

## Coast Guard, DHS

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(h) Prevailing and historical weather conditions;

(i) Length of time that the obstruction has been in existence;

(j) History of vessel incidents involving the obstruction; and

(k) Whether the obstruction is defined as a hazard to navigation under other statutes or regulations.

[CGD 91-031, 57 FR 43403, Sept. 21, 1992]

### § 64.33 Marking by the Coast Guard.

(a) The District Commander may mark for the protection of maritime navigation any structure, sunken vessel or other obstruction that is not suitably marked by the owner. Markings established by the Coast Guard do not relieve the owner's duty or responsibility to mark the sunken vessel or other obstruction, or to remove it as required by law.

(b) Costs for markings established by the Coast Guard will be determined in accordance with part 74 of this Chapter.

(c) Costs for marking of a sunken vessel or other obstruction shall be charged to the owner and shall continue until:

(1) The vessel or other obstruction is removed;

(2) The right of the owner to abandon is legally established and has been exercised; or

(3) The District Commander directs otherwise.

NOTE: When the needs of navigation permit, the owner may be given reasonable opportunity to establish and maintain the necessary markings.

## PART 66—PRIVATE AIDS TO NAVIGATION

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AUTHORITY: 14 U.S.C. 83, 84, 85; 43 U.S.C. 1333; Pub. L. 107-296, 116 Stat. 2135; Department of Homeland Security Delegation No. 0170.1.

### Subpart 66.01—Aids to Navigation Other Than Federal or State

SOURCE: CGFR 68-152, 33 FR 19816, Dec. 27, 1968, unless otherwise noted.

#### § 66.01-1 Basic provisions.

(a) No person, public body or instrumentality not under the control of the Commandant, exclusive of the Armed Forces, shall establish and maintain, discontinue, change or transfer ownership of any aid to maritime navigation, without first obtaining permission to do so from the Commandant.

(b) For the purposes of this subpart, the term private aids to navigation includes all marine aids to navigation operated in the navigable waters of the United States other than those operated by the Federal Government (part 62 of this subchapter) or those operated

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in State waters for private aids to navigation (subpart 66.05).

(c) Coast Guard authorization of a private aid to navigation does not authorize any invasion of private rights, nor grant any exclusive privileges, nor does it obviate the necessity of complying with any other Federal, State or local laws or regulations.

(d) With the exception of radar beacons (racons) and shore based radar stations, operation of electronic aids to navigation as private aids will not be authorized.

[CGFR 68-152, 33 FR 19816, Dec. 27, 1968, as amended by CGD 85-057, 51 FR 11448, Apr. 3, 1986]

#### § 66.01-3 Delegation of authority to District Commanders.

(a) Under Section 888 of Pub. L. 107-296, 116 Stat. 2135, the Commandant delegates to the District Commanders within the confines of their respective districts (see Part 3 of this chapter for descriptions) the authority to grant permission to establish and maintain, discontinue, change or transfer ownership of private aids to maritime navigation, and otherwise administer the requirements of this subpart.

(b) The decisions of the District Commander may be appealed within 30 days from the date of decision. The decision of the Commandant in any case is final.

[CGFR 68-152, 33 FR 19816, Dec. 27, 1968, as amended by USCG-1998-3799, 63 FR 35526, June 30, 1998; USCG-2003-14505, 68 FR 9535, Feb. 28, 2003]

#### § 66.01-5 Application procedure.

To establish and maintain, discontinue, change, or transfer ownership of a private aid to navigation, you must apply to the Commander of the Coast Guard District in which the aid is or will be located. You can find application form CG-2554 at <http://www.uscgboating.org/safety/aton/aids.htm> or you can request a paper copy by calling the Boating Safety Information line at (800) 368-5647. You must complete all parts of the form applicable to the aid concerned, and must forward the application to the District Commander. You must include the following information:

(a) The proposed position of the aid to navigation by two or more horizontal angles, bearings and distance from charted landmarks, or the latitude and longitude as determined by GPS or differential GPS. Attach a section of chart or sketch showing the proposed position.

(b) The name and address of the person at whose expense the aid will be maintained.

(c) The name and address of the person who will maintain the aid to navigation.

(d) The time and dates during which it is proposed to operate the aid.

(e) The necessity for the aid.

(f) For lights: The color, characteristic, range, effective intensity, height above water, and description of illuminating apparatus. Attach a copy of the manufacturer's data sheet to the application.

(g) For sound signals: Type (whistle, horn, bell, etc.) and characteristic.

(h) For buoys or daybeacons: Shape, color, number, or letter, depth of water in which located or height above water.

(i) For racons: Manufacturer and model number of racon, height above water of desired installation, and requested coding characteristic. Equipment must have FCC authorization.

[CGFR 68-152, 33 FR 19816, Dec. 27, 1968, as amended by CGD 85-057, 51 FR 11448, Apr. 3, 1986; USCG-2000-7466, 68 FR 68238, Dec. 8, 2003; USCG-2000-7466, 69 FR 12541, Mar. 17, 2004; USCG-2001-10714, 69 FR 24982, May 5, 2004]

#### § 66.01-10 Characteristics.

The characteristics of a private aid to navigation must conform to those prescribed by the United States Aids to Navigation System set forth in subpart B of part 62 of this subchapter.

[USCG-2000-7466, 68 FR 68238, Dec. 8, 2003]

#### § 66.01-11 Lights.

(a) Except for range and sector lights, each light approved as a private aid to navigation must:

(1) Have at least the effective intensity required by this subpart omnidirectionally in the horizontal plane, except at the seams of its lens-mold.

(2) Have at least 50% of the effective intensity required by this subpart within  $\pm 2^\circ$  of the horizontal plane.

(3) Have a minimum effective intensity of at least 1 candela for a range of 1 nautical mile, 3 candelas for one of 2 nautical miles, 10 candelas for one of 3 nautical miles, and 54 candelas for one of 5 nautical miles. The District Commander may change the requirements for minimum intensity to account for local environmental conditions. For a flashing light this intensity is determined by the following formula:

$$I_e = G / (0.2 + t_2 - t_1)$$

Where:

$I_e$  = Effective intensity

$G$  = The integral of the instantaneous intensity of the flashed light with respect to time

$t_1$  = Time in seconds at the beginning of the flash

$t_2$  = Time in seconds at the end of the flash  
 $t_2 - t_1$  is greater than or equal to 0.2 seconds.

(4) Unless the light is a prefocused lantern, have a means of verifying that the source of the light is at the focal point of the lens.

(5) Emit a color within the angle of 50% effective intensity with color coordinates lying within the boundaries defined by the corner coordinates in Table 66.01-11(5) of this part when plotted on the Standard Observer Diagram of the International Commission on Illumination (CIE).

TABLE 66.01-11(5)—COORDINATES OF CHROMATICITY

Color	Coordinates of chromaticity	
	x axis	y axis
White .....	0.500	0.382
	0.440	0.382
	0.285	0.264
	0.285	0.332
	0.453	0.440
Green .....	0.500	0.440
	0.305	0.689
	0.321	0.494
	0.228	0.351
	0.028	0.385
Red .....	0.735	0.265
	0.721	0.259
	0.645	0.335
	0.665	0.335
Yellow .....	0.618	0.382
	0.612	0.382
	0.555	0.435
	0.560	0.440

(6) Have a recommended interval for replacement of the source of light that ensures that the lantern meets the minimal required intensity stated in

paragraph (a)(3) of this section in case of degradation of either the source of light or the lens.

(7) Have autonomy of at least 10 days if the light has a self-contained power system. Power production for the prospective position should exceed the load during the worst average month of insolation. The literature concerning the light must clearly state the operating limits and service intervals. Low-voltage disconnects used to protect the battery must operate so as to prevent sporadic operation at night.

(b) The manufacturer of each light approved as a private aid to navigation must certify compliance by means of an indelible plate or label affixed to the aid that meets the requirements of §66.01-14.

[USCG-2000-7466, 68 FR 68238, Dec. 8, 2003]

**§66.01-12 May I continue to use the private aid to navigation I am currently using?**

If, after March 8, 2004, you modify, replace, or install any light that requires a new application as described in §66.01-5, you must comply with the rules in this part.

[USCG-2000-7466, 68 FR 68239, Dec. 8, 2003]

**§66.01-13 When must my newly manufactured equipment comply with these rules?**

After March 8, 2004, equipment manufactured for use as a private aid to navigation must comply with the rules in this part.

[USCG-2000-7466, 68 FR 68239, Dec. 8, 2003]

**§66.01-14 Label affixed by manufacturer.**

(a) Each light, intended or used as a private aid to navigation authorized by this part, must bear a legible, indelible label (or labels) affixed by the manufacturer and containing the following information:

- (1) Name of the manufacturer.
- (2) Model number.
- (3) Serial number.

(4) Words to this effect: "This equipment complies with requirements of the U.S. Coast Guard in 33 CFR part 66."

(b) This label must last the service life of the equipment.

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(c) The manufacturer must provide the purchaser a data sheet containing the following information:

- (1) Recommended service life based on the degradation of either the source of light or the lamp.
- (2) Range in nautical miles.
- (3) Effective intensity in candela.
- (4) Size of lamp (incandescent only).
- (5) Interval, in days or years, for replacement of dry-cell or rechargeable battery.

[USCG-2000-7466, 68 FR 68239, Dec. 8, 2003]

### § 66.01-15 Action by Coast Guard.

(a) The District Commander receiving the application will review it for completeness and will assign the aid one of the following classifications:

Class I: Aids to navigation on marine structures or other works which the owners are legally obligated to establish, maintain and operate as prescribed by the Coast Guard.

Class II: Aids to navigation exclusive of Class I located in waters used by general navigation.

Class III: Aids to navigation exclusive of Class I located in waters not ordinarily used by general navigation.

(b) Upon approval by the District Commander, a signed copy of the application will be returned to the applicant. Approval for the operation of radar beacons (racons) will be effective for an initial two year period, then subject to annual review without further submission required of the owner.

[CGFR 68-152, 33 FR 19816, Dec. 27, 1968, as amended by CGD 85-057, 51 FR 11448, Apr. 3, 1986]

### § 66.01-20 Inspection.

All classes of private aids to navigation shall be maintained in proper operating condition. They are subject to inspection by the Coast Guard at any time and without prior notice.

### § 66.01-25 Discontinuance and removal.

(a) No person, public body or instrumentality shall change, move or discontinue any authorized private aid to navigation required by statute or regulation (Class I, § 66.01-15) without first obtaining permission to do so from the District Commander.

(b) Any authorized private aid to navigation not required by statute or regulation (Classes II and III, § 66.01-15) may be discontinued and removed by the owner after 30 days' notice to the District Commander to whom the original request for authorization for establishment of the aid was submitted.

(c) Private aids to navigation which have been authorized pursuant to this part shall be discontinued and removed without expense to the United States by the person, public body or instrumentality establishing or maintaining such aids when so directed by the District Commander.

### § 66.01-30 Corps of Engineers' approval.

(a) Before any private aid to navigation consisting of a fixed structure is placed in the navigable waters of the United States, authorization to erect such structure shall first be obtained from the District Engineer, U.S. Army Corps of Engineers in whose district the aid will be located.

(b) The application to establish any private aid to navigation consisting of a fixed structure shall show evidence of the required permit having been issued by the Corps of Engineers.

### § 66.01-40 Exemptions.

(a) Nothing in the preceding sections of this subpart shall be construed to interfere with or nullify the requirements of existing laws and regulations pertaining to the marking of structures, vessels and other obstructions sunken in waters subject to the jurisdiction of the United States (Part 64 of this subchapter), the marking of artificial islands and structures which are erected on or over the seabed and subsoil of the Outer Continental Shelf (Part 67 of this subchapter), or the lighting of bridges over navigable waters of the United States (Subchapter J of this subchapter).

(b) Persons marking bridges pursuant to Subchapter J of this title are exempted from the provisions of § 66.01-5.

[CGD 78-156, 48 FR 11268, Mar. 17, 1983]

### § 66.01-45 Penalties.

Any person, public body or instrumentality, excluding the armed forces,

who shall establish, erect or maintain any aid to maritime navigation without first obtaining authority to do so from the Coast Guard, with the exception of those established in accordance with § 64.10 of this chapter, or who shall violate the regulations relative thereto issued in this part, is subject to the provisions of 14 U.S.C. 83.

[CGD 78-156, 48 FR 11268, Mar. 17, 1983]

**§ 66.01-50 Protection of private aids to navigation.**

Private aids to navigation lawfully maintained under these regulations are entitled to the same protection against interference or obstruction as is afforded by law to Coast Guard aids to navigation (Part 70 of this subchapter). If interference or obstruction occurs, a prompt report containing all the evidence available should be made to the Commander of the Coast Guard District in which the aids are located.

**§ 66.01-55 Transfer of ownership.**

(a) When any private aid to navigation authorized by the District Commander, or the essential real estate or facility with which the aid is associated, is sold or transferred, both parties to the transaction shall submit application (§ 66.01-5) to the Commander of the Coast Guard District in which the aid is located requesting authority to transfer responsibility for maintenance of the aid.

(b) The party relinquishing responsibility for maintenance of the private aid to navigation shall indicate on the application form (CG-2554) both the discontinuance and the change of ownership of the aid sold or transferred.

(c) The party accepting responsibility for maintenance of the private aid to navigation shall indicate on the application form (CG-2554) both the establishment and the change of ownership of the aid sold or transferred.

(d) In the event the new owner of the essential real estate or facility with which the aid is associated refuses to accept responsibility for maintenance of the aid, the former owner shall be required to remove the aid without expense to the United States. This requirement shall not apply in the case of any authorized private aid to navigation required by statute or regula-

tion (Class I, § 66.01-15) which shall be maintained by the new owner until the conditions which made the aid necessary have been eliminated.

**Subpart 66.05—State Aids to Navigation**

SOURCE: CGFR 66-32, 31 FR 10320, July 30, 1966, unless otherwise noted.

**§ 66.05-1 Purpose.**

The purpose of the regulations in this subpart is to prescribe the conditions under which state governments may regulate aids to navigation owned by state or local governments, or private parties. With the exception on the provisions of subpart 66.10, which are valid until December 31, 2003, aids to navigation must be in accordance with the United States Aids to Navigation System in part 62 of this subchapter.

[CGD 97-018, 63 FR 33573, June 19, 1998]

**§ 66.05-5 Definitions.**

(a) The term *State waters for private aids to navigation* means those navigable waters of the United States which the Commandant, upon request of a State Administrator, has designated as waters within which a State government may regulate the establishment, operation, and maintenance of marine aids to navigation, including regulatory markers. The Commandant will entertain requests to make such designations with respect to navigable waters of the United States not marked by the Federal government. These designations when approved will be set forth in separate sections by States in this subpart and will briefly describe or identify waters so designated.

(b) The term *Uniform State Waterway Marking System (USWMS)* means the system of private aids to navigation which may be operated in State waters. Subpart 66.10, which describes the USWMS, expires on December 31, 2003.

(c) The term *State Administrator* means the official of a State having power under the law of the State to regulate, establish, operate or maintain maritime aids to navigation on

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waters over which the State has jurisdiction.

(d) The term *State aids to navigation* means all private marine aids to navigation operated in State waters for private aids to navigation, whether owned by a State, political subdivisions thereof or by individuals, corporations, or organizations.

(e) The term *regulate State maritime aids to navigation* means to control the establishment, disestablishment, operation and maintenance of State aids to navigation.

[CGFR 66-32, 31 FR 10320, July 30, 1966, as amended by CGD 97-018, 63 FR 33573, June 19, 1998]

**§ 66.05-10 State waters for private aids to navigation; designations; revisions, and revocations.**

(a) A State Administrator who desires to regulate State maritime aids to navigation in the navigable waters of the United States not marked by the Federal Government, shall request the Commandant to designate the specific bodies of water involved as State waters for private aids to navigation.

(b) The request shall be forwarded to the District Commander in whose district the bodies of water are located. The request shall give the name and description of the waterway; the extent of use being made of the waterway for marine navigation, in general terms; an appropriate chart or sketch of the area; and a general outline of the nature and extent of the State aids to navigation which the Administrator plans to establish in the waterway.

(c) The District Commander shall review the request and consult with the State Administrator concerning the terms of an initial agreement to be entered into under provisions of § 66.05-20. When they have arrived at terms of an agreement satisfactory to both, the District Commander shall forward the request to the Commandant with recommendations and the terms of agreement mutually settled upon. If they cannot reach such agreement, the District Commander shall forward the request with recommendations and a statement of the points agreed upon and the points remaining at issue.

(d) Upon receipt of the request, the Commandant will determine whether

or not approval of the request is in the public interest and will inform the State Administrator and the District Commander of the Coast Guard's decision. If the request is approved, the designation by the Commandant of the waters in question as State waters for private aids to navigation will be also defined and described in this subpart.

(e) The Commandant may, upon his or her own initiative or upon request, revoke or revise any designations of State waters for private aids to navigation previously made by him or her. Written notice shall be given the State Administrator of the action contemplated by the Commandant. The State Administrator will be afforded a period of not less than 30 days from the date of the notice in which to inform the Commandant of the State's views in the matter before final action is completed to revoke or revise such designation.

[CGFR 66-32, 31 FR 10320, July 30, 1966, as amended by USCG-2001-10714, 69 FR 24982, May 5, 2004]

**§ 66.05-20 Coast Guard-State agreements.**

(a) The District Commander in whose District a waterway is located may enter into agreements with State Administrators permitting a State to regulate aids to navigation, including regulatory markers, in State waters for private aids to navigation, as, in the opinion of the District Commander, the State is able to do in a manner to improve the safety of navigation. When a waterway is located within the area of jurisdiction of more than one Coast Guard District, the District Commander in whose District the State capital is located shall execute the agreement in behalf of the Coast Guard. All such agreements shall reserve to the District Commander the right to inspect the State aids to navigation without prior notice to the State. They shall stipulate that State aids to navigation will conform to the Uniform State Waterway marking System or to the U.S. Aids to Navigation System and that the State Administrator will modify or remove State aids to navigation without expense to the United States when so directed by the District Commander, subject to the

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right of appeal on the part of the State Administrator to the Commandant.

(b) A Coast Guard-State agreement shall become effective when both parties have signed the agreements. In lieu of the procedure prescribed in §66.01-5, the agreement shall constitute blanket approval by the Commandant, of the State aids to navigation, including regulatory markers, established or to be established in State waters for private aids to navigation designated or to be designated by the Commandant.

(c) In addition to the matters set forth in paragraph (a) of this section, Coast Guard-State agreements shall cover the following points, together with such other matters as the parties find it desirable to include:

(1) A description, in sufficient detail for publication in Notices to Mariners, of all aids to navigations under State jurisdiction in navigable waters of the United States in existence prior to the effective date of the agreement which have not been previously approved under procedures of §66.01-5.

(2) Procedures for use by the State administrator to notify the District Commander of changes made in State aids to navigation, as required by §66.05-25.

(3) If prior to December 21, 2003, specification of the marking system to be used, whether the U.S. Aids to Navigation System or the Uniform State Waterway Marking System.

(4) Specification of standards as to minimum size and shape of markers, the use of identifying letters, the use of reflectors or retroreflective materials, and any other similar standards so as to enable Coast Guard inspectors to determine compliance with Statewide standards.

[CGD 86-031, 52 FR 42645, Nov. 6, 1987, as amended by CGD 97-018, 63 FR 33573, June 19, 1998]

### § 66.05-25 Change and modification of State aids to navigation.

Wherever a State Administrator determines the need for change in State aids to navigation, he or she must inform the District Commander of the nature and extent of the changes, as

soon as possible, but not less than 30 days in advance of making the changes.

[USCG-2001-10714, 69 FR 24982, May 5, 2004]

### § 66.05-30 Notice to Mariners.

(a) To improve public safety, the District Commander may publish information concerning State aids to navigation, including regulatory markers, in the Coast Guard Local Notices to Mariners.

(b) Notices to Mariners which concern the establishment, disestablishment, or change of State aids to navigation, including regulatory markers, may be published whenever the aids to navigation concerned are covered by navigational charts or maps issued by the National Ocean Service or the U.S. Army Corps of Engineers.

[CGFR 66-32, 31 FR 10320, July 30, 1966, as amended by USCG-2000-7223, 65 FR 40055, June 29, 2000; USCG-2001-9286, 66 FR 33640, June 25, 2001; USCG-2001-10714, 69 FR 24982, May 5, 2004]

### § 66.05-35 Private aids to navigation other than State owned.

(a) No person, public body or other instrumentality not under control of the Commandant or the State Administrator, exclusive of the Armed Forces of the United States, shall establish, erect or maintain in State waters for private aids to navigation any aid to navigation without first obtaining permission to do so from the State Administrator. Discontinuance of any State aids to navigation may be effected by order of the State Administrator.

### § 66.05-40 Corps of Engineers' approval.

(a) In each instance where a regulatory marker is to be established in navigable waters of the United States which have been designated by the Commandant as State waters for private aids to navigation, the State Administrator is responsible for obtaining prior permission from the District Engineer, U.S. Army Corps of Engineers concerned, authorizing the State to regulate the water area involved, or a statement that there is no objection to the proposed regulation of the water area. A copy of the Corps of Engineers permit or letter of authority shall be

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provided by the Administrator to the District Commander upon request.

(b) Similarly, where an aid to navigation is to be placed on a fixed structure or a mooring buoy is to be established in State waters for private aids to navigation, the State Administrator shall assure that prior permission or a statement of no objection to the structures or mooring buoys proposed is obtained from the District Engineer concerned. A copy of the permit or letter is not required by the District Commander.

**§ 66.05-100 Designation of navigable waters as State waters for private aids to navigation.**

In accordance with the procedures contained in § 66.05-10(d), the following navigable waters listed by the State in which they are located, are designated as State waters for private aids to navigation:

(a) *Arizona*. The portion of Lake Havasu within the State, except that portion within Havasu Lake National Wildlife Refuge.

(b) *Louisiana*. The portion of Toledo Bend Reservoir within the State.

(c) *Missouri*. Teach water within the State except the:

- (1) Mississippi River; and
- (2) Missouri River.

(d) *Montana*. The portion of Missouri River between the U.S. Highway 287 bridge near Townsend and Great Falls including the following impoundments:

- (1) Black Eagle Dam Reservoir.
- (2) Canyon Ferry Reservoir.
- (3) Hauser Lake.
- (4) Holter Lake.
- (5) Rainbow Dam Reservoir.

(e) *North Carolina*. Navigable waters within the State not marked with Coast Guard aids to navigation on June 1, 1973.

(f) *Pennsylvania*. The portion of Youghiogheny River Reservoir within the State.

(f-1) *South Carolina*. (1) The portion of Lake Wylie within the State; (2) Lake Marion; (3) Lake Moultrie; and (4) Lake Murray.

(g) *Texas*. The portion of Toledo Bend Reservoir within the State.

(h) *Virginia*. (1) Claytor Lake, on the New River in Pulaski County.

(2) Leesville Lake, on the Roanoke River below Smith Mountain Dam.

(3) The portions of the following reservoirs within the State:

- (i) Gaston.
- (ii) Holston.
- (iii) John H. Kerr.
- (iv) Philpott.

(i) *Wisconsin*. Navigable waters within the State not marked with Coast Guard aids to navigation as of May 1, 1996.

[CGD 72-154R, 38 FR 33473, Dec. 5, 1973, as amended by CGD 76-015, 41 FR 12879, Mar. 29, 1976; CGD 80-132, 46 FR 27643, May 21, 1981; CGD 98-3604, 63 FR 55947, Oct. 20, 1998; USCG-2001-10714, 69 FR 24982, May 5, 2004]

**Subpart 66.10—Uniform State Waterway Marking System**

**§ 66.10-1 General.**

(a) Until December 31, 2003, the Uniform State Waterway Marking System's (USWMS) aids to navigation provisions for marking channels and obstructions may be used in those navigable waters of the U.S. that have been designated as state waters for private aids to navigation and in those internal waters that are non-navigable waters of the U.S. All other provisions for the use of regulatory markers and other aids to navigation shall be in accordance with United States Aid to Navigation System, described in part 62 of this subchapter.

(b) The USATONS may be used in all U.S. waters under state jurisdiction, including non-navigable state waters.

[CGD 97-018, 63 FR 33574, June 19, 1998]

**§ 66.10-5 [Reserved]**

**§ 66.10-10 [Reserved]**

**§ 66.10-15 Aids to navigation.**

(a) USWMS aids to navigation may have lateral or cardinal meaning.

(b) On a well defined channel including a river or other relatively narrow natural or improved waterway, an aid to navigation shall normally be a solid colored buoy. A buoy which marks the left side of the channel viewed looking upstream or toward the head of navigation shall be colored all black. A buoy which marks the right side of the channel viewed looking upstream or toward



the head of navigation shall be colored all red. On a well defined channel, solid colored buoys shall be established in pairs, one on each side of the navigable channel which they mark, and opposite each other to inform the user that the channel lies between the buoys and that the user should pass between the buoys.

(c) On an irregularly defined channel, solid colored buoys may be used singly in staggered fashion on alternate sides of the channel provided they are spaced at sufficiently close intervals to inform the user that the channel lies between the buoys and that the user should pass between the buoys.

(d) Where there is no well-defined channel or when a body of water is obstructed by objects whose nature or location is such that the obstruction can be approached by a vessel from more than one direction, supplemental aids to navigation having cardinal meaning (i.e., pertaining to the cardinal points of the compass, north, east, south, and west) may be used. The use of an aid to navigation having cardinal meaning is discretionary provided that the use of such a marker is limited to wholly State owned waters and the State waters for private aids to navigation as defined and described in this part.

(e) Aids to navigation conforming to the cardinal system shall consist of three distinctly colored buoys.

(1) A white buoy with a red top may be used to indicate to a vessel operator that the operator must pass to the south or west of the buoy.

(2) A white buoy with a black top may be used to indicate to a vessel operator that the operator must pass to the north or east of the buoy.

(3) In addition, a buoy showing alternate vertical red and white stripes may be used to indicate to a vessel operator that an obstruction to navigation extends from the nearest shore to the buoy and that the operator must not pass between the buoy and shore. The number of white and red stripes is discretionary, provided that the white stripes are twice the width of the red stripes.

[CGFR 66-32, 31 FR 10321, July 30, 1966, as amended by CGD 97-018, 63 FR 33574, June 19, 1998; USCG-2001-10714, 69 FR 24982, May 5, 2004]

#### § 66.10-35 Navigation lights.

A red light shall only be used on a solid colored red buoy. A green light shall only be used on a solid colored black or a solid colored green buoy. White lights shall be used for all other buoys. When a light is used on a cardinal system buoy or a vertically striped white and red buoy, it shall always be quick flashing.

[CGD 97-018, 63 FR 33574, June 19, 1998]

### PART 67—AIDS TO NAVIGATION ON ARTIFICIAL ISLANDS AND FIXED STRUCTURES

#### Subpart 67.01—General Requirements

Sec.

- 67.01-1 Scope.
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#### Subpart 67.15—Miscellaneous Marking Requirements

- 67.15-1 Lights and signals on attendant vessels.
- 67.15-5 Seismographic and surveying operations.
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