

Code of Federal Regulations

Title 46. Shipping

Chapter I. Coast Guard, Department of Homeland Security (Refs & Annos)

Subchapter A. Procedures Applicable to the Public

Part 4. Marine Casualties and Investigations (Refs & Annos)

Subpart 4.05. Notice of Marine Casualty and Voyage Records

46 C.F.R. § 4.05–1

§ 4.05–1 Notice of marine casualty.

Effective: April 18, 2018

[Currentness](#)

(a) Immediately after the addressing of resultant safety concerns, the owner, agent, master, operator, or person in charge, shall notify the nearest Sector Office, Marine Inspection Office or Coast Guard Group Office whenever a vessel is involved in a marine casualty consisting in—

- (1) An unintended grounding, or an unintended strike of (allision with) a bridge;
- (2) An intended grounding, or an intended strike of a bridge, that creates a hazard to navigation, the environment, or the safety of a vessel, or that meets any criterion of paragraphs (a) (3) through (8);
- (3) A loss of main propulsion, primary steering, or any associated component or control system that reduces the maneuverability of the vessel;
- (4) An occurrence materially and adversely affecting the vessel's seaworthiness or fitness for service or route, including but not limited to fire, flooding, or failure of or damage to fixed fire-extinguishing systems, lifesaving equipment, auxiliary power-generating equipment, or bilge-pumping systems;
- (5) A loss of life;
- (6) An injury that requires professional medical treatment (treatment beyond first aid) and, if the person is engaged or employed on board a vessel in commercial service, that renders the individual unfit to perform his or her routine duties; or
- (7) An occurrence causing property-damage in excess of \$75,000, this damage including the cost of labor and material to restore the property to its condition before the occurrence, but not including the cost of salvage, cleaning, gas-freeing, drydocking, or demurrage.
- (8) An occurrence involving significant harm to the environment as defined in [§ 4.03–65](#).

(b) Notice given as required by [33 CFR 160.215](#) satisfies the requirement of this section if the marine casualty involves a hazardous condition as defined by [33 CFR 160.202](#).

(c) Except as otherwise required under this subpart, if the marine casualty exclusively involves an occurrence or occurrences described by paragraph (a)(8) of this section, a report made pursuant to [33 CFR 153.203](#), [40 CFR 117.21](#), or [40 CFR 302.6](#) satisfies the immediate notification requirement of this section.

Credits

[CGD 76–170, [45 FR 77441](#), Nov. 24, 1980; CGD 82–069, [48 FR 15126](#), April 7, 1983; [53 FR 47077](#), Nov. 21, 1988; CGD 94–030, [59 FR 39471](#), Aug. 3, 1994; [63 FR 19192](#), April 17, 1998; USCG–2000–6927, [70 FR 74676](#), Dec. 16, 2005; USCG–2006–25556, [72 FR 36330](#), July 2, 2007; USCG–2011–0618, [76 FR 60754](#), Sept. 30, 2011; USCG–2014–0688, [79 FR 58275](#), Sept. 29, 2014; USCG–2005–21869, [80 FR 5336](#), Jan. 30, 2015; USCG–2016–0748, [83 FR 11902](#), March 19, 2018]

SOURCE: CGD 74–119, [39 FR 33317](#), Sept. 17, 1974; CGD 85–015, [51 FR 19341](#), May 29, 1986; CGD 88–071, [53 FR 37564](#), Sept. 27, 1988; CGD 86–067, [53 FR 47077](#), Nov. 21, 1988; CGD 94–030, [59 FR 39471](#), Aug. 3, 1994; [63 FR 19192](#), April 17, 1998; [68 FR 16953](#), April 8, 2003; USCG–2004–18884, [69 FR 58341](#), Sept. 30, 2004; USCG–2000–6927, [70 FR 74675](#), Dec. 16, 2005; USCG–2001–8773, [70 FR 75954](#), Dec. 22, 2005, unless otherwise noted.

AUTHORITY: [33 U.S.C. 1231](#); [43 U.S.C. 1333](#); [46 U.S.C. 2103](#), [2303a](#), [2306](#), [6101](#), [6301](#), and [6305](#); [50 U.S.C. 198](#); Department of Homeland Security Delegation No. 0170.1. Subpart 4.40 issued under [49 U.S.C. 1903\(a\)\(1\)\(E\)](#).

Notes of Decisions (3)

Current through April 26, 2018; [83 FR 18236](#).