

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 with the following: "If anybody can tell me where it is 50-degrees below zero within 10 miles of our location, I will give them this \$20 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. The point of the exercise is to get them to conceptualize that they are required to think about what is going on all around them - 360 degrees by 360 degrees. Rule 5 is all about that.

Rule 5 - Always Keep a Good Look-Out

What Rule 5 says, and thus binds all skippers, is this: "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."

What does that all mean? Well, you may recall that, back in the March issue of *Long Island Boating World* (<http://www.atlanticmaritimeacademy.com/images/LIBW-1003-colreg-start.pdf>) when we started the series on The Regulations to Avoid Collision At Sea (The COLREGs), I noted that everyone in front of an Admiralty Board or Court of Inquiry is guilty just based on the fact that there has been a collision (Rule 2 requires you to break all the 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. It is never 100-0. Why?

"...shall AT ALL TIMES maintain a proper lookout... ..by ALL AVAILABLE MEANS..."

Have radar and didn't turn it on? "Well, sir, it was a perfectly clear day. Visibility for both of us was fully to the horizon." "Skipper, if you had had your radar on, you would have been able to determine the exact distance to the approaching vessel, a factor that you were in error in..."

"It was foggy, sir, but I had both my crew

and myself at the helm looking ahead, behind and around." "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..."

"Sir, I blew my whistle repeatedly. He didn't respond." "Skipper, did you try to hail the vessel ahead by radio..?"

How far does this pattern of thought go? In a 1984 court case (*Granholt v. TFL Express*), a single-handed yacht, *Granholt*, was run down from behind by the freighter *TFL Express*. The owner of the *Granholt* sued the *Express* for failing to maintain a proper look-out (Rule 5) and to give-way to the over-taken vessel (Rule 13). The court agreed - but found the skipper of the *Granholt* equally at fault. He was sleeping and thus had no look-out. "The obligation to maintain a proper lookout falls upon great vessels and small, alike."

But what of the single-hander who must sleep at some point? In fact, there is a widely sanctioned race of single-handed boats that race around the world. In the three-plus months the skippers are at sea, they must be asleep for the equivalent of a month! The courts have ruled that the failure of the single-hander to maintain a proper - constant - lookout is irresponsible in the context of Rule 5 and Rule 2 (see above.) In short, long, single-handed passages are by their very nature irresponsible and contrary to the COLREGs - which govern all of us every time we leave the dock...

Are there any exceptions? No exceptions - but wider and wider interpretation. The Section/Subpart II - "Conduct of Vessels in Sight of One Another" is all about such interpretations. Rule 11 defines the section as follows:

Rule 11, Section 2, Conduct of Vessels in Sight of One Another, says that "Rules in this Section apply to vessels in sight of each other."

Rule 11, Section 2, Conduct of Vessels in Sight of One Another, means that Rules 12-18 apply to the facts of a case or in the interpretation of their use by the master of a vessel if the vessels can see each other - the use of radar here is not

implied since the word "sight" is explicitly used.

This section covers the most "famous" Rules of the COLREGs which define the only three conditions that boats can meet - overtaking, head on or crossing - one other.

Rule 13 - Overtaking. Bottom line - if you are overtaking another vessel, you are the give-way vessel. By the way, you cannot turn it into a stand-on crossing situation by speeding ahead, turning to port and then cutting across the overtaken vessel's starboard bow. You must be so far ahead when you make that turn to port that there is no question. See Rule 15 below! No one said getting ahead was easy!

Rule 14 - Head On. If you see a boat steaming towards you in a head-on situation, both captains are required to turn to starboard (showing their red port-side light) and return to their respective compass headings once an appropriate passing lane has been established between them. Under the rules, they are both give-way vessels.

Rule 15 - Crossing. OK, I will use the term. If another boat is crossing your bow from your right-hand (starboard) side, she has the "right of way." Turn to starboard and go behind her (called "going under her stern").

These rules were covered more extensively in the May issue of *Long Island Boating World* (<http://www.liboatingworld.com/currentissue/pdfli.htm>). And we'll cover the rest of the rules that comprise the section on "Conduct of Vessels in Sight of One Another" in the months ahead. But always remember this: "Both in safety and in doubt, always keep a Good Look-Out", spake Captain Eldridge.

Be safe. Be ready. Be professional. Watch words that guide in Sector Long Island Sound. BTW, if you are interested in being part of USCG Forces, email me at JoinUSCGAux2010@aol.com or go direct to John Blevins, who is in charge of new members matters, at FSO-PS@emcg.us and we will help you "get in this thing..."

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