



9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG-2017-0948]

Certificate of Alternative Compliance for Hatteras CABO LLC's fishing yacht RESILIENT, HIN: HATHP606H718

AGENCY: Coast Guard, DHS.

ACTION: Notice.

SUMMARY: The Coast Guard announces that the District Five Prevention Division has issued a Certificate of Alternate Compliance from the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), for Hatteras CABO LLC's fishing yacht RESILIENT, HIN: HATHP606H718 as required by statute. Due to the construction and placement of the pilothouse aft of amidships, the vessel cannot fully comply with the masthead light and sidelight provisions of the 72 COLREGS without interfering with the vessel's design and construction, as there are no structures forward of amidships on which a masthead light or sidelights could be affixed. This notice promotes the Coast Guard's maritime safety and stewardship missions.

FOR FURTHER INFORMATION CONTACT: For further information or questions about this notice, call or e-mail: CDR Scott W. Muller, District Five, Chief, Inspections and Investigations, U.S. Coast Guard; telephone: 757-398-6389, e-mail: Scott.W.Muller@uscg.mil.

SUPPLEMENTARY INFORMATION:

The United States is signatory to the International Maritime Organization's International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), as amended. The special construction or purpose of some vessels makes them unable to comply with the light, shape, and sound signal provisions of the 72 COLREGS. Under statutory law¹ and Coast Guard regulation,² a vessel may instead meet alternative requirements and the vessel's owner, builder, operator, or agent may apply for a Certificate of Alternate Compliance (COAC). For vessels of special construction, the cognizant Coast Guard District Office determines whether the vessel for which the COAC is sought complies as closely as possible with the 72 COLREGS and decides whether to issue the COAC. Once issued, a COAC remains valid until information supplied in the COAC application or the COAC terms become inapplicable to the vessel. Under the governing statute³ and regulation,⁴ the Coast Guard must publish notice of this action. The Prevention Division, Fifth Coast Guard District, hereby finds and certifies that Hatteras CABO LLC's fishing yacht RESILIENT, HIN: HATHP606H718, is a vessel of special construction or purpose and that, with respect to the position of the masthead light and sidelights, it is not possible to comply fully with the requirements of the provisions enumerated in the 72 COLREGS without interfering with the design and construction of the vessel. The Prevention Division, Fifth Coast Guard District, further finds and certifies

¹ 33 U.S.C. 1605(c).

² 33 CFR 81.3.

³ 33 U.S.C. 1605(c).

⁴ 33 CFR 81.18.

that the proposed placement of the masthead light and sidelights is in the closest possible compliance with the applicable provisions of the 72 COLREGS and that full compliance with the 72 COLREGS would not significantly enhance the safety of the vessel's operation.

This notice is issued under authority of 33 U.S.C. 1605(c) and 33 CFR 81.18.

Dated: October 05, 2017.

Capt J. R. Barnes,
Chief, Prevention Division.

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