

§ 164.03 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish notice of change in the FEDERAL REGISTER and the material must be available to the public. All approved material is on file at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC, and at the Office of Vessel Traffic Management (G-MWV), Coast Guard Headquarters, 2100 Second Street, SW., Washington, DC 20593-0001 and is available from the sources indicated in paragraph (b) of this section.

(b) The materials approved for incorporation by reference in this part and the sections affected are as follows:

<i>American Petroleum Institute (API)</i> , 1220 L Street NW., Washington, DC 20005		Resolution MSC.74(69), Annex 3, Recommendation on Performance Standards for a Universal Shipborne Automatic Identifi- cation System (AIS), adopted May 12, 1998	164.46
API Specification 9A, Specifica- tion for Wire Rope, Section 3, Properties and Tests for Wire and Wire Rope, May 28, 1984	164.74	SN/Circ.277, Guidelines for the In- stallation of a Shipborne Auto- matic Identification System (AIS), dated January 6, 2003	164.46
<i>American Society for Testing and Ma- terials (ASTM)</i> , 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959		SOLAS, International Conven- tion for Safety of Life at Sea, 1974, and 1988 Protocol relating thereto, 2000 Amendments, ef- fective January and July 2002, (SOLAS 2000 Amendments)	164.46
ASTM D4268-93, Standard Test Method for Testing Fiber Ropes <i>Cordage Institute</i> , 350 Lincoln Street, Hingham, MA 02043	164.74	Conference resolution 1, Adop- tion of amendments to the Annex to the International Convention for the Safety of Life at Sea, 1974, and amend- ments to Chapter V of SOLAS 1974, adopted December 12, 2002	164.46
CIA-3, Standard Test Methods for Fiber Rope Including Standard Terminations, Revised, June 1980	164.74	<i>International Telecommunication Union Radiocommuni- cation Bu- reau (ITU-R)</i> , Place de Nations CH-1211 Geneva 20 Switzerland	
<i>International Electrotechnical Com- mission (IEC)</i> , 3, rue de Varem- b, Geneva, Switzerland.		(1) ITU-R Recommendation M.821, Optional Expansion of the Digital Selective-Calling System for Use in the Maritime Mobile Service, 1992	164.43
IEC 61993-2, Maritime navigation and radiocommunication equip- ment and systems—Automatic identification systems (AIS)— part 2: Class A shipborne equip- ment of the universal auto- matic identification system (AIS)—Operational and per- formance requirements, meth- ods of test and required test re- sults First edition, 2001-12	164.46	(2) ITU-R Recommendation M.825, Characteristics of a Transponder System Using Dig- ital Selective-Calling Tech- niques for Use with Vessel Traffic Services and Ship-to- Ship Identification, 1992	164.43
<i>International Maritime Organization (IMO)</i> , 4 Albert Embankment, London SE1 7SR, U.K.		ITU-R Recommendation M.1371- 1, Technical characteristics for a universal shipborne auto- matic identification system using time division multiple access in the VHF maritime mobile band, 1998-2001	164.46
IMO Resolution A342(IX), Rec- ommendation on Performance Standards for Automatic Pi- lots, adopted November 12, 1975	164.13	<i>Radio Technical Commission for Mar- itime Services</i> , 655 Fifteenth Street, NW., Suite 300, Wash- ington, DC 20005	
		(1) RTCM Paper 12-78/DO-100, Minimum Performance Stand- ards, Loran C Receiving Equip- ment, 1977	164.41
		(2) RTCM Paper 194-93/SC104- STD, RTCM Recommended Standards for Differential NAVSTAR GPS Service, Version 2.1, 1994	164.43
		(3) RTCM Paper 71-95/SC112-STD, RTCM Recommended Stand- ards for Marine Radar Equip- ment Installed on Ships of Less Than 300 Tons Gross Tonnage, Version 1.1, October 10, 1995	164.72

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- (4) RTCM Paper 191-93/SC112-X, RTCM Recommended Standards for Maritime Radar Equipment Installed on Ships of 300 Tons Gross Tonnage and Upwards, Version 1.2, December 20, 1993 164.72

[CGD 91-203, 58 FR 27632, May 10, 1993, as amended by CGD 83-043, 60 FR 24771, May 10, 1995; CGD 93-022, 60 FR 51734, Oct. 3, 1995; CGD 96-026, 61 FR 33669, June 28, 1996; CGD 94-020, 61 FR 35072, July 3, 1996; USCG-1999-5151, 64 FR 67176, Dec. 1, 1999; USCG-2002-12471, 67 FR 41333, June 18, 2002; USCG-2003-14757, 68 FR 39367, July 1, 2003]

§ 164.11 Navigation under way: General.

The owner, master, or person in charge of each vessel underway shall ensure that:

- (a) The wheelhouse is constantly manned by persons who:
 - (1) Direct and control the movement of the vessel; and
 - (2) Fix the vessel's position;
- (b) Each person performing a duty described in paragraph (a) of this section is competent to perform that duty;
- (c) The position of the vessel at each fix is plotted on a chart of the area and the person directing the movement of the vessel is informed of the vessel's position;
- (d) Electronic and other navigational equipment, external fixed aids to navigation, geographic reference points, and hydrographic contours are used when fixing the vessel's position;
- (e) Buoys alone are not used to fix the vessel's position;

NOTE: Buoys are aids to navigation placed in approximate positions to alert the mariner to hazards to navigation or to indicate the orientation of a channel. Buoys may not maintain an exact position because strong or varying currents, heavy seas, ice, and collisions with vessels can move or sink them or set them adrift. Although buoys may corroborate a position fixed by other means, buoys cannot be used to fix a position: however, if no other aids are available, buoys alone may be used to establish an estimated position.

(f) The danger of each closing visual or each closing radar contact is evaluated and the person directing the movement of the vessel knows the evaluation;

(g) Rudder orders are executed as given;

(h) Engine speed and direction orders are executed as given;

(i) Magnetic variation and deviation and gyrocompass errors are known and correctly applied by the person directing the movement of the vessel;

(j) A person whom he has determined is competent to steer the vessel is in the wheelhouse at all times;¹

(k) If a pilot other than a member of the vessel's crew is employed, the pilot is informed of the draft, maneuvering characteristics, and peculiarities of the vessel and of any abnormal circumstances on the vessel that may affect its safe navigation.

(l) Current velocity and direction for the area to be transited are known by the person directing the movement of the vessel;

(m) Predicted set and drift are known by the person directing movement of the vessel;

(n) Tidal state for the area to be transited is known by the person directing movement of the vessel;

(o) The vessel's anchors are ready for letting go;

(p) The person directing the movement of the vessel sets the vessel's speed with consideration for:

(1) The prevailing visibility and weather conditions;

(2) The proximity of the vessel to fixed shore and marine structures;

(3) The tendency of the vessel underway to squat and suffer impairment of maneuverability when there is small underkeel clearance;

(4) The comparative proportions of the vessel and the channel;

(5) The density of marine traffic;

(6) The damage that might be caused by the vessel's wake;

(7) The strength and direction of the current; and

(8) Any local vessel speed limit;

(q) The tests required by §164.25 are made and recorded in the vessel's log; and

(r) The equipment required by this part is maintained in operable condition.

¹See also 46 U.S.C. 8702(d), which requires an able seaman at the wheel on U.S. vessels of 100 gross tons or more in narrow or crowded waters during low visibility.