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SUBCHAPTER I—RULES

PART A—GENERAL

§ 2001. Application (Rule 1)

(a) United States inland waters and Canadian waters of the Great Lakes

These Rules apply to all vessels upon the inland waters of the United States, and to vessels of the United States on the Canadian waters of the Great Lakes to the extent that there is no conflict with Canadian law.

(b) International Regulations

(i) These Rules constitute special rules made by an appropriate authority within the meaning of Rule 1(b) of the International Regulations.

(ii) All vessels complying with the construction and equipment requirements of the International Regulations are considered to be in compliance with these Rules.

(c) Special rules

Nothing in these Rules shall interfere with the operation of any special rules made by the Sec-

retary of the Navy with respect to additional station or signal lights and shapes or whistle signals for ships of war and vessels proceeding under convoy, or by the Secretary with respect to additional station or signal lights and shapes for fishing vessels engaged in fishing as a fleet. These additional station or signal lights and shapes or whistle signals shall, so far as possible, be such that they cannot be mistaken for any light, shape, or signal authorized elsewhere under these Rules. Notice of such special rules shall be published in the Federal Register and, after the effective date specified in such notice, they shall have effect as if they were a part of these Rules.

(d) Vessel traffic service regulations

Traffic separation schemes may be established for the purpose of these Rules. Vessel traffic service regulations may be in effect in certain areas.

(e) Alternative compliance

Whenever the Secretary determines that a vessel or class of vessels of special construction or purpose cannot comply fully with the provisions of any of these Rules with respect to the number, position, range, or arc of visibility of lights or shapes, as well as to the disposition and characteristics of sound-signaling appliances, the vessel shall comply with such other provisions in regard to the number, position, range, or arc of visibility of lights or shapes, as well as to the disposition and characteristics of sound-signaling appliances, as the Secretary shall have determined to be the closest possible compliance with these Rules. The Secretary may issue a certificate of alternative compliance for a vessel or class of vessels specifying the closest possible compliance with these Rules. The Secretary of the Navy shall make these determinations and issue certificates of alternative compliance for vessels of the Navy.

(f) Acceptance of certificates of alternative compliance from contracting parties to International Regulations

The Secretary may accept a certificate of alternative compliance issued by a contracting party to the International Regulations if he determines that the alternative compliance standards of the contracting party are substantially the same as those of the United States.

(Pub. L. 96-591, §2, Dec. 24, 1980, 94 Stat. 3415; Pub. L. 102-241, §21(1), Dec. 19, 1991, 105 Stat. 2217; Pub. L. 102-587, title V, §5206(1), Nov. 4, 1992, 106 Stat. 5074.)

REPEAL OF SECTION

Pub. L. 108-293, title III, §303(a), (c), Aug. 9, 2004, 118 Stat. 1042, provided that this section is repealed effective on the effective date of final regulations prescribed by the Secretary of the Department in which the Coast Guard is operating under section 2071 of this title.

REFERENCES IN TEXT

These Rules, referred to in pars. (a), (b), (c), and (e), are the Inland Navigational Rules which are classified to this subchapter.

The International Regulations, referred to in pars. (b) and (f), are the International Regulations for Prevent-

ing Collisions at Sea, 1972. See International Regulations for Preventing Collisions at Sea, 1972, set out as a note under section 1602 of this title.

CODIFICATION

Section was enacted as part of section 2 of Pub. L. 96-591 which enacted the Inland Navigational Rules which comprise this subchapter.

AMENDMENTS

1992—Par. (d). Pub. L. 102-587 amended par. (d) generally. Prior to amendment, par. (d) read as follows: “Vessel traffic service regulations may be in effect in certain areas.”

1991—Par. (e). Pub. L. 102-241 struck out “without interfering with the special function of the vessel,” before “the vessel shall comply”.

EFFECTIVE DATE OF REPEAL

Pub. L. 108-293, title III, § 303(c), Aug. 9, 2004, 118 Stat. 1042, provided that: “Subsection (a) [repealing this subchapter] is effective on the effective date of final regulations prescribed by the Secretary of the Department in which the Coast Guard is operating under section 3 of the Inland Navigation Rules Act of 1980 (33 U.S.C. 2001) [33 U.S.C. 2071], as amended by this Act.”

EFFECTIVE DATE

Section 7 of Pub. L. 96-591 provided that: “Sections 2, 4, 6(1), and 8(a) [enacting this section and sections 2002 to 2038 and 2072 of this title, amending section 1604 of this title, and repealing sections 154 to 159, 171 to 183, 191, 192, 201 to 213, 221, 222, 231, 232, 301 to 303, 311 to 323, 331, 341-356, 360, and 360a of this title and sections 526b, 526c, and 526d of former Title 46, Shipping] are effective 12 months after the date of enactment of this Act [Dec. 24, 1980], except that on the Great Lakes, the effective date of sections 2 and 4 [enacting this section and sections 2002 to 2038 and 2072 of this title] will be established by the Secretary. [The effective date on the Great Lakes was established as Mar. 1, 1983. See 47 F.R. 15135, Apr. 8, 1982.] Section 5 [enacting section 2073 of this title] is effective on October 1, 1981.”

SHORT TITLE

Section 1 of Pub. L. 96-591 provided: “That this Act [enacting this chapter, amending sections 151, 1604, 1605, and 1608 of this title, repealing sections 154 to 159, 171 to 183, 191, 192, 201 to 213, 221, 222, 231, 232, 241 to 244, 251 to 262, 271, 272, 281 to 295, 301 to 303, 311 to 323, 331, 341 to 356, 360, and 360a of this title and sections 526b, 526c, and 526d of former Title 46, Shipping, and enacting provisions set out as notes under this section] may be cited as the ‘Inland Navigational Rules Act of 1980’.”

REPEAL OF PREDECESSOR PROVISIONS; SAVINGS PROVISIONS

Section 8(a) of Pub. L. 96-591 provided in part that: “The laws specified in the following schedules are repealed. Any prior rights or liabilities existing under these laws are not affected by their repeal.” [The schedules repealed sections 154 to 159, 171 to 183, 191, 192, 201 to 213, 221, 222, 231, 232, 301 to 303, 311 to 323, 331, 341 to 356, 360, and 360a of this title and sections 526b, 526c, and 526d of former Title 46, Shipping.]

Section 8(b) of Pub. L. 96-591 provided in part that: “The following laws [sections 241 to 244, 251 to 262, 271, 272, and 281 to 295 of this title] are repealed when the Secretary establishes an effective date under section 7 [set out as a note above].”

§ 2002. Responsibility (Rule 2)

(a) Exoneration

Nothing in these Rules shall exonerate any vessel, or the owner, master, or crew thereof, from the consequences of any neglect to comply with these Rules or of the neglect of any pre-

caution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

(b) Departure from rules when necessary to avoid immediate danger

In construing and complying with these Rules due regard shall be had to all dangers of navigation and collision and to any special circumstances, including the limitations of the vessels involved, which may make a departure from these Rules necessary to avoid immediate danger.

(Pub. L. 96-591, § 2, Dec. 24, 1980, 94 Stat. 3416.)

REPEAL OF SECTION

Pub. L. 108-293, title III, § 303(a), (c), Aug. 9, 2004, 118 Stat. 1042, provided that this section is repealed effective on the effective date of final regulations prescribed by the Secretary of the Department in which the Coast Guard is operating under section 2071 of this title.

REFERENCES IN TEXT

These Rules, referred to in text, are the Inland Navigational Rules which are classified to this subchapter.

CODIFICATION

Section was enacted as part of section 2 of Pub. L. 96-591 which enacted the Inland Navigational Rules which comprise this subchapter.

§ 2003. Definitions (Rule 3)

For the purpose of these Rules and this chapter, except where the context otherwise requires:

(a) The word “vessel” includes every description of water craft, including nondisplacement craft and seaplanes, used or capable of being used as a means of transportation on water;

(b) The term “power-driven vessel” means any vessel propelled by machinery;

(c) The term “sailing vessel” means any vessel under sail provided that propelling machinery, if fitted, is not being used;

(d) The term “vessel engaged in fishing” means any vessel fishing with nets, lines, trawls, or other fishing apparatus which restricts maneuverability, but does not include a vessel fishing with trolling lines or other fishing apparatus which do not restrict maneuverability;

(e) The word “seaplane” includes any aircraft designed to maneuver on the water;

(f) The term “vessel not under command” means a vessel which through some exceptional circumstance is unable to maneuver as required by these Rules and is therefore unable to keep out of the way of another vessel;

(g) The term “vessel restricted in her ability to maneuver” means a vessel which from the nature of her work is restricted in her ability to maneuver as required by these Rules and is therefore unable to keep out of the way of another vessel; vessels restricted in their ability to maneuver include, but are not limited to:

(i) a vessel engaged in laying, servicing, or picking up a navigation mark, submarine cable, or pipeline;

(ii) a vessel engaged in dredging, surveying, or underwater operations;

(iii) a vessel engaged in replenishment or transferring persons, provisions, or cargo while underway;