

22. US NAVIGATION SAFETY REGULATIONS RELATING TO NAVIGATION, CHARTS AND PUBLICATIONS

Source: UK Hydrographic Office.

Former Notice 22/04 is cancelled. Additions and amendments to the former notice are indicated by sidelines.

1. Parts of the Navigation Safety Regulations in force in the United States of America (US) relate to navigational charts and publications and their use in the navigable waters of the US, except the St. Lawrence Seaway.
2. The relevant sections are reproduced at Annex A to this Notice.
3. Admiralty charts of US waters form part of a world series designed for ocean and coastal navigation and to afford access to the main ports available to international shipping. To keep regular maintenance within practical limits, it is Admiralty policy to keep charts to the smallest scale which will adequately show the dangers and navigational aids. Chart updating information promulgated by Admiralty Notices to Mariners is normally restricted to those items considered essential for safe navigation.
4. The Admiralty chart series of US waters now includes cover of most major ports and their approaches, at scales closely equivalent to those used by the US; these charts comply fully with section 164.33(b) of the US Navigation Safety Regulations. However, some delay is inevitable before complete details of extensive changes shown on a new edition of a US chart can be included in the equivalent Admiralty chart. In these cases, and for entry to any minor port, mariners are advised to consider whether they need to acquire the latest US charts, publications and notices to mariners available at previous ports of call.
5. General information about the charts published by other national hydrographic offices and the need, in certain areas, to supplement the Admiralty world series with selected foreign charts, is given in NP 100, The Mariner's Handbook; relevant information is also given in NP 131, Catalogue of Admiralty Charts, Parts 1 and 4.
6. US charts of US waters are published by the National Ocean Service (NOS). Requests for catalogues and public sale orders for NOS products may be directed to:

FAA, National Aeronautical Charting Office
Distribution Division AVN-530
6303 Ivy Lane, Suite 400
Greenbelt
Maryland 20770
USA

Tel: +1 301 436 8301
Fax: +1 301 436 6829
E-mail: 9-AMC-Chartsales@faa.gov
Website: www.naco.faa.gov

7. US Notice to Mariners, which include information for updating US NOS charts for the purposes of ocean going vessels, are published weekly by the National Geospatial-Intelligence Agency (NGA). US Notice to Mariners are available via the NGA Maritime Safety Information Division website <http://pollux.nss.nga.mil/>.
8. The information given in this Notice is published solely for the safety and convenience of shipping. Attention is drawn to the comments concerning laws and regulations given in NP 100, The Mariner's Handbook, Chapter 1.

ANNEX A TO ANNUAL NOTICE TO MARINERS No. 22

EXCERPTS FROM THE US NAVIGATION SAFETY REGULATIONS RELATING TO NAVIGATION,
CHARTS AND PUBLICATIONS.**164.01 Applicability.**

... applies to each self propelled vessel of 1600 or more gross tons (except foreign vessels described in § 164.02) when it is operating in the navigable waters of the United States except the St. Lawrence Seaway.

164.02 Applicability exception for foreign vessels.

... does not apply to vessels that:

- (1) Are not destined for, or departing from, a port or place subject to the jurisdiction of the United States and
- (2) Are in —
 - (i) Innocent passage through the territorial sea of the United States; or
 - (ii) Transit through navigable waters of the United States which form a part of an international strait.

164.11 Navigation underway: General.

The owner, master, or person in charge of each vessel underway shall ensure that:

- (a) The wheelhouse is constantly manned by persons who —
 - (1) Direct and control the movement of the vessel; and
 - (2) Fix the vessel's position;
- (b) Each person performing a duty described in paragraph (a) of this section is competent to perform that duty;
- (c) The position of the vessel at each fix is plotted on a chart of the area and the person directing the movement of the vessel is informed of the vessel's position;
- (d) Electronic and other navigational equipment, external fixed aids to navigation, geographic reference points, and hydrographic contours are used when fixing the vessel's position;

164.30 Charts, publications, and equipment: General.

No person may operate or cause the operation of a vessel unless the vessel has the marine charts, publications, and equipment as required by sections 164.33 through 164.41 of this part*.

164.33 Charts and publications.

- (a) Each vessel must have the following:
 - (1) Marine charts of the area to be transited, published by the National Ocean Service, US Army Corps of Engineers, or a river authority that —
 - (i) Are of a large enough scale and have enough detail to make safe navigation of the area possible; and
 - (ii) Are currently corrected.
 - (2) For the area to be transited, a currently corrected copy of, or applicable currently corrected extract from, each of the following publications:
 - (i) US Coast Pilot.
 - (ii) Coast Guard Light List.
 - (3) For the area to be transited, the current edition of, or applicable current extract from:
 - (i) Tide tables published by private entities using data provided by the National Ocean Service.
 - (ii) Tidal current tables published by private entities using data provided by the National Ocean Service, or river current publication issued by the US Army Corps of Engineers, or a river authority.
- (b) As an alternative to the requirements for paragraph (a) above, a marine chart or publication, or applicable extract, published by a foreign government may be substituted for a US chart and publication required by this section. The chart must be of large enough scale and have enough detail to make safe navigation of the area possible, and must be currently corrected. The publication, or applicable extract, must singly or in combination contain similar information to the US Government publication to make safe navigation of the area possible. The publication, or applicable extract must be currently corrected, with the exceptions of tide and tidal current tables, which must be the current editions.
- (c) As used in this section, "currently corrected" means corrected with changes contained in all Notices to Mariners published by National Imagery and Mapping Agency, or an equivalent foreign government publication, reasonably available to the vessel, and that is applicable to the vessel's transit.

*Note: Subsequent sections, up to and including 164.41 relate to equipment and have not been included in this Annex, except 164.33