

**Subpart D—Miscellaneous Provisions**

64.31 Determination of hazard to navigation.

64.33 Marking by the Coast Guard.

AUTHORITY: 14 U.S.C. 633; 33 U.S.C. 409, 1231; 42 U.S.C. 9118; 43 U.S.C. 1333; Department of Homeland Security Delegation No. 0170.

SOURCE: CGD 78-156, 48 FR 11267, Mar. 17, 1983, unless otherwise noted.

**Subpart A—General**

SOURCE: CGD 78-156, 48 FR 11267, Mar. 17, 1983, unless otherwise noted. Redesignated by CGD 91-031, 57 FR 43402, Sept. 21, 1992.

**§ 64.01 Purpose.**

This part prescribes rules relating to the marking of structures, sunken vessels and other obstructions for the protection of maritime navigation.

**§ 64.03 Scope.**

(a) Except as provided in paragraph (b) of this section these rules apply to:

(1) Structures located in or over waters subject to the jurisdiction of the United States and, on the high seas, structures owned or operated by persons subject to the jurisdiction of the United States;

(2) Sunken vessels in the navigable waters or waters above the continental shelf of the United States; and

(3) Other obstructions existing on or in the navigable waters or waters above the continental shelf of the United States.

(b) The following obstructions are exempt from the requirements of this part:

(1) Dredging pipelines subject to Subchapter D of this chapter;

(2) Bridges subject to Subchapter J of this chapter;

(3) Vessels subject to the International Regulations for preventing Collisions at Sea, 1972 (1972 COLREGS) or the Inland Navigation Rules;

(4) Deepwater port facilities subject to subchapter NN of this chapter; and

(5) Artificial islands and structures subject to Part 67 of this subchapter.

**§ 64.06 Definition of terms.**

As used in this part:

*Hazard to navigation* means an obstruction, usually sunken, that pre-

sents sufficient danger to navigation so as to require expeditious, affirmative action such as marking, removal, or redefinition of a designated waterway to provide for navigational safety.

*Markings* means the lights and other signals placed on or near structures, sunken vessels, and other obstructions for the protection of navigation.

*Navigable waters of the United States* means those waters described in § 2.36(a) of this chapter, specifically including the waters described in § 2.22(a)(2) of this chapter.

*Obstruction* means anything that restricts, endangers, or interferes with navigation.

*Structures* means any fixed or floating obstruction, intentionally placed in the water, which may interfere with or restrict marine navigation.

[CGD 78-156, 48 FR 11267, Mar. 17, 1983. Redesignated and amended by CGD 91-031, 57 FR 43402, Sept. 21, 1992; USCG-2001-9044, 68 FR 42601, July 18, 2003]

**Subpart B—Sunken Vessels and Other Obstructions**

SOURCE: CGD 78-156, 48 FR 11267, Mar. 17, 1983, unless otherwise noted. Redesignated by CGD 91-031, 57 FR 43402, Sept. 21, 1992.

**§ 64.11 Marking and notification requirements.**

(a) The owner of a vessel, raft, or other craft wrecked and sunk in a navigable channel shall mark it immediately with a buoy or daymark during the day and with a light at night. The owner of a sunken vessel, raft, or other obstruction that otherwise constitutes a hazard to navigation shall mark it in accordance with this subchapter.

(b) Owners of vessels sunk in waters subject to the jurisdiction of the United States or sunk on the high seas, if the owner is subject to the jurisdiction of the United States, shall promptly report to the District Commander, in whose jurisdiction the obstruction is located, the action they are taking to mark the sunken vessel, giving the following information (in addition to the information required by 46 CFR 4.05, Notice of Marine Casualty and Voyage Records):

(1) Name and description of the sunken vessel;