



COMDTINST M5000.3B

22 SEP 1992

COMMANDANT INSTRUCTION M5000.3B

Subj: United States Coast Guard Regulations 1992

1. **PURPOSE.** This instruction promulgates the United States Coast Guard Regulations. Coast Guard Regulations prescribe general rules concerning matters of major principle related to government of the Coast Guard.
2. **DIRECTIVES AFFECTED.** Commandant Instruction M5000.3A, "United States Coast Guard Regulations 1985" and the ten changes thereto are superseded and cancelled.
3. **CHANGES.** This publication revises the previous two-column format into a full page text style. In addition, it amends Sections 5-2-4 B. and 5-2-5 B. to require Area Commander notification upon the absence or disability of the District Commander and Chief of Staff or the MLC Commander and Deputy Commander.
4. **AUTHORITY.** By the authority vested in me by the Secretary of Transportation, the United States Coast Guard Regulations 1992 (COMDTINST M5000.3B) are issued for the government of all persons in the Coast Guard.

J. W. KIME  
Commandant, U. S. Coast Guard  
COMMANDANT

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## CHAPTER 4

### THE COMMANDING OFFICER AND OFFICER IN CHARGE

#### PART 1

##### The Commanding Officer of Any Unit

###### 4-1-1 Introduction

A. The regulations in this part apply to all commanding officers.

###### 4-1-2 Responsibility

A. The responsibility of the commanding officer for that command is absolute, except when, and to the extent, relieved therefrom by competent authority, or as provided otherwise in these regulations. At the commanding officer's discretion, portions of that authority may be delegated to subordinates for the execution of details, but such delegation of authority shall in no way relieve the commanding officer of continued responsibility for the safety, efficiency, and well-being of the command.

B. A commanding officer who departs from orders or instructions, or at the request of any person takes official action which is not in accordance with such orders or instructions, takes full responsibility and shall report immediately the circumstances to the officer from whom the orders were received.

###### 4-1-3 Organization of Commands

A. All commands and other activities of the Coast Guard shall be organized and administered in accordance with law, these regulations, and the orders of competent authority, and all rules and orders of the commanding officer shall be in accordance therewith.

###### 4-1-4 Readiness

A. The commanding officer shall ensure that the unit is operationally ready to perform all assigned duties, and shall therefore conduct exercises to attain and maintain operational proficiency.

###### 4-1-5 Relationship with Executive Officer

A. The commanding officer shall normally issue all orders relative to the duties of the command and the administration of personnel through the executive officer, and shall keep the latter informed of all policies.

###### 4-1-6 Aids to Navigation

A. The commanding officer or duly delegated representative shall make every effort to observe the functioning of all aids to navigation within the immediate area of the unit. The commanding officer shall inform the district commander by message of any aid to navigation that is found to be out of order or off station. The message shall include information as to any corrective action taken. In addition, a report shall be made to the district commander of any important hydrographic information which has been obtained.

## THE COMMANDING OFFICER AND OFFICER IN CHARGE

### 4-1-7 Assistance

A. The commanding officer of a Coast Guard unit shall be alert to obtain, develop, and verify reports or rumors of distress. Pertinent information shall be promptly forwarded to the immediate supervisor and other Coast Guard units concerned:

B. Upon receiving information that a vessel or aircraft is in distress within the area of operation of the unit, the commanding officer shall, whenever it is the appropriate duty to do so, assist such vessel or aircraft as soon as possible. These regulations, current orders and other specific instructions from superiors, and the customs and tradition of the Service shall guide the commanding officer in determining the extent and nature of expected duty in this regard.

C. In rendering assistance during any distress case, the commanding officer shall aid the distressed vessel or aircraft and its passengers and crew until such time as it is able to proceed safely, or until such time as further Coast Guard assistance is no longer required.

D. When it has been definitely established, either by time or circumstances, that persons are dead, the Coast Guard is not required to conduct searches for bodies. If, however requests are received from responsible agencies, such as local police, military commands, etc., Coast Guard units may participate in body searches provided that these searches do not interfere with the primary duties of the units. Commanding officers and officers in charge shall exercise tact and good judgement in the use of their forces for such purposes.

### 4-1-8 Courts of Inquiry and Investigation

A. Fires, explosions, material deficiencies, ship collisions, groundings, incidents involving Coast Guard personnel, and other unusual incidents or circumstances requiring a determination of facts (except those cases covered by 46 CFR Part 4) shall be the subject of an inquiry or investigation in accordance with the provisions of the Administrative Investigations Manual (COMDTINST M5830.1 series). When a fact finding body is necessary, the commanding officer of a unit shall, except when the immediate superior in command has ordered a court of inquiry or an investigation, request that a court of inquiry be ordered or order an investigation.

### 4-1-9 Economy of Command

A. The commanding officer shall ensure that the unit is operated economically and efficiently. All subordinates shall be required to comply with the rules and instructions relative to public property, including procurement, receipt, preservation, expenditure, and accounting procedure for all material.

### 4-1-10 Law Enforcement

A. The commanding officer shall:

(1) Become familiar with those laws, treaties and regulations relating to law enforcement which are applicable to the operations of that unit.

(2) Require those officers and petty officers who are likely to be engaged in law enforcement activities to familiarize themselves with laws, treaties and regulations which are applicable to the operations of the unit.

## THE COMMANDING OFFICER AND OFFICER IN CHARGE

(a) Reference shall be made to Chapter 15 of these regulations in carrying out (1) and (2) of the above.

(3) Require proficiency among the officers in the command in boarding and law enforcement duties.

(4) Do everything within the scope of operational orders and instructions to prevent, detect and suppress violations of those laws, regulations, and treaties which the Coast Guard is required to enforce.

(5) Exercise law enforcement authority in such a manner as to cause the least possible inconvenience to commerce and navigation.

### 4-1-11 Compliance with Federal and Local Law

A. The commanding officer shall require personnel in the command to comply with Federal, state and municipal laws and regulations. To ensure such compliance, the commanding officer shall cooperate with the responsible authorities.

### 4-1-12 Discipline

A. The commanding officer is responsible for maintaining discipline on board the unit and to this end shall:

(1) Initiate such inquiry as may be necessary to make a proper disposition of any report offenses, as described in Rule for Courts-Martial 401 of the Manual for Courts-Martial, United States, 1984, (Revised Edition) and the Military Justice Manual (COMDTINST M5810.1 series).

(2) Maintain a unit punishment book in compliance with the Military Justice Manual (COMDTINST M5810.1 series).

(3) Prescribe the means by which members of the crew may make any request, report, or statements to the commanding officer for personal receipt and consideration.

### 4-1-13 Effective Organized Forces Always Present

A. The commanding officer shall ensure that adequate emergency response and security is always present at the ship or station. Consistent with the operational status, mission, and location of the unit, this may be accomplished with an organized force, electronic sensors, or a combination thereof as described in the Physical Security Program Manual (COMDINST M5530.1 series). Final approval of any system utilizing only electronic sensors rests with the operational commander.

B. The commanding officer shall consider available shoreside resources in developing their force requirements for responding to potential emergencies.

### 4-1-14 Safety

A. The commanding officer shall require that all personnel of the command are thoroughly indoctrinated in the principles of safety and that an effective and continuing safety program is carried out in accordance with the Safety and Environmental Health Manual (COMDTINST M5100.47 series).

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### 4-1-15 Well-being of Personnel

A. The commanding officer of a Coast Guard unit is responsible for the well-being of the personnel in the command and shall:

- (1) Excuse from duty any person in the command who is unable to perform because of illness or injury.
- (2) See that proper provision is made and that comforts are provided for the sick and disabled in the command.
- (3) Prohibit unit introductory initiations or hazing of personnel. Traditional initiations, such as for advancement to Chief Petty Officer or crossing the Equator, the International dateline, etc. are permitted, but they shall not include any degradation of character, sexual overtones, bodily harm or undue harassment, and shall be conducted with the complete knowledge of and oversight by the Commanding Officer.
- (4) Ensure that no pictures or objects are displayed that would create an intimidating, hostile, or offensive working environment.
- (5) Safeguard the health of all personnel by careful supervision of the sanitation of the units by preventing unnecessary exposure to disease or unhealthy conditions afloat or ashore.
- (6) Direct in writing the purchase of such items as toilet articles which are necessary for the health and comfort of enlisted personnel without funds who require them. Issuance and purchase of such items shall be made in accordance with the Accounting Manual-Comptroller Manual, Vol I (COMDTINST M7300.4 series).
- (7) Authorize the issuance of clothing and small store items, necessary to their health and comfort to enlisted personnel held for trial, personnel not receiving pay and those mentioned in (6) above.
- (8) Afford optimum opportunity to the crew for relaxation and recreation on board the unit.
- (9) Within the limits of the command authority, grant the maximum amount of leave and liberty consistent with good administration and efficiency.

### 4-1-16 Training and Education

A. The commanding officer shall:

- (1) Endeavor to increase the specialized and general professional knowledge of the personnel in the command by the frequent conduct of drills, classes, and instruction and by utilization of available shore based schools and training activities.
- (2) Encourage and provide assistance and facilities to the personnel in the command who seek to further their knowledge in professional or other subjects.
- (3) Encourage the maximum use of correspondence courses and provide all practical assistance and facilities for study to personnel interested in such courses.
- (4) Coordinate training and education through the unit training officer and educational

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services officer whose duties are described in Sections 6-12-10 and 6-12-11.

B. At units where small boat equipment is available, commanding officers shall ensure that all personnel are trained in the hoisting, lowering, operating, and handling of small boats.

C. The commanding officer shall ensure that all military personnel assigned to the command know and are proficient in basic first aid procedures.

D. At units where suitable facilities are available, the commanding officer shall ensure that all personnel receive periodic, controlled instruction in swimming or drownproofing, or lifesaving.

### 4-1-17 Reports of Relief

A. When the executive officer, the head of a department, or the head of another major subdivision of the command is ordered detached from such duty, and when conditions permit, the commanding officer shall require that the officer point out to the relief any defects or peculiarities of the machinery or equipment in that area of responsibility, and that the officer and the relief inspect jointly the material, equipment, and records of such department or subdivision, and upon completion of the inspection submit to the commanding officer a joint report which shall include statements as to:

- (1) Any defects or deficiencies noted.
- (2) The adequacy of the personnel assigned to the department or subdivision.
- (3) The adequacy of the equipment and spare parts on hand.
- (4) The condition of the files, blueprints, records, and instruction books pertaining to the department or subdivision.
- (5) The status of transfer of the material and equipment from one officer to the other.
- (6) The facts in dispute in case of any disagreement between these officers as to the conditions discovered.

B. The report required by (A) is in addition to special reports (such as commissary, clothing and exchange) required upon relief.

C. In the event of a disagreement between parties, the commanding officer shall resolve all disputes by taking such action as necessary. The commanding officer shall furnish copies of any correspondence regarding disputed matters to the parties concerned.

D. Should circumstances prevent a joint inspection, the relieving officer shall make an inspection and submit the required report within 30 days of taking charge. The commanding officer shall forward a copy of the report to the officer relieved.

### 4-1-18 Inspections and Audits

A. The commanding officer shall conduct material and personnel inspections of the unit in accordance with directives prescribed by the area, district or MLC commander. The commanding officer shall require such officers as deemed necessary to assist in the inspection.

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B. In addition to the required inspections, the commanding officer shall conduct random inspections of all or any part of the unit.

C. The commanding officer shall ensure that all nonappropriated fund activities are audited in accordance with pertinent directives. In the absence of other instructions, the commanding officer, shall require a quarterly audit and the submission of a written report.

D. The verification of the inventory of the general mess and clothing locker shall be made once each fiscal year by one or more officers designated in writing by the commanding officer. The commanding officer shall insure the accuracy of the accounts or records of these activities by additional examinations. Inventory verifications may be omitted if a Commandant's internal audit or a relieving officer's inventory has been made within the fiscal year. Not more than twelve months may elapse between inventory verifications.

E. The commanding officer shall require periodic and surprise verifications of funds entrusted to the cashier, no less than once each quarter per provisions of the Certifying and Disbursing Manual (COMDTINST M7210.1 series).

### 4-1-19 Incurring Unusual Expenses

A. Except in emergencies or instances of distress where Coast Guard facilities are inadequate, the commanding officer shall not hire any boat or vessel without authorization from higher authority, except for Tug services as authorized in section 4-2-3. When hiring has occurred without prior approval, the attendant circumstances and the price agreed to be paid shall be immediately reported to the appropriate commander.

### 4-1-20 Publication and Transmittal of Orders and Regulations

A. Orders from higher authority and information affecting personnel shall be published and properly posted as soon as practicable.

B. The commanding officer shall not withhold any orders or other communications received from higher authority for any person under that command except for good and sufficient reasons. When information has been withheld, the commanding officer shall immediately report such actions to the issuing authority.

### 4-1-21 Magazine Keys

A. The commanding officer shall be the custodian of the keys to all spaces containing ammunition and explosives, and shall designate in writing those persons who are authorized to have duplicate keys. The commanding officer shall prescribe the conditions under which the spaces may be opened without prior consent.

B. The commanding officer shall have custody of keys for lockers or compartments specifically designated for the stowage of test-fittings for magazine sprinkling systems. Where stowage space is not specifically designated, the commanding officer shall retain these fittings.

C. The commanding officer shall require that magazine flooding and sprinkling valves, whether or not equipped with locks, are in a condition for immediate opening.

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### 4-1-22 Security of Classified Matter

#### A. The commanding officer shall:

- (1) Exercise control over all classified publications and material issued to the command, in accordance with the current regulations, orders, and instructions.
- (2) Require that regulations, orders, and instructions pertaining to security of classified documents, material, and information be strictly observed.

### 4-1-23 Mail

A. The commanding officer shall be responsible for the mail services at the unit in accordance with the Postal Manual (COMDTINST M5110.1 series) and the communication plan of the district to which assigned.

### 4-1-24 Death of Personnel

#### A. In the event of death of any person on board the unit, the commanding officer shall:

- (1) Comply with the procedures prescribed in current instructions, including:
  - (a) Personnel Manual (COMDTINST M1000.6 series).
  - (b) Administrative Investigations Manual (COMDTINST 5830.1 series), if such death is the result of accident or occurs under peculiar or doubtful circumstances.
  - (c) Information Security Program Manual (COMDTINST M5510.21 series)
  - (d) Safety and Environmental Health Manual mishap reporting procedures (COMDTINST M5100.47 series)
- (2) Cause to be entered in the log the name and rank or rating of such person, stating the time and cause of death if known.

### 4-1-25 Relief of Command

#### A. A commanding officer about to be relieved of command of a unit shall:

- (1) Inspect the unit in company with the relieving officer.
- (2) Demonstrate, in the presence of the relief, the proficiency of the crew at general quarters and general drills unless circumstances make it impracticable.
- (3) Point out any defects and peculiarities of the unit to the relief.
- (4) Deliver to the relieving officer all unexecuted orders, all regulations and orders in force, and all pertinent official correspondence and information concerning the unit and its personnel.
- (5) Deliver to the relieving officer all documents required by these regulations to be kept or supervised by the commanding officer.
- (6) Deliver to the relieving officer all magazine keys and other keys kept in custody.

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(7) Order an inventory and audit to be made of all CMS distributed material charged to the unit in accordance with current rules and instructions.

(8) Furnish to the relief a statement as to completeness of the General Purpose (GP) Property Record and the date of the last inventory.

(9) Submit Officer Evaluation Reports on all officers and sign all log books and note date of relief.

(10) At the time of turning over command, call all hands to muster, read the orders of detachment and turn over command of the unit to the relieving commanding officer, who shall read the orders of relief and assume command.

B. All ceremonies and distinctions which are accorded to a commanding officer shall continue to be accorded after relief of command until final departure.

C. The officer being relieved shall prepare and sign a report of the transfer of command. In the absence of discrepancies a simple statement that the requirements of Section A have been met will suffice. This report shall be endorsed by the new commanding officer. The relieving commanding officer shall state in an endorsement whether conditions on board the unit are unsatisfactory, essential equipment is not present, and important items of gear and equipment are not functioning properly; the relieved officer shall make any necessary explanations by an endorsement to the report. Area units shall forward this report to the area commander, district units to the district commander and MLC units to the MLC commander. Reports from Headquarters units shall be forwarded via the proper chain of command to the Commandant (Headquarters office exercising technical control). One copy of the report shall be retained by each of the officers between whom the transfer of command takes place. Reserve units shall forward the reports to the district commander (r).

D. When an officer ordered as commanding officer reports to a unit and a regularly assigned commanding officer is not present, the procedures prescribed in sections A.- C. shall be followed.

E. The foregoing provisions will be applicable upon the relief of the officer in charge of any unit.

### 4-1-26 Decommissioning, Disestablishment, Deactivation

A. The commanding officer of a unit being decommissioned, disestablished, or deactivated is responsible for the orderly progress of work and disposition of property. Complete familiarization with all existing directives relating to decommissioning, disestablishment, or deactivation is essential.

### 4-1-27 Life Preservers

A. The commanding officer shall ensure that every boat in the command is equipped with one life preserver for each person on board.

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B. Life preservers shall be worn in boats on all occasions unless their removal is authorized by the commanding officer or appropriate agent.

C. Hypothermia protective clothing, dry suits, and anti-exposure coveralls shall be worn as prescribed in the Rescue and Survival Systems Manual (COMDTINST M10470.10 series).

### 4-1-28 Compliance With Customs, Quarantine, and Immigration Requirements

A. The commanding officer of a ship or aircraft shall:

(1) Facilitate examinations required by customs or immigration officers of the United States.

(2) Deny access to foreign customs or immigration officers for on-board examinations on any USCG ship, aircraft or boat.

(3) Cooperate to insure observance of local customs and immigration regulations.

(4) Upon the arrival at the first port of entry in United States territory from a foreign country, inform the collector of customs of the port that the vessel or aircraft is available for inspection. No articles shall be allowed to be landed until the customs inspection has been completed.

(5) Require that articles obtained in a foreign port be reported to the collector of the port as required by customs regulations.

(6) Comply with the Quarantine Regulations as set forth in Chapter 7, Medical Manual (COMDTINST M6000.1 series).

(7) Cooperate with visiting health officials, whether United States or foreign, and give all information required insofar as military security permits.

(8) Prohibit contact with a port or area or with other ships or aircraft until the proper health authorities have been consulted when:

(a) Doubt exists as to the sanitation regulations or health conditions of the port or area.

(b) A quarantinable condition exists aboard the vessel.

(c) Coming from a suspected port or area, or one actually under quarantine.

(9) Not conceal any conditions which may subject a vessel or aircraft to quarantine.

(10) Immediately report to superiors and proper health authorities any quarantinable disease and prevent all contact until pratique is received.

(11) When transporting United States civilians or foreign nationals, be satisfied that the passenger clearance requirements of the Immigration and Naturalization Service are complied with. Clearance for these persons by an immigration officer is necessary upon arrival from foreign ports and at the completion of movements between any of the following: Continental

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United States (including Alaska), Canal Zone, Hawaii, Puerto Rico, Virgin Islands, Guam, American Samoa, or other outlying places subject to United States jurisdiction. Prior to arrival, the commanding officer shall advise the cognizant Coast Guard, naval, or civilian port authority of the aforementioned persons aboard and shall detain them for clearance as required by the Immigration and Naturalization Service.

B. The provisions of A. shall not be construed to require the delay of any vessel or aircraft in the performance of assigned duties.

### 4-1-29 Weather Reporting

A. Commanding officer of Coast Guard units designated by the Commandant shall insure that weather and other marine observations desired by the National Weather Service of the National Oceanic and Atmospheric Administration (NOAA) are recorded and transmitted in accordance with current instructions.

### 4-1-30 Broadcasts of Weather and Marine Information

A. In accordance with current instructions, commanding officers of designated Coast Guard stations shall be responsible for the broadcast of storm warnings, weather, and marine information.

### 4-1-31 Storm Warnings

A. Coast Guard units required to display storm warning signals are designated by the district commander. Commanding officers of designated units are responsible for the proper display of these signals in accordance with current instructions.

### 4-1-32 Release of Weather Information

A. Commanding officers of units designated by the Commandant to provide flight weather forecasts, and which have qualified flight forecasters attached, shall be responsible for forecasts of weather and sea conditions as required for Coast Guard use. Such forecasts shall be released only to those public vessels and aircraft which are actively involved in search and rescue operations. Such forecasts may also be provided to the nearest National Weather Service Office.

B. A unit may supply information regarding existing weather, bar, sea, surf or ice conditions upon request. Otherwise, except as provided in A., Coast Guard units shall reply to requests for forecasts, weather information, or storm warnings by quoting the latest available National Weather Service Information, or by referring the inquirer to the nearest National Weather Service office.

### 4-1-33 Public Affairs

A. Public affairs is a responsibility of command. Keeping lines of communication open between an organization and its constituent groups is a basic function of management. Commanding officers shall promote public understanding and support of the Coast Guard; keep the public informed of Coast Guard activities; and keep Coast Guard personnel informed and knowledgeable of Service plans, policies, and actions.

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### 4-1-34 Small Boat Operations

- A. The commanding officer is responsible for the safe operation of assigned boats.
- B. The commanding officer shall ensure all boats are crewed by personnel who are certified, in accordance with the Boat Crew Training Manual (COMDTINST M16114.9).

### 4-1-35 Civil Rights/Human Relations

- A. The commanding officer is responsible for ensuring that all civil rights/human relations issues are handled in accordance with the Military Civil Rights Manual (COMDTINST M5350.11 series).

## PART 2

### The Commanding Officer of a Ship

#### 4-2-1 Introduction

- A. This part applies to the commanding officer of a ship.

#### 4-2-2 Safe Navigation

- A. The commanding officer of a vessel shall be responsible for the safe navigation of that vessel. This shall include:

- (1) Utilizing all available information concerning the safe navigation of the vessel.
- (2) Insuring that the required charts, sailing directions, light lists, notices to mariners, and other hydrographic publications are on board and corrected to date.
- (3) Making every effort to obtain from reliable sources, foreign or otherwise all information that will aid in safely navigating over proposed routes or ports to be visited.
- (4) Requiring that any errors of the compass and other devices and equipment which may be used in navigating the vessel are accurately known and properly recorded and posted at all times, and that such compasses, devices, and equipment are compensated or calibrated as necessary.
- (5) Requiring all officers eligible to succeed to command to qualify and maintain competency in the operation and use of the devices, including electronic devices on board, which may be used in navigation of the vessel.
- (6) Requiring the position of the vessel to be known at all times insofar as it is feasible to do so by the utilization of navigational methods, devices, and equipment in accordance with the highest standards of navigation and seamanship.
- (7) Having the anchors ready for letting go when the depth of water is such that they may be used for the prevention or minimization of grounding or collision.
- (8) At the time of anchoring, having necessary bearings, angles, and distances taken to

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anchored at a place not surveyed have, if practicable, the depth of water and character of the bottom ascertained to a distance from the anchor of at least one and one-half times the radius of the ship's swinging circle, and have the results entered in the log. It shall also include insuring that reasonable precautions to maintain the safety and security of the vessel while at anchor are taken; and that personnel on watch are familiar with the safeguards available, such as the use of the anchor buoy, drift lead, weather observations and reports, bearing changes, use of engines, radar, etc.

(9) Stationing at least one lookout in the bow as far forward and as near the water as feasible when:

- (a) the vessel is approaching or traversing congested traffic lanes or areas, and
- (b) during periods of low visibility.

(10) Ensuring when stationing these lookouts that:

- (a) they are proficient in their duties,
- (b) special conditions have been considered,
- (c) results to be accomplished have been addressed,
- (d) physical limitations of personnel have been accounted for.

(11) Taking special care that navigational lights required by the rules of the road are properly displayed, except when the suspension of the display is authorized by competent authority.

(12) Taking special care that all precautions required by the applicable law and regulations to prevent collisions and other accidents on any waters are observed.

(13) Immediately before leaving, and as soon as practicable after entering port, requiring the navigator to ascertain the draft of the ship, forward and aft, and entering it in the log.

(14) Keeping a night order book, when the vessel is at sea, containing standing orders and all other orders affecting the navigation and operation of the vessel. When the vessel is in port, a similar book shall be kept in which are entered all important orders given by the commanding or executive officer to the officer of the deck.

(15) Require the use of radar when the vessel is underway in or near areas of reduced visibility, or when it is necessary for the safety of the vessel.

### 4-2-3 Pilotage and Tug Services

A. The commanding officer may employ pilots whenever necessary. A pilot is merely an advisor to the commanding officer and the pilot's presence shall not relieve the commanding officer or any subordinates from their responsibilities. For exception to the provisions of this section, see rule 30, supplement 29, "Rules and Regulations Covering Navigation of the Panama Canal and Adjacent Waters" which directs that the pilot assigned to a vessel in those waters shall have control of the navigation and movement of the vessel, and section 3-1-6 C.

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B. The commanding officer may employ tugs whenever necessary. Whenever the use of a tug is contemplated, the commanding officer should consult with the tug company, tug master or qualified pilot concerning the use of the tug.

### 4-2-4 Hydrographic Data

A. A commanding officer shall report unknown, inaccurate or inadequate chart, coast pilot, hydrographic, meteorologic and oceanographic data which is discovered or noticed.

(1) Reports shall be made directly to the Federal agency normally publishing such information for the area.

(2) When the responsible Federal agency is not known or when the information pertains to areas beyond the jurisdiction of the United States, reports shall be made directly to the U. S. Naval Oceanographic Office, Bay St. Louis, National Space Technology Laboratories (NSTL), Mississippi 39522-5001. Appropriate report forms shall be used when available.

B. Reports required by A. shall contain, if practicable:

(1) Soundings, including the date and time taken and whether or not they have been reduced to a particular reference datum.

(2) Sextant angles, which should be taken between prominent, charted, fixed objects or, if that is not possible, the position of objects used should be stated.

(3) Bearings, which should be stated in degrees true.

(4) A general statement as to the method of position determination.

(5) The construction of charts when necessary for amplification.

### 4-2-5 Assistance

A. Unless otherwise directed, the commanding officer of a ship under way shall proceed immediately toward the scene of any reported distress within the range of operation. Such actions shall be reported promptly to immediate superior officers.

B. The commanding officer of a ship in port shall maintain the ship in such a state of readiness as may be required by current orders and instructions. Except when ordered or authorized not to proceed, the commanding officer shall proceed, as soon as possible, to the scene of any reported distress within that area of operation. The commanding officer shall promptly inform the immediate superior of preparations to proceed, including an estimated time of departure, and thereafter keep such superior advised of all movements and actions.

C. In rendering aid, the commanding officer shall use sound discretion and shall not unnecessarily jeopardize the vessel or the lives of the personnel assigned to it.

D. Emergency assistance shall be rendered to vessels or aircraft of a foreign state at peace with the United States.

E. In giving assistance, the commanding officer shall not interfere with private enterprise, though assistance may be given to private efforts, and shall do so when necessary. The

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commanding officer shall use the vessel for towing private craft only in cases of emergency or distress when there is no sufficient assistance at hand; however, private enterprise shall not be permitted to take undue advantage of a master or operator whose vessel is in distress.

F. Having due regard for the health of personnel in the command, the commanding officer shall take on board distressed seamen of the United States, shipwrecked persons, and persons requiring medical care. The assisted persons shall be furnished rations and may be transported to the nearest or most convenient port of the United States; they shall conform to Coast Guard regulations. The commanding officer shall assist distressed vessels and seamen of countries with which the United States is at peace.

### 4-2-6 Assignment of Duties

A. Subject to such limitations set forth by these regulations and other competent authority, the commanding officer may assign watch, divisional and other duties to personnel (including cadets) attached to the vessel. However, a person shall not be assigned duty as officer of the deck or as engineer officer of the watch unless in the opinion of the commanding officer that person is qualified for such duty.

### 4-2-7 Cutter's Log

A. The commanding officer shall inspect the log daily for any inaccuracies or omissions, and shall then approve and sign the log after all necessary corrections have been made.

### 4-2-8 Destruction of Vessel

A. In the event of shipwreck or other serious disaster, the commanding officer shall:

- (1) Without endangering life, keep the officers and crew aboard the vessel as long as necessary.
- (2) Make every reasonable effort to save the logbook, personnel list, and other valuable papers. Every effort should be made to save as much government property as possible.
- (3) When it becomes necessary to abandon ship, be the last person to leave and take all possible precautions to protect the survivors and such government property as has been saved.
- (4) Report to the nearest Coast Guard command and request such instructions and assistance as required.
- (5) If the wreck constitutes a menace to navigation, take action to expedite the marking of the position of the wreck.
- (6) Make a detailed report of the circumstances to the Commandant as soon as possible.

### 4-2-9 Visits to Foreign Territory

A. The commanding officer of a vessel intending to visit a foreign port shall:

- (1) Submit requests for such visits in accordance with current instructions.

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(2) In the event of an emergency necessitating entry into a foreign port or foreign territorial waters without prior arrangements and other than pursuant to instructions governing entry for Search and Rescue purposes, notify by message, information Commandant (G-O), the local United States Consular Officer, or, if no consular officer is stationed in the port of entry, the United States Embassy in the country to be visited.

B. In view of the diplomatic arrangements required to obtain authorization for foreign visits, the commanding officer shall not cancel or modify any such scheduled visits after clearance has been obtained except for most urgent cause. In the event that it becomes necessary to cancel a foreign visit or when a change of itinerary occurs after clearance has been obtained, notification of such cancellation or change shall be made as in Section 4-2-9A(2).

C. The commanding officer of a Coast Guard vessel intending to visit a United States Naval Station or Base located in foreign territory shall obtain permission from the operational commander and shall include the Commander Naval Station or Base as information addressee on the movement report. No diplomatic clearance is required.

### 4-2-10 Relationships in Foreign Territory Ports

A. When in foreign ports the commanding officer shall:

(1) As a general rule communicate with local civil officials and foreign diplomatic and consular authorities through the United States consular or diplomatic representatives.

(2) Exercise great care that all personnel under the command scrupulously respect the territorial authority.

(3) Not land an armed force in foreign territory for target practice, funeral escort, or other purposes without permission from the local authorities.

(4) Not conduct target practice within foreign territorial waters or at any point from which shots might land therein without permission.

(5) Not permit a foreign customs officer or any other person of a foreign state to search or make any examination whatsoever on board the vessel or boats nor permit any personnel to be taken from the vessel or boats.

(6) Preserve cordial relations with the United States representatives in foreign countries to the extent possible, and extend to them the honors, salutes, and other official courtesies to which they are entitled.

(7) Carefully consider any communications or any request for service from a United States representative.

(8) Be solely responsible to the immediate superior in command for all official acts in the administration of that command, although due weight should be given to the opinions and advice of United States representatives.

(9) If the vessel leaves a foreign port without paying all obligations incurred, certify to the local United States diplomatic or consular representative the name of the vendor, the type of

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service rendered, and the amount of the obligation, and request such representative to pay the vendor and report the matter to the Commandant for reimbursement.

### 4-2-11 Passengers and Guests

A. The commanding officer of a cutter may permit passengers or guests aboard for transportation only under the following circumstances:

- (1) When authorized by these regulations.
- (2) When directed by the immediate superior officer to transport passengers or guests.
- (3) When authorized by the district commander or higher authority, provided passengers can be accommodated and their presence does not interfere with or retard the movements or efficiency of the vessel.
- (4) Guests of assigned personnel may be allowed onboard for a limited time when their presence will not interfere with the comfort and discipline of the crew or the movement and efficiency of the vessel. (Limited time means less than a 24 hour period beginning and ending the same day.) Whenever a vessel may be delayed or diverted while passengers are onboard, the commanding officer shall immediately provide information about the passengers to the next immediate superior officer.

B. The commanding officer shall not:

- (1) Quarter any passenger in the wardroom whose presence is not agreeable to the wardroom officers. Permanently assigned officers shall not be required to vacate their quarters to accommodate passengers or persons on board for temporary duty.
- (2) Except in an emergency, transport passengers unless there is a life jacket for each person on board; a child's life jacket shall be provided for each child.
- (3) Allow a guest on board in accordance with subsection 4-2-11 A(4) unless the guest agrees beforehand to neither write for publication nor give talks or interviews relating to the trip without prior approval of the area or district commander or Commandant.

C. The commanding officer shall refer all requests for transportation or visits to the area or district commander. Area or district commanders may authorize or direct the use of vessels for conducting local cruises of harbors and waterfronts, or for participating in ceremonies or similar events provided that:

- (1) Such operations do not interfere with the assigned missions of the vessel.
- (2) The event is not for the benefit of private enterprise.
- (3) The event is in the interest of the general public.
- (4) The use of Coast Guard facilities does not compete with private enterprise. Transportation of dependents may be authorized by the area or district commander provided ordinary means of transportation are not available and the conditions set forth in subsection 4-2-11A(3) are met.

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### 4-2-12 Construction and Repair

A. The commanding officer shall not, without prior authorization from the Commandant, permit new construction or major alterations of any kind to be undertaken on the vessel. The commanding officer may make recommendations in accordance with the current rules and instructions when changes or alterations would render the vessel more efficient.

B. Even though an inspector has been specifically assigned by the Commandant, area or district commander, the commanding officer shall act as a general inspector whenever the vessel is undergoing overhaul or repair. Upon arrival at a shipyard, the commanding officer shall assign officers as the ship's representatives in the inspection of work performed by the shipyard.

C. The commanding officer shall take the following steps when there is reason to believe that any shipyard work is or will be unsatisfactorily performed, and agreement cannot be reached locally.

(1) When the yard involved is a naval shipyard or a private shipyard, report the facts to the Commandant via the commander of the Coast Guard district in which the yard is located.

(2) When the yard involved is the Coast Guard Yard, report the facts to the Commandant, via the commanding officer of the yard.

### 4-2-13 Drydocking

A. It shall be the responsibility of the commanding officer of a cutter in commission which is undergoing overhaul or availability at a Coast Guard, naval station or other ship repair facility to request such services as are necessary to ensure the safety of the ship.

B. When a cutter not under its own power is being moved by the direction of the commanding officer of the Coast Guard Yard, commanding officer of a naval station or operator of a ship repair facility, that officer or contractor shall be responsible for any damage that may result therefrom. The pilot or other person designated for the purpose shall be in direct charge of such movement and all persons on board shall cooperate with and assist the pilot as necessary. Responsibility for such actions in a private shipyard will be assigned by contract to the contractor. In the cases of a contractor, the contracting officer is responsible for determining that the contractor's facilities, methods, operations and qualifications meet standards of efficiency and safety prescribed by Coast Guard directives.

C. When a cutter is to be drydocked or hauled-out on a marine railway, the commanding officer shall be fully responsible for the movement of the vessel while the vessel is operating under its own power. If power is to be secured during the drydocking or haul-out operation, the person in charge of the docking shall assume responsibility for the movement of the vessel when the vessel is no longer operating under its own power. When a cutter is to be undocked, the person in charge of the undocking shall retain responsibility for the movement of the vessel until the vessel is operating under its own power at which point the commanding officer shall be fully responsible for the movement of the vessel.

### 4-2-14 Report of Relief of Engineer Officer

A. In addition to those requirements of Section 4-1-18, upon the relief of the engineer

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officer, the commanding officer shall require:

(1) When conditions permit, a machinery trial to be conducted in the presence of the engineer officer and the relief. The trial will include the operations of all auxiliaries, power boats, and an underway trial of the main propulsion machinery.

(2) That the joint report of relief of the engineer officer shall include:

(a) The results of the trials conducted in accordance with (1) above.

(b) Comment as to any immediate repairs considered necessary.

(c) The condition of machinery history, machinery index, and current ships maintenance project.

B. The commanding officer shall send the report to the appropriate MLC via the chain of command.

### 4-2-15 Ship Handling

A. The commanding officer shall be responsible for all manuevers of the vessel and shall, if necessary, direct the officer handling the vessel. The commanding officer shall, if it is deemed necessary or desirable, personally handle the ship. The commanding officer shall inform the officer of the deck of such intentions and establish a clear understanding as to the times for relief of the OOD. The commanding officer shall as often as possible entrust the handling of the vessel during important evolutions to the executive officer and shall also afford frequent opportunity to other officers to acquire and improve their skill in ship handling.

### 4-2-16 Lifeboats and Life Rings

A. The commanding officer shall:

(1) When the vessel is at sea, and sea and weather conditions permit, ensure that at least one properly equipped lifeboat is ready for lowering. The commanding officer shall make the decision as to when conditions make it imprudent to rig out lifeboats. It is not expected that lifeboats will be rigged out when conditions endanger their seaworthiness.

(2) When the vessel is in port, ensure that a properly equipped boat is available for immediate use.

(3) Ensure that life rings are:

(a) in good condition,

(b) equipped with means of lighting at night and during periods of low visibility.

(c) painted with the vessel's name,

(d) readily accessible, and

(e) available for immediate use. They shall be placed at each quarter, on the outboard sides of the bridge, and wherever else they are needed or required.

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#### **4-2-17 Incurring Unusual Expenses**

A. In case of stranding or other events involving the safety of the vessel and its personnel, the commanding officer may incur any expense necessary for the protection of the vessel and its crew. The commanding officer shall immediately report his action, giving an estimate of probable cost, to those responsible for the vessels operating expense funds; a full report shall be mailed as soon as possible. This authority is to be utilized only in cases of great urgency, that is, when the delay in obtaining authorization would jeopardize the safety of the ship or the lives of its personnel, or entail considerable additional expense.

B. The commanding officer shall not incur wharfage expenses without authority from the area or district commander, except when necessary for the safety of the vessel or when required by the exigencies of the service. When these expenses are incurred, the circumstances shall be reported immediately to the area or district commander.

#### **4-2-18 Prospective Commanding Officer**

A. An officer assigned as a prospective commanding officer of a vessel which is not yet in commission shall not have the independent authority of a commanding officer until the vessel is commissioned and transferred to the command. The prospective commanding officer shall:

(1) Upon reporting for such duty, procure the detailed plans of the vessel and all the pertinent information relative to the general condition of the vessel and the work being undertaken on the hull, machinery, and equipment.

(2) Inspect the vessel as soon after reporting as practicable, and frequently thereafter, in order to keep informed of the state of its preparation for service.

(3) Make necessary and required recommendations to the proper authority.

(4) Requisition those unsupplied materials which are required to properly outfit the vessel.

(5) Make necessary plans for the assumption of command and the immediate organization of the vessel.

(6) Make required personnel and material reports noting any deficiencies.

B. If the prospective commanding officer does not consider the vessel to be in proper condition to be commissioned, a written report shall be prepared and forwarded via official channels to the Commandant.

#### **4-2-19 Preparing Vessel for Sea After Commissioning**

A. In preparing the vessel for sea after its commissioning, the commanding officer shall endeavor to correct all personnel shortfalls and material deficiencies.

B. Prior to the vessel's departure for duty at sea, the commanding officer shall ensure that all personnel have been properly organized, stationed, and trained to effectively handle those emergencies which may arise during the normal course of operations.

#### **4-2-20 Trials and Tactical Data**

**A. The commanding officer of a newly commissioned vessel shall:**

(1) During the shakedown period or as soon as possible after the commissioning of the vessel, determine the maneuvering characteristics and tactical data of the vessel. As a minimum the following tactical data shall be posted on the bridge:

- (a) Shaft RPM versus speed tables.
- (b) Stopping distance information for 1/3, 2/3, standard and full speeds.
- (c) Advance and transfer diagrams.

(2) Determine the length of time the vessel can remain at sea under full power and lesser speeds, and other varying operational conditions.

(3) Conduct other necessary trials and tests of the vessel and its equipment.

(4) Forward a report of the results of all tests and trials to the Commandant via the appropriate chain of command.

**B. The commanding officer of every vessel shall ensure that the record of the performance of the vessel is accurately maintained. Any errors, omissions or changes in the original data obtained under (A) shall be reported to the Commandant via the appropriate chain of command.**

**C. The commanding officer of every vessel shall conduct full power trials and such other trials or tests as prescribed by current directives.**

#### **4-2-21 Obstructions to Navigation**

**A. The Secretary of the Army and the Corps of Engineers' district engineers, as designated agents, are authorized by law to take action when the navigable waters of the United States are endangered by obstructions. However, the removal and disposal of obstructions are subject to certain restrictions which are designed to protect property rights. In an emergency the Secretary of the Army or designated agents may remove or destroy obstructions so as to immediately clear the canal, lock or navigable waters. (33 U.S.C. 414, 415).**

**B. The Coast Guard cooperates with and assists the district engineers in the execution of the duties described in (A). If there is no immediate danger, no action shall be taken by the Coast Guard until the district engineer has been contacted and action has been subsequently requested. In an emergency (a situation where time prohibits the contacting of the district engineer), commanding officers, as agents of the Secretary of the Army, may take immediate action. (14 U.S.C. 88, 89)**

**C. If circumstances permit, the commanding officer of a vessel locating or sighting any floating obstruction to navigation of no obvious value should destroy, beach, or take into port such obstruction. Extreme care should be exercised so that destruction does not leave sunken or floating wreckage which would be a menace to navigation. If the destruction is to take place within the navigable waters of the United States, the district engineer shall be contacted before final action is taken. (14 U.S.C. 88)**

D. A wreck or other sunken obstruction which constitutes a menace to navigation shall be marked in accordance with current instructions.

E. The commanding officer of a cutter locating or sighting any obstruction on the high seas which constitutes a hazard to navigation shall report the position and description of such obstruction to the commander exercising operational control over the cutter. The report shall include action taken or recommendations of the commanding officer. When the obstruction presents no immediate danger, the commander exercising operational control over the cutter shall determine whether destruction or removal is necessary for the protection of navigation; before making a determination, the operational commander should ascertain ownership and consider the owner's plans for the obstruction. In an emergency, the commanding officer of the cutter shall take whatever immediate action is necessary to protect navigation. Extreme care should be taken so that destruction does not leave sunken or floating wreckage which would be a menace to navigation. (14 U.S.C. 88)

F. The commanding officer of a vessel which undertakes any operation under (B) and (C) shall submit a full written report of the operation to the area or district commander. If an obstruction is beached or destroyed within the navigable waters of the United States, the report shall be forwarded, via the area or district commander, to the District Engineer, Corps of Engineers, U.S. Army. The report shall state the observed conditions of the object, its location, the depth of the water over the object, and the stage of the water at the time of observation.

G. Refloating a stranded vessel does not come within the purview of this section.

### PART 3

#### The Officer In Charge (OIC)

##### 4-3-1 Definition

A. The officer in charge of a unit (except Marine Inspection) shall be the noncommissioned warrant officer, petty officer, or civilian employee assigned to command the unit by Commandant, area, district or MLC commander.

B. The term "commanding officer" as used in this part shall mean the commissioned officer who:

- (1) is immediately superior to the OIC and
- (2) has the authority to exercise those powers of authority which the OIC is not authorized to exercise and
- (3) is responsible for the general supervision, direction, and inspection of the OIC's unit.

When there is no group or section commander, the area, district or MLC commander shall be the commanding officer. The officer in charge, Marine Inspection, is a commanding officer.

##### 4-3-2 Authority and Responsibilities

A. The authority and responsibility of an OIC corresponds to that of a commanding officer. Provisions of these regulations and of other instructions pertaining to commanding

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officers are applicable to officers in charge, except where the authority of the OIC is specifically limited. The authority and responsibility of an OIC shall be adequate to permit full utilization of the capabilities of the unit.

### 4-3-3 Limitations of Authority

A. An officer in charge does not have authority to:

(1) Convene courts-martial or courts of inquiry, or boards of investigation other than letter incident reports.

(2) Effect advancements, changes, or reductions in rate of enlisted personnel.

(3) Administer oaths, except that an officer in charge who is a warrant officer or enlisted person may administer certain oaths as prescribed in Section 7-1-8.

(4) Perform any of the following acts, unless the person is military and has been specifically authorized to do so by the Commandant, area, district or MLC commander:

(a) Impose non-judicial punishment.

(b) Sign entries in service records of enlisted personnel, execute discharges, and make contracts for enlistment, reenlistment, and voluntary extension of enlistment, whenever service records are maintained at the unit.

B. A military officer in charge may impose punishment upon enlisted persons assigned to that unit under the provisions of Article 15 of the Uniform Code of Military Justice to the extent authorized by Part 1 of the Coast Guard Military Justice Manual (COMDTINST M5810.1 series).

### 4-3-4 Reporting Breaches of Discipline

A. Breaches of discipline shall be referred to the commanding officer when:

(1) The OIC is a civilian, or

(2) The military OIC is not authorized to impose non-judicial punishment, or

(3) The military OIC who is authorized to impose non-judicial punishment believes breaches of discipline cannot be properly disposed of by such punishment or is not authorized to act on such breaches. The commanding officer may dismiss the charge, impose non-judicial punishment, or take action in accordance with Chapter III, Manual for Courts-Martial, United States, 1984, if the preliminary inquiry indicates that an offense, which it is believed could not properly be disposed of by a non-judicial punishment, may have been committed.

B. The officer in charge shall report known serious offenses and repeated minor offenses to the commanding officer so that appropriate disciplinary action may be taken.

### 4-3-5 Investigations

A. The OIC shall abide by the provisions contained in section 4-1-8.

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### 4-3-6 Law Enforcement

A. The OIC shall abide by the provisions contained in section 4-1-10; and, in addition, shall promptly inform the commanding officer concerning any known or suspected violations of law and any remedial actions taken.

### 4-3-7 Compliance with Civil Laws

A. The officer in charge shall require strict compliance by personnel with federal, state and municipal laws and regulations, and shall cooperate with the responsible civil authorities to insure such compliance. However, release of a person to the custody of such authorities shall occur only when so ordered by the commanding officer, and said commanding officer shall be kept informed of any such incidents.

### 4-3-8 Aids to Navigation

A. The OIC or delegated representative of any unit shall make every effort to observe the functioning of all aids to navigation within the immediate area of the unit. The OIC shall inform the unit's operational commander by message or other expedient means of any aid to navigation that is found to be out of order or offstation; information as to any corrective action taken shall be included. The OIC shall also report any important hydrographic or navigational information obtained.

B. All officers in charge shall require that coxswains of boats underway make every effort to observe the functioning of aids to navigation in the immediate area of the boats' operation. Officers in charge shall also require that coxswains report to them or their delegated representatives any aid to navigation that is found to be out of order or offstation; coxswains shall also report any corrective actions taken.

### 4-3-9 Authority of Civilian OIC

A. All persons assigned to a unit having a civilian officer in charge shall carry out the lawful orders of the officer in charge. Failure to do so constitutes an offense punishable under Article 92(3), Uniform Code of Military Justice, and may furnish the basis for other or additional charges. Although a civilian officer in charge is not authorized to impose punishment under the Code, the civilian OIC is authorized to report charges as outlined in Part IV, Manual for Courts-Martial, United States, 1984, to a superior military supervisory authority.

### 4-3-10 Commanding Officers of MSOs and MIOs

A. All provisions of this chapter apply to commanding officers of Marine Safety Offices and Marine Inspection Offices.

### 4-3-11 OIC of a Vessel

A. Those duties which are required by these regulations and other instructions to be performed by the commanding officer of a vessel shall also be performed by the OIC of a vessel unless the latter is specifically exempted. The following paragraphs of this section prescribe the extent of responsibility of the OIC for those duties of the commanding officer assigned in sections 4-2-2, 4-2-4, 4-2-5, 4-2-7, and 4-2-8.

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**B. The OIC is responsible for the safe navigation of the vessel, and therefore shall:**

(1) Maintain on board and corrected to date the necessary charts, light lists, tide tables, and other hydrographic publications covering the area of operation of the vessel.

(2) Study and observe the local weather, currents, landmarks, etc., and acquire intimate knowledge of the area of operation.

(3) By the use of ranges and other means, keep informed at all times of errors in compass and other navigational equipment, maintain a record of those errors, and take those steps necessary to ensure the compensation and calibration of the navigational equipment.

(4) Effectively use the equipment and devices available for determining the position of the vessel.

(5) Maintain a data book for the vessel. This book shall include:

(a) speed of the vessel at various engine speeds and under different sea and wind conditions.

(b) fuel consumption at different speeds

(c) data pertaining to vessel capabilities

(d) information helpful to dead reckoning navigation.

(6) Take special care that all precautions required by the applicable laws and regulations to prevent collisions and other accidents on any waters are observed.

**C. The OIC shall:**

(1) Report to the commanding officer unknown, inaccurate or inadequate chart, coast pilot, hydrographic, meteorologic and oceanographic data discovered or noticed.

(2) Reports required by (1) shall contain, if practicable:

(a) Soundings, including the data and time taken and whether or not they have been reduced to a particular reference datum.

(b) Sextant angles, which should be taken between prominent, charted, fixed objects or, if that is not possible, the position of objects used should be stated.

(c) Bearings, which should be stated in degrees true.

(d) A general statement as to the method of position determination.

(e) The construction of charts when necessary for amplification.

**D. The OIC Shall:**

(1) Be alert to obtain, develop, and verify reports or rumors of distress. The OIC shall

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promptly inform the commanding officer and others concerned of any such information obtained.

(2) When the vessel is underway, and unless otherwise directed, proceed immediately toward the scene of any reported distress within the area of operation, and shall promptly inform the commanding officer of this action.

(3) When the vessel is in port, maintain the vessel in the state of readiness required by the commanding officer. Except when the commanding officer has ordered or authorized the OIC not to proceed, the OIC shall proceed, as soon as possible, to the scene of any reported distress within that area of operation, keeping the commanding officer informed of all action taken.

(4) In rendering assistance, use sound discretion and shall not unnecessarily jeopardize the vessel or the lives of the personnel.

(5) In giving assistance, not interfere with private enterprise, though assistance may be given to private efforts when necessary. The vessel shall be used for towing private craft only in cases of emergency or distress when there is no sufficient assistance at hand; however, private enterprise shall not be permitted to take undue advantage of a master or operator whose vessel is in distress. The OIC shall request instructions from the commanding officer in case of any doubt as to the proper action in this regard.

(6) Take prompt measures to revive or resuscitate all persons apparently drowned or unconscious from exposure to cold or other causes. The death of an apparently drowned person shall in no case be taken for granted, but every effort shall be made to resuscitate the apparent victim, unless the body bears unmistakable evidence of death.

E. In the event of shipwreck or other serious disaster, the OIC shall:

(1) Without endangering life, keep the crew aboard the vessel as long as necessary.

(2) Make every reasonable effort to save the logbook, valuable papers and as much other government property as possible.

(3) When it becomes necessary to abandon the vessel, be the last person to leave and take all possible precautions to protect the survivors and such government property as has been saved.

(4) Communicate with the nearest Coast Guard command as soon as possible and request such instructions and assistance as required.

(5) If the wreck constitutes a menace to navigation, take action to expedite a marking of the position of the wreck.

(6) Make a detailed report of the circumstances to the commanding officer as soon as practicable.

F. The Officer in charge is responsible to the commanding officer for the safety, health and welfare of the personnel in the command. The OIC shall:

(1) Insure that the safety orders and instructions applicable to the vessel and its equipment are on board, and understood and observed by the personnel.

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- (2) Strictly require that the performance of all duties and work performed on board or by the vessel is in accordance with the highest standards of safety and seamanship.
- (3) Safeguard the health of the crew by careful attention to the sanitation of the vessel.
- (4) Excuse from duty any member of the crew who is unable to perform because of illness or injury, and inform the commanding officer of the circumstances.
- (5) Within the limits of authority, grant the maximum amount of liberty consistent with good administration and efficiency.
- (6) Ensure that all boats are properly equipped and not loaded beyond capacity.