

Lower Columbia Region Harbor Safety Committee
Harbor Safety Plan | Chapter 13

SMALL VESSELS AND MAKE WAY RULE GUIDELINES

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A. Overview

1. Purpose

Recreational vessels and commercial vessels, including tankers, freight ships, containerships, and tugs with barges in tow share the waters of the Lower Columbia Region. This guideline provides information for small recreational vessels and explains the “Make Way Rule” (also known as Rule 9) for vessel operations in the Lower Columbia Region.

2. Small Vessel Risks

Recreational boaters and commercial fishermen transit the navigational shipping lanes and approaches to port facilities and marine terminals. Small vessels transiting in the vicinity of the Lower Columbia Region are subjected to numerous risks including: wakes, narrow transit areas, severe weather, and limited visibility from larger ships.

Small vessel operators should be aware that large commercial deep draft vessels cannot immediately stop or alter course due to large amounts of inertia and draft constraints. The inability of deep draft vessels to stop or alter course presents a high risk to a small vessel if the operator is unaware of the contents of the COLREGS 72 (Rules of the Road) Rule 9: Narrow Channels.

Small vessel operators must be aware of and comply with their obligations under COLREGS 72 (Rules of the Road), specifically Rule 9, Narrow Channels.

Large vessels constrained by their draft may transit on the edge of or outside the navigation lanes and if smaller vessels are anchored too close to the navigational lanes they may be in harm’s way. Small vessel operators that anchor, fish or troll near navigation lanes are advised to remain aware of their proximity to the shipping lanes and to other vessels using such lanes and take necessary actions and precautions.

Small vessel operators should be aware of the factors that could make it difficult to see them. Small vessels such as kayaks, personal watercraft, and vessels with a low profile may be difficult to spot if there is a rising sun or setting sun. Once a small vessel is close to the bow or side of the larger vessel it may no longer be visible to the wheelhouse or the lookout on the larger vessel which creates a serious hazard to safe operations. Containers or other cargo carried on deck of container ships can potentially cause blind spots that extend ahead of the vessel.

On a sunny weekend or during fishing seasons, large numbers of small boats may be out. The crowded conditions create the potential for serious marine accidents. Memorial Day, Labor Day and the Rose Parade are times of extreme congestion by small vessels.

B. Make Way Rule (Rule 9)

- A vessel proceeding along the course of a narrow channel or fairway shall keep as near to the outer limit of the channel or fairway positioned on her starboard side as is safe and practicable.
- A vessel of less than 20 meters in length or a sailing vessel shall not impede the passage of a vessel which can safely navigate only within a narrow channel or fairway.
- A vessel engaged in fishing shall not impede the passage of any other vessel navigating within a narrow channel or fairway.
- A vessel shall not cross a narrow channel or fairway if such crossing impedes the passage of a vessel which can safely navigate only within such channel or fairway. The latter vessel may use the sound signal prescribed in Rule 34 if in doubt as to the intention of the crossing vessel.
- In a narrow channel or fairway when overtaking can take place only if the vessel to be overtaken has to take action to permit safe passing, the vessel intending to overtake shall indicate her intention by sounding the appropriate signal prescribed in Rule 34(c)(i). The vessel to be overtaken shall, if in agreement, sound the appropriate signal prescribed in Rule 34(c)(ii) and take steps to permit safe passing. If in doubt she may sound the signals prescribed in Rule 34(d).
- This Rule does not relieve the overtaking vessel of her obligation under Rule 13.
- A vessel nearing a bend or an area of a narrow channel or fairway where other vessels may be obscured by an intervening obstruction shall navigate with particular alertness and caution and shall sound the appropriate signal prescribed in Rule 34(e).
- Any vessel shall, if the circumstances of the case admit, avoid anchoring in a narrow channel.

C. Boater Education Requirements and Opportunities

There are several groups that provide education to small vessel operators. Examples of subjects that are covered by these courses are: Boating Safety, Sailing Skills & Seamanship, Weekend Navigator, How to Read a Nautical Chart, Personal Watercraft Course, and others. These courses can be found locally. The table below lists groups that offer classes and their websites where you can find more information.

Organization Education Topics Websites	
US Coast Guard Auxiliary Boating Safety, Rules of the Road, Basic Rescue www.cgaux.org	U.S. Power Squadrons Boating Safety, Rules of the Road, Basic Rescue www.usps.org
Washington State Parks Mandatory Boat Operator Course www.parks.wa.gov/boating/boatered/	Oregon State Marine Board Mandatory Boat Operator Course www.boatoregon.com/osmb/
In Oregon State, operators of motorboats with more than 10 horsepower are required to carry a Boater Education Card. Boaters can take an education course in a classroom or online or complete an equivalency exam. Additional information is available at www.boatoregon.com/osmb/boated/	In Washington State, operators of motorboats with 15 horsepower or greater are required by law to take a boater safety education course. Boaters can take an education course in a classroom, online or at home. The Washington Boating Handbook is available at www.boat-ed.com/wa/handbook/pdf_index
The U.S. Coast Guard operates a Boating Safety Hotline, (800) 368-5647, that dispenses information and references for local classes.	
An education card from Oregon or Washington is accepted by the other state as meeting the boater education requirements.	

D. Reporting Accidents

Federal and state law require boating accidents be reported. Reports are confidential and used by the state and USCG for statistical reports as allowed by state law.

Washington State law requires the operator of a recreational vessel involved in an accident in Washington waters to file a Washington Boat Accident Report when:

- Loss of life occurs
- Injury occurs which requires medical treatment beyond first aid
- A person disappears from a vessel under circumstances that indicate death or injury
- Property damage is in excess of \$2,000, or there is complete loss of a vessel

This report is available at www.parks.wa.gov/boating/accidents/.

In Washington State, if there is an injury, disappearance or death, a report must be submitted within 48 hours. Reports on other accidents must be submitted within 10 days. If the operator cannot submit the report, the owner of the vessel is responsible.

Reports must be submitted to the city or county law enforcement agency that has authority where the accident occurred. If you are not sure which agency has authority, contact the Washington State Boating Programs by calling (360) 902-8555 or by e-mail at boatlaw@parks.wa.gov. Information is also available at www.parks.wa.gov/boating/accidents/. Failure of an operator to submit a report can result in a fine.

Oregon requires the operator of every vessel involved in an accident resulting in injury or death of any person, or total property damage in excess of \$2,000 to file a written report. Reports must be submitted within 48 hours in case of death or injury, 10 days in accidents involving only property damage. Forms are available at www.boatoregon.com/osmb/safety/docs/boatingacc.pdf