF TRANSPORTATION U. S. COAST GUARD CG-4424 (Rev. 8-70)	<b>PERMIT FOR MARINE EVENT</b>		DATE APPROVED								
NAME OF EVENT	LOCATION	DATE OF EVENT									
SPONSORING ORGANIZATION	NAME OF REPRESENTATIVE	TITLE									
<p>Your application for the following event is approved. Special services to be rendered by the Coast Guard are listed. You are reminded that your organization is primarily responsible for safety in the regatta area and that this permit does not relieve you of such responsibility. Participants shall be adequately briefed and their boats equipped as required by law. A permit may also be required by a state, county or municipal agency. This authorization grants no exemption from state or local ordinances. In the event of any change in the information furnished in your application you will notify this office.</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> There will not be a Special Local Regulation issued. No restriction is placed on the use of any navigable waters by other parties. Your event shall not obstruct any channel or normal shipping lane, or interfere with any aid to navigation. The Committeeman in Charge shall control participants to prevent conditions hazardous to other craft in the area.             </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> There will be a Local Notice to Mariners issued to inform maritime interests and solicit their cooperation.             </td> </tr> <tr> <td style="vertical-align: top;"> <input type="checkbox"/> There will be a Special Local Regulation issued establishing a restricted area and other controls. You will be provided a copy for guidance. The Committeeman in Charge shall control participants within the restricted area to prevent conditions hazardous to other craft in the area.             </td> <td style="vertical-align: top;"> <input type="checkbox"/> There will not be a Regatta Patrol assigned by the Coast Guard.             </td> </tr> <tr> <td></td> <td style="vertical-align: top;"> <input type="checkbox"/> There will be a Regatta Patrol assigned by the Coast Guard. The attached instruction for Patrol Commanders outlines their responsibility and authority. You should work out specific details with the Patrol Commander.             </td> </tr> <tr> <td></td> <td style="vertical-align: top;"> <input type="checkbox"/> Additional safety equipment is stipulated on the reverse.             </td> </tr> </table> <p style="text-align: right;">By direction</p>				<input type="checkbox"/> There will not be a Special Local Regulation issued. No restriction is placed on the use of any navigable waters by other parties. Your event shall not obstruct any channel or normal shipping lane, or interfere with any aid to navigation. The Committeeman in Charge shall control participants to prevent conditions hazardous to other craft in the area.	<input type="checkbox"/> There will be a Local Notice to Mariners issued to inform maritime interests and solicit their cooperation.	<input type="checkbox"/> There will be a Special Local Regulation issued establishing a restricted area and other controls. You will be provided a copy for guidance. The Committeeman in Charge shall control participants within the restricted area to prevent conditions hazardous to other craft in the area.	<input type="checkbox"/> There will not be a Regatta Patrol assigned by the Coast Guard.		<input type="checkbox"/> There will be a Regatta Patrol assigned by the Coast Guard. The attached instruction for Patrol Commanders outlines their responsibility and authority. You should work out specific details with the Patrol Commander.		<input type="checkbox"/> Additional safety equipment is stipulated on the reverse.
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	<input type="checkbox"/> There will be a Regatta Patrol assigned by the Coast Guard. The attached instruction for Patrol Commanders outlines their responsibility and authority. You should work out specific details with the Patrol Commander.										
	<input type="checkbox"/> Additional safety equipment is stipulated on the reverse.										

PREVIOUS EDITION IS OBSOLETE

Figure 16-2 — Permit for Marine Event.

MRV-601 (2 71)

DIVISION OF MARINE & RECREATIONAL VEHICLES  
PARKS & RECREATION  
ALBANY, NEW YORK 12224



PERMIT NO. 50 - 21

MARINE REGATTA PERMIT

Name and Address of Sponsoring Organization <b>YOUR YACHT CLUB</b> Your Street Your City, N. Y. 14850		Name and Address of Person in Charge of Regatta <b>Mr. Hailing Gail</b> 151 Stormy Ave. Windy, N. Y. 14851	
		Telephone No. <u>456-9369</u>	
Name of Waterway on which Regatta will be held <b>Cayuga Lake (Glenwood Point)</b>		Type of Regatta <b>Sailboat</b>	
Duration of Regatta (Weather permitting)			
Beginning	Time <b>9:00</b>	Date <b>4 July 1972</b>	Ending
	(AM) <del>X</del>		(PM) <del>X</del>
			Time <b>4:00</b>
			Date <b>4 July 1972</b>

SPECIAL NAVIGATION INSPECTORS: In accordance with the provisions of Section 18 of the New York State Navigation Law, the following persons are hereby designated "Special Navigation Inspectors" and shall act as such during the regatta authorized by this permit:

1. Mr. Joe Safety, P. O. Box 13, Your City, N. Y.

2. Mrs. R. U. Transom, 1848 Olive St., Waves, N. Y.

3. Mr. C. R. Chammel, Route 4, Keel, N. Y.

Special Rules and Regulations

1. Subject to wind and weather conditions, above events shall not consume more than 5 hours total time per day.
2. Permittee subject to any special rules and regulations and/or restrictions due to local conditions as specified by the Sheriff's Department of Tompkins County, the authorized local representative of the New York State Barge Canal System, or any other navigation law enforcement officer having jurisdiction on above named waters.
3. Special Navigation Inspectors must provide safe passage for other vessels through race course between heats, or at other specified intervals.
4. "Rules and Regulations Pertaining to the Conduct of Regattas" (6 NYCRR 353) is attached and shall be considered to form an integral part of this permit.

(A copy of the "Rules and Regulations Pertaining to the Conduct of Regattas" is attached hereto and shall form a part of this permit)

Pursuant to the provisions of Section 14 of the New York State Navigation Law, permission is hereby granted to the sponsoring organization and the person in charge, both indicated above, to conduct a regatta upon the waterway named above on the dates mentioned above only. If regatta is cancelled due to inclement weather, an alternate date may be arranged. However, PRIOR WRITTEN APPROVAL from the Division of Marine and Recreational Vehicles MUST BE OBTAINED.

30 May 1972      A. B. Seaman      Garboard Strake  
Date      Director, Division of Marine and Recreational Vehicles      Marine Inspector

IMPORTANT NOTICE

Within 48 hours after completion of this regatta, the person in charge shall cause to have the reverse side of this permit completed and returned to the issuing authority. The New York State Navigation Law provides a severe penalty for failure to comply with this requirement.

Figure 16-3 -- New York State Marine Regatta Permit.

1. A patrol will or will not be assigned. This patrol will be designated as a Coast Guard Patrol, Coast Guard Auxiliary Patrol, or a patrol to be assigned by the sponsor of the event.

2. Special Local Regulations will or will not be issued.

3. Local Notice to Mariners will or will not be issued.

4. Additional safety equipment is required. This equipment will be listed on the reverse side of the permit.

5. Special instructions. These instructions are also listed on the reverse of the permit.

6. Name of patrol commander. This is usually listed on the reverse of the permit.

Permits issued by the States follow the same procedures as the Coast Guard. Figure 16-3 is a sample copy of a New York Permit for Marine Event.

#### 1605: SPECIAL REGULATIONS

As we have mentioned, when a Permit for Marine Event is issued, it may specify special regulations. These regulations can be in the form of Special Local Regulations or the special regulations listed on the permit.

Special Local Regulations are defined in 33 CFR 100.35. Anytime a district commander feels that some special regulations are needed in an area where a marine event or regatta is to be held for the safe conduct of the event, he may issue Special Local Regulations. These regulations are made public through various means such as radio, television, messenger, and Notice to Mariners. The regulations state the rules to be followed in the area and have the force of law. Figure 16-4 is an example of Special Local Regulations issued by the Ninth Coast Guard District Commander.

The other special regulations involved with marine events are those which the district commander specifies to the sponsor of an event on the Permit for Marine Event. The special regulations can be any of, but not limited to, the following:

1. Requiring a doctor to be on hand for the event.
2. Requiring the sponsor of the event to provide pick-up boats.
3. Requiring an ambulance to be located in one area.

DEPARTMENT OF TRANSPORTATION  
UNITED STATES COAST GUARD

# SPECIAL LOCAL REGULATIONS

ISSUED BY: COMMANDER, NINTH COAST GUARD DISTRICT  
1240 East Ninth Street - Cleveland, Ohio 44109  
Day Phone 522-3950 Night Phone 522-3980

DATE:  
23 September 1971

## DETROIT RIVER - Gibraltar, Michigan

The Trenton Outboard Racing Club, Trenton, Michigan will sponsor the Gibraltar Marathon on 26 September 1971 on the Detroit River adjacent to Gibraltar, Michigan. This event will consist of races over a closed course with 10 to 13 foot outboard runabouts competing.

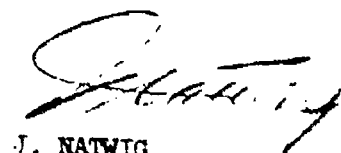
That portion of the Detroit River from the northern tip of Gibraltar Island to the northern tip of Sturgeon Bar and extending 900 feet to the east of the shore of Horse Island will be restricted to navigation on 26 September 1971 between the hours of 10:00 A.M. and 2:00 P.M. The course for this event will be kept as close to the western shore as possible. Traffic will be allowed to pass between the restricted area and Celeron Island. SEE BACK.

Vessels desiring to transit the area may do so with prior approval of the Patrol Commander and when so directed by that officer. Vessels shall be operated at a slow speed to reduce the wake to a minimum and in a manner which will not endanger participants in the race or any other craft. These prohibitions shall not apply to the racing craft or vessels of the patrol.

No vessel shall anchor or drift in the area restricted to navigation.

All persons in charge of or operating vessels in the area covered by the above Special Local Regulations are required to promptly obey the directions of the Patrol Commander and the officers and men acting under his instructions, in connection with the enforcement of these Special Local Regulations.

The above special regulations are promulgated under authority of 33 CFR Part 100.35 pursuant to the provisions of Section 1 of the Act of 28 April 1908 (46 U.S.C. 454), as amended.



J. NATWIG  
Captain, U.S. Coast Guard  
Commander, Ninth Coast Guard District  
Acting

Figure 16-4 - Sample of Special Local Regulations.

4. Regulations concerning the placement of aids to navigation or markers.

If you are assigned as patrol commander, you will be required to see that these regulations are carried out.

#### 1606: AIDS TO NAVIGATION AND MARKERS

The regulation on the use of aids to navigation in conjunction with a marine event or regatta is listed in 33 CFR 100.45. The use of regular aids to navigation is further authorized in 33 CFR 62.01-35, which states: "For the purpose of protecting life and property, the Commandant may authorize the establishment of aids to navigation to mark marine parades and regattas which are regulated by the Coast Guard." Any aid used for these events is of the standard type of Coast Guard aid. This same regulation also authorizes Coast Guard units to place special markers for marine events in lieu of Coast Guard aids to navigation. These special markers must be supplied by the sponsor and delivered to the Coast Guard unit at no cost to the government.

If a sponsor's markers are not used for the purpose of safe navigation in the ordinary sense, but are used for special purposes such as to mark turning points, a starting line, a slalom course, or other restrictions to participants, and if the markers do not display the authorized characteristics prescribed by lateral or uniform waterway marker systems, such markers are not considered as "aids to navigation." Coast Guard approval is not required for this type of marker. Under no circumstances should any regatta marker be in accordance with the lateral system.

All aids to navigation and markers must be removed after the event. If the sponsor of an event desires to keep the aids or markers in the water after the event, he must submit application for private aids to navigation. This is usually done when events will take place a number of times throughout the boating season.

#### 1607: MARINE EVENT OR REGATTA PATROLS

Either Coast Guard vessels or Coast Guard Auxiliary facilities may be used to patrol an event. When Auxiliary facilities are used, a Coast Guard commissioned, warrant, or petty officer is usually assigned so that the vessel has some law enforcement authority aboard. When an Auxiliary facility is used for a patrol, the facility must display the Coast Guard Ensign.

If a Coast Guard patrol is assigned to patrol a marine event or regatta, a patrol commander will be designated by the district commander. Patrol commanders may be active duty Coast Guard commissioned, warrant, or petty officer



(Figure 16-5 is an example of a letter of designation for patrol commander.)

The designated Coast Guard patrol commander should contact the sponsor of the event and establish the following:

1. A workable procedure for the accountability of each participant (particularly for sailing events).
2. Emergency signals to be used in case of an accident.
3. The patrol commander's authority to postpone, temporarily stop, or cancel the event due to violation of permit stipulations, loss of control over participants or spectators, or the development of any dangerous condition.
4. A clear understanding that the sponsor is completely responsible for the conduct of the event, including the placing and retrieving of course markers and the removal of obstructions or menaces to navigation and for the cancellation of the event when it is prudent for him to do so because of wind, rough water, or predicted bad weather conditions.
5. What medical and transportation facilities are available in case of injuries in the regatta area and where they will be located.

Even though not assigned as a patrol commander, Coast Guard commissioned, warrant, or petty officers assigned to patrol a marina event or regatta should perform the following duties:

1. Enforce the Special Local Regulations issued by the district commander for the event.
2. Exercise authority as a law enforcement officer to correct any observed negligent operation. If a participant is involved in the negligent operation, the sponsor should be asked to have the condition corrected or the entrant withdrawn.
3. Exercise control over the movement of spectator and transient vessels around the event area.

The regatta patrol's mission should be carried out with firmness, diplomacy, and tact. The magic of the words please and thank you accompanying requests or reprimands cannot be overemphasized. If you are assigned to patrol craft, make sure you display the appropriate identification signs and fly the Coast Guard Ensign.

QUESTION: What is meant by identification signs?

ANSWER: Identification signs are those signs which identify vessels on patrol duty. Figure 16-6 shows these signs and also

the control signals to control the movement of vessels in a regatta area. Figure 60 also gives the Federal stock number for each sign/signal and describes the signs and signals.

Another requirement of those assigned to patrol a marine event is to set up communications frequencies to be used between the other patrol boats and the sponsor and to enforce communications discipline on these frequencies.

The patrol commander will be required to submit a report of the patrol activities at the completion of the patrol. In order that you can supply the patrol commander with the required information for this report, you should maintain a log of the event, making sure to include the amount of spectator craft attending the event, any cases of negligent operation, any injuries, and number of spectators on shore. Districts may vary in the information required on the reports from the patrol commander, but those items just mentioned for inclusion in the log are standard requirements in all districts for patrol commander reports.



DEPARTMENT OF TRANSPORTATION  
UNITED STATES COAST GUARD

Address reply to:  
COMMANDER  
Ninth Coast Guard District  
1240 East 9th St.  
Cleveland, Ohio 44199

• 3250.1

• From: Commander, Ninth Coast Guard District  
To:  
Subj:

Ref: (a) Appendix II to Annex U, CCGDNINE OPLAN

1. You are designated Patrol Commander for subject event. You may reassign this responsibility at your discretion.
2. You are directed to assign such Coast Guard and/or Coast Guard Auxiliary forces to patrol this event on the dates indicated, as are necessary in your discretion, subject to other operational requirements on those dates.
3. This event will/will not be publicized in a local Notice to Mariners.
4. Special Local Regulations will/will not be published concerning this event.
5. Upon completion of patrol, forward report in accordance with paragraph 2.b.(8) of reference (a).

Encl: (1) Copies of correspondence relative to this event

Copy to:  
CCGD9(oar)

Figure 16-5 - Sample letter designating a patrol commander.

1. Signs for Identification of Vessels on Patrol Duty:

a. Coast Guard Cutter:



FSN: CG9905-G00-2316

b. Auxiliary Facility under Orders:



FSN: CG9905-G00-2317

2. Signals to Control Movement of Vessels in Regatta Area:

a. Sign one: FSN: CG9905-G00-2318  
Side 1



Side 2:



b. Sign two:  
Side 1:

FSN: CG9905-G00-2319



Side 2:



Design and Display Specifications:

a. Identification signs - These are to be constructed with solid black block letters on international red-orange background 9" by 48". Small letters are 2 inches in height; large letters, 4 inches in height. Each patrol vessel displays one sign visible from each beam, mounted forward, amidships, or aft, at the rail or on cabin top, as most convenient and conspicuous.

b. Control signals - These are constructed with solid black block letters on yellow background 12" by 30". Small letters are 4 inches in height; large letters, 6 inches. Signs are of lightweight construction, are fitted with handholds, and have different instructions on the reverse side. They are hand-held for display at close range to a boat being directed by the patrol craft. They are displayed as needed.

Figure 16-6 - Authorized regatta patrol signs and signals.

1608: SUMMARY

The laws which govern marine events and regattas are contained in 46 USC 454 through 46 USC 457. One of these laws authorizes the Commandant to issue and enforce regulations (found in 33 CFR, Part 100) to promote safety on the navigable waters during regattas or marine events. These regulations provide authority for district commanders to approve or disapprove applications for a permit for a marine event, to issue Special Local Regulations to insure safety of life in the marine event area, to issue special regulations to the sponsor of a marine event, and to establish and maintain aids to navigation to assist in the enforcement of Special Local Regulations.

The sponsor of an event is responsible for the safe conduct of the event. If the Coast Guard approves an event and the district commander assigns a patrol commander, the Coast Guard does not assume responsibility for the participants in the event. When a Coast Guard patrol is assigned, its primary duties are to control the spectator fleet and transient craft for their protection and to eliminate any hazards from entering the area. Personnel assigned to patrol duties should carry out these duties with vigor and be able to inform the patrol commander with enough information to prepare the required marine report.

Chapter 17  
WATER POLLUTION LAWS

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1703: Refuse Act of 1899	17-4
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## WATER POLLUTION LAWS

### 1701: INTRODUCTION

When you hear the word pollution today, you associate it with two other words--environment and ecology. Environment is all of the natural conditions surrounding our daily living. Ecology is the relationship between organisms and their environment. Both are a direct concern of the Coast Guard, which has the responsibility of enforcing water pollution laws of the United States by detecting, quantifying, responding to, and investigating each instance of pollution.

In enforcing these laws, the primary concern of the Coast Guard is for environmental protection. To provide protection, Coast Guardsmen involved with water pollution will perform their duties to minimize the damage to the environment, and you, as a boating safety officer, may be called upon to enforce these laws. If you are called to investigate a pollution case, you will be required to procure information for the litigation of the case, to obtain complete and accurate details, and to gather any evidence that may become unavailable at a later time.

In this section you will learn the various federal water pollution laws and the procedure for you to follow upon receiving a report of pollution, upon detecting a pollution incident, and upon conducting a preliminary investigation or being assigned to an investigative team. You will learn about keeping an oil pollution kit, preparing pollution reports, and monitoring pollution removal. What you will learn is the basic information you, as a boating safety officer, will need to know to perform the duties expected of you concerning pollution incidents. Detailed instructions concerning pollution cases are published in the National Contingency Plan and in each regional contingency plan.

The acts we will cover in this section are explained in the following order:

1. Federal Water Pollution Control Act as amended (FWPCA).
2. Refuse Act of 1849.
3. Oil Pollution Act of 1961.

1702: FEDERAL WATER POLLUTION CONTROL ACT, AS AMENDED (FWPCA)

This act prohibits the discharge of harmful quantities of oil into or upon the waters of the United States, adjoining shore lines, or waters of the contiguous zone. Harmful discharge has been defined by regulations (40 CFR 110) as a discharge that violates any applicable water quality standard or causes a film, sheen, or discoloration upon the surface of the water or adjoining shore line. Under the FWPCA, oil is defined much more broadly than under the Oil Pollution Act of 1961, and means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes. A very important aspect of the 1972 amendment of the FWPCA is the definition of navigable waters. For purposes of the FWPCA, navigable waters means the waters of the United States including the territorial sea. This definition gives much broader jurisdiction under the FWPCA than other laws which the Coast Guard enforces. This act also requires the discharge to immediately report any discharge of a harmful quantity of oil or hazardous substance to the appropriate federal agency. Failure to notify is subject a \$10,000 fine and/or one year imprisonment.

To provide a better explanation and understanding of this act, we are making it a question and answer section.

QUESTION: What is actually prohibited by the Federal Water Pollution Control Act?

ANSWER : The discharge of oil or hazardous substances in harmful quantities.

QUESTION: What is meant by the term discharge and the term harmful quantities?

ANSWER: Discharge means any pumping, spilling, leaking, pouring, emitting, emptying, or dumping. Harmful quantities of oil is a term defined by the Environmental Protection Agency in 40 CFR 110, and includes discharges which violate any applicable water quality standard, which cause a film, sheen, or discoloration upon the surface of the water, or which cause a sludge or emulsion beneath the surface of the water. Hazardous substances have not yet been defined, but when they are, harmful quantities will be designated.

QUESTION: Where are these discharges prohibited?

ANSWER : On the waters of the United States, the adjoining shorelines, territorial seas, and the contiguous zone.



QUESTION: To whom does the law apply?

ANSWER : 1. To owners or operators of the following:

a. Vessel. Any description of watercraft capable of being used for transportation. The only exception is a public vessel (owned or bare boat-chartered to the U. S. or to a state or local government, provided that it is not engaged in commercial service.)

b. Onshore facility. Any facility of any kind located in, on, or under any land within the U. S. Also includes motor vehicles.

c. Offshore facility. Any facility located on or under the navigable waters of the U. S.

2. The Coast Guard has been designated the appropriate agency to receive reports of immediate notification as required by the FWPCA (See 33 CFR, Part 153).

QUESTION: Does the government require the polluter to remove or pay for removal of a discharge of oil or hazardous substance? How does this work?

ANSWER : The liability for removal lies with the discharger. The federal government can contract to have a discharge removed and then bill the responsible party later. The act has limits of liability concerning removal costs. They are as follows:

1. Vessel - \$100 per gross ton or \$14 million, whichever is lesser. However, if there is willful negligence on the part of the owner, he is charged with full costs.

2. Facilities - A maximum of \$8 million. Certain discharges have acceptable defenses. These are cases caused solely by acts of God, acts of war, negligence on the part of the U. S. government, an act of a third party, or a combination of the above.

QUESTION: What are the penalties for violations of this act?

ANSWER : 1. If a person in charge of a vessel or facility fails to make immediate notification of a discharge, the criminal penalty may be one year imprisonment and/or a \$10,000 fine.

2. The owner or operator of a vessel or facility subject to the law who discharges in violation of the law is subject to a civil penalty of \$5,000, which is assessed by the Coast Guard.

3. The penalty for a violation of regulations is \$5,000.

4. In addition to enforcing this law, the federal government also has some additional responsibilities, which are included here for your information. These responsibilities are to:

a. Establish a contingency plan, which will coordinate and integrate the response of the departments and agencies of the federal and local governments and of industry in their attempts to protect the environment from the damaging effects of pollution discharges (See 40 CFR 1510).

b. Provide a "strike force" of trained, equipped personnel to carry out the contingency plan.

c. Determine the best methods for containing and removing oil discharges (33 CFR Part 153).

d. Determine types and amounts of chemicals and locations in which chemicals may be used to remove a discharge. (See 40 CFR 1510, Annex X)

e. Establish a fund to cover removal by the U. S. government (33 CFR Part 153).

f. Establish regulations to carry out provisions of the act. (See 33 CFR Parts 153 through 156)

#### 1703: REFUSE ACT OF 1899

The Refuse Act of 1899 prohibits the discharge, deposit, or throwing of any refuse matter of any kind from vessels or shore establishments into the navigable waters of the United States or tributaries thereof. This act also prohibits dumping, discharging, or pumping refuse matter of any kind. The words dumping, discharging, and pumping, have been used to cover all types of discharge, from accidental to intentional. The word refuse is considered to be any unnatural substance. Refuse which flows in liquid form from streets and sewers is exempt from this act.

The Refuse Act applies to an individual who actually does the discharging or who aids or authorizes the discharging. This act also applies to a company or corporation which owns a vessel, shore facility, plant, factory, or terminal.

QUESTION: Is the master of a vessel who has given permission to pump oily bilges in violation of the Refuse Act of 1899?

ANSWER : Yes. Since the master authorized the discharge, he has violated the Refuse Act of 1899 if oil is discharged. However, the FWPCA is considered the preferred statute under which to proceed in the case of discharge of oil.

QUESTION: Does the phrase "navigable waters" of the United States or tributaries thereof mean that all waters on which the United States has jurisdictions are included in this Act?

ANSWER: Not necessarily. It includes all waters determined to be navigable or tributaries thereof. However, learned in the preceding discussion of the FWPCA, there are other waters under U. S. jurisdiction not encompassed by the Refuse Act.

When the Refuse Act was originally written, it was written to protect our navigable waters for navigational purposes. Congress was concerned with refuse that restricted navigation, such as logs, trash, fire hazards, and any material which could block channels. Back in 1899, Congress could not foresee the problem of the pollutants we have today such as mercury, pesticides, oil, and detergents.

In 1966, the Supreme Court ruled that gasoline was considered refuse within the meaning of the Refuse Act. This affirmed a 1963 Court of Appeals decision that oil was "refuse matter".

#### 1704: OIL POLLUTION ACT OF 1961

The Oil Pollution Act of 1961 prohibits American vessels from discharging oil waste in any of the prohibited zones named in the act. The zone which is of primary importance to the Coast Guard is a band of water 50 miles wide, adjacent to the United States coastline. This zone includes the territorial seas and the contiguous zone.

This act stems from an international maritime conference that was held in 1954 and was attended by various nations. The 1954 conference was concerned with the prevention of pollution of the seas by oil. The act was passed by Congress in order to implement the convention for the U. S.

In order to explain this act better we have set up the following question and answer section.

QUESTION: To whom does this law apply?

ANSWER : 1. Basically, the law concerns U. S. flag ships and barges that carry oil as cargo or fuel.

2. Exceptions:

- a. Tank vessels under 150 gross tons.
- b. Other vessels under 500 gross tons.
- c. Whaling vessels.
- d. Ships in the Great Lakes.
- e. Naval vessels.

3. Foreign vessels are not subject to the law. However, a foreign flag vessel whose government is signatory to the 1954 convention may be boarded when in U. S. territorial waters and may be required to produce an oil record book.

Violations are reported to the parent foreign government via our Department of State.

QUESTION: What is prohibited by the Act?

ANSWER : The discharge of oil and oily mixtures is prohibited. Oil means crude oil, fuel oil, heavy diesel oil, and lubricating oil. Oily mixtures means any discharge which contains more than 100 parts per million of oil. Permitted discharges are:

1. Leakage due to damage to the ship.
2. Deliberate discharge in order to save the ship or save lives.
3. Pumping of bilges containing only lube oil which has leaked from machinery spaces.
4. Discharge from the fuel oil purifier.

QUESTION: Where is the discharge prohibited?

ANSWER : 1. Within the prohibited zones, which are generally within 50 miles of land. There are many locations where the zones extend beyond 50 miles. Description of these zones is found in 33 CFR 151.

2. A ship over 20,000 gross tons and constructed after 18 May 1967 shall discharge neither within a prohibited zone nor outside the zone except with good reasons, which the master must note in the Oil Record Book.

3. Penalties for violation by U. S. flag vessels:

a. Failure to keep an Oil Record Book - \$500 to \$1,000.

b. Falsification of an Oil Record Book - \$500 to \$1,000 and/or six months imprisonment.

4. While the Act requires this book on U. S. vessels, other nations which are signatories to the 1954 convention require similar records on their vessels. If you are called upon to board one of these foreign vessels, you should make sure that these records are available and are currently kept. Violations should only be handled by an experienced boarding officer.

1705: PROCEDURES TO FOLLOW UPON RECEIVING REPORTS OF OR DETECTING POLLUTION

As a boating safety officer (i.e. Federal Official) there are various responsibilities to assume and actions to take in order to effectively carry out the measures required to meet federal standards.

1. If you are the first person to receive a report of pollution, take the following action:

a. Record the name, address, and phone number of each person reporting the incident of pollution to you. Also record the time and date of the incident and the means of reporting the incident.

b. Record the exact location of the reported pollution, the area affected, and the type of pollution. Example: 100 yards due south of Port Terminal Dock, Morehead City Harbor, covering an area 50 feet wide extending from Buoy 3 to the Causeway Bridge. The pollution is black and appears to be oil.

c. Record all observations of the informants. Example: The pollution appears to be coming from a barge anchored in the harbor.

d. Record the names and addresses of any witnesses reported by the informant.

e. Record any other information you feel is pertinent, such as other ships in the area, weather conditions, and any harbor peculiarities.

f. After receiving the above information, immediately report the information to the on-scene coordinator designated by local contingency plans.

2. The National Oil and Hazardous Substance Pollution Contingency Plan states: "In the event of a discharge of oil or hazardous substance, the first official on the site from an agency having responsibility under this Plan shall assume coordination of activities under the Plan until the arrival of the predesignated On-Scene Coordinator".

3. In light of the above paragraph your responsibilities upon detecting a pollution incident are as follows:

a. If you are not already on scene, go to the scene as soon as possible. Time is of great importance, since weather and sea conditions may disperse or remove the evidence (pollution). Witnesses, too, may become unavailable.

b. If you have not already done so, notify your direct superior, COTP, group commander, or whoever your district instructions specify you should notify.

c. Upon determining the source of the pollution, take action to secure the source and limit the discharge. When the source of the pollution is unknown, obtain as much information as possible and note any suspect vessels or facilities.

4. Further actions are required and outlined in following section on investigation and pollution removal.

#### 1706: INVESTIGATION

Even though you are not directly related with pollution cases in the boating safety field, you may be required to carry out these duties as the first official on scene or called on by the predesignated OCS to do an initial investigation. In order to be effective as an investigator the responsibilities, techniques and procedures of a pollution investigator must be understood.

1. Common shipboard sources of pollution are:

a. Overboard discharge ports, excluding main condenser discharge ports.

b. Tank tops.

c. Valve/flange leakage.

d. Drip pans.

e. Hull damage.

f. Bilge pumping.

2. Common shoreside sources of pollution are:

- a. Open dike drain valves.
- b. Sewers.
- c. Leaking valves, pipes, or hoses.
- d. Drip pans.

3. Other sources of pollution are:

- a. Tank trucks/railroad tank cars.
- b. Fishing boats/pleasure boats.
- c. Service station waste oils.

### 1706-1: Responsibilities of Investigative Teams

Should you be assigned to an investigative team, you will need to know the responsibilities associated with assignment to them. Listed below are your main responsibilities if you are a member of an investigative team:

1. Evaluate the situation:
  - a. Insure that damage to the environment is minimized.
  - b. Inform your direct superior of discharges for which removal has not been undertaken.
2. Make complete, thorough, and accurate investigations.
3. Monitor removal activities.
4. Submit case reports as soon as practical.
5. Keep your command informed.
6. Maintain the integrity of the evidence and record the chain of custody.
7. Keep written records and notes.
8. Remember, you have no authority to order removal or to initiate removal in the name of the Coast Guard.
9. Use teamwork. Always have a witness for everything you do or say.
10. Know your area and the people in it.
11. Increase your knowledge about pollution.
  - a. Maintain an active interest in the problem of pollution.

b. Read to improve your knowledge in this area.  
Areas to gain knowledge are:

- (1) Oil pollution removal methods.
- (2) Oil handling, transporting, and transferring procedures.
- (3) Tank vessel construction and practices.
- (4) Laws and regulations concerning pollution.

1706-2: Procedures for Boarding a Vessel or Shore Facility

1. Board the vessel or visit the facility involved and ask for the master or person in charge. Identify yourself and explain your reason for being there.

2. Question all persons who may be responsible for or have knowledge of the discharge. Record the names, addresses, phone numbers, and occupations of all persons at the scene, regardless of who they are or what they do. Include all persons who have been at the scene within the hour prior to the discharge. Interview the witnesses as soon after the discharge as possible and while the facts are still clear in their minds. However, if this is impossible, make sure you contact the witnesses at a later time.

Interview as many persons as possible:

a. Find out each person's duties or why he was in the area.

b. Find out in detail what each person does by asking specific questions about valves turned, gauges checked, location of other persons, etc.

c. Find out what each person saw with his own eyes or heard with his own ears. Testimony about what a person was told is hearsay and is inadmissible as evidence.

d. Keep an accurate summary of what each person says to you. Get signed statements if possible. Advise all those suspected of a criminal offense of their rights (Miranda Warning) before interviewing them.

3. Collect a sample of the polluted water and a sample from all suspected sources, such as scuppers, bilges, fuel tanks, and dikes. Obtain samples of at least one (1) quart of heavily concentrated pollutant with the aid of an improvised surface skimmer or a gauze-lined dip net.



4. Label the sample bottles (which are described later under the topic entitled "Water Pollution Kit") with the following information that applies:

- a. Name of vessel or facility.
- b. Nationality of vessel.
- c. Source of sample. (Location where sample was taken).
- d. Date collected.
- e. Time collected.
- f. Name and mark (initial) of person(s) taking sample.
- g. Witness(es) to taking of sample.
- h. Sample identification number or letter.

5. Send only those carefully selected samples that are considered vital to the case. Send the samples to the nearest COTP who will determine necessity for analysis of the type of pollutant. In turn, the analysis may aid in determining the origin and thereby the offender in the case.

6. Take high-quality color photographs (if possible) to show the extent and seriousness of the pollution, the source of the pollutant, and any other aspects that may aid in prosecution. Although photographs in themselves are not conclusive evidence, they are of considerable help in finding the polluter. Record the following information on the back of each photograph and sign the back of each:

- a. Name of vessel or facility.
- b. Location.
- c. Date photo taken.
- d. Time photo taken.
- e. Photograph number.
- f. Name of photographer and witness.
- g. Type of camera and film used.
- h. Shutter speed.
- i. Degree and type of light (artificial and/or natural).
- j. Lens opening.
- k. Details of processing.

7. Maintain all samples and other tangible evidence (photographs and statements) in proper U. S. Coast Guard custody until you have received orders from a competent authority directing their disposition. Take precautions to prevent breakage, fire, altering, or tampering with the samples.

a. Keep all evidence in your physical possession until it can be properly secured. Do not let it out of your possession without a proper receipt, or it will be compromised and become inadmissible in court.

b. Store all evidence in locked containers whose keys are precisely controlled so that a few persons as possible have access to them (thereby to the evidence) and these persons are known.

c. It is very probable that in a trial the prosecution will have to prove that an unbroken chain of custody for each article of evidence has been maintained. Therefore, never leave evidence unguarded; treat it as though it were classified material and get a receipt each time it is transferred.

d. There have been occasions when the value of samples has been questioned. Recent cases have been encountered, however, in which the only evidence was a comparison of samples from the suspected source and from the water.

### 1706-3: Pollution Investigation Reports

The Coast Guard pollution reporting system has recently been modified. Under the new system the initial investigation report is submitted in an inclusive investigation workbook. The workbook (Form CG-3639A) when completed is forwarded to the local COTP. Photos, statements and samples are forwarded as an enclosure to CG-3639A.

A flow diagram showing the complete processing of Coast Guard pollution reports are shown in Figure (1).

### 1707: POLLUTION REMOVAL

As stated before the first federal official on scene is required to coordinate certain immediate actions until being relieved by the predesignated OSC.

1. The report of a discharge shall be immediately investigated.
2. Based on all available information, you should:
  - a. Evaluate the magnitude and severity of the discharge.
  - b. Determine the feasibility of removal.
  - c. Assess the effectiveness of removal actions being taken by the party responsible for the discharge. Initiate removal actions in consultation with the OSC, if the responsible party is not doing so or you cannot identify him.

DISPOSITION CHART FOR CG-3639A (WORKBOOK) AND FORM CG-3639

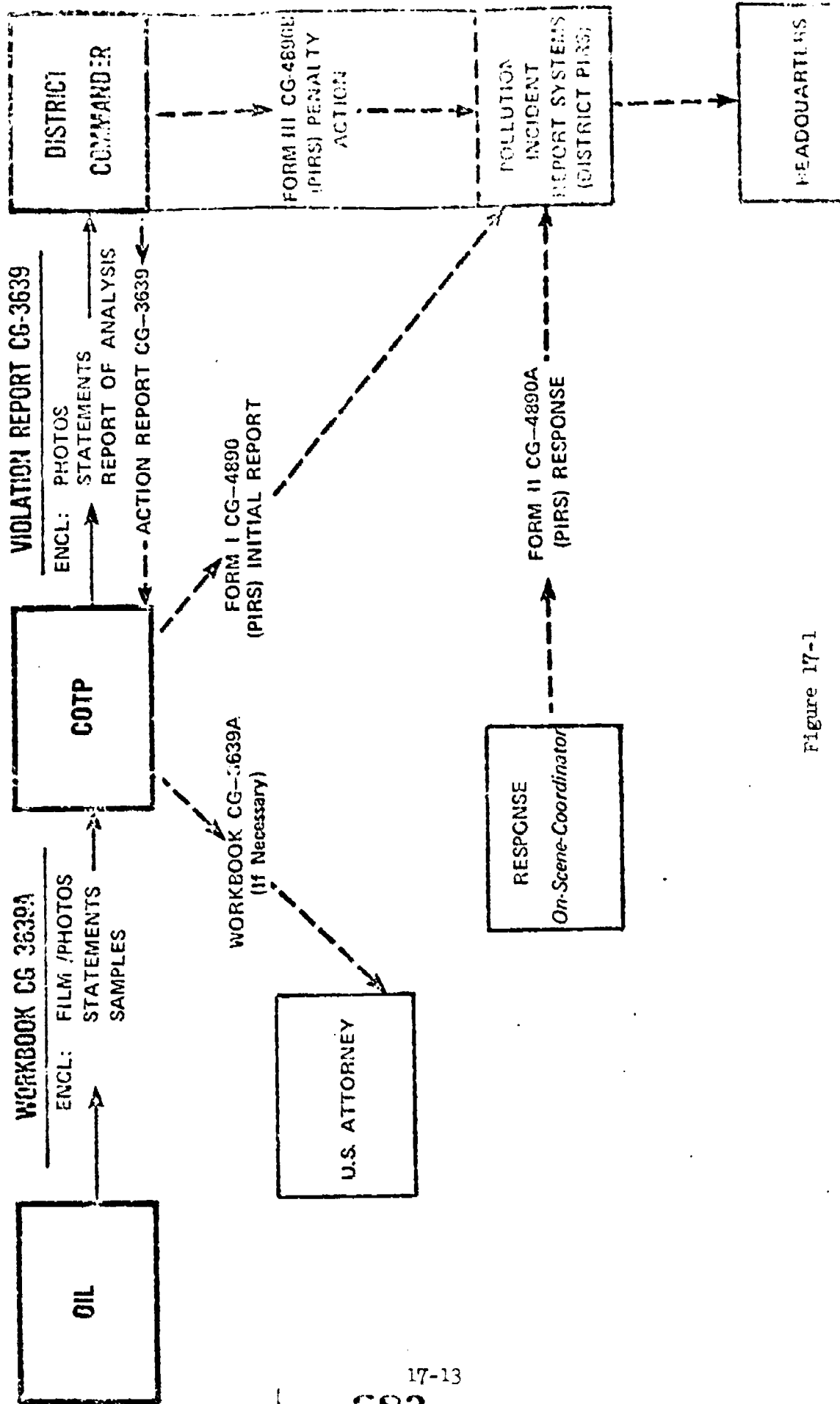


Figure 17-1

3. If you monitor removal operations, insure that they are carried out properly. You should insist that chemicals and sinking agents not be used. If you find that their use is planned, immediately notify your superior for guidance. Familiarize yourself with the applicable State pollution laws concerning removal operations. You should aid and cooperate with State officials, but you cannot enforce State laws.

4. You should note for the pollution report what types of removal methods are used. Include the amounts and kinds of products and what types of equipment are being used. Also note the starting and stopping times of the removal operation and give your appraisal of its effectiveness.

#### 1708: WATER POLLUTION KIT

In order to perform the functions described in the last topic, you must have the following materials:

1. Log book for recording rough notes, the chronological chain of events, names, observations, etc.

2. Forms and pamphlets:

a. Statement of Fact blanks, including a Waiver of Rights Statement.

b. Supply of Pollution Investigators Workbooks, CG-3639A.

c. Any locally produced forms which may be required.

3. At least six 16-ounce (1 pint or 1/2 quart) bottles. They must be clean and unused. The cap liners used in most bottle jar caps contain contaminants. Unless the cap liners are made of glass, metal, or teflon, they must be removed, wrapped completely in aluminum foil, and then replaced. If, for some reason, you do not have proper covers for the bottles, use aluminum foil as covers.

4. Explosion-proof spotlight for looking into tanks containing volatile liquids.

5. Binoculars, which are useful in finding the source of the pollution.

6. Cleaning and wiping rags, which are useful in cleaning hands and bottles after taking samples.

7. Small metal bucket to use for sampling tanks.

8. Cord, minimum of 50 feet, for sampling over long distances with a bucket or a bottle.
9. Camera with color film.
10. Long-handled metal ladle for scooping sample into bottle.
11. Cotton gauze pads to aid in obtaining refined product samples that are too thin to be skimmed.
12. Fluroescien sea dye for tracing pollution sources.

These kits should be made up and carried on all boats capable of being used in pollution law enforcement duty.

#### 1709: SUMMARY

The Refuse Act of 1899 was an early law that applied to pollution control. This act prohibits any refuse (any unnatural substance) to be discharged, dumped, or pumped on any navigable waters of the United States. This Act was originally enacted to protect our streams and rivers from items which could restrict navigation, but a court ruling applied the Act to oil and other substances. The Oil Pollution Act of 1961 prohibits American vessels from discharging oil or oily waste in prohibited areas. These zones include all sea areas within 50 miles of the United States. The 1954 act was to prevent pollution of the seas. The Federal Water Pollution Control Act, as amended, is the most recent legislation prohibiting water pollution. This act prohibits discharging oil in harmful quantities on the territorial sea, and the contiguous zone. The act applies to the person, firm, or corporation in charge of a vessel, an onshore facility, or an offshore facility, and requires them to notify the Coast Guard upon discovery of a discharge. This act also makes the polluter liable for the cost of removal.

In order to be prepared to handle a pollution case at any time, you must have a water pollution kit readily available. When handling a pollution case either by receiving a report of pollution, detecting pollution, conducting a preliminary investigation, preparing pollution reports, serving on an investigative team, or monitoring the removal of pollution, consider the information given in this section as a recommended guide in carrying out these duties. In most cases your district will have published instructions for you to follow when handling pollution cases in your area.

With today's interest in ecology, the duty involving the enforcement of pollution laws will undoubtedly increase. With this thought in mind, it would be a good idea for you to study this section thoroughly, and even seek further instruction on the subject.

## CHAPTER 19

### FIRST AID

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## FIRST AID

### 1901: INTRODUCTION

Proper knowledge and skill in first aid is a must for every Coast Guardsman. This chapter provides the Coast Guardsman with information pertinent to life-threatening injuries. This first aid advice is based on the American National Red Cross First Aid Textbook, 4th edition and Commandant Instruction 3130.15A.

### 1902: CONTROL OF SEVERE BLEEDING

When blood is spurting or gushing from a wound, it must be controlled IMMEDIATELY or death may result within a few minutes.

To control severe bleeding apply DIRECT PRESSURE with the palm of your hand over the entire area of the wound. Also, raise the affected part to a level higher than the heart if there are no fractures, or if additional pain or harm will not be inflicted.

A thick pad of cloth held between the hand and the wound should be used if immediately available, or add the cloth as soon as possible (Fig. 19-1).

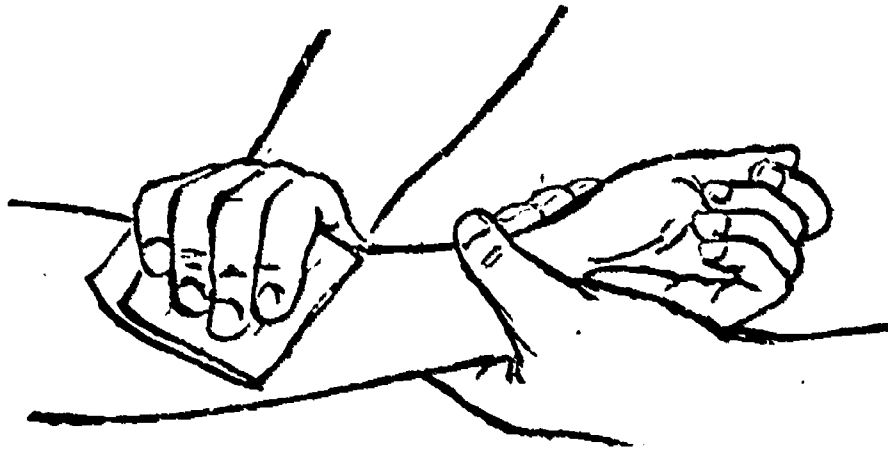


Fig. 19-1

Preferably the cloth should be sterile or clean. However, unclean material can be used. Do not remove this dressing if it becomes blood soaked. Rather, add more layers of cloth and continue direct pressure and elevation.

A pressure bandage can replace direct hand pressure on most parts of the body. Apply the pressure bandage by placing the center of the bandage or strip of cloth directly over the pad; hold the pad in place by circling the bandage ends around the body part; and tie off with a knot directly over the pad (Figs 19-2a and 19-2b).

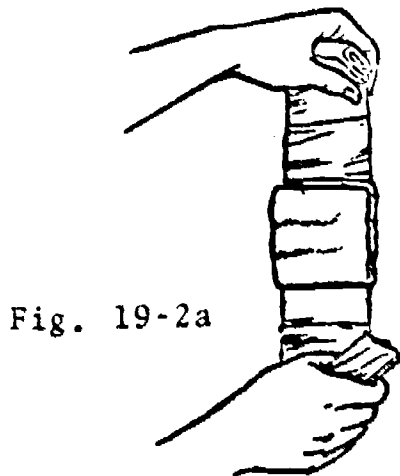
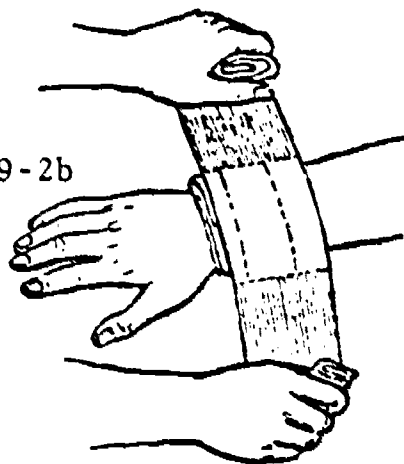


Fig. 19-2a

Fig. 19-2b



If direct pressure does not control the bleeding, apply pressure at the appropriate **PRESSURE POINT** while maintaining pressure over the wound and elevation.

If the bleeding is from a wound in the arm, apply pressure to the brachial artery. This pressure point is located on the inside of the arm in the groove between the biceps and triceps, about midway between the armpit and the elbow (Fig 19-3).

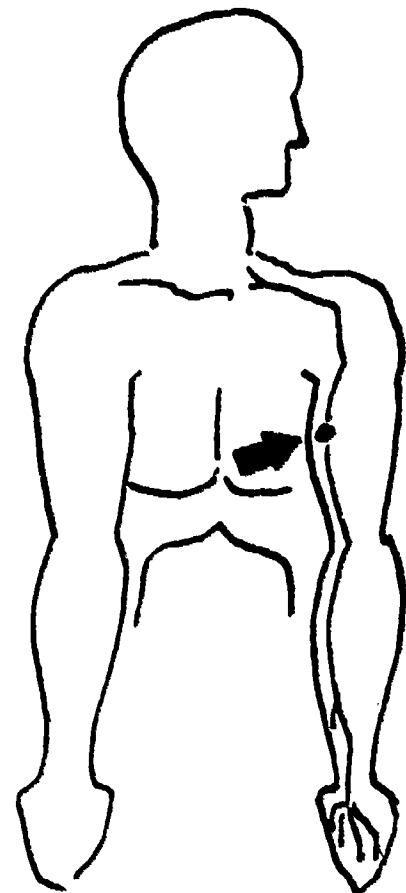


Fig. 19-3

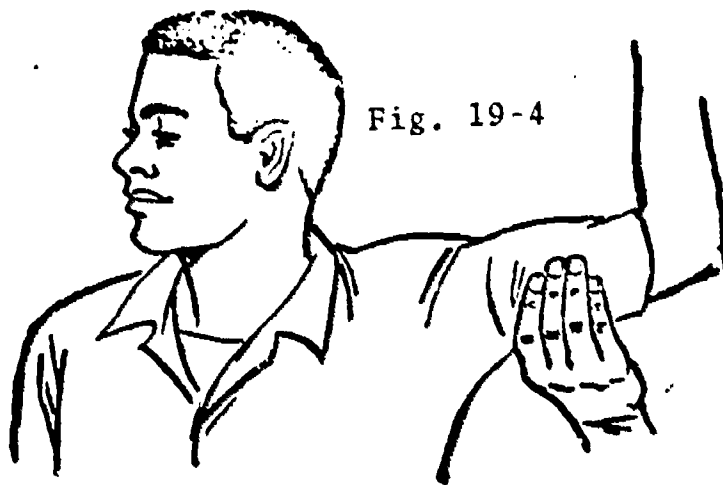


Fig. 19-4

Pressure should be applied by grasping the middle of the victim's upper arm, with your thumb on the outside of his arm and your fingers on the inside (Fig 19-4). Press or pull your fingers toward your thumb, using the flat inside surface of your fingers, not your finger tips.

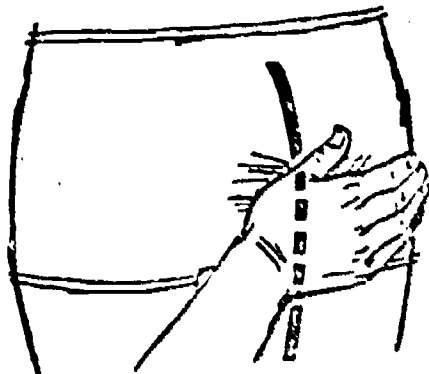


If the bleeding is from a wound in the leg, apply pressure to the femoral artery. This pressure point is located on the front center part of the diagonally slanted "hinge" of the leg, in the crease of the groin area, and over the pelvic bone (Fig 19-5).



Fig. 19-5

Fig. 19-6

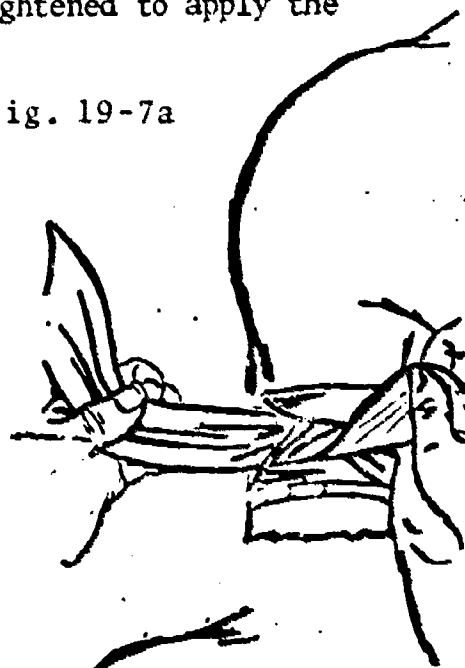


Apply pressure by placing the heel of your hand directly over the spot described above. Lean forward with the arm straightened to apply the pressure (Fig 19-6).

It is **IMPORTANT** when using the pressure points (brachial or femoral arteries) that you maintain pressure over the wound as well as elevation.

If the above methods do not control severe bleeding and the victim is in danger of bleeding to death, the tourniquet may be used as a last resort to save life. The **TOURNIQUET** should only be used for the severe life-threatening hemorrhage that cannot be controlled by other means. This method is used only on the arm or leg.

Fig. 19-7a



To apply the tourniquet:

- (1) Place the tourniquet just above the wound, but not touching the wound edges. If the wound is in a joint area or just below, place the tourniquet directly above the joint.
- (2) Wrap the tourniquet band tightly twice around the limb and tie a half knot (Fig 19-7a).
- (3) Place a short strong stick, screwdriver or any similar object you can find aboard on the halfknot and tie a full knot (Fig 19-7b).

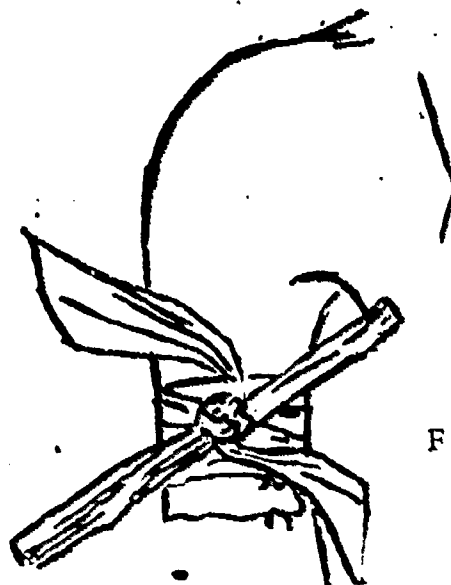


Fig 19-7b

- (4) Twist the stick until bleeding is stopped (Fig 19-7c).
- (5) Secure the stick in place (Fig 19-7d).
- (6) Attach a note to the victim giving, the location of the tourniquet and the time that it was applied.
- (7) Once the serious decision to apply the tourniquet has been made it should not be loosened (except by a medical doctor).
- (8) Treat for shock and get medical attention immediately.

Fig. 19-7c

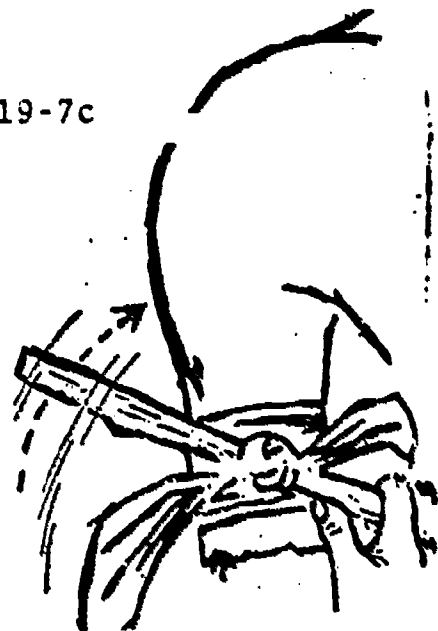


Fig. 19-7d



Fig. 19-8a



### 1903: ARTIFICIAL RESPIRATION

If a person stops breathing, he can die within 4 - 6 minutes. Therefore it is imperative that artificial respiration be given immediately to a person who is not breathing.

Because of its simplicity and effectiveness, the mouth-to-mouth (or mouth-to-nose) method of artificial respiration is recommended in most instances. It is even possible to start using this method while the victim is still in the water.

To administer the mouth-to-mouth (or nose) method of artificial respiration:

- (1) Quickly turn the head to the side and wipe out foreign matter.
- (2) Tilt the head (until the chin juts upward) by placing one hand under the neck and the other on the forehead.
- (3) Pinch the nostrils and form a tight seal with your mouth over the mouth of the victim (Fig 19-8). For mouth-to-nose respiration, close the victim's mouth and form a tight seal over his nose (Fig 19.8b).

Fig. 19-8b



- (4) Blow and watch for a rise in the chest.
- (5) Remove your mouth, open the victim's mouth to allow air to escape, face the victim's chest, watch the chest fall, and listen to the air escape.
- (6) Repeat steps 4 and 5 every 5 seconds or 12 times a minute (for adults).

If you do not get an exchange of air (the chest does not rise):

- (1) Quickly roll the victim on to his side and deliver several sharp blows between the shoulder blades (Fig 19-8c).
- (2) Clear the mouth.
- (3) Roll the victim on to his back, position the head, and continue artificial respiration.

Fig. 19-8c



As in any other serious accident, treat for shock and obtain medical attention as soon as possible.

Adaptation of the above steps for small children and infants:

For step 3, place your mouth over the child's mouth and nose, forming a tight seal (19-8d). Repeat step 6 using light puffs of air from the cheeks. For step 6, repeat every 3 seconds (20 times a minute).



Fig. 19-8d

1904: SHOCK

Injury related to shock, commonly referred to as traumatic shock, is decidedly different than electric shock, insulin shock, and other special forms of shock. This section relates to traumatic shock, which is a condition resulting in a depressed state of many vital body functions that could threaten life, even though the injuries would not otherwise be fatal.

FIRST AID FOR SHOCK SHOULD BE GIVEN TO ANY SERIOUSLY INJURED PERSON.

To prevent shock or give first aid for shock, the following steps should be taken: (1) Keep the victim lying down; (2) Maintain the victim's normal body temperature; and (3) get medical care as soon as possible.

The victim's BODY POSITION is determined by his injuries. The most desirable position is lying down with the feet raised 8 to 12 inches. If uncertain, keep the victim flat on his back. The following chart gives variations in this position based on the injuries sustained:

<u>INJURY OR CONDITION</u>	<u>POSITION</u>
(1) Back or neck	<u>Do not move</u> the victim.
(2) Wounds of face and jaw	Sitting and leaning forward.
(3) Unconscious	On side.
(4) Head injury	Flat or propped up (head never lower than body.)
(5) Breathing difficulty	Head and shoulders raised.

Maintain normal BODY TEMPERATURE (98.6). If environmental conditions are cold, or damp, protect the victim by placing blankets or additional clothing over and under the victim. If conditions are hot, provide protection from the heat or sun (shade) and do not add heat.

Obtain MEDICAL CARE as soon as possible. If this care will be delayed an hour or more, water preferably containing salt and baking soda (1/4 teaspoon of salt, 1/8 teaspoon of baking soda, to each 8 ounces of water) should be given. An adult should be given about 4 ounces every 15 minutes, a child approximately 2 ounces, and an infant about one ounce.

Do not give fluids if the victim is unconscious, having convulsions, vomiting, becomes nauseated, or if surgery is likely.

1905: BURNS

Burns are usually classified by depth or degree of skin damage. Three general classifications are: (1) first degree-redness, mild swelling and pain; (2) second degree-deeper with blister formations appearing; and (3) third degree-very deep burns with complete loss of all layers of skin. The burn may look charred.

Also, burns are sometimes described according to the extent of total body surface involved. For example, a severe sunburn (first degree) is considered serious and should receive prompt medical attention.

First aid for burns according to classification:

- (1) First degree--running cold water or cloths soaked in ice water on the burned area until pain is relieved. Additional commercial or home medications, or dry sterile dressings may be employed.
- (2) Second degree--running cold water (not ice water) or clean cloths wrung out in ice water for 1 to 2 hours. Blot dry with sterile or clean cloth, not cotton, and apply sterile gauze or clean cloth as a protective dressing.
- (3) Third degree (or deep second degree)--cover the burn to exclude air. This can be done, for example, with sterile dressings, laundry clean sheets or other linens. It is extremely important to treat for shock and obtain medical attention. Elevate the affected parts. Do not remove charred clothing that sticks to the burn. Do not apply ice water over the burn. Do not apply home medications.

CHEMICAL BURNS to the skin or eyes produce the same type of burn as do agents such as flash fires, flame, steam, or hot liquids. First aid for this type of burn is to wash away the chemical completely with large quantities of water as quickly as possible. Continue flushing the burn for at least five minutes. When the burn involves the eye, flush the burn with water for five minutes, then cover the eye with a dry, clean, protective dressing and seek medical attention as quickly as possible. Give first aid for shock.

The following quick reference chart gives first aid advice for burns according to classification:

#### FIRST AID

<u>BURN</u>	<u>DO</u>	<u>DON'T</u>
First Degree (redness, mild swelling and pain)	Apply cold water and/or dry sterile dressing or additional commercial or home medication.	Apply butter, oleo-margarine, etc.  <u>DON'T</u>
Second Degree (deeper and blisters develop)	Immerse in cold water, blot dry with sterile cloth, and apply dry sterile cloth for protection. Treat for shock. Obtain medical attention if severe.	Break blisters. Remove shreds of tissue. Use antiseptic preparation, ointment, spray or home remedy on severe burn.

## BURN

Third Degree (deeper destruction, skin layers destroyed)

Chemical burn

## DO

Cover with sterile cloth to protect. Treat for shock. Watch for breathing difficulty. Obtain medical attention quickly.

Remove by flushing with large quantities of water for at least 5 minutes. After flushing eye apply sterile pad for protection. Obtain medical attention.

## DON'T

Remove charred clothing that is stuck to burn. Apply ice. Use home medication.

## 1906: HYPOTHERMIA

General body hypothermia is the leading cause of death among survivors of shipwreck and other catastrophes at sea. Hypothermia is the loss of body heat which impairs the circulating system and can, if enough temperature is lost, cause death. If not recognized and treated promptly, hypothermia can rapidly turn a survivor into a fatality.

### 1906-1: : Symptoms of Hypothermia

(1) Pulsebeat is generally slow and often irregular.

(2) Individuals suffering from hypothermia will tend to lose consciousness.

(3) In general, the hypothermia victim is pale in appearance, his pupils are constricted and react poorly to light and his respiration is slow and labored. He will usually be shivering violently and muscular rigidity is frequent. He may give the appearance of intoxication.

### 1906-2: Treatment of Hypothermia

(1) Remove wet clothing. If the patient cannot be removed to a warmed compartment with blankets; or if dry clothing or a warming method are not available the wet clothing should not be removed. Under these circumstances, the wet clothing is better than no clothing.

(2) Warm rapidly but do not burn or overheat the victim. A water bath or shower are the most effective methods. (It may be possible to use an inflated life raft as a tub). Two other methods that are more applicable to small boats are: apply warmed blankets in a warm cabin with a heating pad or hot water bottle on the patient's chest, or apply body warmth by direct contact with a member of the rescue team.

(3) Observe respiration closely and remove any secretions.

(4) Give nothing orally. Watch for vomiting and the possibility of aspiration (taking into the lungs) of vomiters. Alcohol is absolutely forbidden in deep hypothermia.

(5) Treat for shock.

#### 1907: OTHER FIRST AID

Injuries and sudden illnesses other than those mentioned previously may occur. The following steps are first aid measures only. Medical advice and attention should be obtained as soon as possible.

1907-1: (1) Broken bones. Keep the broken bone ends and the adjacent joints immobilized. On a bouncing boat one person should hold the broken ends to keep them from moving, or they should be splinted and well padded using any materials available, for example: life preservers, paddles. Treat for shock.

1907-2: (2) Heart attack. Symptoms include shortness of breath, chest pain, bluish color of the lips and about the finger nails, a chronic cough, and swelling of the ankles. These symptoms may occur in combination but usually one or the other is outstanding.

Treat for shock maintaining normal body temperature and placing in position of greatest comfort for breathing. Administer artificial respiration if necessary. Assist in obtaining or administering prescribed medicine.

1907-3: (3) Heat exhaustion. The victim feels unusually tired; he may have headache and nausea. Body temperature is approximately normal. Get the victim lying down out of the heat. Administer salt solution, a half tablespoon per half-glass of water every fifteen minutes for three or four doses.

1907-4: (4) Heat stroke. Symptoms are headache, rapid pulse, dry skin, very high temperature and perhaps dizziness and nausea. Heat stroke is extremely dangerous and the victim should be gotten to a hospital as soon as possible. While awaiting help, keep the victim lying down and sponge the body freely with water to reduce the temperature.

1907-5: (5) Minor wounds. (without severe bleeding). Cleanse the wound thoroughly and apply a sterile or clean dressing. Have the victim obtain medical attention if signs of infection (swelling and discoloration, pain, fever, pus nodules, and red streaks) develop.

1907-8: (6) Objects on the eyeball. Flush with clean water. If the object is embedded and cannot be dislodged, do not attempt to remove it. Place a sterile or clean pad over the injured eye and obtain medical attention.

1907-7: (7) Poisoning by mouth. If this occurs, it is vital that proper first aid be given immediately. If a person takes a poison orally, the following first aid steps should be taken: Dilute the poison with water or milk. If the victim is conscious and the poison is not a strong acid, strong alkali, or petroleum product, then induce vomiting. Seek medical attention IMMEDIATELY.

1907-8: (8) Stroke (apoplexy). The symptoms of a major attack are unconsciousness, heavy breathing and paralysis of the limbs on one side of the body. However, if the brain damage is slight, the only symptoms may be dizziness, headache, or muscular difficulty involving some body part. Treat for shock. If victim has difficulty breathing, help him maintain an open airway and give mouth to mouth respiration if needed.

#### 1908: HANDLING AND TRANSPORTATION OF THE INJURED

One of the major problems in dealing with injured persons aboard small boats is that of transportation of the victim to medical help. In many situations, it would be difficult, if not impossible, for medical help to reach the victim; therefore Coast Guard personnel must have a basic knowledge of transportation of injured persons, so that he can safely and quickly deliver the victim to medical help.

The sooner the victim can be moved, the better. It is normally the responsibility of the person giving first aid to see that the victim is transported safely and without being subjected to further injury, shock, or unnecessary pain.

Moving a patient is precise work. It calls for close teamwork and great care. Even the act of placing the patient on a stretcher demands coordination and practice. The simple movements involved in lifting the stretcher-bound patient and walking with him call for specific procedures.

There are two important rules to remember when transporting an injured person. If possible, never move the patient until he has been examined and his injuries have been protected by properly applied dressing. Always transport seriously injured patients in a lying down position.

#### 1908-1: Emergency Carry Methods When A Stretcher is Not Available

In emergencies or when a stretcher is not available, various carries may be used. Carrying the patient in the arms, carrying him over the back, and the two-man carry should be used only when it is positively known that no injury will be aggravated by such handling.

An effective method of carrying a patient without a stretcher is known as the THREE MAN LIFT AND CARRY. This carry is used to transport injured persons for short distances, or through narrow passageways. This lift is also used to place an injured person on a stretcher. For this carry, all movements must be done in unison, with all members of the team moving at the commands of a leader (or one of the bearers). The procedure for properly executing a three man lift and carry is shown in figure 9 page 14-10a.



THREE-MAN LIFT AND CARRY

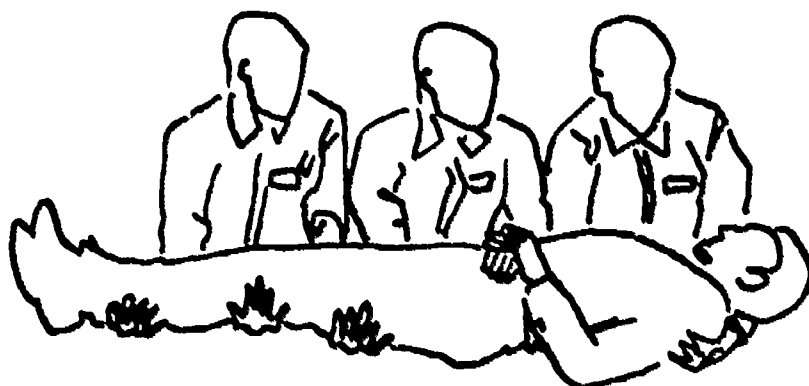
ALL MOVEMENTS MUST BE MADE TOGETHER  
ON THE COMMAND OF ONE BEARER (CAPTAIN)

COMMAND: 1. "PREPARE TO LIFT-PATIENT"

THIRD MAN:  
POSITIONS HANDS  
UNDER PATIENT'S  
ANKLES AND KNEES

SECOND MAN:  
POSITIONS HANDS  
UNDER THIGHS AND  
SMALL OF BACK

FIRST MAN:  
POSITIONS HANDS  
UNDER SHOULDERS  
AND NECK



ALL MOVEMENTS MUST BE MADE TOGETHER ON THE COMMAND OF ONE  
BEARER (CAPTAIN)



2. "LIFT-PATIENT"

BEARERS SLOWLY LIFT  
PATIENT AND SUPPORT  
HIM ON THEIR KNEES

3. "PREPARE TO RISE  
WITH-PATIENT"

BEARERS TURN PATIENT  
SLOWLY TO HIS SIDE  
UNTIL HE RESTS AGAINST  
THEIR CHESTS

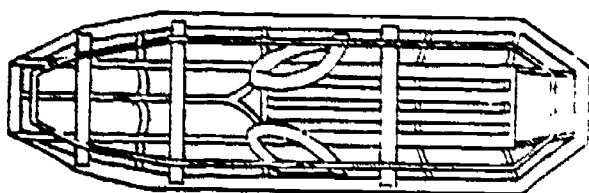


4. "RISE WITH-PATIENT"

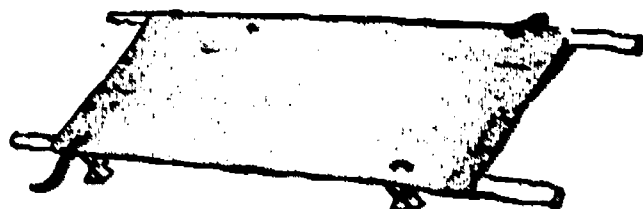
BEARERS RISE SLOWLY  
WITH PATIENT

## 1908-2 Types of Stretchers

The Stokes Navy Stretcher is a woven wire basket made to conform to the human body and is found aboard most Coast Guard units. The patient is strapped in the basket securely. Once strapped in the stretcher, he may be placed in any attitude, including the vertical position, for transportation. Most Coast Guard small boats are equipped with a Stokes Navy Stretcher. (Figure 14-10)



Stokes Navy Stretcher



Army Stretcher

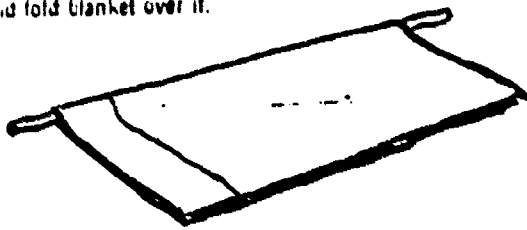
Figure 19-10

Improvised stretchers may be prepared from two long poles or pieces of pipe (7 to 8 feet long) and strong material such as a blanket. To make one of these stretchers, place one pole about one foot from the center of the unfolded blanket (or other material). Fold the short side of the blanket over the pole to the other side. Place the second pole or pipe on the two thicknesses of blanket about two feet from the first pole and parallel to it. Fold the remaining side of the blanket over the second pole toward the first pole. When the injured person is placed on the blanket, the weight of the body will secure the fold. (Figure 14-11) Other materials that may be used as stretcher beds are cloth bags, sacks, coats, or jackets. If bags or sacks are used, rip the bottoms so that the poles may be passed through them. Use enough to give the length of bed required. When using coats or jackets, turn them inside out and pass the poles through the sleeves. Then turn down the flaps around the poles and button them underneath. (Figure 19-12) Always test an improvised stretcher carefully before placing an injured person upon it.

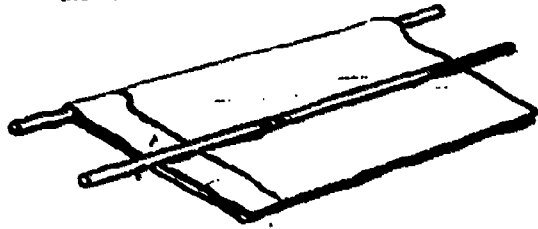
# Pole and Blanket Stretcher

Figure 19-11

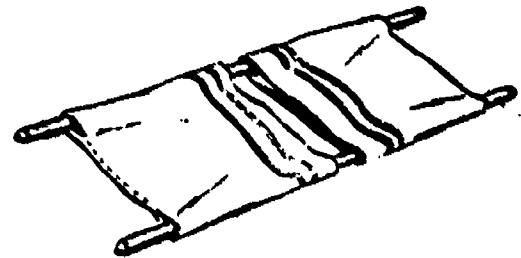
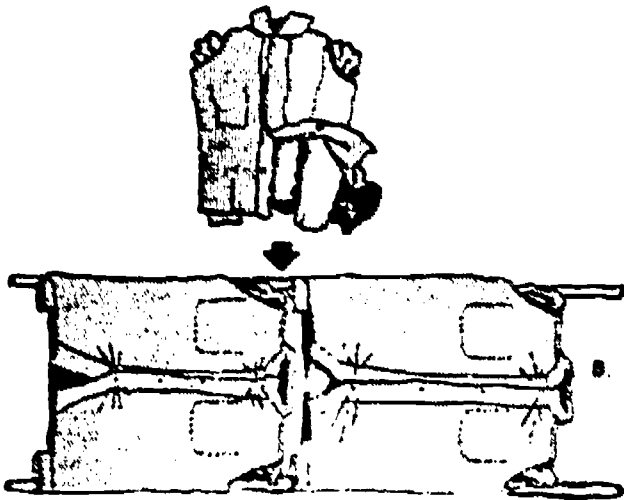
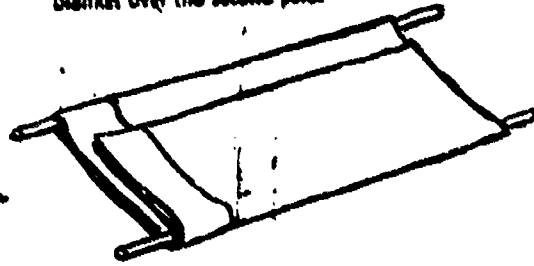
Open a blanket, lay one pole lengthwise across the center and fold blanket over it.



Place the second pole across the center of the new fold.



Fold the free edges of the blanket over the second pole.

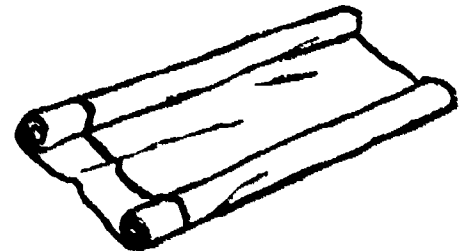


Pole and Sack Litter

19 -12 (b)

# Improvised Coat or Jacket Stretcher

19 -12 (a)



Blanket Roll Stretcher

19 -12 (c)

### 1908-3: Stretcher Transportation

No matter what type of stretcher is used, it should be tested thoroughly before placing a patient on it. Testing should be done with someone on the stretcher who weighs as much or more than the patient.

Extreme care should be taken when placing a patient on a stretcher, otherwise he may suffer unnecessary pain or further injury. The bearers should work together making each move in unison at the command of a leader. When placing the victim on a stretcher, the three-man lift described earlier should be used. A fourth man is required to help lift the patient and to place the stretcher under him. If there is an injury to the neck, back or pelvis, the patient is lifted only high enough to slide the stretcher under him if he must be moved at all.

The procedure for placing a victim on the stretcher is shown in figures 19-13a, b, c, d.

When the victim is secured to the stretcher, the four bearers take positions at the head, the foot, and on both sides at the center of the stretcher. On command, all bearers stoop and grasp the stretcher and raise it together. On command, the two bearers in the center shift one hand toward the front of the stretcher and support this end while the man at the foot turns around to a marching position.

The patient is carried on the stretcher feet first. The exception to this comes when there is severe bleeding at the patient's head. If he must be moved up a step incline or steps, he should be transported head first.

On command, the bearers should step off with the stretcher in unison. The bearers at the foot and on the sides of the stretcher step off on their left foot first. The bearer at the head steps off on his right foot first. This will prevent the stretcher from swaying.

## USING A STRETCHER



1. PREPARE TO LIFT  
THE PATIENT



2. WITH PATIENT RESTING  
ON BEARERS' KNEES,  
POSITION THE  
STRETCHER



3. LOWER THE PATIENT  
TO THE STRETCHER

4. LIFT STRETCHER  
SLOWLY

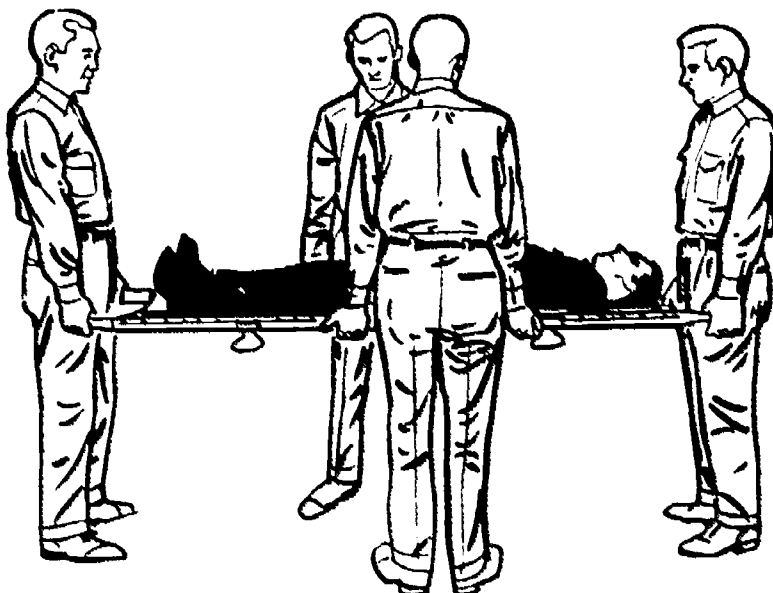


Figure 19-13

1909: CHAPTER QUIZ (TRUE OR FALSE QUESTIONS)

1. To control severe bleeding direct pressure to the wound is normally applied first.
2. If a cloth becomes blood soaked it should be removed before applying another cloth.
3. Elevation has value in controlling severe bleeding.
4. When pressure is applied to the brachial artery direct pressure over the wound and elevation should be maintained.
5. A tourniquet, once applied, should be loosened only by a doctor.
6. The average person will die in 4 to 6 minutes or less if his oxygen supply is cut off.
7. When administering mouth-to-mouth artificial respiration, the victim's head should be tilted with the chin up.
8. Artificial respiration should be given at the rate of 20 times a minute for adults and 12 times a minute for children.
9. Any seriously injured person may go into shock.
10. To prevent or give first aid for shock the position generally desired is lying down with the head and shoulders raised.
11. When giving first aid for shock the victim's normal body temperature should be maintained.
12. Cold water is used when giving first aid for third degree burns.
13. An extensive sunburn should receive medical attention.
14. If a child swallows gasoline the proper first aid steps would be to dilute the poison, induce vomiting, and seek immediate medical attention.
15. When a person has a heat stroke he should be covered to prevent loss of body heat.
16. When using a stretcher, the man at the head moves first.
17. The Stokes Navy Stretcher with the patient secured, can be transported in any position.
18. Always transport seriously injured patients in a lying down position.
19. When transporting a patient with a severely bleeding head wound up a steep incline, he should be carried feet first.

20. Individuals suffering from hypothermia will tend to lose consciousness.
21. Are the following treatments for hypothermia:
- a. Remove wet clothing.
  - b. Warm rapidly but do not burn or over heat the victim.
  - c. Observe respiration closely and remove any secretions.
  - d. Give him a liquid.
  - e. Do not treat for shock.

## ANSWERS

- |      |       |        |
|------|-------|--------|
| 1. T | 8. F  | 15. F  |
| 2. F | 9. T  | 16. F  |
| 3. T | 10. F | 17. T  |
| 4. T | 11. T | 18. T  |
| 5. T | 12. F | 19. F  |
| 6. T | 13. T | 20. T  |
| 7. T | 14. F | 21a. T |
|      |       | b. T   |
|      |       | c. T   |
|      |       | d. F   |
|      |       | e. F   |

## INSTRUCTOR TRAINING

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## INSTRUCTOR TRAINING

### 2001: THE BASIS OF INSTRUCTIONAL PROCEDURES

The cycle of train and be trained goes on endlessly. Training is done in designated classrooms, such as in engineering spaces and on the mess deck. Wherever men work together, training is taking place. With as much of every man's life devoted to training as it is, it may be wise to examine some of the factors underlying the training routine.

There are three very important factors to be considered in reviewing any training program:

- (1) the goal or objective to be achieved;
- (2) the man to be trained; and
- (3) the procedures used in the training.

### 2001-1: THE GOAL

It may sound a little funny to state that many instructors do not really know where they are taking their trainees. When an instructor tells a class that they must learn something because they may need it some day, he is actually admitting that he does not know where he is taking the class or where he wants the class to go. That instructor is in much the same type of a situation as a motorist who is planning a trip but doesn't know where he is going. The motorist, because he doesn't know where he is going, will find it necessary to take along fur coats and bathing trunks, dress suits and hunting clothes, golf clubs, and snow shoes. It sounds ridiculous, doesn't it? Unfortunately, that is what some teaching is often like--a collection of facts and activities without direction.

It is unnecessary to state that ships are as complex and intricate pieces of machinery as have been devised by man. No man can know all about a ship, so it is necessary to divide the knowledge needed and the duties to be performed among many men aboard the ship.

Whether it be aboard ship or in an organized school, the first task of the administrative staff in developing a training program is to identify the divisions of duties and, based on these, to establish the goals or objectives of the training. The sum total of the training conducted in schools should equal the tasks essential to the satisfactory running of your unit.

Goals of training should be concrete. They should be set down on paper so all who are concerned with training--that includes commanding officers, instructors, and trainees--can see exactly what they are to achieve.

Putting goals on paper has many pitfalls. Too often perfection that can never be reached is demanded before anything is written. The most understandable and identifiable goals available should be set down on paper to serve as a starting point and an immediate guide for instruction. Following this, there should be a gradual clarifying of the goals as experience and knowledge is acquired. Never is there a real improvement made until there is first something tangible to improve.

## 2001-2: THE TRAINEE

The trainee is often the most forgotten and least considered individual in a training program. Many instructors have been heard to say that they have so much material to cover that they don't have time to consider the problems of the trainee. Other times instructors will place themselves on a high pedestal above the class and assume the attitude, "Look how smart I am, and look how dumb you are."

There are a few basic factors about trainees that you must consider when developing instructional procedures:

- (1) Each trainee is a human being with likes and dislikes, strengths and weaknesses, just like any other human being.
- (2) Each trainee in the class has his own natural ability, mental and physical.
- (3) Each trainee has his own degree of maturity, background, and previous training.
- (4) All trainees, when properly directed, are eager to learn.

Failure to recognize and provide for these factors always results in reduced efficiency in training. Let's examine each of the four briefly.

An instructor who can create an atmosphere of good will, pleasant emotional relations, and a spirit of cooperation can perform feats of teaching with ease which an instructor who creates ill will cannot achieve at all. Good instruction requires the recognition of the emotional condition of each member of the class and a consequent employment of this emotional condition in the teaching procedure.

In spite of careful screening and classification of men for certain types of work, each group contains men of different natural mental and physical abilities. An instructor that knows and understands this fact is in position to make adjustments in his teaching to match the natural abilities of each trainee.

Many instructors, especially when they teach large classes, provide for the differences in ability and background by

to teach to the average students. The procedure is not entirely a poor practice, but it does have some serious faults. First, if one teaches to the average, the instruction is above the level of about half the class. By the same reasoning, the instruction is below the ability of about half the class. In other words, teaching to the average does a pretty good job of missing most of the class.

The solution to the problem is to keep the classes small enough and keep the instructors in contact with the class long enough so the instructor can learn the ability of each trainee and adjust his teaching accordingly. In most service schools, the student to instructor allowance is 10 students to one instructor. After assignment of instructors for supervisory and administrative work, the actual ratio that can be maintained in the classroom is about 16 to one, and this number is small enough to permit the instructors to make provisions for individual differences.

Instructors often make a mistake in assuming that difficulty in learning is the same as unwillingness to learn. That is not always true. Human beings, especially young men, have a great curiosity. They are eager to find out how things work. This natural curiosity is a resource that good instructors always make use of in their teaching.

It is a commonly accepted principle of teaching and learning that we learn best by doing that is, when we are engaged in meaningful activities. It is here that many instructors fail. These instructors are very much concerned about what they do in conducting the class and almost forget what the trainee does. Most instructors admit they learned far more the first time they taught a subject than they had in many months as a trainee. The reason for that is obvious. In most classroom work, the instructor has 90 percent of the activity and the trainee 10 percent. As a result the instructor learns 90 percent and the trainee 10 percent. The problem obviously is for the instructor to reverse the situation where the trainees do 90 percent and the instructors 10 percent of the work.

The instructor's first task in preparing instructional procedures is to devise meaningful learning exercises for the trainees to perform. He must search for activities for his class to engage in that will help the trainees achieve the desired objective. Once the instructor has devised the activities, his job of teaching becomes one of directing and evaluating the learning activities.

Directing the learning may take many forms. It may be a demonstration, a lecture, a whole class discussion, individual discussion, the viewing of a movie, a drill exercise, or a performance examination. In short, it may be any one or a combination of several of the things commonly referred to as

methods of instructions. However, there is an important consideration that all good instructors recognize: there isn't any one method that is best for a specific type of work. Good instruction requires the use of the method that is most effective for the teaching situation at hand.

In planning lessons, an instructor should not limit the activities and procedures to a single routine but should include in his lesson plan a fund of activities that he can call upon in achieving the objective of the course. Then, when he teaches, if the first activity planned for the students is not enough to get all students to the desired objective, he calls upon the second, third, and so on until all students have achieved the goal.

The will to learn is present in all men. In some it is dormant, in others it is variable, and in some it is very strong. The will to learn is subject to the influence of the instructor. He can improve it. This is commonly referred to as motivation. It can also be deadened by repeated suppression of the individual's initiative. When a trainee feels that he is making progress, and he is encouraged by the instructor to do so, difficulty in learning is lessened greatly.

### 2001-3: INSTRUCTIONAL PROCEDURES

Of the three key factors in training, two--the objectives and the trainee--have been discussed. It has been pointed out that a goal for training must be established and that the trainee's whole psychological nature must be considered. The question now is what should the instructional procedures be like that are used to transport the trainee from where he is when he enters the program to the objectives of the training.

In a sense, the course of study is the vehicle used to transport the trainee to the goal. Just as automobiles or airplanes have little or no value in themselves except as a vehicle for transportation, the course of study has no value in itself except for its ability to take the student to where he is supposed to go.

The concept of a course as a vehicle is an important consideration because it changes the emphasis from a day to day covering of the subject matter to a covering of the subject matter with a purpose.

Most courses of study are worked out in advance of teaching, for approval by higher commands, but as any conscientious and capable instructor knows, the previously prepared courses of study are only the framework on which the instruction is built and at most serve only as guides to instruction.

When an instructor sees his role as one who is responsible for initiating, directing, and evaluating learning, when

he understands that the most difficult task in teaching is the providing of meaningful learning activities for the students, and when he concludes that his big job is to transport all students from where they are when they enter a course to the objective, the instructor has a firm foundation on which to build his instructional procedures.

#### 2002: WHAT MAKES LEARNING CLICK?

Radioman Jones' eyelids drooped lower and lower. He caught himself with a start and listened intently for a few minutes, trying to pick up the thread of the instructor's lecture, without success. Unfortunately, time was short and there was no opportunity for questions at the end of the period, so Jones was left with his confusion. Several days later when the class met again, a new subject was taken up. The course was crowded, and the instructor could see no way to backtrack and still cover the necessary topics. In a test at the end of the unit, Jones and a number of others did rather poorly.

A series of such incidents could well "sink" Jones and others, who often for one reason or another lost the thread of what was going on. Who's to blame? Jones? Perhaps. Certainly in some measure. The instructor? He's worked hard, knows his subject, and has organized his course with considerable care. But he has forgotten one thing. He is teaching men as well as radio circuits. Regardless of the cause, when the results are in, it's how much his class knows that counts, and not how well his work was organized. If they have learned well, he has done a good job of teaching; if not, he has done a poor one.

#### 2002-1: WHAT'S BEHIND GOOD TEACHING?

What is to be done about Jones' case and thousands of other similar cases of poor learning that occurs every day? First of all, it is necessary to recognize that such problems are the distinct responsibility of the instructor. Essentially, teaching and learning are but two parts of the same operation. The instructor's function--first, last, and always--is to facilitate learning. To the extent that he does this, he is a good teacher; to the extent that he fails to do so (that his students fail to learn, not just passably but effectively), his teaching misses the target.

It is to be assumed, of course, that the individual doing the teaching knows his subject thoroughly. He cannot teach what he does not know. Frequently, however, those who have the most extensive knowledge and experience, and who have the most to offer, have limited success in imparting this knowledge to others because of a lack of understanding of how learning takes place. Since such understanding is basic to the creation and successful functioning of any teaching technique, its

importance cannot be overstressed. Suppose we consider briefly several of the basic elements of this problem.

## 2002-2: THE PRINCIPLES OF LEARNING

Principle 1. Efficient learning takes place only when the mind of the learner is ready to learn.

This means, first of all, that the learner must be given a clear-cut understanding of why he is to study the topic to be considered. The fact that the topic is a part of the course of study or is required by regulations is of little personal interest to the average student. What is important to him is how this subject fits into what he will be expected to do and why, aside from a passing grade, knowledge of it is important to him.

Such questions challenge the instructor in several ways. He must know clearly, for example, what his own objectives are--both for the course as a whole, and for each day's work. Secondly, he must be able to interpret these objectives or goals in ways that have significance to the students. Here, as in so many situations involving people, how the job is done is of equal, if not greater, importance than what is done. In a word, the instructor wants to arouse interest in what the class is going to undertake. No two teachers motivate interest in the same way, but each will be able to do so in a manner determined by his own enthusiasm, common sense, and ability to put himself in the learner's position. It is possible for learning to proceed without interest, but it will be much more rapid and effective with it.

Principle 2. New learning can be accomplished only by association with what is already known.

This is what psychologists mean by saying that "learning cannot take place in a vacuum." We must determine what the students already know, and then we may proceed from that point in building further knowledge. Radioman Jones lost out after missing an important point in the lecture described above. Since the instructor failed to remedy this situation in the next session, Jones and others like him found themselves on increasingly uncertain ground. Good teachers always make sure that one step is clearly understood before going on to the next, because they realize that knowledge, like ships, must be soundly built. To do otherwise is always costly, and it may be dangerous in later positions of trust.

Principle 3. Learning must be used in order to be remembered.

By and large, it can be said that without additional stimulation, we tend to remember only a very small percentage of what we hear, a slightly larger proportion of what we read, considerably more of what we see, and most, by far, of what we actually do. For example, Jones' instructor should never expect

him to comprehend a new radio circuit from simply hearing about it in a lecture. He would want to reinforce the auditory impression through study assignments in the manual, and through visual aids, such as the blackboard, wall charts and mock-ups of wiring diagrams, strip films, and perhaps also motion pictures.

Next, if at all possible, he would provide an actual operating circuit for Jones and his classmates to work on in laboratory periods or practice sessions. Furthermore, at every stage of the instruction, he would provide adequate opportunities through such means as discussions, tests, demonstrations, and practical exercises, to clear up individual difficulties and incorrect concepts. Finally, once the topic had been covered, he would return to it at intervals for review and practice sessions as needed to "clinch" the learning permanently. Official courses of study and directives prescribe, of course, that such practice opportunities be provided; however, unless the instructor is aware of the reasons for, and the potentialities of, a well-organized follow-up program of this kind, he is very likely to miss the spirit of it, and therefore to fall short of the constructive results of which it is capable.

#### 2003: THE QUALITIES OF A GOOD INSTRUCTOR

If you hire a man to build a table, and he delivers a monstrosity with one short leg, loose joints, and a top which would serve as a roller coaster, you are justified in thinking that the man is not a good cabinet maker. This opinion stands, even if he is a good fellow, an expert bowler, an airplane pilot, and a person of unquestionable moral character. If you take your car to a garage to be repaired, your standard for the mechanic is, "Did he do the job well?" If not, no other characteristic of the man makes you consider him a good mechanic. The salesman is judged, in the last analysis, not by his sales techniques or by the size of the callus produced by holding his toe in doors, but by the quantity of goods he sells.

Are we willing to take the same point of view with regard to the teacher? Are we willing to say that an individual is a good teacher only to the extent that he causes the students to learn the right things rapidly and well?

If we agree that the best measure of the teacher is the learning which results from his instruction, we must examine the qualities or traits which contribute to his effectiveness as an instructor. Observation of good teachers in action and consideration of the characteristics which make them good teachers provide a list of traits which may serve as a set of ideals toward which the teacher may work and as a basis for self-criticism and self-help. The list may also serve as a guide for individuals who select, train, or supervise teachers.

It is felt that nothing is gained by trying to itemize every small attribute of teachers. These vary from individual to individual and become important only in extreme cases. It is considered that the qualities enumerated in the remainder of

this article are of basic importance.

(1) The good teacher has a high order of competence in the area in which he is teaching.

The statement is sometimes made that a man who knows how to teach can teach anything. This statement is simply not true. In some instances, a skillful teacher can be trained in new subject matter in a shorter time than a subject matter specialist can be taught to teach effectively, but there is no substitute for exact, detailed knowledge and skill on the part of the teacher of the subject being taught. There is no doubt that the trained teacher will do a better job of "staying one lesson ahead of the class" and will have more ease in the classroom than an untrained individual with equal ignorance of the subject. However, the attempt to teach without knowledge of the subject is evidence of bad planning or unforeseen emergency.

The teacher should be thoroughly competent in the skills which he is trying to teach, as well as in related information. This is particularly true in the service, where the students are being trained for billets made up of duties requiring specific and specialized skills, sometimes found nowhere but in the Coast Guard. The trainees are alert and capable people themselves. They are quick to appraise the teacher. If he is competent, he earns their respect. If he bluffs or fakes, the class catches on in a hurry, and he is likely to find that he is suspected of inaccuracy and incompetence even when he happens to know what he is doing.

(2) The teacher must be a master of the techniques of teaching.

The subject of teaching technique is covered adequately elsewhere. For the present, it is enough to say that the teacher must prepare each lesson to be sure that the best use is made of the students' time, that the planning of the lesson should relate everything that happens in the learning situation to the objective of the unit, and that the planning should be flexible enough to permit deviation so as to capitalize on special interest or special experience in the class. The teacher should be a master of techniques of presentation; he should train himself to speak clearly without shouting, to organize his lectures according to the learning capacities of his students, to repeat and emphasize key material so that it stands the best chance of being remembered, to conduct a demonstration skillfully, and to administer practice periods and tests without letting his personality or his disciplinary procedures interfere with learning.

(3) The good teacher is resourceful.

Only the inexperienced or incompetent instructor uses the same method all the time. The methods which work well for one



individual or for one class may not be satisfactory in another situation. The good teacher is alert to the smallest sign that confusion, misunderstanding, or lack of interest is present among the students, and he adapts his procedure instantly to correct the difficulty.

One reason for varying procedures with different classes or individuals is that individuals differ from each other to a marked degree in native capacity, in background of experience, and in what may be called individual learning pattern.

How rapidly a student learns a particular subject in a school depends to a large extent on how well he adapts his learning pattern to the pattern by which the teacher presents the material. This teacher-pupil relationship should work both ways. The teacher himself, as an expert in learning and teaching, should be quick to modify his instruction and to adapt his pattern of instruction to the way in which the student learns. General principles help, of course, but beyond the application of these principles, the really fine teacher learns how to adjust the general principle for the individual who happens not to fit this pattern.

(4) The good teacher continually evaluates his own work.

The good teacher is like the good cook who keeps tasting his stew to see if the flavor is right. The instructor must pay heed to the way the students are responding to instruction. He must be concerned as to whether the students are learning and, if they are learning, what he wants them to learn. This can be done by periodic examinations if the questions are designed to find out how well the students have mastered the work covered by daily or occasional quizzes, and by performance tests for skills. However, the testing, like the tasting, must be continuous. The good instructor can tell by the expressions on the faces of the students, by the questions asked by the class, and by other indications how a particular idea, process, or skill is being assimilated by his students.

It should be emphasized that the primary purpose of the examination is not to "rate" the student but to test the amount and quality of learning. In addition, the process of thinking through the material and organizing it in the minds of the students, which results from the review preceding the examination and the critique which should follow it, is of tremendous value in fixing the important ideas and relations in the student's memory.

(5) The good teacher likes to teach.

Possibly no single factor in the complex group of qualities and abilities we consider as making up good teaching is, in the long run, as important as the love of the teacher for his work. Few occupations make such demands on the emo-

tional and mental makeup of the individual. The teacher must always project himself into the thinking of others and must do this not in the sense of command--of ordering his men to do things--but as a sympathetic and understanding guide. Nothing tries the patience of the expert as much as the fumbling attempts of the beginner. Nevertheless, the teacher must patiently demonstrate until the beginner has acquired the necessary competence. The intelligent and expert individual tends to resent being held at the same stage of learning for a considerable time, as is necessary for the man teaching a single course repeatedly. Yet, for effective teaching, material which has become commonplace and boring to the instructor must be taught each time as though it were to the instructor absorbing and interesting. Actually, this means that except for the fortunate few who teach specialists in a field in which the content is rapidly expanding the teacher must learn to transfer his interest from the subject to the students. He must make central in his thinking not what he is teaching, but what they are learning.

(6) The good teacher maintains satisfactory personal relations.

Emotions powerfully influence learning. Favorable attitudes, such as a feeling of confidence, increase learning and remembering, while unfavorable attitudes including strong emotions of any sort may entirely block learning. No man who was angry or afraid or worried ever learned or taught anything worthwhile.

A good many of the assumptions usually made as to the proper personal relations between teacher and students are designed to protect the teacher of inadequate personality rather than to produce the most effective teaching. The "ivory tower" notion of separation between teacher and student is a convenience for the teacher who does not want to make the effort to know his students, and it inhibits effective consideration of individual differences. Students respond very quickly to genuine interest, and they are not likely to take advantage of the teacher in this respect. If the students feel that the teacher likes them and has confidence in them, they will do their best not to let him down. A teacher who has good personal relations with his students can require, and get, much more work from them than one who is disliked, resented, or not respected by his students.

It goes without saying that the teacher must work in harmony with his fellow teachers and with his supervisors. Demonstrating willingness to do more than is required by the strict line of duty is a great help in getting the good opinion of one's associates and superiors, unless accompanied by qualities of aggressiveness, servility, or lack of consideration. The instruction of any school activity can be greatly improved by cooperative efforts toward improvement of method, equipment, and curriculum.

## CONCLUSION

The generalizations set forth are to be interpreted as goals for the teacher. They are difficult to attain but worth striving for. Any teacher who is honest with himself can recognize that he can improve his work in all these directions. If he will always examine his own work to estimate accomplishment and to plan for improvement, he can be assured of growing professionally--of being a better teacher each time he teaches.

### 2004: PERSONALITY IN TEACHING

The best elements of good teaching are strengthened in any type of presentation if the instructor has developed a good personality to employ during the presentation of his course of instruction.

A pleasing personality is a valuable factor in winning the confidence of your students. In teaching, a good instructor includes other elements in his teaching in addition to technical instruction. He should set an example for his students in order that their manner, their attitude, and their ideals will lead them to improve their character and personality. While we are concerned with improving the personalities of our students, we are also concerned with improving our own personality in order to make our teaching as effective as possible.

#### 2004-1: WHAT IS PERSONALITY?

Personality can make an impression in a short time--in the short time that your students are under your instruction, and very early in the course.

#### 2004-2: LEADERSHIP

Instruction involves leadership. The following have been considered as desirable leadership traits:

- (1) Democratic attitudes.
- (2) Vitality.
- (3) Positiveness.
- (4) Friendliness.
- (5) Enthusiasm.
- (6) Sympathy.
- (7) Trustworthiness.
- (8) Perseverance

The following qualities have been considered especially desirable for instructors:

- (1) Physical and nervous energy available for use.
- (2) Sense of purpose and direction.
- (3) Enthusiasm.
- (4) Friendliness.
- (5) Integrity.
- (6) Technical mastery.

- (7) Decisiveness.
- (8) Intelligence.
- (9) Teaching skill.
- (10) Faith and loyalty.

These two lists are extraordinarily alike and strengthen the idea that instructors are, or at least they should be leaders.

An instructor stands as the potential leader of the students in his classes with purposes more or less established in advance. A measure of the success of an instructor lies usually in the definiteness and vigor of his understanding as to what he is teaching and why he is teaching it.

### 2004-3: ENTHUSIASM

At the higher level of leadership and instructor, the quality of purposefulness is more original, more forward-looking, and more concerned with transforming perfunctory routine into enthusiastic participation by the entire class. Here is your big job: to get active, enthusiastic participation in the work by the entire class.

By enthusiasm, I do not mean the uncontrolled excitement usually present in football bleachers. I mean a real and sustained interest in the subject so that the students are led to believe that the subject is a live one and the work is being conducted by a mentally alert and live instructor. Enthusiasm is intense interest.

With proper enthusiasm, a leader and good instructor should add a little glamor and interest to the classwork. For example, interest can be provided by your method and manner of answering the questions of students. If it is a good question, tell the class that it is a good question. Take time and give thought to relating the question and your answer to your subject of instruction. Always keep the subject in the Coast Guard, if possible, by recounting personal incidents, by application, by example, etc., if these also relate to the question that was asked. The students may then realize that a knowledge of your subject and the particular part of the subject that they are studying will answer many interesting and real questions that naturally arise in their minds. Enthusiasm develops when the purpose of an activity is sound and is felt to be sound by the students.

We know that in order to be successful, the student must possess a will to master the course. The instructor must be enthusiastic about the course and show this enthusiasm in his actual instruction. This attitude is essential. Enthusiasm is self-sustaining. It will carry a class on to great achievements. Enthusiasm is also contagious. An enthusiastic instructor can mean an enthusiastic and receptive class.

Enthusiasm plays such a big part in successful instruction that it has been discussed at length. An eager alert personality is one that makes an impression. It is a live feature of a live personality. In building your personality, strive to include a large measure of enthusiasm; develop the ability to show and create zeal.

Enthusiasm is more than just a name. You cannot put enthusiasm into your work of instruction just by saying to yourself, "I will be enthusiastic about this classroom work this morning". The first step is to convince yourself that the work you are doing is worthwhile and that it is necessary to be sincere about this job of instruction. Enthusiasm should not be forced or artificial. If you should develop a better way to explain a difficult point, then you would be enthusiastic over your new method of explanation and to some extent enthusiastic about your course. This is one way to become interested in what you are teaching--develop new and original explanations, new and unusual methods, new and exciting techniques. This development of enthusiasm belongs in the preparation stage of your work when you are preparing what and how you are going to instruct in each phase of your course.

How is enthusiasm portrayed? You must believe in your job and state the importance of the subject at hand to your students whenever you can. Physical alertness portrays enthusiasm, and if from your manner of teaching you show that you are putting your best efforts into the instruction, then the students feel that you are enthusiastic about the work. The opposite is true if you give a sloppy, half-hearted performance.

#### 2004-4: PHYSICAL FEATURES OF PERSONALITY

The eye, "the window of the soul," is the most important single physical feature of personality. The human eye speaks louder than words. The sparkling eye commands attention by its rapidly-changing, concentrated nature. It fascinates by its ability to arouse hope and enthusiasm and by its indication of native buoyancy. Face, look at, and actually see the members of your class as much as possible; maintain an eye-to-eye contact with them. In ordinary conversation with another person, you see and note the expression of and around his eyes while he is talking. You look him in the eye. You get more of the various shades of meaning which he is trying to convey from his eyes than from the words he is voicing. Therefore, let your class see you and see that you are seeing them. Make your instruction personal. You will do better when you see that your efforts have aroused the interest of your class.

The desirable use of all the devices of proper pitch of voice and change of pitch, proper volume of voice and change of volume, and proper speed of delivery with change of speed will portray enthusiasm. If a presentation is an alert and snappy one, then it is teeming with enthusiasm. The employment of the

voice is one of the physical features of personality and can be used to convey enthusiasm. Strive for a pleasing quality of voice which indicates that you appreciate the worth of the job at hand. Beware of voice mannerisms. An instructor not constantly alert to prevent voice mannerisms from creeping into his delivery will soon become unbearable.

#### 2004-5: FRIENDLINESS

The friendly attitude is the influencing attitude. It predisposes people toward being influenced. As an instructor, you wish to influence your students to desire to learn and to master the course of instruction. However, you can be firm at the same time that you are friendly. Real friendliness does not mean that you will be easy or lenient in what you require of the students. Properly applied friendliness will permit you to require more from your students and get a cheerful and willing response to your reasonable requirements. A friendly attitude wins cooperation from your students.

A friendly attitude is valuable so that your students feel free to come to you for help when they need help. A caution may be inserted here. It is not desirable that you do a student's work for him; help him to set his own feet on the path which will enable him to help himself. Patience is a vital and very necessary part of a friendly attitude.

Cultivate a habit of friendliness and cordiality. It is the winning trait of a good personality. The physical features of a friendly personality are the expressions on your face, the tone of your voice, and an attitude of patience. Employ a pleasant expression on your face. You can do a better job of effective teaching when you are in a good frame of mind.

The tone of your voice can indicate friendliness. A well-modulated, musical voice is magnetic. A good voice ranks next in importance to the eye in compelling power. Next comes your smile, but remember you smile or laugh with your class, not at them. A friendly attitude is never a sarcastic one. Sarcasm ruins an otherwise good teacher and it also has a ruinous effect upon the whole class.

#### 2004-6: INTEGRITY

Your students must feel that they can trust you. If you know your subject and if you know what the students really need to know about your subject, and the students realize it, then they have confidence in you and your instruction. Whenever you do not know the answer to a question, be honest and say that you do not know. Never bluff or mislead your students. Try to find out the answer for them and tell them this answer later. Do not leave any good question unanswered, nor any doubtful matter still not made clear if you can possibly help it, and

let the students know that these are your intentions. If a rare case arises and you cannot determine a satisfactory answer or explanation, be sure to tell the student that fact. Also, take a moment to outline briefly what you have done in trying to secure the information for him, and make sure that you have made every effort to get an answer. The students know, then, that your attitude is one of a desire to help them whenever possible. Be sincere in this, since there is nothing that can take the place of sincerity.

#### 2004-7: CONCLUSION

As a final thought, avoid exhibiting undue elation over your position as leader and instructor of the group. Be sure that your enthusiasm is for the course of instruction, for the value of the subject to the students, and not for your part in it. In other words, play up your subject and your course but not your personal part in it. The students will soon size up your part in the entire picture. In their eyes, your part will be a large one only if you have provided them with interesting, enthusiastic, friendly, and sincere instruction, with the background of your own individual, sincere personality.

#### 2005: SPEAKING AND TEACHING

Good teachers have known for a long time that the most effective way to present instructional material is to use a variety of methods. Training activities have developed many new teaching devices. Experience shows, however, that many of the older techniques continue to hold a definite place in the instructional program. The disrepute into which they may have fallen is due in many instances to the manner in which they may have been used--or misused. The lecture, for instance, can be extremely valuable in teaching if it is used properly.

The lecture is the best known, the most widely used, and the most thoroughly abused method of instruction in all types of schools. Properly executed, it will present essential information clearly and concisely and will stimulate interest in further study. The lecture can be used to present many ideas in a relatively short time, to present material to large groups, to summarize materials from other methods of instruction, and to provide introductions and descriptions for both classroom and shop work. Of vital importance to the lecture are the speaker's oral capabilities.

#### 2005-1: GENERAL FACTORS IN SPEAKING

The method of approach in speaking will vary with the subject matter, the audience, and the objective of the talk.

A common cause of failure in speaking and teaching is the assumption that one can teach without preparation if he is thoroughly familiar with the subject. The fact is that knowledge

of the subject, while essential, is not enough to insure success. The poor speaker is often talking what he knows. He thinks out loud--his thoughts are on the subject--he forgets his audience. To avoid this, he must make careful preparations. This preparation, in addition to study of the subject, calls for the use of a well-thought-out but flexible plan of strategy. The material must be organized to assist the learner. This organization need not coincide with the organization of the same material in a textbook because a speaker can use many techniques not available to the writer. He can take advantage of a recent event, various abilities and experiences of members of the group, and the situation in which the talk is given. A good talk is always tailored to the audience.

The quality of oral instruction depends upon the instructor's skill in the timely use of good methods. Techniques that catch and hold attention, the employment of illustrations to put over a point, the use of stories and humor, and change of emphasis by increasing or decreasing the rate of speaking and the loudness of the voice are some of the things that make a speech.

#### 2005-2: THE OUTLINE

Every lecture consists of an introduction, a developmental section, and a summary. This is true no matter how short the talk may be. The introduction should be motivating in character, calling attention to the need for, and benefits from, study of the topic under consideration. The body of the speech will develop the ideas, procedures, skills, and knowledge which are under discussion. A summary is important to repeat in clear, concise terms the main points of the lesson.

It is rarely a good idea to memorize a talk word for word. You may want to memorize the first few words of the talk just to get yourself started and you may want to memorize certain statements, but a canned speech is not what any audience wants. Direct quotations and exact figures used to support your talk should be written out and read directly from the paper. The kind of outline you use will depend largely on the subject and your knowledge of it. A good outline is one of the best ways to keep yourself on the subject. It also helps you from talking too long. Your notes should be as brief as possible yet cover every main point in your talk. If you use notes, don't try to hide them.

#### 2005-3: CATCH AND HOLD ATTENTION

Obviously, we have learned nothing when exposed to a lecture if the speaker hasn't held our attention.

What can we do about it? First, an instructor himself should be enthusiastic about his subject. We gain interest through preparation. It is difficult not to be interested in



something about which we know a lot, for the more we know about a subject, the more uses we can see for it and the more enthusiastic we become about it. Without preparation and the resulting interest, it is most difficult and often impossible to appear enthusiastic and to hold the students' attention. You earn the right to talk about something through study and experience. There is no substitute for sincerity and exact first-hand knowledge. Without these, the talk is a phoney.

Effective lectures are brief. The span of attention for most people is comparatively short. Generally speaking, a lecture period must not exceed an hour and should be as much shorter as is practicable in the school schedule. Two 30-minute talks are usually much more effective than one of an hour in length.

#### 2005-4: BE INTERESTED IN THE STUDENT

As with the subject matter, the more we know about the students, the more interested we are apt to become. An instructor should learn and use the names of individuals in his group. He should give individuals credit and recognition for work well done. Much of the pleasure in teaching comes through knowing and understanding individual students.

Any experienced speaker has learned that he cannot bluff his students. One, or perhaps the whole group, will be so adequately grounded in subject matter that he will catch any discrepancy. The respect of a class for a teacher will be increased if he simply says he doesn't know, when such is the case, and makes it a point to find out at a later time.

It is well to remember that the high rate of failure in a class is apt to be the fault of the teacher. If such a thing occurs, one can analyze his lecture work to see whether or not he is accomplishing his purpose.

#### 2005-5: USE CONVERSATIONAL STYLE

During the time the instructor is speaking, he should attempt to use normal conversational approach--not old-fashioned oratory. This calls for clear, simple language, and for the logical explanation of ideas without any shouting or arm waving. A conversational approach is the best because it causes the student to forget that there is a teacher and that he is being taught. It relieves the natural resentment that often occurs when individuals are forced to do something, and it makes it easy for the teacher to develop a friendly, natural relationship with his students.

An instructor, or any other speaker, should attempt to judge the reactions of individuals in the group as he speaks. He should look for evidences of restiveness, boredom, interest, and amusement. He should be ready to tell a story to illustrate

some point in the subject or to switch from the straight lecture to discussion. Unless you are sure that you can tell that funny story the way it should be told, don't tell it. It isn't necessary to be funny to be a good speaker, of course, but a good story that illustrates a point you are trying to make helps. The use of charts, posters, and other aids to instruction helps. If you use charts, be sure that they are large enough to be seen and arranged so they can be seen. Put them away when they have served their purpose. In fact, variety in presentation is always desirable because it emphasizes and because different subjects are taught best by different methods.

#### 2005-6: PHYSICAL BEHAVIOR

A speaker's behavior either contributes to or detracts from his speech. Body movement should be natural--neither too stiff nor too relaxed. There is no reason to stand with the hands straight down at the sides, but neither is there any reason to wave the arms about in meaningless gestures.

In a class recently visited, the instructor looked out of the window while he talked. His subject matter was well-prepared and very logically organized. He was able to speak smoothly and appeared to have an amazing amount of information. The one bad feature of his talk was his persistence in looking away from the class. This was so pronounced that in changing his view from one side to the other, he either looked over the heads of the men in the class or allowed his eyes to follow along the floor as he turned from one side to the other. Although this instructor had complete mastery of his subject, he was not a successful speaker because he had no way of estimating the reaction of the students to what he was saying. It is much easier to speak effectively if we look at the group and talk directly to them for short periods of time as is our habit in conversation.

#### 2005-7: GESTURES AND MANNERISMS

We use gestures to point out something, to indicate that we are combining ideas, to indicate that these are separate points of view. Mannerisms, on the other hand, are movements of the body which are repeated without regard to the meaning they might convey. Such things as playing with coins in one's pocket, of leaning over the speaker's stand, or of placing the pointer exactly on the center of the toe cap of the shoe are mannerisms. Occasionally, an instructor should ask someone who is capable of giving a frank opinion to call to his attention mannerisms which are apparent to the audience but of which the speaker is not conscious.

Gestures have a number of very useful purposes. Movement tends to release tension. At the beginning of a speech, it may be advisable to move something, such as a chair or a chart, or

to write something on the blackboard. This gives the speaker something useful to do and relaxes his muscles.

Gestures help in conveying meaning. A shrug of the shoulders, a glance at the ceiling, or spreading of the arms may convey more meaning than a dozen words. The timing of these gestures is as important as the gestures themselves. It is important not to overemphasize every point in the talk, as it is then impossible to successfully emphasize the key points.

The facial expression of the speaker plays a part in the delivery. It is not desirable to force a smile unless it seems natural, but it is certainly desirable to smile or use other facial expressions when they occur naturally as they do in conversation.

#### 2005-8: THE VOICE

Every student in the class should be able to hear without difficulty every word said by the instructor. Rules to remember are:

- (1) Relax.
- (2) Open the mouth.
- (3) Vary the loudness of your voice with the size of the class and with the conditions under which instruction must be given. Be particularly attentive to loudness when you give instruction in the open or in a building which has poor acoustics.
- (4) Watch the reactions of your students. You can tell if they are having difficulty in hearing. If there is any possibility that the volume of your voice is not satisfactory, ask students at the back of the class if they can hear you. In an unusual speaking situation, such as a classroom with a large fan in it, a good trick is to arrange ahead of time with a man in a back row to signal you when he can't hear.

#### 2005-9: RATE OF SPEAKING

An average of approximately 100 to 150 words per minute is considered satisfactory for oral instruction. Even though many instructors can speak clearly at a faster rate than 150 words per minute, students ordinarily have insufficient time to think about and understand the ideas expressed if the rate of speaking is increased much above this point. Here are some rules to go by:

- (1) Present simple materials at a fairly rapid rate.
- (2) Speak slowly when you are presenting difficult matter.
- (3) Pause frequently. Give your students a chance to comprehend your remarks.
- (4) If the time for a particular lesson is decreased, do not merely talk faster in an effort to cover the same material as before. Plan the lesson to fit the shortened time.

## 2005-10: ENUNCIATION

Strive for clarity of enunciation each time you address the class. It does not make any difference, for instance, if you have a regional accent; enunciate properly, and students from all parts of the country will be able to understand you. Again, we have certain rules to follow.

## 2005-11: SPEAKING AND THINKING

Before an instructor can express an idea clearly, he must first think it through. He must think during the preparation stage; he must think as he presents the lesson. The faulty choice of words which makes for weak expression is indicative of faulty, weak thinking during the presentation. Some rules to remember are:

(1) Use terms which are common to the vocabularies of students. Consider the educational level of the group. It is better to oversimplify instruction than to run the risk of talking over the heads of your students.

(2) Do not try to impress students by using words with which they are not familiar. Your purpose is to express ideas, not to display your vocabulary.

(3) Certain complex technical terms are essential. Use them--but define each new term the first time it is used.

(4) Use short sentences.

(5) Eliminate unnecessary words and phrases.

(6) Change a few of your key statements to questions to which you yourself supply the answers.

(7) Speak as you would talk to a friend. Be conversational.

(8) Use humor to hold interest. The only restriction here is that your humorous illustrations must add to and not detract from the lesson.

(9) Move freely about the front of the room but guard against undesirable habits. There is no objection to the instructor moving about. However, movement without meaning, such as playing with chalk or putting glasses on and off, should be guarded against.

(10) Keep eye contact with the men. Look at individuals in the class just as you would look at them during ordinary conversation.

(11) Use questions. Without questions, an instructor has no way of knowing if the class is still thinking along with him.

(12) Always summarize. We do not learn much by hearing something only once. Repetition is necessary for effective learning.

## 2005-12: CONCLUSION

In giving that well-prepared talk of yours, put some enthusiasm in your voice and speak a bit louder than you think is necessary. Use some gestures to show that you are alive. Watch your audience and at the first sign of fatigue do something.

This may be the time to ask some questions or tell a story to illustrate an idea. Stand tall. Don't play with your glasses or jingle coins. Stand where your listeners can see you and when you can, look them in the eyes. Always keep your audience in mind.

## 2006: TEACHING BY DEMONSTRATION

Demonstration is the method of teaching in which showing, rather than telling, is the major element. Like other methods of teaching, demonstration is usually made up of several elements including telling, showing, discussion, questioning, testing, and application. The need for demonstrations is based on the fact that many things can be learned more quickly and more accurately through observing a skilled performance than in any other way.

For what purposes is the demonstration most useful? We cannot say that it is desirable to teach all of certain subjects by demonstration because the objective of the particular lesson helps to determine the method. If exact knowledge is needed on how to work a particular problem in navigation, the demonstration would be appropriate. If, on the other hand, one merely wishes to discuss new developments in navigation with the objective in mind of giving an overview of these developments to advanced students, a lecture rather than a demonstration may be more desirable. In general, however, we can say that the demonstration is most effective for teaching the following:

- (1) Scientific principles and theories.
- (2) Movement or relationship of the parts of mechanical equipment.
- (3) Tactical movements of ships and planes.
- (4) Manipulative operations or skills.

The demonstration is effective in teaching science, mathematics, and mechanics. It is particularly useful in teaching electrical and electronics principles as applied to operating equipment. Learning about the movement of parts of a piece of complicated equipment is made less difficult by seeing them actually move with the aid of models or films.

The demonstration is the major teaching method in those subjects in which a high degree of accuracy and a skilled performance is required of the student. Those who teach assembly and disassembly, adjustment and operation of mechanical equipment, and those who must supervise individuals teaching this type of subject matter, should have a thorough knowledge of the steps in planning and giving demonstrations. The most common demonstrations are those given by the classroom instructor when he shows how to do something with equipment, or illustrates material on the blackboard, or with the aid of the overhead projector.

Careful planning is essential in all teaching. Some teachers, however, make the mistake of preparing less for a

demonstration than for an equal amount of instruction to be given by some other method. Because of the many factors that must be considered in preparing for a demonstration, let's discuss them individually.

#### 2006-1: ONE WAY AT A TIME

Frequently, the instructor skilled in the subject but not in teaching will show several methods of doing the same thing during a single demonstration. Obviously, there are several acceptable ways to do a lot of things. Sometimes a certain procedure has an advantage over others in specific situations. It is important, however, when you are teaching how to do something, whether it be solving a navigation problem or the assembling of a piece of equipment, that one correct method be taught and understood before other methods are taught. Nothing is more confusing to the student than changing from one method to another during a demonstration.

#### 2006-2: ESSENTIAL INFORMATION

Some information should be taught along with the demonstration. Basic theory or technical information requiring considerable time to teach should be taught in separate lessons, but small units of theory and particularly important key points should be included along with the demonstration is essential and closely related to the material being demonstrated. To stop in the middle of a demonstration and give 20 minutes worth of theory is generally an uneconomical use of equipment and student time. The important thing to remember is that information taught while the demonstration is underway must be kept to a minimum and must apply directly to the material being demonstrated.

#### 2006-3: EYE CONTACT

Of course it is important in any kind of instruction that the instructor look at the students. Such "eye contact" can be very helpful in judging whether or not the instruction is being understood. In giving the demonstration, it is necessary to look at the gear or at the blackboard, but the instructor should remember to look back to the students frequently so that he can judge their reactions, ask questions, repeat parts of the demonstration, or do whatever is necessary to assure understanding.

#### 2006-4: SKILL IN DEMONSTRATING

The instructor setting out to demonstrate should make sure that he is able to perform the skill, work the problem, or manipulate the gear effectively and skillfully without awkward gaps, mistakes, and particularly without danger to himself and the students. While it may be desirable that students know that the instructor has a high degree of skill in what he is teaching, the demonstration and particularly the basic demonstration on a particular subject should not be used to show

the instructor's ability to race through the process or to use short-cuts. After the demonstration has been carefully and slowly presented, it is desirable for the instructor to run through the demonstration quickly in order to set high standards of performance toward which the students may strive. It is important to give students an idea of what standards are required of them in the long run with regard to speed and accuracy.

#### 2007: USE TRAINING AIDS

We have seen that learning occurs more effectively if the student is in direct contact with the real world. Training aids of various sorts help in presenting material in a concrete manner. Also, training aids can help the student learn by doing. If it is not practical to bring the actual object being studied into the classroom, the next best thing is to bring in a working model of the object. If that is impossible, a picture or phonographic record will help.

#### 2008: TRAINING AIDS

Instructional aids for practically all areas of training can and have been effective in aiding learning. How well they serve you will depend on your knowledge of their possibilities and how skillfully you see them.

The effective use of instructional aids is not limited to any one phase of the teaching-learning process. Films, film strips, and slides can be used to add interest as well as to supplement verbal explanations. Group discussions can be made more real and interesting by the introduction of pictures, charts, or graphs. Demonstrations can be vitalized by the use of sectionalized units, demonstrators, or class trainers. Individual trainers or actual equipment are invaluable for student try-out or performance.

There are, in general, four types of training aids:

(1) SYNTHETIC TRAINING DEVICES. These are built to simulate the action or function of the real device and are operated by the student or students; for example, the radar target simulator, sonar target signal simulator, antisubmarine attack teacher, and so forth.

(2) VISUAL TRAINING AIDS. These make their effect through the sense of sight; e.g., the chalkboard, posters, silent films, and film strips.

(3) AUDIO-VISUAL TRAINING AIDS. These make use of sight and hearing; for example, the sound motion picture.

(4) AUDITORY TRAINING AIDS. These are devices such as recordings that help the student learn through hearing; for example, language training records, sonar sound records, and so forth.

Training aids are often classified according to their construction:

(1) GRAPHIC TRAINING AIDS: This group includes flat pictures, posters, graphs, charts, diagrams, and chalkboard illustrations.

(2) PROJECTED TRAINING AIDS: In this group are motion pictures, slide (strip) films, and transparent slides.

(3) MECHANICAL (THREE-DIMENSIONAL) TRAINING AIDS: This group has models (enlarged, miniature, working), actual objects, cutaways, and mockups.

#### 2008-1: WHEN DO YOU USE A TRAINING AID?

The actual thing you are talking about is usually best for instruction purposes -- whenever you can use it. However, there are many instances when a training aid is necessary and sometimes a training aid can show special features to the trainee better than the actual object can.

For example, if the real object is TOO SMALL to be seen, or TOO LARGE to be comprehended, you have to use training aids in place of the actual object.

Sometimes an object or process is NOT AVAILABLE. Newly developed items, or those too distant to be visited, have to be shown to your group by training aids.

When the object or process is too EXPENSIVE, DANGEROUS, or DELICATE for trainees to use, aids must be employed.

Some phenomena, such as the flow of electricity, chemical processes, and action of gases, are INVISIBLE; therefore used.

Other phenomena are TOO FAST or TOO SLOW to show except by motion pictures that can be speeded or slowed.

NO TRAINING AIDS TAKES THE PLACE OF AN INSTRUCTOR. Training aids, when properly used, help the student to learn but they do not replace the instructor.

Guides to the Use of Training Aids

#### 2008-2: PRINCIPLES COMMON TO ALL AIDS

To get the best results from training aids, you should follow these practices:

(1) Always preview the aid. Look at the film, listen to the recording, examine the chart, check the visibility of the chalkboard



drawing in advance of the instruction period. The teacher should never lose valuable instruction time and waste the time of his men because he stops to learn how an aid works or to adjust it. During your preview, check for points that need clarification or emphasis.

(2) Select and prepare aids that emphasize or illustrate points in the lesson. Aids that just look pretty or are nice to see should rarely if ever be used. The test for an aid is, "What important points does it reveal or clarify?"

(3) Plan how and when the aids will be used in the lesson. Mount or prepare the aid, but do not expose it in advance. If aids are exposed, they may distract the group's attention from other steps in the lesson.

(4) Plan how you will introduce the aid, and what you will say about it. Provide for time for the trainees to view, listen to, examine, handle, or operate the aid. Don't expect them to be able to listen to you at the same time they are reading or studying the aid.

(5) Call upon a trainee to take your position and go through the explanations and steps as you have done. This will help clear misconceptions and will keep the trainees paying attention.

(6) Be sure the aid can be seen, heard, or handled by every trainee.

(7) When you are using an aid, stand so that you do not block the view; use a pointer to spot things on the aid; and above all, talk to the trainees, not to the aid.

#### 2008-3: POINTERS ABOUT TRAINING FILMS

To get the best results from training films, you should:

(1) Announce -- even better, list on a chalkboard or poster sheet -- the title of the film and the points for which the students should watch.

(2) Prepare the room for showing of a film so that every one can see without straining. In hot weather, it may be better to sacrifice some of the darkness for the sake of better ventilation.

(3) Introduce the film. Tell the group what the film is to show, what the trainees are to watch for, and how they will be tested upon what they have seen.

(4) Stay with the group when they see the film. If you walk out to avoid seeing it again or to "catch a smoke," some of their motivation to learn will go out with you. Stay with the group and try to gauge their absorption of the material. Make notes of questions to ask them, and of sections of the film to comment on.

(5) Discuss the material shown in the film. You can do this by asking questions about it. List important steps of procedures that were shown in the film, and go over them until the trainees have a clear understanding of the subject.

(6) Show the film again. This may be done after your discussion, or the second showing may be made several days later. Most training films contain more material than the trainees can grasp in one showing. The discussion after the first showing should stimulate interest in the points to be looked for during the second showing.

#### 2008-4: POINTERS ABOUT CHARTS, POSTERS, AND PICTURES

Graphic training aids in the form of pictures, diagrams, and posters charts all have their place. Many are available in training aid libraries; also you can draw or construct your own. For example, wrapping paper and even newspapers marked on with crayons, colored chalk, or paint can provide you with useful sketches.

#### 2008-5: USE OF THE CHALKBOARD

Many of the procedures for using charts and pictorial aids also apply to chalkboards; however, a few points may be added:

(1) Plan all chalkboard illustrations before class, giving thought to making parts stand out through the use of color. Complicated drawings should be drawn on the board before class. If the drawing is detailed and complicated, it may first be placed on the board with an ordinary lead pencil. This line will be visible to you but not to the group. Trace over these pencil lines with chalk, and you can make a neat and accurate drawing while the others watch.

(2) When the same drawing is needed several times, it may be transferred to the board by means of a stencil. Make the drawing on ordinary tracing or wrapping paper. Punch the main line intersections and reference points with a pin to make a stencil. Hang the stencil on the board and pat over the pinpoints with a dusty chalkboard eraser to transfer the design to the board. You can run over this outline with chalk to make the lines clearer.

(3) When you need a semipermanent drawing, use show-card color paint. The chalkboard eraser will not remove show-card color paint, but when it is no longer needed, it can be washed off with water.

2009: SUMMARY

This has been a brief documentation which, if used, will make you a better instructor and speaker. Good use of the subject matter contained in this chapter will result in better trained Coast Guard personnel.

## CHAPTER 21

### LEADERSHIP

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2101: LEADERSHIP AND BOATING SAFETY

When you are working in boating safety, you are thrust into the limelight; you deal directly with the public. In a sense, you are representing the entire Coast Guard before the public. You, your men, and your unit should therefore present the best possible image of the Coast Guard. To attain this status, you need the quality of leadership, the quality that makes your unit smooth-running and efficient, that makes your men thoroughly competent and proud of their duties, and that makes the recreational boatman respect you as the voice of law enforcement and safety education. To perform the boating safety mission, you must be a leader, whether you are a BMC or an SN. Why? Because your job, ultimately, is to save lives. And if you're a leader, the public will listen to you and your unit will function at its best. Consequently, we have included this chapter on leadership. Study it, and see how it can apply to you--the boating safety officer.

2102: COAST GUARD REGULATIONS STATE IN PART:

"10-7-8 A. For the preservation of good order, petty officers are always on duty and are vested with the authority to report and arrest enlisted offenders. They shall aid to the utmost of their ability in maintaining good order and discipline, and in all that concerns the efficiency of the command."

"14-1-2 A. All persons in the Coast Guard shall show in themselves a good example of subordination, courage, zeal, sobriety, neatness, and attention to duty. They shall aid to the utmost of their authority, in maintaining good order and discipline, and in all that concerns the efficiency of the command."

"14-1-4 A. Discipline depends in a large degree upon the example set by commanding and other officers in authority, and may be maintained in many cases by their own attention to duty and by their personal influence, tact, and discretion. To this end, they shall show in themselves good examples of honor, patriotism, subordination, and fidelity to their oaths of office, be zealous in the performance of the duties entrusted to them, and vigilant respecting the conduct of all persons under their authority."

The intent of the foregoing regulations is best carried out by employment of effective leadership. By leadership is meant the art of accomplishing the Coast Guard's mission through people. It is the sum of those qualities of intellect, of human understanding, and of moral character that enable a man to inspire and to manage a group of people successfully.

Effective leadership, therefore, is based on personal example, good management practices, and moral responsibility. The Coast Guard relies heavily on its senior petty officers to carry out the Coast Guard's mission by using these effective leadership traits.

#### 2103: SENIOR PETTY OFFICERS' RESPONSIBILITIES

To raise the leadership standards throughout the Coast Guard (and the boating safety program), the wholehearted effort of every petty officer is needed.

In view of this, every leading petty officer should examine his own conduct, review his legal duties and responsibilities, and determine how he rates in these respects. Even if he believes that he is conducting himself well, he should make a determined effort to improve his present performance and assume greater responsibilities. If, after this determination, he does not assume responsibilities which are not specifically spelled out for him, he has misunderstood a part of the intent of the regulations previously stated, or he is ignoring it. He must understand that the faithful execution of his assigned duties is not necessarily all that is required. He is expected, as well, to recognize and assume other duties he is capable of discharging. Even though he may be at the top of his rating, he is expected to continue to improve his professional capabilities and enhance his leadership ability.

He should never allow himself to stagnate, for he will certainly be overhauled and passed by POs who may have lesser ability but who display greater initiative and ambition. Then too, in today's rapidly changing Coast Guard, who can truthfully say that he knows all he needs to know?

With the contemporary emphasis on technology and technicians, however, there is evidence that some petty officers may be forgetting that they are first military men and then technicians and that military duties are equally as important as technical ones. They seem to feel that good technical performance is all that is required of them. In short, they are not providing the leadership their men need and have the right to expect. Such petty officers, obviously, are not doing their full duty.

#### 2104: PRINCIPLES OF EFFECTIVE LEADERSHIP

Essentially, three elements constitute effective leadership:

- (1) Moral strength and principles.
- (2) Personal example
- (3) Administrative ability.

## 2105: MORAL STRENGTH AND PRINCIPLES

When we speak of moral principles, we are likely to have in mind a few of the human virtues of honesty, truthfulness, integrity, and loyalty. These established and positive standards of human conduct give direction, solidness, and consistency to your leadership. The key to leadership program lies in the emphasis on personal moral responsibility and on adherence to sound moral codes. Without these doctrines, a petty officer will never command the respect of his men. Through the force of his authority he can command obedience, but the obedience he receives is only half-hearted, and is obtained despite his lack of principles.

When a supervisor demonstrates unyielding allegiance to the precepts of honesty, integrity, and loyalty under all conditions -- no matter how inconvenient it may be to him -- it is certain to be noticed by his men. Some of his strength of character is bound to influence them. Conversely, they are the first to notice any disregard for those rules of conduct. Before you can hope to have discipline (not punishment) in the men under you, you must develop self-discipline for the sake of improvement. A man in a position of leadership "leads" regardless of whether he tries. When you fail to lead in the right direction, your attitude is bound to affect adversely the men in your charge.

Do what is right because it is right. Do not be misled into doing what is wrong because you succeed in convincing yourself that wrong is right. Self-discipline involves not only control of your desires but also control of your mind, to the extent that you can face yourself squarely and resist the temptation to fool yourself about what is right and what is wrong.

## 2106: PERSONAL EXAMPLE

Leading by personal example goes hand in hand with leading by adherence to the moral principles of honesty, loyalty, and integrity.

If you asked men to list a dozen given leadership traits (know-how, sincerity, courage, and the like) in order of importance, you would be handed different lists. The relative importance of most traits is a matter of opinion. Yet, if you show an obvious unfitness in any trait one of your men thinks worthwhile, you are unable to hold for long the respect of that man.

No one is automatically respected as a leader merely because he wears a rating badge. You must learn to lead your men, not drive them. One sure way to earn their respect and confidence is by setting a good personal example -- that is, by conducting yourself properly in the daily routine of work and drills.

Respect must be earned. You can't win it by flattery, brown-nosing, throwing your weight around, avoiding issues, or by striving for popularity. In supervising your men, try to create an atmosphere of courteous and helpful direction. The less noise you make, the better will be the results. There is no room for the "do as I say, not as I do" approach. In today's technical and ever-changing Coast Guard, the need is for men who lead with intelligence, by know-how, and by good example. Good supervision produces a smooth-running organization; poor supervision creates confusion and dissatisfaction.

#### 2106-1: LEADERSHIP AND FOLLOWERSHIP

Every man in service must know how to exercise both leadership and followership. No clear-cut line separates the two qualities. You cannot become a good leader without first knowing how to be a good follower.

If you habitually question or complain about orders from superiors in front of your men, it won't be long until the men react to your orders in the same manner. If you make a habit of delaying the execution of orders, you can hardly blame the fellow in your charge for doing likewise. After all, you are their boss; why should they treat you with any more respect than you show toward your superiors?

To be an effective leader, you must demonstrate that even when an order may be disagreeable or cause personal inconvenience, it must be executed promptly, cheerfully, and with a minimum of griping. Wiser heads made the decision that a certain procedure must be carried out. Trying to avoid the job for personal reasons marks you as a slacker. If you obey orders in a slack way, your men will obey you in the same way. Being a good follower does not, however, imply blind obedience on any and all occasions. Constructive recommendations or suggestions normally receive consideration even though the supervisor may disagree with your reasoning. He recognizes that you had a valid reason for making the suggestion, that you didn't bring up the question simply to delay an unpleasant chore.

#### 2106-2: TWO PITFALLS TO AVOID

A new supervisor is likely to make one of two serious mistakes:

First, he may go on being a specialist, an operator of equipment, or a maintenance man--and nothing else. He sticks to his equipment and to his job, avoiding any effort that would lead to handling and instructing men in lower rates. He either ignores or is afraid to take over the responsibilities of leadership. This mistake--being too much the technician and too little the leader--is not always an obvious one. The man making it is shortchanging the Coast Guard and himself; neither is fully profiting by his knowledge and ability. Although he is a hard worker, minds his own business, and gets his job done, the Coast Guard didn't advance him just to give



more pay for the same work. He was promoted in recognition of his acquired skill and knowledge, and in order that he can be placed in a position where he may supervise and instruct other men.

The other mistake lies in the opposite direction: He supervises but does nothing else. He thinks that supervision consists of ordering someone else to do everything, while he avoids as much work as possible. A supervisor who won't dirty his hands is no asset to the Coast Guard or to himself. He must be able and willing to work as well as talk about work. Some faults may be overlooked, but if you shirk on the job. if you refuse to pull your share of the load, you contribute nothing to good morale on board. Your shipmates will be happy to see you transferred.

#### 2107: ADMINISTRATIVE ABILITY

Our third element of effective leadership--administrative ability--includes effectively organizing, managing, and working with people. The expression "administrative ability" indicates the needed personal touch that is so essential in dealing with your men.

From a strictly personal standpoint, who is the most important man on your unit--the captain? the exec? The duty coxswain? the MAA? the head cleaner? They all have a job to do, and each job is vital. Imagine how morale would suffer, for example, if the unit were engaged in an exercise, and no one could be spared to clean heads.

But in your own eyes, who is most important? YOU are! And each man feels the same way. It is every man's personal feeling that he is just as important as any man on board. He wants and deserves to be recognized and treated as an individual. In dealing with men, you constantly have to bear in mind this self-awareness. Once you adopt the attitude that a group of men can be herded like sheep and ordered around, mutual confidence and respect are gone. Take undue advantage of your authority just once, and you may be months recovering the respect you lost.

In the matter of men's welfare, remember that your subordinates have no direct way of taking care of themselves regarding such items as food, working conditions, liberty, recreation, religion, and education. If they are dissatisfied, they can't quit without notice and move elsewhere. They must have the help of their leaders for any improvement or change in their living conditions.

Suppose the work projects at your unit are such that

one man has too much work to do. He reports this state of affairs to you or to the leading petty officer. It isn't enough to give the man an inspiring talk on the need for hard work. You must study the situation. If the man has a valid complaint, redistribute the workload. This reallocation may improve efficiency by getting the jobs done properly.

#### 2108: APPLICATION OF LEADERSHIP PRINCIPLES

Leadership is the art of accomplishing the Coast Guard's mission through people. Whether a man is a PO3, a master CPO, a division officer, or a commanding officer, he is required to exercise some authority within the chain of command.

How you go about fulfilling your leadership responsibilities depends on the situation and the number of men under you. The leadership principles to consider, however, remain the same.

#### 2109: LEADERSHIP AND THE PUBLIC

Coastguardsmen in the boating safety mission come into contact with the public more than Coastguardsmen in any other mission. Your attitudes of leadership must come into play when you deal with the public. Remember that there are two sides of your mission: (1) law enforcement and (2) safety education. To carry out your law enforcement function, you must be a man whom the public will listen to and trust. In short, you must be a leader only to your men and not to the public, you will not be carrying out your mission. Do not underestimate the importance of good personal contacts with the public and how good habits of leadership can improve these contacts.

Before we discuss some leadership traits, you must realize that any good leader must have certain inner qualities. Probably the most important of these attributes are self-confidence (based on knowledge), initiative, pride in doing a job well, and a sense of responsibility.

No young man is likely to see in himself the leadership qualities that cause others to follow him. But no man has reason to doubt his capacity for leadership if he can carry out orders cheerfully, complete his work step by step, use imagination in improving it, and look forward to the next job. Any man with the ability to learn can become a petty officer. But the reason some POs never develop into good leaders is that they are unwilling to face the ordeal of doing their own thinking and accepting responsibility for others.

#### 2110: LEADERSHIP QUALITIES

The following leadership qualities apply at all times to all those in positions of authority.

## 2110-1: KNOW YOUR JOB

A good leader is also an efficient and productive one. Few men want to work for--much less follow--a leader who is wasteful, clumsy, and never seems able to organize his work programs.

You earn large dividends by careful advance planning and organization. An instructor prepares a lesson plan before teaching a lesson. Before going out to board, be sure you know the area. When an out-of-the-ordinary job comes up, think it through and plan in advance. Don't be like the man who built a 30-inch box and then couldn't get it through the 26-inch hatch.

A big part of your job is know-how and skill in your specialty. It's taken for granted that you acquired this knowledge and skill in order to make your rate. But you must utilize this ability in supervising others and in dealing with the public. You must have knowledge in order to make decisions with confidence and take the initiative. As a petty officer you not only tell a man what to do, but you show him how, when necessary. Know-how is essential as a basis of control over your men. Just don't overdo it. Oversupervision can make a relatively simple job more difficult to complete. The PO who oversupervises loses a great deal of his men's respect.

Once you advance in rate, don't sit back and rest on your laurels. Knowledge is gained only through experience and study. Whatever his rate, a good supervisor must strive to expand his knowledge and experience in his field and in general subjects. If he allows himself to stagnate, his usefulness to himself and to the Coast Guard is limited.

Seek more training through service schools, self-study courses, and general reading. Never overlook a chance for self-improvement and additional education.

Don't confine your knowledge to matters pertaining to your specialty. Know everything you can about anything that could apply to your mission from state boating agencies to local yacht clubs. Be a source of up-to-the-minute information; get the latest word and pass it along. Keep your men informed about what your unit is doing and of their part in any operation.

## 2110-2: KNOW YOUR MEN

Because each man is a distinct individual, each one must be handled differently. Learn all you can about each man assigned to you, whether he is an experienced or inexperienced hand. You can discover a great deal about a man's personality, habits, outlook on life, and so on, simply by observing him at work, noticing his reactions to orders, and noting how he occupies himself when off duty. From what a man says and does you acquire small bits of information, and these pieces fit together to give a picture of the individual.

To be an effective leader, make a conscientious effort to know all your men. Always address them by their last names, but know their first names as well. Without prying, try to find out something of each man's personal life--whether he is married, has children, or has relatives in service, where his hometown is--particulars of this sort. Show an interest in your men, and you will make friendships that will bring better cooperation on the job.

Understanding your men's ability, capacities, and endurance enables you to assign them to the jobs for which they are best fitted. One of your men may be an excellent coxwain, but a nervous ineffective public speaker on boating safety topics; the reverse may be true of another man. Your job is to use each man's talents as effectively as possible and to correct his deficiencies by training, example, and encouragement.

After you learn about a man as an individual, treat him as one. This kind of treatment does not mean coddling him. Your job is to make him competent. When men put on the fighting clothes of their country, it is insulting to treat them as children. Your technique will prove more successful if you match your methods to suit the individual. A reprimand may have more effect on one man than a mast has on another. If you go into a long-winded explanation to a quick-witted man, you only irritate him. But if you don't explain carefully to a slow learner, he'll never get matters straight.

### 2110-3: RECOGNIZE ACCOMPLISHMENTS

Recognizing the accomplishments of the individual is an important part of supervising men. Recognition is one of the intangibles most men seek--though perhaps unconsciously. It may be as simple a thing as longing for a verbal pat on the back for a job well done.

Inherent in all of us is the perfectly human thought: "What's in it for me?" All of us want more from life than the mere right to exist and work. We work for a definite but unspecified goal--whether it is money, extra liberty, pride in a job well done, a word of praise, or perhaps only for the pleasure derived from seeing something take shape or happen as a result of our efforts. When "I" or "me" becomes the only consideration in a man's mind--when it becomes his sole reason for doing anything constructive--he develops into a shirker, a burden on his division, and won't move a muscle to do his job or help others do theirs, without first asking himself, "Why should I?" or "What's in it for me?"

In the Coast Guard, it is impossible to promote or transfer every man to the job he likes best. Each man must be made to feel that his job, however insignificant it may seem, is worthwhile and important. Try to show your men where their work fits into the Coast Guard mission. A man will perform

cheerfully many distasteful tasks if he can be made to understand the necessity for the work. Men are versatile, hence they can do many different things. In all their jobs, their satisfactions and their morale come mainly from the knowledge that the work is worthwhile and that their superiors recognize and appreciate what they are doing.

When you can, let your men feel that they share responsibility. When it is up to you to figure out how to accomplish a piece of work, share your problem with the men. Let it become their problem, and they will undertake the job with more enthusiasm, and will work more intelligently. In return, you are rewarded with better than mechanical obedience--you get smart and willing cooperation.

REPRIMANDS. - Recognition implies the ability to recognize mistakes as well as good points. As a petty officer you occasionally will have to set men straight, which few people enjoy doing. But warning, reprimanding, and sometimes placing men on report are all part of the work of a PO.

Fix your mind that the purpose of a reprimand is to teach. It is not given to embarrass a man, nor to work off your own irritation. Before you reproach a man, though, make sure of your ground; there may be a logical explanation for what happened.

Once you know the facts and feel that a reprimand is deserved, talk to the man privately, if possible. The benefit of a calldown is lost if you humiliate the man in front of others. Talking to him in private makes it easier to convince him how to improve. If by remaining silent in public, however, you may appear to condone--allow, agree to, or not object to--certain words or actions, then you should speak up promptly.

After a warning, treat the man as though nothing had happened, then watch for results. If the man can't or won't improve, the matter becomes a problem for the leading PO, or division officer.

PRAISE IN PUBLIC. -- Men do better work when they know their efforts are appreciated, but they won't know unless you tell them. If you take good work for granted, you may miss an opportunity to obtain even better work. When a man does a good job, don't hesitate to give him a word of approval. When possible, praise him in front of the other men. When a man comes up with an idea of his own, be sure he gets proper credit for it.

Men appreciate praise, but they don't want flattery. They see this form of soft soap as an attempt to win popularity, regardless of whether you intended it that way.

## 2110-4: ACCEPT RESPONSIBILITY

When you become a petty officer, you change your position in the Coast Guard. You become a leader with authority. This authority is delegated by the Coast Guard and symbolized by the rating badge. The responsibilities of a PO are not always easy to carry out. You have to make decisions, plan jobs, and take the blame if plans go wrong. You have to lead your men, teach them, and correct them. You can't always be a "good guy." You have to give orders, and that can be harder than executing them.

The higher the petty officer advances, the greater is his responsibility. Is it worth it? Yes, because unless a man is lazy or timid, he wants responsibility. A sense of accomplishment is a fine feeling to have. The bigger the job a man has, the more pride he takes in making full use of his ability. He derives satisfaction, too, from helping develop other men, and from teaching them what he has learned. Finally, he has a sense of dedication to his work. The man capable of handling a tough assignment knows he is valuable. He knows he is important to his ship and to the Coast Guard.

Accept responsibility when the opportunity presents itself. It will become a habit with you, and you will find that you enjoy handling problems on your own. Soon the word will get around that you're a good man to rely on.

Sometimes a man has to decide fast in an emergency. If he has built up a habit of decision developed under more normal and routine conditions, he will be able to act quickly and precisely in that emergency. Sometimes it's harder to assume responsibility when you have plenty of time to think things over. Certainly it is harder when the decision affects not only yourself but other men as well. At first you may have the feeling that you aren't made for responsibility, but put that idea out of your mind at once. The habit of command comes faster than you might believe.

Men unaccustomed to responsibility are likely to shy away from making a decision for fear of making wrong decisions. But men would rather have a petty officer who acts and makes some mistakes than one who never succeeds in making up his mind. They want a decisive petty officer. If he is proved wrong, respect for him need not diminish so long as he admits his mistakes, accepts the responsibility, and pitches in to correct the damage.

Develop an interest in the billet of your immediate superior. Learn the duties and responsibilities of his job as well as your own. Seek assignments that give you leadership experience. Take advantage of any occasion that offers increased responsibilities. Perform every task--large or small--to the best of your ability. Try to instill in your

men pride in high standards of work. Your reward will be in the form of further opportunities to prove your ability in bigger and more important assignments. Provide your men with frequent chances to perform duties of the next higher rate.

#### 2110-5: TECHNIQUES OF DELEGATING AUTHORITY

When you are assigning work to your men, you must remember that you are delegating authority -- but you are not relieving yourself of responsibility. You still are responsible for seeing that the job is done properly. Thinking along this line, you will be able to get the best work out of your men if you observe some of the following basic techniques.

**BE FRIENDLY BUT IMPARTIAL.** -- A great danger in friendliness lies in playing favorites. Our natural inclination is to give the breaks to people we like. Try to recognize this tendency and control it.

When you have an interesting assignment to make, think about the reason you want to choose one man in preference to another. Are you selecting Johnson because he is a good hand? Is it because he's a friend of yours? Why aren't you choosing Snyder, who is more competent? Is it because you don't like him? Suppose your men know that Snyder is more qualified for the assignment, if he doesn't get it, they will lose confidence in you.

Showing favoritism may ruin your effectiveness as a leader. The men will certainly lose their respect for you, and they may lose interest in trying to do a good job for you.

**STICK WITH YOUR MEN.** -- Staying with your crew until the job at hand is finished may sometimes entail drudgery and sacrifice. For example, a BOSDET is assigned to conduct boardings in a given area. As the day wears on, it becomes obvious that the job cannot be finished until late that night. The petty officer in charge rates liberty and has a date. Should he go ahead with his personal plans, leave the boat, and let the men finish the task? Or should he stay until the while assigned area is covered? The PO decides to stick with the men. The job isn't finished until very late, but the PO still has details to complete. He lets his men sleep in the next morning and checks with the BOSTEAM about special liberty for the gang. The petty officer may have missed liberty that night, but he gained a devoted crew.

**MAKE YOUR WORD GOOD.** -- Promises are easy to make. They can be made to save time, to avoid argument or explanation, or to postpone a decision. The worst promises are those made with the thought in the back of your mind that you will be able to wriggle out of them later. You can make promises with the best of intentions, of course, and then unintentionally forget them. But every promise not kept--no matter how small--means a strain on the respect and trust of your men.

Think of a promise as equal to a commitment made in writing, signed and witnessed. This attitude will make you less likely to use a promise as an easy solution to a problem. If you can't commit yourself to what a man asks for, try to explain why. It's always better to say "No" than to pledge something you doubt can be assured.

ENCOURAGE NEW IDEAS. -- One of the better ways to encourage initiative in your men is to listen to any new ideas or suggestions they express. Let them know you appreciate their views, even if some are impracticable. Sort out the good ideas from the not-so-good and adopt the good, if possible. When a good suggestion does come along, see that the division officer knows who thought of it. If an idea can't be used, explain to the man why it is infeasible. He may be disappointed, but he will be appreciative that you didn't slough him off. He has maintained his dignity, which goes a long way toward promoting future ideas.

PASS THE WORD CORRECTLY. -- A good order or command is simple, clear, and complete. It tells a man what to do in a way that he can remember. A good order makes clear --

- (1) What is to be done; and
- (2) When to do it.

As circumstances require or permit, you add --

- (3) How to do it; and
- (4) Why it must be done.

The way you give orders makes a difference.

If your bearing is smart, and if you look as though you mean business, you will get results. Stand up like a man and look alive. Look straight at the man you're addressing. Don't waste words--be definite, clear, concise, and use simple language.

Your tone of voice should be crisp, loud enough to be heard, but no louder. If you speak in a bored tone, the men will obey in a bored fashion. When you coax or wisecrack, you're not giving orders. Don't try to cajole a group of men into doing a job by such an approach as "Aw, come on fellows". Act as though you expect the job to be done well, and usually it will be.

How much ordering should you do? To answer this question, analyze the following types of orders:

- (1) Those necessary because the men don't know what to do;
- (2) Those advisable to bring snap and precision to the operation;
- (3) Orders that should not be given at all.



Some orders are clearly necessary--any, for example, that are based on events and decisions the men don't know about. Frequently, orders are advisable even when the men know fairly well what the word will be. Perhaps the men could make the decision for themselves. But they expect the orders from you--orders that will put snap into the job, and keep the men working as a team.

Bear in mind, though, that too many orders spoil the result. The better trained your men are, the fewer orders they need. Unnecessary instructions may actually slow them down. On the other hand, a slackening in the work, or an uneasiness in the men, signals that an order is needed to pull the men back on the job.

The "why" of an order provides its foundation. It shows the importance of a job. When you say "Move those crates over here; that bulkhead has to be painted," the Seamen know you aren't just inventing a chore to keep them busy. They accept the detail as necessary. Do not, however, go into meaningless explanations that may delay the job and confuse the men.

#### 2111: PROMOTING MORALE

The morale of personnel is an important element in producing cooperative effort toward accomplishing the mission of the Coast Guard. The Coast Guard, recognizing the need for maintaining high morale, conducts several continuing programs that provide moral and spiritual guidance, recreation, educational opportunities, and personal affairs counseling. All of these programs are a means of furthering the health and safety of Coast Guardsmen.

In the Coast Guard, the individual is considered important. There are practical reasons for this consideration of personnel. A ship's company is made up of a definite and limited number of men. Many of the men are highly trained for specialized jobs. Each man is necessary at his own post. Each has his contribution to make to the success of the mission and to the welfare and safety of his unit and his fellow Coastguardsmen. A man's morale has an influential effect both on his work and on the morale of his mates. For this reason, each man's personal problems and state of mind are significant. Officer and petty officers are expected to know their men as individuals and to be concerned about any matter that seriously affects any one of them.

This principle of the importance of the individual is also basic to American thinking. It is at the heart of our system of government. Some morale benefits and services are provided by public law; others, by the policies of the Department of Transportation or of the U.S. Coast Guard.

## GLOSSARY

### A

**ABAFT THE BEAM** - A direction measured from the amidships beam of a vessel to aft.

**ADMIRALTY AND MARITIME JURISDICTION** - Includes all navigable waters of the United States and, for vessels of the United States, also includes the high seas. This jurisdiction may extend into the territorial waters of a foreign sovereign in certain instances.

**APPROVED** - This term means approved by the Commandant of the Coast Guard unless otherwise stated.

**ARREST** - Arrest is the taking into official custody of the person accused of a criminal complaint before a court or in response to a subpoena.

**ASSOCIATED EQUIPMENT** - This means any system, part or component of a boat as originally manufactured or any similar part or component manufactured or sold for replacement, repair or improvement of such system, part or component; any accessory or equipment for, or appurtenance to a boat; any marine safety article, accessory, or equipment intended for use by a person on board a boat excluding radio equipment.

**AUTHORITY** - Authority is legal or rightful power.

**AUXILIARY COURTESY EXAMINER** - An Auxiliarist who executes the Auxiliary's Courtesy Motorboat Examination Program and performs vessel facility examination.

**AUXILIARY DIVISION** - An Auxiliary division is an administrative unit formed when there are five or more flotillas in a given area.

**AUXILIARY INSTRUCTOR** - The instructors in the Auxiliary involved in executing the public education and member training programs.

**AUXILIARY OPERATIONS** - Auxiliarists who wish to participate in the operational area may qualify in any or all of six separate specialties: (1) communications; (2) search and rescue; (3) patrol procedures; (4) seamanship; (5) piloting and (6) weather.

### B

**BAREBOAT** - Under a bareboat charter the charterer takes over the vessel and mans her with his own people. The charterer becomes in effect what is known in law as the owner pro hac vice. This means, owner for the particular occasion whether it be for a period of time or for a particular voyage. By analogy, the charterer becomes the owner just as does the lessee of a house and lot.

**BOATING ACCIDENT** - A boating accident means a collision, accident, or other casualty involving an undocumented vessel. A vessel is considered to be involved in a boating accident whenever the occurrence results in damage by or to the vessel or its equipment, in injury or loss of life to any person, or in the disappearance of any person from on board under circumstances which indicate the possibility of death or injury. A boating accident includes, but is not limited to, capsizing, collision, foundering, flooding, fire, explosion, and the disappearance of a vessel other than by theft.

**BOSDET** - (Boating Safety Detachment) BOSDETS are special detachments of U.S. Coast Guard personnel charged with promoting boating safety on the navigable waters of the United States through public education and the enforcement of Federal laws, rules and regulations governing the safe operation of pleasure craft.

**BOSTEAM** - A BOSTEAM is a collection of BOSDETS within a given district.

**BURDENED VESSEL** - A burdened vessel is the vessel that must take positive early action to stay clear of the privileged vessel.

## C

**CAPSIZING** - Capsizing is when a vessel overturns and the bottom becomes uppermost, except in the case of a sailboat. If a sailboat overturns, it will normally lay on its side. (A spilling out of persons, except in the case of sailboat, without completely overturning the boat is classified as "falls overboard".)

**CERTIFICATE OF NUMBER** - The Certificate of Number is the registration for boats in the state where the boat is principally used similar to the registration of automobiles.

**CFR - CODE OF FEDERAL REGULATIONS** - The CFR is a compilation of Federal Regulations, initially published in the Federal Register, divided into titles and sections similar to but not identical with those of the U. S. Code.

**CHARTER** - This is the means by which a vessel owner may make his vessel available for use by others for some consideration.

**CHAPTER PARTY** - This is a legal paper describing the terms under which a vessel is leased or rented to a person who wishes to operate it for his own pleasure or profit.

CIVIL OFFENSE - Where the statute involved does not declare imprisonment and does not specifically direct arrest or does not specifically indicate that the violation is a crime, then it is a civil offense.

CLASSES OF MOTORBOATS -

Class A - Less than 16 feet in length.

Class 1 - 16 feet to less than 26 feet in length.

Class 2 - 26 feet to less than 40 feet in length.

Class 3 - 40 feet to not more than 65 feet in length.

COASTAL NAVIGABLE WATERS - As used in the Oil Pollution Act, includes the territorial waters, harbors, and bays and rivers, as far as they are affected by the tides.

COLLISION WITH FIXED OBJECT - The striking of any fixed object, above or below the surface of the water except bottom. (The striking of rocks, reefs, shoals, etc. on the bottom is a grounding").

COLLISION WITH VESSEL - Any striking together of two or more vessels, regardless of operation at time of accident. This also includes colliding with tow of another vessel, regardless of the nature of the tow, i.e., surf-board, ski-ropes, skier, etc.

COMBINATION LIGHTS - One light fixture with both red and green side lights mounted on it.

COMMANDANT - The Commandant of the U. S. Coast Guard.

COMPLIANCE - Compliance as it applies to arrest means the accused acknowledges in some fashion, ordinarily by complying with the order of arrest, that he has recognized his status of being under arrest.

CONTRABAND - Any matter the possession of which is unlawful.

COURTESY MOTORBOAT EXAMINATION - A boating safety examination administered by the Coast Guard Auxiliary.

CUSTOM WATERS - This a term used in the enforcement of Customs Laws. Every nation has the privilege of asserting limited jurisdiction outside her territorial waters when needed for self protection or other legitimate reason. Since 1799, the United States has asserted rights to a band 12 nautical miles from the low water mark for the purposes of boarding vessels which are suspected of violations of our customs laws.

D

DOCUMENTED VESSEL - A vessel that is issued documents by the Coast Guard.

DOCUMENTS - A register (Certificate of Registry), an enrollment and license, a Frontier Enrollment and License, or a license issued under authority of the Bureau of Customs. Certain yachts may be documented. To be documented, a U. S. yacht must be 5 net tons of over.

#### E

ELIGIBLE STATE - A state that has a State boating safety program which has been accepted by the Secretary.

ENROLLMENT - Found in combination with a license, it identifies and describes the vessel.

EVIDENCE - A general term which applies to anything which tends to prove or disprove a question in dispute or to influence a belief respecting it.

#### F

FELONY - Any criminal offense punishable by death or imprisonment for a term exceeding one year.

FLOODING - Filling with water, regardless of method of ingress, but retaining sufficient buoyancy to remain upon the surface.

FLOTILLA - An Auxiliary unit that consists of 10 or more members who own facilities.

#### G

GROSSLY NEGLIGENT OPERATION - Grossly negligent implies extreme forms of negligence. Gross negligence is an absence of all care.

GROSS TONNAGE - The internal cubic capacity of all permanently enclosed spaces on a vessel expressed in tons of 100 cubic feet.

GROUNDING - When vessel runs aground, strikes or pounds upon rocks, reefs, shoals or the bottom.

#### H

HAILING PORT - The name of the port where the vessel is customarily berthed when not in trade or use.

**HAND OPERATED** - Any sound producing device which is operated by hand such as a hand siren or horn.

**HIGH SEAS** - The high seas are all parts of the sea that are not included in the territorial sea or in the internal waters of a country.

**HOME PORT** - The port having a vessel's documents and/or papers on file with the U. S. Coast Guard and other agencies.

**HOT PURSUIT** - An expression of the right of a law enforcement vessel or official to pursue from an area in which jurisdiction exists, to an area wherein it would not otherwise exist.

**HYPOTHERMIA** - The loss of body heat which impairs the circulation system and can, if enough temperature is lost, cause death. If not recognized and treated promptly, hypothermia can rapidly turn a survivor into a fatality.

## I

**INDICTMENT** - The formal written statement charging one or more persons with an offense.

**INLAND WATERS** - The dividing line between inland and international waters as established by the Commandant, is used only for the purpose of the Rules of the Road, and the enforcement of the inland rules of the road. It has no connection with the territorial waters, high seas, or other terms denoting general jurisdiction or law enforcement except as it applies to laws relating to the navigation of vessels.

**INNOCENT PASSAGE** - A principle of international law, under which, the laws of the territorial sovereign are not enforced upon the foreign vessel passing through her waters although the local sovereign may establish reasonable rules and regulations in the interest of safety which must be obeyed by the vessel exercising the right of innocent passage.

**INTENT** - A clear understanding and expression of your action.

**INTERNAL WATERS** - Waters landward of the baseline from which territorial sea is measured.

## J

**JURISDICTION** - The right of the government to regulate conduct is jurisdiction. Also it is the right of the sovereign to control, including the authority to legislate, the power to require compliance with the laws, and in the absence of such compliance, to punish.

## K

## L

**LENGTH OF A MOTORBOAT** - Distance measured from end to end over the deck, excluding sheer.

**LICENSE** - A document for a vessel of 5 net tons or over and of less than 20 net tons, employed in coasting trade or fisheries, and a description of the vessel or her ownership.

**LIGHTER** - A large boat or barge, usually flat-bottomed, mainly used in unloading or loading vessels not lying at wharves, or in transporting freight about a harbor.

**LOW WATER MARK** - The low water mark referred to in various jurisdictional definitions is the line of the water on the coast, beach or banks at the lowest tide and serves as the basis from which the territorial sea is established.

## M

**MANUFACTURER** - Any person engaged in the manufacture, construction, or assembly of boats or associated equipment; or the manufacture or construction of components for boats and associated equipment to be sold for subsequent assembly; or the importation into the United States for sale of boats, associated equipment or components thereof.

**MARINE CASUALTY** - Similar to a boating accident except this type of casualty is reported by documented vessels.

**MISDEMEANOR** - Any offense other than a felony.

**MOTORBOAT** - Any vessel 65 feet in length or less, which is propelled by machinery, including steam, except tugs and towboats.

**MOTORBOAT OPERATORS LICENSE** - A license to operate motorboats, or other uninspected vessels of 15 gross tons or less propelled by machinery other than steam, while carrying six or less passengers for hire.

**MOTOR VESSEL** - Any vessel more than 65 feet in length, which is propelled by machinery other than steam.

**MOUTH OPERATED** - Any device operated by mouth such as bugle, police whistle, etc.

## N

**NAVIGABLE WATERS** - Those which are in fact navigable and which by themselves or their connection with other waters, form a continuous channel for commerce with foreign countries or among the states. In general, this term can be applied to waters which have been navigable in the past, even though not navigable in fact at the present time.

**NEGLIGENT OPERATION** - The failure to exercise that degree of care necessary under the circumstances to prevent the endangering of life, limb or property of any person.

**NET TONNAGE** - The internal cubic capacity of all permanently enclosed spaces on a vessel expressed in tons of 100 cubic feet, less crew and operating space.

## O

**OCEAN OPERATORS LICENSE** - Authorizes operation of such vessels carrying more than six passengers for hire on ocean or coast wise waters.

**OFFICIAL NUMBER** - Always refers to the serial number of a documented vessel and is not to be confused with number awarded to undocumented vessels.

**OFFICER LICENSE** - A license issued to professionally and physically qualified officers of the merchant marine by the Coast Guard.

**OPEN BOAT** - Those motorboats or motor vessels with all engine and fuel tank compartments (and other spaces to which explosive or flammable gases and vapors from these compartments may flow) open to the atmosphere and so arranged as to prevent the entrapment of such gases and vapors within the vessel.

**OPERATIONAL MEMBER STATUS** - Status granted Auxiliary members who qualify in all six operational specialty courses (communications, search and rescue, patrol procedures, seamanship, piloting, weather) plus a seventh course in auxiliary administration.

## P

**PAPERS** - All written or printed certificates required by the Coast Guard and other agencies documents.

**PASSENGER** - Any person other than the master and the members of the crew or other persons employed or engaged in any capacity on board a vessel in the business of that vessel.



**PASSENGER CARRYING VESSEL** - The term "passenger carrying vessel" means any vessel which carries more than six passengers, and which is:

- a. Propelled in whole or in part by steam or by any form of mechanical or electrical power and is of 15 gross tons or less.
- b. Propelled in whole or in part by steam or by any form of electrical power and is of more than 15 and less than 100 gross tons and not more than 65 feet in length measured from end to end over the deck excluding the sheer.
- c. Propelled by sail and is of 700 gross tons or less; or
- d. Non-self propelled and is of 100 gross tons or less, except any public vessel of the United States or of any foreign state; or any lifeboat forming part of a vessel's lifesaving equipment.

The term includes: (1) any domestic vessel operating on the navigable waters of the United States or on the high seas outside of those and within the normal operating range of the vessel, and (2) any foreign vessel departing from a port of the United States. (46 USC 390)

**PASSENGER (FOR HIRE)** - A person carried on board a passenger-carrying vessel for consideration.

**PERSONAL FLOTATION DEVICES (PFD'S)** - Coast Guard approved life preservers, bouyant vests, ring buoys, special purpose water safety bouyant devices, or bouyant cushions in good and serviceable condition.

**PETTY OFFENCE** - Any misdemeanor, the penalty for which does not exceed imprisonment for a period of six months or a fine of not more than \$500, or both.

**PILOT'S LICENSE** - Another name for operators license.

**POINT OF THE COMPASS** - An arc of 11 1/4 degrees of the compass. There are 32 points in 360 degrees.

**PRIVILEGED** - That vessel which, under applicable Rules of the Road, must maintain course and speed unless faced with possible collision (in extremis).

## R

**REGISTERED LENGTH** - Length of a vessel measured on the top of the tonnage deck from the fore part of the outer planking or plating at the bow, to the after part of the stempost of screw steamers and the after part of the rudder of other vessels. A vessel's registered length appears on all documents and is not acceptable for Coast Guard use in determining the length of a vessel under the Motorboat Act.

**RIGHT OF INNOCENT PASSAGE** - The right of any vessel to pass through the territorial waters of a foreign country with immunity from the local laws of that nation. In order to claim this right a foreign vessel must intend to pass through without entering a port, anchoring, or hovering in the territorial waters.

**RULES OF THE ROAD** - The statutory and regulatory rules governing navigation of vessels. These rules are published by the Coast Guard in pamphlet form as follows:

Rules of the Road - International and Inland (CG-169)

Rules of the Road - Great Lakes (CG-172)

Rules of the Road - Western Rivers (CG-184)

## S

**SAFETY PATROL** - A roving waterborne patrol of boating areas for the purpose of determining, detecting, and reporting unsafe practices; observing aids to navigation and reporting deficiencies; and being immediately available for response to a search and rescue demand.

**SECOND DEGREE BURNS** - A burn with blister formations appearing and deeper than a first-degree burn.

**SECRETARY** - The Secretary of the Department in which the Coast Guard is operating.

**SHEER OF A VESSEL** - The longitudinal upward curve of a deck and the amount by which the deck at the bow is higher than at the stern.

**SINKING** - Loss of enough buoyancy for a vessel to settle below the surface of the water.

**SPECIAL MARITIME AND TERRITORIAL JURISDICTION OF THE U.S.** - The high seas, any other waters within the admiralty and maritime jurisdiction of the U. S. and out of the jurisdiction of any particular state (partial definition sufficient for use of general duty boarding officers).

**STATE** - A state of the U. S., the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the District of Columbia.

**STATE OF PRINCIPAL USE** - That state in which a boat is in use (whether moored or underway) for the majority of a licensing time period.

STATE WATERS - Those waters confined entirely within a single state and which do not form a continuous channel for commerce with which Congress or the Federal Courts have specifically declared to be non-navigable waters of the U. S.

## T

TERRITORIAL SEAS - All waters extending three miles from the lowest tide. Where bays and estuaries are involved, then under the principles of international law, the nation exercises dominion over the seas not only within the three mile limit from its shores, but also between headlands and three miles outside of a line drawn tangent to the headlands. When contiguous to the U.S., all rocks, shoals, and mud lumps or flats which are exposed by mean low water are also considered territory of the U. S. together with the waters extending three miles from the mean low-water marks or line.

TERRITORIAL WATERS - Territorial seas and waters landward of the baseline from which territorial seas are measured.

THIRD - DEGREE BURNS - Deep burns with complete loss of all layers of skin. The burn may look charred.

TRADE - (Engaging in) a vessel is engaging in trade at any time the owner, operator, or charterer thereof receives any article of value in return for use of the vessel.

## U

UNDOCUMENTED VESSEL - Any vessel which is not required to have and does not have a valid marine document.

UNITED STATES CODE ANNOTATED (USCA) - An unofficial publication of the U. S. code in small volume form, each section accompanied by annotations of all court decisions of note interpreting the section.

UNITED STATES CODE (USC) - Codification of U.S. laws by subject matter arranged in numerical titles. Published officially by the Federal Government in volume form and kept current between publishings by annual supplements.

USE - To operate, navigate, or employ.

## V

VESSEL - Every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

VISIBLE - Visible on a dark night with a clear atmosphere  
(in reference to Rules of the Road).

WARRANT - A legal document issued by a Federal Judge or  
magistrate which commands a law enforcement official  
to take into custody the person named in the  
warrant.