

ADMIRALTY COMMITTEE



Barbara Cook
Chair

Maritime Rules of the Road to Avoid Collision

The “Rules of the Road” for the prevention of maritime collisions are the International Regulations for Prevention of Collision at Sea, also known for short as the “COLREGS” or Nav Rules. Below are the applicable Rules regarding a common collision scenario and fault apportionment according to maritime law.

It is late on a Saturday afternoon with visibility unlimited. “Reel Pleasure”, a 24-foot open fisherman with twin 75 outboards and owner/skipper John and his two buddies aboard, is drift fishing over Peck Lake Reef with engines off. John hooks what feels like a Goliath Grouper and is fighting hard to bring it in. His buddies gather around to cheer him on. Meanwhile, a go-fast 46 footer, “Gilded Lilly”, is heading back from West End, Grand

Bahamas, with its USCG licensed master and owner, Captain Bob, at the helm and his wife and two kids aboard. Anxious to get in the inlet before the afternoon squalls hit, Captain Bob is doing 20 knots with “Gilded Lilly’s” bow riding high and the setting sun in his eyes. Somehow, Captain Bob did not see “Reel Pleasure” in his path, maybe because his bow was riding high, maybe because of the sun in his eyes, or maybe because he was fooling around with the kids, his GPS, or his phone. As a result, “Gilded Lilly” collided with “Reel Pleasure”.

Although Skipper John on “Reel Pleasure” saw “Gilded Lilly” heading his way, he assumed its skipper also saw him and would avoid the slow-moving vessel, so didn’t bother to start his engines, paid no further attention, continued fishing, and was absolutely surprised when the vessels collided. Luckily, it was a glancing blow and there were miraculously no injuries to those on board. “Reel Pleasure”, however, was pretty much destroyed.

After investigating the incident, the USCG suspended Capt. Bob’s license for his actions in violation of the Rules. The Rules violated by both helmsmen resulted in fault apportionment of 60% “Gilded Lilly”/40% “Reel Pleasure”:

Rule 3: The rules apply to all vessels underway. Underway means not at anchor, made fast to the shore, or aground. Vessels shall be deemed to be in sight of one another only when one can be observed visually from the other.

Rule 4: The Rules apply in any condition of visibility.

Rule 5: “Every vessel shall at all times maintain a proper lookout by sight and hearing as well as by all available means appropriate in the prevailing circumstances so as to make a full appraisal of the situation and of the risk of collision.”

Rule 6: “Every vessel shall at all times proceed at a safe speed so that she can take proper and effective action to avoid collision and be stopped within a distance appropriate to the prevailing circumstances and conditions.”

Rule 7: “Every vessel shall use all available means appropriate to the prevailing circumstances and conditions to determine if risk of collision exists. If there is any doubt such risk shall be deemed to exist. Assumptions shall not be made on the basis of scanty information ...”

Rule 8: The “stand-on” vessel “shall, when required by the circumstances of the case, take early action to allow sufficient sea room for the safe passage of the other vessel.... Action taken to avoid collision with another vessel shall be such as to result in passing at a safe distance. .. The effectiveness of the action shall be carefully checked until the other vessel is finally past and clear.”

See www.barbcooklaw.com for a complete list of the Rules of the Road.