

her starboard side as is safe and practicable.

(2) Notwithstanding paragraph (a)(1) and Rule 14(a), a power-driven vessel operating in narrow channels or fairways on the Great Lakes, Western Rivers, or waters specified by the Secretary, and proceeding downbound with a following current shall have the right-of-way over an upbound vessel, shall propose the manner and place of passage, and shall initiate the maneuvering signals prescribed by Rule 34(a)(1), as appropriate. The vessel proceeding upbound against the current shall hold as necessary to permit safe passing.

(b) *Vessels of less than 20 meters in length; sailing vessels.* A vessel of less than 20 meters in length or a sailing vessel shall not impede the passage of a vessel that can safely navigate only within a narrow channel or fairway.

(c) *Vessels engaged in fishing.* A vessel engaged in fishing shall not impede the passage of any other vessel navigating within a narrow channel or fairway.

(d) *Crossing narrow channels or fairways.* A vessel shall not cross a narrow channel or fairway if such crossing impedes the passage of a vessel which can safely navigate only within that channel or fairway. The latter vessel shall use the danger signal prescribed in Rule 34(d) if in doubt as to the intention of the crossing vessel.

(e) *Overtaking vessels.*

(1) In a narrow channel or fairway when overtaking, the power-driven vessel intending to overtake another power-driven vessel shall indicate her intention by sounding the appropriate signal prescribed in Rule 34(c) and take steps to permit safe passing. The power-driven vessel being overtaken, if in agreement, shall sound the same signal and may, if specifically agreed to, take steps to permit safe passing. If in doubt she shall sound the danger signal prescribed in Rule 34(d).

(2) This Rule does not relieve the overtaking vessel of her obligation under Rule 13.

(f) *Areas of obscured visibility due to intervening obstructions.* A vessel nearing a bend or an area of a narrow channel or fairway where other vessels may be obscured by an intervening obstruction shall navigate with particular alert-

ness and caution and shall sound the appropriate signal prescribed in Rule 34(e).

(g) *Avoidance of anchoring in narrow channels.* Every vessel shall, if the circumstances of the case admit, avoid anchoring in a narrow channel.

#### § 83.10 Traffic separation schemes (Rule 10).

(a) *Obligations under other Rules unaffected.* This Rule applies to traffic separation schemes and does not relieve any vessel of her obligation under any other Rule.

(b) *Duties for vessel using scheme.* A vessel using a traffic separation scheme shall:

(1) Proceed in the appropriate traffic lane in the general direction of traffic flow for that lane;

(2) So far as practicable keep clear of a traffic separation line or separation zone;

(3) Normally join or leave a traffic lane at the termination of the lane, but when joining or leaving from either side shall do so at as small an angle to the general direction of traffic flow as practicable.

(c) *Crossing traffic lanes.* A vessel shall, so far as practicable, avoid crossing traffic lanes but if obliged to do so shall cross on a heading as nearly as practicable at right angles to the general direction of traffic flow.

(d) *Use of inshore traffic lane.*

(1) A vessel shall not use an inshore traffic zone when she can safely use the appropriate traffic lane within the adjacent traffic separation scheme. However, vessels of less than twenty meters in length, sailing vessels, and vessels engaged in fishing may use the inshore traffic zone.

(2) Notwithstanding subparagraph (d)(1), a vessel may use an inshore traffic zone when en route to or from a port, offshore installation or structure, pilot station, or any other place situated within the inshore traffic zone, or to avoid immediate danger.

(e) *Entering separation zone or crossing separation line.* A vessel other than a crossing vessel or a vessel joining or leaving a lane shall not normally enter a separation zone or cross a separation line except:

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(1) In cases of emergency to avoid immediate danger; or

(2) To engage in fishing within a separation zone.

(f) *Caution in areas near termination of scheme.* A vessel navigating in areas near the terminations of traffic separation schemes shall do so with particular caution.

(g) *Anchoring.* A vessel shall so far as practicable avoid anchoring in a traffic separation scheme or in areas near its terminations.

(h) *Avoidance of scheme.* A vessel not using a traffic separation scheme shall avoid it by as wide a margin as is practicable.

(i) *Fishing vessels.* A vessel engaged in fishing shall not impede the passage of any vessel following a traffic lane.

(j) *Power-driven vessels.* A vessel of less than twenty meters in length or a sailing vessel shall not impede the safe passage of a power-driven vessel following a traffic lane.

(k) *Exemption, maintenance of safety of navigation.* A vessel restricted in her ability to maneuver when engaged in an operation for the maintenance of safety of navigation in a traffic separation scheme is exempted from complying with this Rule to the extent necessary to carry out the operation.

(l) *Exemption; laying, servicing, or picking up submarine cable.* A vessel restricted in her ability to maneuver when engaged in an operation for the laying, servicing, or picking up of a submarine cable, within a traffic separation scheme, is exempted from complying with this Rule to the extent necessary to carry out the operation.

[USCG-2009-0948, 75 FR 19546, Apr. 15, 2010, as amended by USCG-2012-0306, 77 FR 37312, June 21, 2012; USCG-2013-0397, 78 FR 39172, July 1, 2013]

### CONDUCT OF VESSELS IN SIGHT OF ONE ANOTHER

#### § 83.11 Application (Rule 11).

Rules in this subpart apply to vessels in sight of one another.

#### § 83.12 Sailing vessels (Rule 12).

(a) Keeping out of the way. When two sailing vessels are approaching one another, so as to involve risk of collision,

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one of them shall keep out of the way of the other as follows:

(1) When each has the wind on a different side, the vessel which has the wind on the port side shall keep out of the way of the other;

(2) When both have the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward; and

(3) If a vessel with the wind on the port side sees a vessel to windward and cannot determine with certainty whether the other vessel has the wind on the port or on the starboard side, she shall keep out of the way of the other.

(b) *Windward side.* For the purpose of this Rule the windward side shall be deemed to be the side opposite to that on which the mainsail is carried or, in the case of a square-rigged vessel, the side opposite to that on which the largest fore-and-aft sail is carried.

#### § 83.13 Overtaking (Rule 13).

(a) *Overtaking vessel to keep out of the overtaken vessel's way.* Notwithstanding anything contained in Rules 4 through 18, any vessel overtaking any other shall keep out of the way of the vessel being overtaken.

(b) *Overtaking vessel defined.* A vessel shall be deemed to be overtaking when coming up with another vessel from a direction more than 22.5 degrees abaft her beam; that is, in such a position with reference to the vessel she is overtaking, that at night she would be able to see only the sternlight of that vessel but neither of her sidelights.

(c) *Assumption that vessel is overtaking another in cases of doubt.* When a vessel is in any doubt as to whether she is overtaking another, she shall assume that this is the case and act accordingly.

(d) *Overtaking vessel to become crossing vessel only when finally past and clear.* Any subsequent alteration of the bearing between the two vessels shall not make the overtaking vessel a crossing vessel within the meaning of these Rules or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.