

(h) Prevailing and historical weather conditions;

(i) Length of time that the obstruction has been in existence;

(j) History of vessel incidents involving the obstruction; and

(k) Whether the obstruction is defined as a hazard to navigation under other statutes or regulations.

[CGD 91-031, 57 FR 43403, Sept. 21, 1992]

§64.33 Marking by the Coast Guard.

(a) The District Commander may mark for the protection of maritime navigation any structure, sunken vessel or other obstruction that is not suitably marked by the owner. Markings established by the Coast Guard do not relieve the owner's duty or responsibility to mark the sunken vessel or other obstruction, or to remove it as required by law.

(b) Costs for markings established by the Coast Guard will be determined in accordance with part 74 of this Chapter.

(c) Costs for marking of a sunken vessel or other obstruction shall be charged to the owner and shall continue until:

(1) The vessel or other obstruction is removed;

(2) The right of the owner to abandon is legally established and has been exercised; or

(3) The District Commander directs otherwise.

NOTE: When the needs of navigation permit, the owner may be given reasonable opportunity to establish and maintain the necessary markings.

PART 66—PRIVATE AIDS TO NAVIGATION

Subpart 66.01—Aids to Navigation Other Than Federal or State

Sec.

66.01-1 Basic provisions.

66.01-3 Delegation of authority to District Commanders.

66.01-5 Application procedure.

66.01-10 Characteristics.

66.01-11 Lights.

66.01-12 May I continue to use the private aid to navigation I am currently using?

66.01-13 When must my newly manufactured equipment comply with these rules?

66.01-14 Label affixed by manufacturer.

66.01-15 Action by Coast Guard.

66.01-20 Inspection.

66.01-25 Discontinuance and removal.

66.01-30 Corps of Engineers' approval.

66.01-40 Exemptions.

66.01-45 Penalties.

66.01-50 Protection of private aids to navigation.

66.01-55 Transfer of ownership.

Subpart 66.05—State Aids to Navigation

66.05-1 Purpose.

66.05-5 Definitions.

66.05-10 State waters for private aids to navigation; designations; revisions, and revocations.

66.05-20 Coast Guard-State agreements.

66.05-25 Change and modification of State aids to navigation.

66.05-30 Notice to Mariners.

66.05-35 Private aids to navigation other than State owned.

66.05-40 Corps of Engineers' approval.

66.05-100 Designation of navigable waters as State waters for private aids to navigation.

Subpart 66.10—Uniform State Waterway Marking System

66.10-1 General.

66.10-5 [Reserved]

66.10-10 [Reserved]

66.10-15 Aids to navigation.

66.10-35 Navigation lights.

AUTHORITY: 14 U.S.C. 83, 84, 85; 43 U.S.C. 1333; Pub. L. 107-296, 116 Stat. 2135; Department of Homeland Security Delegation No. 0170.1.

Subpart 66.01—Aids to Navigation Other Than Federal or State

SOURCE: CGFR 68-152, 33 FR 19816, Dec. 27, 1968, unless otherwise noted.

§66.01-1 Basic provisions.

(a) No person, public body or instrumentality not under the control of the Commandant, exclusive of the Armed Forces, shall establish and maintain, discontinue, change or transfer ownership of any aid to maritime navigation, without first obtaining permission to do so from the Commandant.

(b) For the purposes of this subpart, the term private aids to navigation includes all marine aids to navigation operated in the navigable waters of the United States other than those operated by the Federal Government (part 62 of this subchapter) or those operated