

§ 161.5

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NOTE: These rules are contained in the applicable U.S. Coast Pilot, the VTS User's Manual which may be obtained by contacting the appropriate VTS, and periodically published in the Local Notice to Mariners. The VTS User's Manual and the World VTS Guide, an International Maritime Organization (IMO) recognized publication, contain additional information which may assist the prudent mariner while in the appropriate VTS area.

§ 161.5 Deviations from the rules.

(a) Requests to deviate from any provision in this part, either for an extended period of time or if anticipated before the start of a transit, must be submitted in writing to the appropriate District Commander. Upon receipt of the written request, the District Commander may authorize a deviation if it is determined that such a deviation provides a level of safety equivalent to that provided by the required measure or is a maneuver considered necessary for safe navigation under the circumstances. An application for an authorized deviation must state the need and fully describe the proposed alternative to the required measure.

(b) Requests to deviate from any provision in this part due to circumstances that develop during a transit or immediately preceding a transit, may be made verbally to the appropriate VTS Director. Requests to deviate shall be made as far in advance as practicable. Upon receipt of the request, the VTS Director may authorize a deviation if it is determined that, based on vessel handling characteristics, traffic density, radar contacts, environmental conditions and other relevant information, such a deviation provides a level of safety equivalent to that provided by the required measure or is a maneuver considered necessary for safe navigation under the circumstances.

[CGD 90-020, 59 FR 36324, July 15, 1994, as amended by USCG-2005-21531, 70 FR 36350, June 23, 2005]

SERVICES, VTS MEASURES, AND OPERATING REQUIREMENTS

§ 161.10 Services.

To enhance navigation and vessel safety, and to protect the marine environment, a VTS may issue advisories,

or respond to vessel requests for information, on reported conditions within the VTS area, such as:

- (a) Hazardous conditions or circumstances;
- (b) Vessel congestion;
- (c) Traffic density;
- (d) Environmental conditions;
- (e) Aids to navigation status;
- (f) Anticipated vessel encounters;
- (g) Another vessel's name, type, position, hazardous vessel operating conditions, if applicable, and intended navigation movements, as reported;
- (h) Temporary measures in effect;
- (i) A description of local harbor operations and conditions, such as ferry routes, dredging, and so forth;
- (j) Anchorage availability; or
- (k) Other information or special circumstances.

§ 161.11 VTS measures.

(a) A VTS may issue measures or directions to enhance navigation and vessel safety and to protect the marine environment, such as, but not limited to:

- (1) Designating temporary reporting points and procedures;
- (2) Imposing vessel operating requirements; or
- (3) Establishing vessel traffic routing schemes.

(b) During conditions of vessel congestion, restricted visibility, adverse weather, or other hazardous circumstances, a VTS may control, supervise, or otherwise manage traffic, by specifying times of entry, movement, or departure to, from, or within a VTS area.

§ 161.12 Vessel operating requirements.

(a) Subject to the exigencies of safe navigation, a VTS User shall comply with all measures established or directions issued by a VTS.

(b) If, in a specific circumstance, a VTS User is unable to safely comply with a measure or direction issued by the VTS, the VTS User may deviate only to the extent necessary to avoid endangering persons, property or the environment. The deviation shall be reported to the VTS as soon as is practicable.

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(c) When not exchanging voice communications, a VTS User must maintain a listening watch as required by §26.04(e) of this chapter on the VTS frequency designated in Table 161.12(c) (VTS and VMRS Centers, Call Signs/MMSI, Designated Frequencies, and Monitoring Areas). In addition, the VTS User must respond promptly when

hailed and communicate in the English language.

NOTE TO §161.12(c): As stated in 47 CFR 80.148(b), a very high frequency watch on Channel 16 (156.800 MHz) is not required on vessels subject to the Vessel Bridge-to-Bridge Radiotelephone Act and participating in a Vessel Traffic Service (VTS) system when the watch is maintained on both the vessel bridge-to-bridge frequency and a designated VTS frequency.

TABLE 161.12(C)—VTS AND VMRS CENTERS, CALL SIGNS/MMSI, DESIGNATED FREQUENCIES, AND MONITORING AREAS

Center MMSI ¹ Call Sign	Designated frequency (Channel designation)—purpose ²	Monitoring area ^{3,4}
Berwick Bay 003669950— <i>Berwick Traffic</i>	156.550 MHz (Ch. 11)	The waters south of 29°45' N., west of 91°10' W., north of 29°37' N., and east of 91°18' W.
Buzzards Bay <i>Buzzards Bay Control</i> ⁵	156.600 MHz (Ch. 12)	The waters east and north of a line drawn from the southern tangent of Sakonnet Point, Rhode Island, in approximate position latitude 41°–27.2' N, longitude 70°–11.7' W, to the Buzzards Bay Entrance Light in approximate position latitude 41°–23.5' N, longitude 71°–02.0' W, and then to the southwestern tangent of Cuttyhunk Island, Massachusetts, at approximate position latitude 41°–24.6' N, longitude 70°–57.0' W, and including all of the Cape Cod Canal to its eastern entrance, except that the area of New Bedford harbor within the confines (north of) the hurricane barrier, and the passages through the Elizabeth Islands, is not considered to be "Buzzards Bay".
Houston-Galveston— 003669954.	The navigable waters north of 29° N., west of 94°20' W., south of 29°49' N., and east of 95°20' W.
<i>Houston Traffic</i>	156.550 MHz (Ch. 11)	The navigable waters north of a line extending due west from the southern most end of Exxon Dock #1 (20°43.37' N., 95°01.27' W.).
<i>Houston Traffic</i>	156.250 Mhz (Ch. 5A) —For Sailing Plans only	The navigable waters south of a line extending due west from the southern most end of Exxon Dock #1 (29°43.37' N., 95°01.27' W.)
Los Angeles/Long Beach: MMSI/To be determined
<i>San Pedro Traffic</i>	156.700 MHz (Ch.14)	<i>Vessel Movement Reporting System Area:</i> The navigable waters within a 25 nautical mile radius of Point Fermin Light (33°42.3' N., 118°17.6' W.).
Louisville: Not applicable <i>Louisville Traffic</i>	156.650 MHz (Ch. 13)	The waters of the Ohio River between McAlpine Locks (Mile 606) and Twelve Mile Island (Mile 593), only when the McAlpine upper pool gauge is at approximately 13.0 feet or above.
Lower Mississippi River ⁶ — 0036699952
<i>New Orleans Traffic</i>	156.700 MHz (Ch.14)	The navigable waters of the Lower Mississippi River below 30°38.7' N., 91°17.5' W. (Port Hudson Light at 255 miles Above Head of Passes (AHP)), the Southwest Pass, and, within a 12 nautical miles radius around 28°54.3' N., 89°25.7' W. (Southwest Pass Entrance Light at 19.9 miles Below Head of Passes).
<i>New Orleans Traffic</i>	156.600 MHz (Ch.12)	<i>New Orleans Sector.</i> The navigable waters of the Lower Mississippi River bounded on the north by a line drawn perpendicularly at 29°56.4' N., 90°08.36' W. and on the south by a line drawn perpendicularly at 29°56.24' N., 89°59.86' W. (88 and 106 miles AHP).

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TABLE 161.12(C)—VTS AND VMRS CENTERS, CALL SIGNS/MMSI, DESIGNATED FREQUENCIES, AND MONITORING AREAS—Continued

Center MMSI ¹ Call Sign	Designated frequency (Channel designation)—purpose ²	Monitoring area ^{3,4}
New York—003669951 <i>New York Traffic</i>	156.550 MHz (Ch. 11) —For Sailing Plans only 156.600 MHz (Ch. 12) —For vessels at anchor	The area consists of the navigable waters of the Lower New York Bay bounded on the east by a line drawn from Norton Point to Breezy Point; on the south by a line connecting the entrance buoys at the Ambrose Channel, Swash Channel, and Sandy Hook Channel to Sandy Hook Point; and on the southeast including the waters of Sandy Hook Bay south to a line drawn at latitude 40° 25' N; then west in the Raritan Bay to the Raritan River Railroad Bridge, then north into waters of the Arthur Kill and Newark Bay to the Lehigh Valley Draw Bridge at latitude 40° 41.9N; and then east including the waters of the Kill Van Kull and the Upper New York Bay north to a line drawn east-west from the Holland Tunnel ventilator shaft at latitude 40° 43.7' N, longitude 74° 01.6' W, in the Hudson River; and then continuing east including the waters of the East River to the Throgs Neck Bridge, excluding the Harlem River.
<i>New York Traffic</i>	156.700 MHz (Ch. 14)	The navigable waters of the Lower New York Bay west of a line drawn from Norton Point to Breezy Point; and north of a line connecting the entrance buoys of Ambrose Channel, Swash Channel, and Sandy Hook Channel, to Sandy Hook Point; on the southeast including the waters of the Sandy Hook Bay south to a line drawn at latitude 40° 25' N; then west into the waters of Raritan Bay East Reach to a line drawn from Great Kills Light south through Raritan Bay East Reach LGB #14 to Comfort PT, NJ; then north including the waters of the Upper New York Bay south of 40° 42.40' N (Brooklyn Bridge) and 40° 43.70' N (Holland Tunnel Ventilator Shaft); west through the KVK into the Arthur Kill north of 40° 38.25' N (Arthur Kill Railroad Bridge); then north into the waters of the Newark Bay, south of 40° 41.95' N (Lehigh Valley Draw Bridge).
<i>New York Traffic</i>	156.600 MHz (Ch. 12)	The navigable waters of the Raritan Bay south to a line drawn at latitude 40° 26' N; then west of a line drawn from Great Kills Light south through the Raritan Bay East Reach LGB #14 to Point Comfort, NJ; then west to the Raritan River Railroad Bridge; and north including the waters of the Arthur Kill to 40° 28.25' N (Arthur Kill Railroad Bridge); including the waters of the East River north of 40° 42.40' N (Brooklyn Bridge) to the Throgs Neck Bridge, excluding the Harlem River.
Port Arthur ⁶ —003669955 <i>Sabine Traffic</i>	To be determined	The navigable waters south of 30°10' N., east of 94°20' W., west of 93°22' W, and, north of 29° 10' N.
Prince William Sound— 003669958 <i>Valdez Traffic</i>	156.650 MHz (Ch. 13)	The navigable waters south of 61°05' N., east of 147°20' W., north of 60° N., and west of 146°30' W.; and, all navigable waters in Port Valdez.
Puget Sound ⁷ <i>Seattle Traffic</i> —003669957	156.700 MHz (Ch. 14)	The waters of Puget Sound, Hood Canal and adjacent waters south of a line connecting Nodule Point and Bush Point in Admiralty Inlet and south of a line drawn due east from the southernmost tip of Possession Point on Whidbey Island to the shoreline.
<i>Seattle Traffic</i> —003669957	156.250 MHz (Ch. 5A)	The waters of the Strait of Juan de Fuca east of 124°40' W. excluding the waters in the central portion of the Strait of Juan de Fuca north and east of Race Rocks; the navigable waters of the Strait of Georgia east of 122°52' W.; the San Juan Island Archipelago, Rosario Strait, Bellingham Bay; Admiralty Inlet north of a line connecting Nodule Point and Bush Point and all waters east of Whidbey Island North of a line drawn due east from the southernmost tip of Possession Point on Whidbey Island to the shoreline.
<i>Tofino Traffic</i> —003160012	156.725 MHz (Ch. 74)	The waters west of 124°40' W. within 50 nautical miles of the coast of Vancouver Island including the waters north of 48° N., and east of 127° W.

TABLE 161.12(C)—VTS AND VMRS CENTERS, CALL SIGNS/MMSI, DESIGNATED FREQUENCIES, AND MONITORING AREAS—Continued

Center MMSI ¹ Call Sign	Designated frequency (Channel designation)—purpose ²	Monitoring area ^{3,4}
Victoria Traff—003160010	156.550 MHz (Ch. 11)	The waters of the Strait of Georgia west of 122°52' W., the navigable waters of the central Strait of Juan de Fuca north and east of Race Rocks, including the Gulf Island Archipelago, Boundary Pass and Haro Strait.
San Francisco—003669956 San Francisco Traffic	156.700 MHz (Ch. 14)	The navigable waters of the San Francisco Offshore Precautionary Area, the navigable waters shoreward of the San Francisco Offshore Precautionary Area east of 122°42.0' W. and north of 37°40.0' N. extending eastward through the Golden Gate, and the navigable waters of San Francisco Bay and as far east as the port of Stockton on the San Joaquin River, as far north as the port of Sacramento on the Sacramento River.
San Francisco Traffic	156.600 MHz (Ch. 12)	The navigable waters within a 38 nautical mile radius of Mount Tamalpais (37°55.8' N., 122°34.6' W.) west of 122°42.0' W. and south of 37°40.0' N and excluding the San Francisco Offshore Precautionary Area.
St. Marys River—003669953 Soo Traffic	156.600 MHz (Ch. 12)	The waters of the St. Marys River between 45°57' N. (De Tour Reef Light) and 46°38.7' N. (Ile Parisienne Light), except the St. Marys Falls Canal and those navigable waters east of a line from 46°04.16' N. and 46°01.57' N. (La Pointe to Sims Point in Potagannissing Bay and Worsley Bay).

NOTES:

¹ Maritime Mobile Service Identifier (MMSI) is a unique nine-digit number assigned that identifies ship stations, ship earth stations, coast stations, coast earth stations, and group calls for use by a digital selective calling (DSC) radio, an INMARSAT ship earth station or AIS. AIS requirements are set forth in §§ 161.21 and 164.46 of this subchapter. The requirements set forth in §§ 161.21 and 164.46 of this subchapter apply in those areas denoted with a MMSI number.

² In the event of a communication failure, difficulties or other safety factors, the Center may direct or permit a user to monitor and report on any other designated monitoring frequency or the bridge-to-bridge navigational frequency, 156.650 MHz (Channel 13) or 156.375 MHz (Ch. 67), to the extent that doing so provides a level of safety beyond that provided by other means. The bridge-to-bridge navigational frequency, 156.650 MHz (Ch. 13), is used in certain monitoring areas where the level of reporting does not warrant a designated frequency.

³ All geographic coordinates (latitude and longitude) are expressed in North American Datum of 1983 (NAD 83).

⁴ Some monitoring areas extend beyond navigable waters. Although not required, users are strongly encouraged to maintain a listening watch on the designated monitoring frequency in these areas. Otherwise, they are required to maintain watch as stated in 47 CFR 80.148.

⁵ In addition to the vessels denoted in section 161.16 of this chapter, requirements set forth in subpart B of 33 CFR part 161 also apply to any vessel transiting VMRS Buzzards Bay required to carry a bridge-to-bridge radiotelephone by part 26 of this chapter.

⁶ Until rules regarding VTS Lower Mississippi River and VTS Port Arthur are published, vessels are exempted of all VTS and VMRS requirements set forth in 33 CFR part 161, except those set forth in §§ 161.21 and 164.46 of this subchapter.

⁷ A Cooperative Vessel Traffic Service was established by the United States and Canada within adjoining waters. The appropriate Center administers the rules issued by both nations; however, enforces only its own set of rules within its jurisdiction. Note, the bridge-to-bridge navigational frequency, 156.650 MHz (Ch. 13), is not so designated in Canadian waters, therefore users are encouraged and permitted to make passing arrangements on the designated monitoring frequencies.

(d) As soon as is practicable, a VTS User shall notify the VTS of any of the following:

- (1) A marine casualty as defined in 46 CFR 4.05-1;
- (2) Involvement in the ramming of a fixed or floating object;
- (3) A pollution incident as defined in § 151.15 of this chapter;
- (4) A defect or discrepancy in an aid to navigation;
- (5) A hazardous condition as defined in § 160.203 of this chapter;
- (6) Improper operation of vessel equipment required by part 164 of this chapter;

(7) A situation involving hazardous materials for which a report is required by 49 CFR 176.48; and

(8) A hazardous vessel operating condition as defined in § 161.2.

[CGD 90-020, 59 FR 36324, July 15, 1994, as amended by CGD 95-033, 60 FR 28329, May 31, 1995; CGD 92-052, 61 FR 45326, Aug. 29, 1996; USCG-1999-6141, 64 FR 69636, Dec. 14, 1999; USCG-2003-14757, 68 FR 39364, July 1, 2003; 68 FR 60569, Oct. 22, 2003; USCG-2004-18057, 69 FR 34926, June 23, 2004; CGD01-04-133, 72 FR 50058, Aug. 30, 2007; 72 FR 70780, Dec. 13, 2007; USCG-2008-0179, 73 FR 35016, June 19, 2008]