

Subpart C—Safety Zones

§ 165.20 Safety zones.

A Safety Zone is a water area, shore area, or water and shore area to which, for safety or environmental purposes, access is limited to authorized persons, vehicles, or vessels. It may be stationary and described by fixed limits or it may be described as a zone around a vessel in motion.

§ 165.23 General regulations.

Unless otherwise provided in this part:

(a) No person may enter a safety zone unless authorized by the COTP or the District Commander;

(b) No person may bring or cause to be brought into a safety zone any vehicle, vessel, or object unless authorized by the COTP or the District Commander;

(c) No person may remain in a safety zone or allow any vehicle, vessel, or object to remain in a safety zone unless authorized by the COTP or the District Commander; and

(d) Each person in a safety zone who has notice of a lawful order or direction shall obey the order or direction of the COTP or District Commander issued to carry out the purposes of this subpart.

Subpart D—Security Zones

§ 165.30 Security zones.

(a) A security zone is an area of land, water, or land and water which is so designated by the Captain of the Port or District Commander for such time as is necessary to prevent damage or injury to any vessel or waterfront facility, to safeguard ports, harbors, territories, or waters of the United States or to secure the observance of the rights and obligations of the United States.

(b) The purpose of a security zone is to safeguard from destruction, loss, or injury from sabotage or other subversive acts, accidents, or other causes of a similar nature:

- (1) Vessels,
- (2) Harbors,
- (3) Ports, and
- (4) Waterfront facilities:

in the United States and all territory and water, continental or insular, that is subject to the jurisdiction of the United States.

§ 165.33 General regulations.

Unless otherwise provided in the special regulations in Subpart F of this part:

(a) No person or vessel may enter or remain in a security zone without the permission of the Captain of the Port;

(b) Each person and vessel in a security zone shall obey any direction or order of the Captain of the Port;

(c) The Captain of the Port may take possession and control of any vessel in the security zone;

(d) The Captain of the Port may remove any person, vessel, article, or thing from a security zone;

(e) No person may board, or take or place any article or thing on board, any vessel in a security zone without the permission of the Captain of the Port; and

(f) No person may take or place any article or thing upon any waterfront facility in a security zone without the permission of the Captain of the Port.

Subpart E—Restricted Waterfront Areas

§ 165.40 Restricted waterfront areas.

The Commandant, may direct the COTP to prevent access to waterfront facilities, and port and harbor areas, including vessels and harbor craft therein. This section may apply to persons who do not possess the credentials outlined in § 125.09 of this chapter when certain shipping activities are conducted that are outlined in § 125.15 of this chapter.

Subpart F—Specific Regulated Navigation Areas and Limited Access Areas

FIRST COAST GUARD DISTRICT

§ 165.T01-0023 Safety Zone; MBTA Railroad Bridge Replacement Project—Annisquam River, Gloucester, Massachusetts.

(a) *Location.* The following area is a safety zone: All navigable waters within 100 yards of the Massachusetts Bay

§ 165.T01-0134

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Transportation Authority (MBTA) Railroad Bridge, at mile 0.7, across the Annisquam River, Gloucester, Massachusetts.

(b) *Enforcement period.* This section is enforceable from 12:01 a.m. on December 1, 2019, to 11:59 p.m. on June 30, 2023.

(c) *Definitions.* As used in this section:

(1) *Designated representative* means any Coast Guard commissioned, warrant, petty officer, or any Federal, state, or local law enforcement officer who has been designated by the Captain of the Port (COTP) Boston, to act on his or her behalf. The designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF-FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this section.

(2) *Official patrol vessels* means any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP Boston to enforce this section.

(d) *Regulations.* When this safety zone is enforced, the regulations in paragraphs (d)(1) and (2) of this section, along with those contained in §165.23 apply:

(1) No person or vessel may enter or remain in this safety zone without the permission of the COTP Boston or the COTP's designated representatives. However, any person or vessel permitted to enter the safety zone must comply with the directions and orders of the COTP Boston or the COTP's designated representatives.

(2) To obtain permission required by this section, individuals may reach the COTP Boston or a COTP-designated representative via Channel 16 (VHF-FM) or 617-223-5757 (Sector Boston Command Center).

(e) *Penalties.* Those who violate this section are subject to the penalties set forth in 33 U.S.C. 1232.

EFFECTIVE DATE NOTE: By USCG-2019-2019, 84 FR 65679, Nov. 29, 2019, §165.T01-0023 was added, effective Dec. 1, 2019, through June 30, 2023.

§ 165.T01-0134 Safety Zone; Falls Bridge Project, Blue Hill, ME.

(a) *Locations.* The following area is a safety zone: All navigable waters, from surface to bottom, within a 50-yard radius from the center of the Falls Bridge in Blue Hill, ME.

(b) *Definitions.* As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Northern New England (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the COTP or the COTP's designated representative.

(2) To seek permission to enter, contact the COTP or the COTP's representative via VHF-FM marine channel 16 or by contacting the Coast Guard Sector Northern New England Command Center at (207) 741-5465. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* This section is effective from July 1, 2022, through June 30, 2024, and subject to enforcement 24 hours a day. The Coast Guard will use Broadcast Notice to Mariners and Local Notice to Mariners to notify the public of this safety zone.

[USCG-2022-0134, 87 FR 35656, June 13, 2022]

EFFECTIVE DATE NOTE: By USCG-2022-0134, 87 FR 65656, June 13, 2022, §165.T01-0134 was added, effective July 1, 2022, through June 30, 2024.

§ 165.T01-0453 Safety Zone; Portal Bridge, Hackensack River, Kearny, NJ.

(a) *Location.* The following area is a safety zone: All navigable waters of the Hackensack River, within a 100-yard radius of the center of the Portal Bridge (mile 5.0), Kearny, New Jersey, including the East and West navigational channels.

(b) *Definitions.* As used in this section, *Designated Representative* means a