the true North American Datum of 1983 (NAD 83) in the position information transmitted to a VTS;

(4) Achieve a course error of less than 0.5 degrees from true course over ground in the course information transmitted to a VTS;

(5) Achieve a speed error of less than 0.05 knots from true speed over ground in the speed information transmitted to a VTS;

(6) Receive and comply with commands broadcast from a VTS as DSC messages on the designated DSC frequency;

(7) Receive and comply with RTCM messages broadcast as minimum shift keying modulated medium frequency signals in the marine radiobeacon band, and supply the messages to the dGPS receiver;

(8) Transmit the vessel’s position, tagged with the UTC at position solution, course over ground, speed over ground, and Lloyd’s identification number to a VTS;

(9) Display a visual alarm to indicate to shipboard personnel when a failure to receive or utilize the RTCM messages occurs;

(10) Display a separate visual alarm which is triggered by a VTS utilizing a DSC message to indicate to shipboard personnel that the U.S. Coast Guard dGPS system cannot provide the required error correction messages; and

(11) Display two RTCM type 16 messages, one of which must display the position error in the position error broadcast.

(c) An AISSE is considered non-operational if it fails to meet the requirements of paragraph (b) of this section.

NOTE: Vessel Traffic Service (VTS) areas and operating procedures are set forth in part 161 of this chapter.


§ 164.46 Automatic Identification System (AIS).

(a) The following vessels must have a properly installed, operational, type approved AIS as of the date specified:

1. Self-propelled vessels of 65 feet or more in length, other than passenger and fishing vessels, in commercial

2. Notwithstanding paragraph (a)(1) of this section, the following, self-propelled vessels, that are on an international voyage must also comply with SOLAS, as amended, Chapter V, regulation 19.2.1.6, 19.2.4, and 19.2.3.5 or 19.2.5.1 as appropriate (Incorporated by reference, see §164.03);

(i) Passenger vessels, of 150 gross tonnage or more, not later than July 1, 2003;

(ii) Tankers, regardless of tonnage, not later than the first safety survey for safety equipment on or after July 1, 2003;

(iii) Vessels, other than passenger vessels or tankers, of 50,000 gross tonnage or more, not later than July 1, 2004; and

(iv) Vessels, other than passenger vessels or tankers, of 300 gross tonnage or more but less than 50,000 gross tonnage, not later than the first safety survey for safety equipment on or after July 1, 2004, but no later than December 31, 2004.

(3) Notwithstanding paragraphs (a)(1) and (a)(2) of this section, the following vessels, when navigating an area denoted in table 161.12(c) of §161.12 of this chapter, not later than December 31, 2004:

1. Self-propelled vessels of 65 feet or more in length, other than fishing vessels and passenger vessels certificated to carry less than 151 passengers-for-hire, in commercial service;

2. Towing vessels of 26 feet or more in length and more than 600 horsepower, in commercial service;

3. Passenger vessels certificated to carry more than 150 passengers-for-hire.

NOTE TO §164.46(a): “Properly installed” refers to an installation using the guidelines set forth in IMO SN/Circ.227 (incorporated by reference, see §164.03). Not all AIS units are able to broadcast position, course, and speed without the input of an external positioning device (e.g. dGPS); the use of other external devices (e.g. transmitting heading device, gyro, rate of turn indicator) is highly recommended, however, not required except as stated in §164.46(a)(2). “Type approved” refers to an approval by an IMO recognized Administration as to comply with IMO Resolution MSC.74(69), ITU-R Recommendation M.1371–1, and IEC 61993–2 (Incorporated by reference, see §164.03). “Length” refers to
§ 164.51 Deviations from rules: Emergency.

Except for the requirements of §164.53(b), in an emergency, any person may deviate from any rule in this part to the extent necessary to avoid endangering persons, property, or the environment.

[CGD 74–77, 42 FR 5956, Jan. 31, 1977]

§ 164.53 Deviations from rules and reporting: Non-operating equipment.

(a) If during a voyage any equipment required by this part stops operating properly, the person directing the movement of the vessel may continue to the next port of call, subject to the directions of the District Commander or the Captain of the Port, as provided by part 160 of this chapter.

(b) If the vessel’s radar, radio navigation receivers, gyrocompass, echo depth sounding device, or primary steering gear stops operating properly, the person directing the movement of the vessel must report or cause to be reported that it is not operating properly to the nearest Captain of the Port, District Commander, or, if participating in a Vessel Traffic Service, to the Vessel Traffic Center, as soon as possible.

(Sec. 2, Pub. L. 95–474, 92 Stat. 1471 (33 U.S.C. 1221); 49 CFR 1.46(n)(4))

[CGD 74–77, 42 FR 5956, Jan. 31, 1977]

EDITORIAL NOTE: For Federal Register citations affecting §164.53, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 164.55 Deviations from rules: Continuing operation or period of time.

The Captain of the Port, upon written application, may authorize a deviation from any rule in this part if he determines that the deviation does not impair the safe navigation of the vessel under anticipated conditions and will not result in a violation of the rules for preventing collisions at sea. The authorization may be issued for vessels operating in the waters under the jurisdiction of the Captain of the Port for any continuing operation or period of time the Captain of the Port specifies.

[CGD 74–77, 42 FR 5956, Jan. 31, 1977]

§ 164.61 Marine casualty reporting and record retention.

When a vessel is involved in a marine casualty as defined in 46 CFR 4.03–1, the master or person in charge of the vessel shall:

(a) Ensure compliance with 46 CFR Subpart 4.05, “Notice of Marine Casualty and Voyage Records;” and

(b) Ensure that the voyage records required by 46 CFR 4.05–15 are retained for:

(1) 30 days after the casualty if the vessel remains in the navigable waters of the United States; or

(2) 30 days after the return of the vessel to a United States port if the vessel departs the navigable waters of the United States within 30 days after the marine casualty.

[CGD 74–77, 42 FR 5956, Jan. 31, 1977]

§ 164.70 Definitions.

For purposes of §§164.72 through 164.82, the term—

Current edition means the most recent published version of a publication, chart, or map required by §164.72.