

routes; the nature and amount of vessel traffic; and the effect of background lighting.

[CGFR 68-95, 33 FR 15285, Oct. 15, 1968]

## **PART 70—INTERFERENCE WITH OR DAMAGE TO AIDS TO NAVIGATION**

### **Subpart 70.01—Interference With Aids to Navigation**

Sec.

70.01-1 General provisions.

70.01-5 Penalty.

### **Subpart 70.05—Collision With or Damage to Aids to Navigation**

70.05-1 General provisions.

70.05-5 Penalty.

70.05-10 Revocation of license.

70.05-15 Liability for damages.

70.05-20 Report required.

AUTHORITY: Secs. 14, 16, 30 Stat. 1152, 1153; secs. 84, 86, 92, 633, 642, 63 Stat. 500, 501, 503, 545, 547 (33 U.S.C. 408, 411, 412; 14 U.S.C. 84, 86, 92, 633, 642).

### **Subpart 70.01—Interference With Aids to Navigation**

#### **§ 70.01-1 General provisions.**

No person, excluding the Armed Forces, shall obstruct or interfere with any aid to navigation established and maintained by the Coast Guard, or any private aid to navigation established and maintained in accordance with part 64, 66, 67, or 68 of this subchapter.

[CGFR 58-17, 23 FR 3383, May 20, 1958]

#### **§ 70.01-5 Penalty.**

Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and be subject to a fine not exceeding the sum of \$500 for each offense, and each day during which such violation shall continue shall be considered a new offense.

[CGFR 52-15, 18 FR 12, Jan. 1, 1953]

### **Subpart 70.05—Collision With or Damage to Aids to Navigation**

SOURCE: CGFR 52-15, 18 FR 12, Jan. 1, 1953, unless otherwise noted.

#### **§ 70.05-1 General provisions.**

No person shall take possession of or make use of for any purpose, or build upon, alter, deface, destroy, move, injure, obstruct by fastening vessels thereto or otherwise, or in any manner whatever impair the usefulness of any aid to navigation established and maintained by the United States.

#### **§ 70.05-5 Penalty.**

Every person and every corporation that shall violate, or that shall knowingly aid, abet, authorize, or instigate a violation of the provisions of § 70.05-1 shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding \$2,500 or less than \$500, or by imprisonment (in case of a natural person) for not less than thirty days nor more than one year, or both, one half of such fine to be paid to the person or persons giving information which shall lead to conviction.

#### **§ 70.05-10 Revocation of license.**

Every master, pilot, and engineer, or person or persons acting in such capacity, respectively, on board any boat or vessel who shall willfully injure or destroy an aid to navigation established and maintained by the United States shall be deemed guilty of violating the provisions of § 70.05-1 and shall upon conviction be punished as provided in § 70.05-5 and shall also have his license revoked or suspended for a term to be fixed by the judge before whom tried and convicted.

#### **§ 70.05-15 Liability for damages.**

Any boat, vessel, scow, raft or other craft used or employed in violating any of the provisions of § 70.05-1 shall be liable for the pecuniary penalties specified in § 70.05-5, and in addition thereto for the amount of damage done by said boat, vessel, scow, raft or other craft, which may be proceeded against summarily by way of libel in any district court of the United States having jurisdiction thereof.

#### **§ 70.05-20 Report required.**

Whenever any vessel collides with an aid to navigation established and maintained by the United States or any private aid to navigation established or

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maintained in accordance with Part 64, 66, 67, or 68 of this subchapter, or is connected with any such collision, it shall be the duty of the person in charge of such vessel to report the accident to the nearest Officer in Charge, Marine Inspection, in accordance with 46 CFR 4.

[CGFR 58-17, 23 FR 3383, May 20, 1958, as amended by CGFR 61-55, 26 FR 12572, Dec. 28, 1961; CGD 97-023, 62 FR 33362, June 19, 1997]

### PART 72—MARINE INFORMATION

#### Subpart 72.01—Notices to Mariners

Sec.

- 72.01-1 Purpose.
- 72.01-5 Local Notice to Mariners.
- 72.01-10 Notice to Mariners.
- 72.01-15—72.01-20 [Reserved]
- 72.01-25 Marine broadcast notice to mariners.
- 72.01-30 Temporary deficiencies.
- 72.01-35 Change of address.
- 72.01-40 Single copies.

#### Subpart 72.05—Light Lists

- 72.05-1 Purpose.
- 72.05-5 Sales agencies.
- 72.05-10 Free distribution.

AUTHORITY: 14 U.S.C. 93, 49 CFR 1.46.

#### Subpart 72.01—Notices to Mariners

##### § 72.01-1 Purpose.

The Coast Guard issues information concerning the establishment of aids to maritime navigation and the changes, discontinuances, and deficiencies, except temporary deficiencies that are easily correctable, of aids to maritime navigation maintained and operated by or under the authority of the Coast Guard in documents and marine broadcasts having the general title of "Notice to Mariners." This subpart describes the publications and the marine broadcasts.

[CGD 70-147R, 37 FR 10669, May 26, 1972]

##### § 72.01-5 Local Notice to Mariners.

(a) "Local Notice to Mariners" reports changes to and deficiencies in aids to navigation that are established or maintained and operated by or under the authority of the Coast Guard, and any other information per-

taining to the waterways within each Coast Guard district that is of interest to the mariner.

(b) "Local Notice to Mariners" is published and issued weekly by each Coast Guard district or more often if there is a need to notify mariners of local waterway information.

(c) Any person may apply to the local Coast Guard District Office to be placed on the mailing list for the "Local Notice to Mariners." The "Local Notice to Mariners" is mailed to the public free of charge.

[CGD 70-147R, 37 FR 10669, May 26, 1972]

##### § 72.01-10 Notice to Mariners.

(a) "Notice to Mariners" is intended to advise mariners of new hydrographic discoveries, changes in channels and navigational aids, and information concerning the safety of navigation. "Notice to Mariners" also contains information—

(1) Useful in updating the latest editions of charts and publications of the National Imagery and Mapping Agency, National Ocean Service, U.S. Army Corps of Engineers, and Coast Guard;

(2) Selected from the "Local Notice to Mariners" issued and published by the 1<sup>st</sup>, 5<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 11<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup>, and 17<sup>th</sup> Coast Guard districts; and

(3) Compiled from foreign notices to mariners, ship reports, and similar cooperating observer reports.

(b) "Notice to Mariners" is published weekly by the National Imagery and Mapping Agency. The "Notice to Mariners" is prepared by the:

- (1) Coast Guard;
- (2) National Ocean Service; and
- (3) National Imagery and Mapping Agency.

(c) This notice may be obtained free of charge from commercial maritime sources and upon request to the Defense Logistics Agency, Defense Supply Center Richmond, ATTN: JNB, 8000 Jefferson Davis Highway, Richmond, VA 23297-5100 or FAX 804-279-6510, ATTN: Accounts Manager, RMF. Request should be based on affirmative need for the information.

[CGD 97-023, 62 FR 33362, June 19, 1997, as amended by USCG-2001-9286, 66 FR 33640, June 25, 2001]