

Coast Guard, DHS

§ 66.01-1

(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

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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) The Uniform State Waterway Marking System's (USWMS) aids to navigation provisions for marking channels and obstructions (see § 66.10-15 in this part) may be used in those navigable waters of the U.S. that have been designated as state waters for private aids to navigation and in those internal waters that are non-navigable waters of the U.S. All other provisions for the use of regulatory markers and other aids to navigation must be in accordance with United States Aid to Navigation System, described in part 62 of this subchapter.