

## Ahoy, Skipper, Prepare To Be Boarded

July 31, 2010 by [Captain Vincent Pica](#) · [Leave a Comment](#)



Unlike any other law enforcement arm, the United States Coast Guard may board your boat at their discretion. They need no search warrant, no provocation, and no reason other than ensuring your boat is in full compliance with all applicable federal laws and regulations. So what do you do and say (besides “yikes”) if you hear a greeting such as “Good Morning. My name is Officer Smith of the U.S. Coast Guard. Please bring your boat to a full stop”?

### *How should I act when my boat is boarded?*

You have been stopped by highly trained federal officers who will soon impress you with their professionalism. But before they even step off their vessel onto yours, the very first question they will ask you is: “Without reaching for them or touching them, do you have any weapons on board?” Subtly but powerfully, the tone is set: “I am polite. I am professional. And I mean business.” Let’s assume (and hope) that the answer to that question is “no” since an affirmative answer sets up a scenario outside the scope of this article.

### *What are applicable federal laws and regulations?*

There are standards applicable to all boat sizes:

- Your actual registration needs to be aboard and current. If you just have a copy, that’s a problem, but if you have no registration, you have a much bigger problem.

- The Hull Identification Number (H.I.N.) needs to be the same on your registration and on your boat (embossed into the transom, low on the starboard side). If they don't match, you've got a lot of explaining to do.
- The registration numbers must be at least three inches, appear as a contrasting color to your hull, and be the most forward of any numbering or lettering on the boat.
- Regardless of the size of your vessel, if you have a Marine Sanitation Device (M.S.D.), aka head or toilet, it must conform to regulations. As all the bays and creeks of Long Island are "No Discharge Zones," an over-board, through-hull holding tank must be in the locked/closed position and the key must be under the control of the captain (no exceptions unless it can be seized closed or the handle can be removed in the closed position).

Other applicable laws and regulations are dictated by the size of your vessel:

- Is there at least one readily available personal flotation device (life jacket) in good working order for every person aboard? To be readily available, the jackets must be out of the wrapper and not buried under the anchor, for example (think of your children or grandchildren having to put them on in hurry).
- The number of fire extinguishers depends on boat size, but all must be in working order. Needles should be "in the green," and when tipped to and fro, there should be no "thunk" sound to indicate that the suppressant has solidified into a cake.
- The amount of flares are boat size dependent, but all must be "good to go," i.e., unexpired!

### ***What happens after checking for compliance***

There are three outcomes. The first and best is receiving a *Report of Boarding* marked "No Violations." You are likely good to go for the season because, if the USCG comes alongside again and you show them your clean boarding report, they will likely pass on.

Your *Report of Boarding* could be marked "Written Warning" about some violation that has not risen to an actionable level on the part of the boarding officer (this is the same as a warning from a terrestrial police officer). However, if the officer returns to the station and finds that you were already given a warning for the same issue, the notice becomes a violation.

A "Notice of Violation" may be issued on the boat, resulting in one of two general outcomes. If the boarding officer believes that the nature of the violation is inherently unsafe (some aspect of your boat may lead to serious injury or death to you, your crew or other boaters), you will be directed to follow the Coast Guard vessel back to the dock. If the violation is benign enough to allow your voyage to continue, it takes on the aspect of a driving violation. The notice is mailed to the Coast Guard hearing office in Portsmouth, Virginia, where the boarding report will be reviewed by a case officer who issues fines, further letters of violations, etc. You will be notified by mail, and will have 15 days to file an appeal.

### ***How do I avoid violations?***

As covered in the June 2010 issue of this magazine, the U.S. Coast Guard Auxiliary and the U.S. Power Squadrons conduct free (your favorite price) vessel exams all season long. These are not enforcement events; if your boat “fails” virtually the same inspection that would be conducted by the regulars, you get a report that details the deficiency – and the inspector’s cell phone number. He or she will tell you, “When you have this addressed, call me. I will come down and re-run the inspection.” This results in a *USCGAux Vessel Safety Check* (VSC) sticker of compliance being affixed to your windshield. Does this guarantee that the Coast Guard Boarding Officer will not board you? Clearly, no. But when faced with two boats, one of which has a current VSC sticker and one that doesn’t, you may very well have lowered the odds of being boarded. Daylight, as the saying goes, is the best antiseptic. <http://www.safetyseal.net/GetVSC/>

*If you are interested in being part of U.S.C.G. Forces, email Captain Pica at [JoinUSCGAux2010@aol.com](mailto:JoinUSCGAux2010@aol.com) or contact John Blevins, who is in charge of new member matters, at [FSO-PS@emcg.us](mailto:FSO-PS@emcg.us).*

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