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**MARITIME LAW ASSOCIATION OF THE  
UNITED STATES**

DOCUMENT No. 145

**REPORT OF COMMITTEE ON RULES OF THE  
ROAD.**

REPORT OF COMMITTEE TO DEAL WITH MATTER OF RULES OF  
ROAD, ETC., IN CONNECTION WITH INTERNATIONAL SHIPPING  
CONFERENCE TO BE HELD IN LONDON, JUNE, 1928.

May 11, 1928.

The Secretary of this Association has received from time to time during the last few months "for information" from the Secretary of International Shipping Conference, London, documents dealing with various matters proposed to be considered in London at meetings of International Shipping Conference the early part of June preliminary to consideration of the same by a Diplomatic Conference.

The President of this Association appointed a committee, consisting of Roscoe H. Hupper, L. DeGrove Potter, Herbert F. Prem and Frank J. Foley, to consider the agenda of the London conference and report their recommendation as to what action this Association should take with respect thereto.

Inasmuch as this Association is not a member of International Shipping Conference and has not been invited to express its views to that conference, it is apparent that the action now to be taken by this Association is limited and informal.

This committee has considered the proposed agenda of International Shipping Conference for London meeting in June, and believes that the only item on which views should now be expressed is the one dealing with proposed revision of Rules of the Road at Sea, i.e., the International Rules of 1889. The

other items in the agenda have either already been dealt with by this Association or are of such a nature (mechanical, technical, or other than legal) that this Association might not be competent to express views on the same.

It is therefore recommended that the Association now take no action on any items in the agenda other than Collision Regulations.

Concerning the Rules of the Road, it appeared to your committee desirable that the changes suggested looking to revision of the Collision Rules should have the attention of a larger committee, composed principally of those who are closely engaged in the handling of collision cases. In accordance with this view the President appointed a sub-committee, with Mr. Hupper as Chairman, consisting of Chauncey I. Clark, William H. McGrann, John W. Griffin, George C. Sprague, Leonard J. Matteson, Earle Farwell and O. D. Duncan, New York; Albert T. Gould, Boston; Farnham P. Griffiths, San Francisco; Arthur M. Boal, Washington; and Joseph M. Rault, New Orleans. This sub-committee held a meeting at New York May 9, which meeting was attended by Mr. Clark, Mr. McGrann, Mr. Griffin, Mr. Matteson, Mr. Sprague, Mr. Duncan and the Chairman. Mr. Farwell sent a memorandum of his views.

This meeting of the sub-committee had before it the document concerning collision regulations, which the Secretary of this Association received from the Secretary of the International Shipping Conference, which document contains in parallel columns (1) the present International Rules, (2) British proposals to give effect to amendments agreed in Article 14 of the Convention for Safety of Life at Sea held in 1914, (3) suggestions made by International Hydrographic Bureau, (4) suggestions made by a British ship's officer, and (5) a few suggestions made by an Italian, Captain Clavevich.

It was the opinion of the sub-committee meeting of May 9 that the suggested changes should not be dealt with in great detail, but that only the more important proposals should have the attention of the committee. This view was taken not only because whatever is done now by the committee or this Association has no relation to anything that is officially pending, but also

because any intelligent consideration of all the changes proposed would require prolonged and very careful study, including balancing of one consideration against another, in order that the collision rules in general might not become dislocated by reform. It was the general sentiment of the sub-committee that the rules should not be changed any more than absolutely necessary.

In accordance with the foregoing, the sub-committee made the following observations:

1. Concerning Article 2 (steam vessels—masthead light).  
Favor suggestion that second white masthead light be compulsory.
2. Concerning Article 10 (lights for an overtaken vessel).  
Favor suggestion that permanent fixed stern light be compulsory.
3. Concerning Article 14 (mechanically-propelled vessel under sail and power, under way by day).  
Favor suggestion that special day signal be compulsory for motor vessels—in the form submitted by British Government.
4. Concerning Article 15 (sound signals for fog).  
Divided on suggestion for special sound signal for use by vessel in tow or by last vessel of tow.
5. Concerning Article 31 (distress signals—by radio).  
Opposed to addition of radio signal as unnecessary.
6. Concerning lights of sailing ships (Article 5).  
Opposed to revision.
7. Concerning signals intended to indicate course of ships in fog, amendment of Article 15.  
Opposed as confusing.
8. Concerning adapting lights and sound signals to dimensions and speed of modern ships.  
Opposed as confusing.

9. Concerning navigation in neighborhood of warships and regulations relating to submarines.  
Opposed on ground that such vessels should be governed by same rules as others.
10. Concerning regulations relating to warships navigating without lights.  
Opposed on ground not within purview of collision rules.
11. Concerning helm movement.  
Consider orders for right and left (meaning bow in those respective directions) might be improvement.
12. Concerning danger signal.  
Consider same should be provided for in International Rules.
13. Concerning fog whistles (Article 15(a) ).  
Consider interval might better be one minute.
14. Concerning Article 16 (speed in fog).  
Suggestions as to changing manoeuvres in fog opposed.
15. Concerning Article 18 (steering rules, steam vessels).  
Suggestion as to claiming right of way opposed.
16. Concerning Article 28 (sound signals for passing steamers).  
Suggested revision of signals as to courses not approved, although some members of sub-committee would favor signals being taken as the basis of an understanding as to whether vessel "X" was going to port or to starboard without indicating that anything was being done with the helm. One member of the sub-committee suggests that giving the signals a "helm movement" meaning is consistent with the other rules.
17. Concerning International Hydrographic Bureau suggestion of additional Articles 32 to 48.  
Not approved.

Your committee is informed that American Steamship Owners Association is a member of International Shipping Confer-

ence, and that it may send a delegate to the London meeting in June. The Steamship Owners Association is naturally closely interested in the collision rules, and it may be that its delegate to the London conference would be interested in knowing the foregoing views of the sub-committee.

The recommendation of your committee, therefore, is that copies of this report be furnished to such delegate as may be chosen by American Steamship Owners Association to attend the International Shipping Conference, London, meeting in June, for his information, and that your committee and sub-committee be discharged.

Respectfully submitted,

ROSCOE H. HUPPER, Chairman,  
L. DEGROVE POTTER,  
FRANK J. FOLEY,  
of Committee.

W. H. McGRANN,  
JOHN W. GRIFFIN,  
CHAUNCEY I. CLARK,  
ALBERT T. GOULD,  
LEONARD J. MATTESON,  
GEORGE C. SPRAGUE,  
FARNHAM P. GRIFFITHS,  
of Sub-Committee.