



Notice of Violation (NOV)

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Occasionally the Coast Guard will issue a "Notice of Violation" (NOV). The proposed penalty amounts associated with the NOV are pre-determined in the Notice of Violation User's Guide, COMDTINST M5582.1A. The charged party may choose to pay the proposed penalty, or decline the penalty. The back of the NOV document explains that choosing to decline the NOV "...will result in the case file being sent to a Coast Guard Hearing Officer for a determination. After the Hearing Officer makes a preliminary determination, you will be afforded the opportunity to respond to the allegations or request a hearing." It is important to note that the Hearing Officer is not bound by the NOV or COMDTINST M5582.1A. Once the case file is forwarded to the Coast Guard Hearing Office for adjudication, the Hearing Officer gives precedence to the evidence and circumstances of the case, more so than to the proposed penalty amount derived from COMDTINST M5582.1A. The Hearing Officer's preliminary assessed penalty amount, therefore, may be greater than, less than, or equal to the NOV proposed penalty amount.