



# From the Captain of the Port

## Prevention of Collision At Sea – After You, Alphonse!

I am pleased to introduce myself this month as your new Captain of The Port. My name is Captain Joe Vojvodich and I relieved Captain Daniel Ronan as Sector Commander at CG Sector Long Island Sound on June 21. I moved to Connecticut with my family after serving as the Acquisition Program Manager for the Coast Guard Acquisition Directorate's Command, Control, Communications, Computers, Intelligence, Surveillance and Reconnaissance projects at Coast Guard Headquarters in Washington, D.C. and am thrilled to be back in New England! Over the next three years, I look forward to opportunities to serve the great citizens of Connecticut and Long Island and to working with *Wind-Check's* readers in the Coast Guard's efforts to promote boating safety. Thank you for your support; let's keep working together to keep ourselves and our fellow mariners safe on the water. Now for this month's article...



*Pictured at Sector Long Island Sound's Change of Command ceremony are (l - r) Captain Joseph Vojvodich, the new Sector Long Island Sound Commander, Rear Admiral Daniel Neptun the First District Commander, and Captain Daniel Ronan, the former Sector Long Island Sound Commander.*

While it would seem intuitive that vessels need to follow a mutually understood hierarchy to fully embrace the concept of “stand-on” and “give-way,” the practice of implementing this hierarchy is far more complicated than the theory that Big Boat Rule = Big Boats Rule!

Under Rule 18, (and then expanded with respect to Lights and (Day) Shapes by Rules 23-28) the priority of right-of-way for vessels *in sight of each other* is:

**NUC - Not Under Command.** Due to mechanical or allied reasons, this vessel is unable to control its maneuvers. The shape/light sequence is ball-over-ball/red-over-red (easy to remember with the saying, “Red over red, the captain is dead!”) *All vessels must give way to this vessel – no matter what!*

**RAM - Restricted in Ability to Maneuver.** By the nature of its work, this vessel can't maneuver very easily. A dredger, for example, can't haul gear up to get out of your way, even if you would be the stand-on vessel otherwise. The shape/light sequence to look for is ball-over-diamond-over-ball/red-over-white-over-red. Both NUC and RAM are often categorized as equal in priority – neither one will be able to maneuver to avoid a collision. With that said, if a NUC is drifting down on a RAM, at least the RAM has the option to *try* to get her gear up and get out of the way; so she's second in the hierarchy.

**CBD - Constrained By Draft.** Surprisingly, this is not an Inland designation, where draft may become a greater concern more often – eventually; all vessels are constrained by their drafts. In any event, you can't force this vessel out of its channel since that would cause a collision at sea - with the bottom! The shape/light sequence is a cylinder/red-over-red-over-red.

**Engaged in Fishing.** This isn't your neighbor in his Grady-White with a Penn reel in hand - this is a working vessel, trawling

lines or nets – a serious commercial fisherman. The light

sequence depends on whether they are fishing or trawling. The shape is constant - two inverted cones, tip to tip. If she is fishing, the light sequence is red-over-white (“Red over white, we be fishin' tonight.”) If she is trawling, the light sequence is green-over-white (“Green over white, we be shrimpin' tonight.”)

**Sailing Vessel.** To be considered “sailing,” the vessel must be truly under sail, not just a sailboat with her engine on. That just makes her a funny looking power-driven vessel.

Since a very small percentage of boaters are familiar with the Lights and Shapes, the skipper had better be familiar with the meaning of five or more short blasts on the whistle. This is the danger signal – so look about smartly, skipper, someone (maybe you!) is in danger. And if you are the one blasting the danger single to communicate with another vessel, don't stop to wonder, “Did I hit the whistle four or five times?” My advice is to just keep hitting it and you'll catch someone's attention!

Countervailing this, the vessel claiming any of hierarchical privileges must display the Shape or Lights appropriate and, if they don't, it will weigh against them in a court. However, remember that it is never 100-0 when the court renders its apportionment of blame.

How does Rule 18 interact with Rule 13, which governs vessels that are in Overtaking situations? Rule 13 dominates, subject to the facts. Clear as mud? Simply put, a vessel is defined more by *what they are doing*, than *what they are*. For example, assume that you are drift fishing in your power-driven vessel and a sailing vessel overtakes you. Despite Rule 18's priority of order, the sailing vessel, as the overtaking vessel, is the give-way and must stay clear of the power-driven vessel.

But remember, blame is never apportioned 100-0...

However, if you see a NUC drifting down on your stern, get out of its way! It's not worth the fight that they are over-taking you and must keep out of yours. Remember: “Red-over-red, the captain is dead” – they can't maneuver around you!

*Guest writing with me this month is Vincent Pica, District Captain, Sector Long Island Sound/South, USCG Auxiliary. ♦*