



# Look Out Below – And Above – and About!

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When I take young sailors out on the high seas, I usually challenge the group by asking, “If anybody can tell me where it is 50 degrees below zero within 10 miles of our location, I will give them this \$20.00 bill.”

It isn't quite Captain Ahab nailing the gold coin to the mast for the mate that first sights the White Whale, but it does get them thinking. About half the time, some young but worldly traveler points straight up and says, “Up there, 10 miles!” and wins. This exercise helps boaters conceptualize that they are required to think about what is going on all around them, 360 degrees by 360 degrees. Rule 5 of the U. S. Coast Guard's Navigation Rules to Avoid Collisions (aka “The COLREGs” or just “The Rules”) is clear on this. All skippers are bound by this Rule, which states: *Every Vessel shall at all times maintain a proper lookout by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision.*

To comprehend this rule, first start understand that everyone appearing in front of an Admiralty Board or Court of Inquiry is guilty, by virtue of the occurrence of a collision (Rule 2

requires you to break any and all other Rules if needed to avoid a collision—so you failed in at least one regard!) The Board is there to **apportion** blame, even if the other skipper drove straight into you; the blame is never 100-0. Why? Because Rule 5 applies to *every* vessel, at *all* times, by *all available* means.”

Do you have radar but didn't turn it on, claiming, “It was a perfectly clear day. Visibility for both of us was fully to the horizon”? The comeback would be, “Skipper, if you had your radar on, you would have been able to determine your exact distance from the approaching vessel, a factor which was your error.”

If the claim is, “It was foggy, sir, but I had both my crew and myself at the helm looking ahead, behind, and around.” The response to that would be, “Skipper, did you have anyone on the bow? He might have heard the oars working the skiff ahead; he certainly would have seen the skiff before you were able to do so.”

You say, “Sir, I blew my whistle repeatedly. He didn't respond.” The retort is, “Skipper, did you try to hail the vessel ahead by radio?”

## “Both in safety and in doubt, always keep a Good Look-Out,” warned Captain Eldrige over 150 years ago.

How far out could this pattern of thought go? In the case of *Granholt v. TFL Express*, freighter *TFL Express* ran down a single-handed yacht, *Granholt*, from behind. In a situation where a vessel is struck from behind, the burden is on the striking skipper, because, in the hierarchy of priorities, a vessel astern (behind you) has virtually the lowest priority of any boats ahead of her. The owner of the *Granholt* sued the *Express* for failing to maintain a proper look-out, per Rule 5, and failing to give way to the overtaken vessel (per Rule 13). The court agreed, but found the skipper of the *Granholt* equally at fault, as he was sleeping and had no lookout. “The obligation to maintain a proper lookout falls upon all vessels, great and small, alike,” the court ruled.

But what of the single-hander who must sleep at some point? How about those who participate in a worldwide race of single-

handers, who must be asleep for one month of the three-plus months they are at sea? The courts have ruled that the failure of the single-hander to maintain a proper (i.e. constant) lookout is irresponsible in the context of Rule 5 and Rule 2. In short, long, single-handed passages are by their very nature irresponsible and contrary to the COLREGs— which govern us all every time we leave the dock.

Keep the Rules in mind every time you leave the dock, and you’ll not only stay safer, but you might win a \$20.00 bet as well. ⚓

*If you are interested in being part of USCG Forces, email me at [JoinUSCGAux@aol.com](mailto:JoinUSCGAux@aol.com) or go direct to the DISR Human Resources Department, which is in charge of new members matters, at DSO-HR and we will help you “get in this thing.”*