



DEPARTMENT OF TRANSPORTATION
 UNITED STATES COAST GUARD

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• NVIC **9-83**

14 SEP 1983

• NAVIGATION AND VESSEL INSPECTION CIRCULAR NO. **9-83**

Subj: Coast Guard Guidance Regarding Requirement for Charts and Publications

Ref : (a) 33 CFR 164.33.

1. PURPOSE. The purpose of this Circular is to provide uniform guidance regarding the application of Coast Guard regulations for requirements for carriage of Charts and Publications.
2. PUBLICATIONS AFFECTED. The information included herein will be included in a future revision of the Marine Safety Manual (COMDTINST M 16000.3).
3. BACKGROUND.

- a. The International Convention for the Safety of Life at Sea, 1974 (SOLAS) was adopted internationally in May, 1980. Regulation 20 of Chapter V of SOLAS requires:

"All ships shall carry adequate and up-to-date charts, sailing directions, lists of lights, notices to mariners, tide tables, and all nautical publications necessary for the intended voyage."

- b. Section 5 of the Port and Tanker Safety Act of 1978 requires that all vessels 10,000 gross tons (grt) or more entering or operating on U.S. waters, carrying oil or hazardous materials in bulk as cargo or in residue, carry "up-to-date charts."
- c. The Navigation Safety Regulations, 33 CFR 164, were adopted in January 1977. These regulations contained requirements for carriage of U.S. Charts and other nautical publications.

DISTRIBUTION - SDL No. 117

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A																										
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• NON-STANDARD DISTRIBUTION: (see page 5)

3. c. (cont'd) Foreign chart versions were acceptable provided they were functionally equivalent to the U.S. versions. The intent of the 1977 regulation was to provide the authority to enforce the spirit and intent of both SOLAS and the pending Port and Tanker Safety Act. In practice, however, misinterpretations of the regulations resulted in inconsistent enforcement. As a result, in September 1983, the regulations were modified to clarify the chart and publication requirements, and make compliance more reasonable. Enclosure (1) is a copy of the revised rule.

4. DISCUSSION.

- a. Briefly summarized, the regulations, as amended in September 1983, require charts and publications that are adequate for that vessel's safe navigation. Charts and publications may be U.S. or foreign issue. The charts and publications that are carried must be corrected up-to-date. The most recent editions of Charts, Coast Pilots or Sailing Directions, and List of Lights are no longer required; currently corrected copies will suffice. Tide and Tidal Current tables must be the current year editions. Applicable extracts from these publications are acceptable. The information contained in a Notice to Mariners must be obtained to insure charts and publications can be maintained and corrected to the most current level. Once corrections have been made it is the option of the master whether to retain the Notices or not.
- b. The principal sources of charts and nautical publications in the U.S. is the National Ocean Service (NOS), and the Defense Mapping Agency (DMA). Other sources of charts and publications for U.S. waters include, but are not necessarily limited to, the British Admiralty, the Federal Republic of Germany, the USSR, France, and Japan. Chart and publication data is frequently exchanged between those hydrographic offices and NOS and DMA. Whether a chart or publication is printed in English does not in itself determine its acceptability. If not in English it should be in a language that is in use by the ship's officers and crew. If there is a serious doubt, the Master may be requested to show, through translation, that the required corrections have been made to the charts and publications.
- c. There is no completely effective worldwide chart and publication distribution system at this time. This fact has been noted by the International Maritime Organization (IMO) and the International Hydrographic Organization (IHO). IHO is

4. c. (cont'd) currently addressing this problem, but, final solution is many years away. In the U.S., local chart distributors make their own decisions on what charts and publications to stock. To obtain a particular small demand item on short notice is likely to be extremely difficult. In many foreign ports obtaining these items are understandably more difficult.
- d. Required charts and publications must be corrected up-to-date. "Corrected up-to-date" is defined in the regulations as corrected with changes contained in all Notices to Mariners published by DMA, or an equivalent foreign publication, that are, or were, reasonably available to the vessel, and that are applicable to the vessel's transit. At present, it is not unusual to take approximately three to four weeks for information contained in Coast Guard Local Notices to Mariners to be included in DMA Notices to Mariners. DMA Notices are forwarded to the other hydrographic offices worldwide. Review of the DMA Notices takes another 3-4 weeks before the information is printed in that agency's or government's Notice to Mariners. Publication and distribution may take several additional weeks. It is feasible that it may take 12-15 weeks for a vessel to obtain information to correct charts and publications after the information first appears in the Local Notice.
- e. The emphasis of these regulations is on safe navigation. Most critical to safe navigation, for the purposes of this regulation, is carriage of an adequate chart of the area being transited. Publications, such as the Light List, are equally of major significance. Charts need not be the most recent issue, nor be of the same scale as the largest scale available NOS chart. In some ports, there may be several different charts, with several different scales, of an approach and inner harbor area. This does not mean one or two U.S. or foreign charts of larger area projection cannot adequately provide for safe navigation. The scale on any acceptable chart should be appropriate to show all aids to navigation, the detail of soundings, and enable the taking of radar and/or visual fixes, appropriate to the vessel's draft and operating characteristics, that will enable safe navigation. Charts and light lists need only be corrected for the transit of the vessel. Requiring correction of charts and publications for areas not applicable to the vessel's transit, such as small boat channels, is inappropriate. Most vessels have adequate offshore or approach charts. The law addresses U.S. waters and ports. It should be emphasized that the time when an adequate chart and Light List is most critical is when a vessel enters U.S. waters offshore and just prior to the embarking of a pilot.

4. f. Foreign hydrographic authorities may not necessarily publish individual publications such as tide tables or tidal current tables. For example, the British Admiralty tidal current data may be obtained using both their Sailing Directions and their Tide Tables. New editions of some British Admiralty Charts are expected to incorporate tidal current data. NOS is also considering including this data on some of their charts.

g. It is the intention of the Coast Guard to insure that vessels are properly equipped to safely navigate in U.S. waters. The requirements for charts and publications should not be inconsistent with internationally accepted standards; however the requirements of 33 CFR 164.33 must be satisfied. Captains of the Port should consider the difficulty associated with obtaining, and keeping corrected, charts and publications with the present distribution and availability problems worldwide when effecting their local enforcement policies.

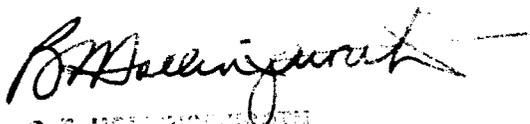
5. PROCEDURES.

a. Captains of the Port will evaluate the adequacy of charts and publications on vessels entering their zone as part of the Coast Guard's ongoing boarding program. This evaluation should not be based solely on the number of charts available for a port complex, nor on the largest scale NOS chart available, but on the adequacy of marine information portrayed by a scale sufficient for safe navigation. The opinions of seasoned mariners familiar with the port are valuable in a determination of adequacy. Charts of inadequate scale may be rejected by the Captain of the Port. In unusual cases, if additional input to the evaluation is desired, the opinion of NOS can be solicited through the Commandant (G-WWM). This information should be made known to industry. Shipping line representatives and agents should be encouraged to maintain on hand a small supply of corrected approved charts, for provision to their vessels as needed.

b. Disagreement between the master and the boarding officer about adequacy of a chart or publication, should be brought to the attention of the Captain of the Port. After decision by the Captain of the Port, the vessel's owner, agent, or master should be notified of the acceptance or unacceptability of the chart in question for vessels of that general class, size or of similar operating characteristics. Subsequent failure to carry the required charts may then be considered for penalty action.

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5. c. It remains the responsibility of the master to maintain current charts and publications. The COTP is required to only spot check for one or several key recent changes to a chart or publication. This should be sufficient to insure reasonable adherence to navigational practices consistent with the intent of this regulation.
- d. First time violations of these regulations by vessels otherwise observing good navigational practices should be considered minor. In most cases these violations may be corrected prior to the vessels departure. Violations should be noted on the appropriate boarding report. Letters of warning are appropriate where it is felt documentation is warranted.
- e. More serious violations of these regulations would include absence of nautical charts and/or absence of more than one of the required publications and repeat violations. Issuance of a Report of Violation (CG-2636) is appropriate in these instances.
- f. Violations of a nature to warrant issuance of a Letter of Warning or a CG-2636 should be noted in the MSIS.
- g. COTP should disseminate the listing of acceptable and unacceptable charts and publications as widely as possible. Local pilots, agents for shipping lines, representatives of national or international maritime organizations, etc. should be encouraged to promulgate the information in their periodicals, newsletters and the like.


R. F. HOLLINGSWORTH
200 U.S. Coast Guard
U.S. Coast Guard

Enclosure: (1) Revised rule

Non-Standard Distribution:

- C:e Baltimore (45); Alameda (40); Port Arthur, Honolulu, Seattle (35); Miami, Mobile, Long Beach (25); Norfolk, Jacksonville, Portland OR (20); Boston, Portland ME, Charleston, Anchorage (15); Cleveland (12); Cincinnati, Louisville, Memphis, Nashville, Paducah, Pittsburgh, St Louis, Savannah, San Juan, Tampa, Galveston, Buffalo, Chicago, Detroit, Duluth, Milwaukee, San Diego, Juneau, Valdez (10); Providence, Huntington, Wilmington, Corpus Christi, Toledo (5).
- C:m New Orleans (140); New York (70); Philadelphia (35); Houston (25); St Ignace (5); Sturgeon Bay (4).
- D:1 CG Liaison Officer MILSEALIFTCOMD M-65 STRAT MOB, CG Liaison Officer JUSMAGPHIL (1).

AMENDMENTS TO 33 CFR PART 164

§ 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 §§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, U.S. 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) U.S. 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 the National Ocean Service.

(ii) tidal current tables published by the National Ocean Service, or river current publication issued by the U.S. 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 U.S. 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 U.S. 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 Defense Mapping Agency Hydrographic/Topographic Center, or an equivalent foreign government publication, reasonably available to the vessel, and that is applicable to the vessel's transit.