

74.01-10 Charges invoiced to owner for marking sunken wrecks and other obstructions to navigation.

74.01-15 Charges for placement of temporary aids.

74.01-20 Deposit of payment in special account.

#### **Subpart 74.20—Aids to Navigation Costs**

74.20-1 Buoy and vessel use costs.

AUTHORITY: 14 U.S.C. 81, 85, 86, 92, 93, 141, 633, 642, 647; 49 CFR 1.46 (b).

SOURCE: CGFR 58-50, 24 FR 5608, July 11, 1959, unless otherwise noted.

#### **Subpart 74.01—Charges to the Public**

##### **§ 74.01-1 Claim for damage, destruction, or displacement.**

Whenever an aid to navigation is damaged, destroyed, or displaced from its station, a claim shall be made on behalf of the United States in accordance with Part 25 of this title.

[CGFR 70-7, 35 FR 4048, Mar. 4, 1970]

##### **§ 74.01-10 Charges invoiced to owner for marking sunken wrecks and other obstructions to navigation.**

Charges for the establishment, maintenance, and replacement by the Coast Guard of an aid, either permanent or temporary, to mark a sunken wreck or other obstruction to navigation are calculated to recover the Coast Guard costs involved in, or associated with, the marking process. These charges will be invoiced to the owner of the obstruction. Charges for the removal of aids to navigation established by the Coast Guard will be invoiced to the owner unless the District Engineer requests the continued marking of the obstruction. All charges will be assessed in accordance with Subpart 74.20 of this part.

[CGD 81-051, 48 FR 15468, Apr. 11, 1983]

##### **§ 74.01-15 Charges for placement of temporary aids.**

Charges for placement of temporary aids will be reimbursable and in accordance with Subpart 74.20 of this part. Where the placement of temporary aids other than those specified is made, a reasonable equivalence will

be determined, and charges made accordingly.

##### **§ 74.01-20 Deposit of payment in special account.**

Whenever an aid to navigation or other property belonging to the Coast Guard is damaged or destroyed by a private person, such person shall pay to the satisfaction of the Coast Guard the cost of repair or replacement of such property. The Coast Guard will accept and deposit such payment in a special account in the Treasury for payment therefrom of the cost of repairing or replacing the damaged property. Funds collected in excess of the cost to make repairs or replacements shall be refunded.

#### **Subpart 74.20—Aids to Navigation Costs**

##### **§ 74.20-1 Buoy and vessel use costs.**

(a) The buoy and vessel use costs for establishing, maintaining, repairing, replacing, or removing an aid to navigation under the requirements of this part are contained in COMDTINST 7310 (series) which is available from the District Budget Office of the appropriate Coast Guard District Commander.

(b) Buoy and vessel use charges under this part are made for the cost or value of time, in hours, consumed by the Government vessel, including ship's complement, employed in marking the obstruction. No charge for time and expense of Coast Guard vessels is made when the marking of the obstruction causes only minimal interruption of routinely scheduled ship's duty.

[CGD 81-051, 48 FR 15468, Apr. 11, 1983, as amended by USCG-2000-7223, 65 FR 40055, June 29, 2000]

## **PART 76—SALE AND TRANSFER OF AIDS TO NAVIGATION EQUIPMENT**

### **Subpart 76.01—Sale of Equipment**

Sec.

76.01-1 Sale of equipment not readily procurable.

76.01-5 Sale of condemned equipment.

### **Subpart 76.10—Federal Agencies**

76.10-1 Exemption.

## **§ 76.01-1**

AUTHORITY: Sec. 92, 63 Stat. 503; sec. 641, 63 Stat. 547, as amended (14 U.S.C. 92, 641).

SOURCE: CGFR 52-15, 18 FR 14, Jan. 1, 1953, unless otherwise noted.

### **Subpart 76.01—Sale of Equipment**

#### **§ 76.01-1 Sale of equipment not readily procurable.**

The Commandant is authorized to sell aids to navigation apparatus or equipment to foreign, state, or municipal governments or departments thereof; parties required to maintain private aids to navigation to mark wrecks, piers, or other obstructions; contractors engaged on public works; and in other cases in which in the judgment of the Commandant the public interest may be served: *Provided:*

(a) Such equipment has not been reported by the Coast Guard to the General Services Administration as excess (if the equipment has been reported to the General Services Administration as excess, the Commandant will submit the request to that administration for further action); and

(b) Such equipment is not readily procurable in the open market. Requests to purchase such apparatus or equipment shall give sufficient reasons why the article or articles cannot be readily procured in the open market. If

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the Commandant considers that an article can be readily procured in the open market the prospective purchaser will be so informed, and given the names of dealers or manufacturers. Sales shall be invoiced at cost plus 25 percent for overhead. Proceeds of such sales shall be deposited in the Treasury to the credit of the current appropriation for operating expenses, Coast Guard.

#### **§ 76.01-5 Sale of condemned equipment.**

When any condemned supplies, materials, or equipment cannot be profitably used in work of the Coast Guard, they will be disposed of under appropriate regulations of the General Services Administration. Applications for purchase of such materials may be submitted to the Commandant who will process them for further action under the applicable regulations.

### **Subpart 76.10—Federal Agencies**

#### **§ 76.10-1 Exemption.**

Nothing in this part shall be construed to affect the regulations concerning the transfer of supplies, materials, equipment, or land between other Federal agencies.

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EDITORIAL NOTE: This listing is provided for informational purposes only. It is compiled and kept up-to-date by the Coast Guard, Department of Homeland Security, and is revised through July 1, 2008.

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