

KEVO'S BOATING TIPS

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The Rules of the Road (Part 1)

One of the many things my wife Susan and I love about boating on the Bay & Delta is the freedom to pretty much go wherever we want (or dare). In order for all of us boating fanatics to be safe, and ensure a good time, we all need to share some basic rules. There are way too many rules to cover in the space of this column, but I think some very important rules should be discussed up front. (I will split this subject up into multiple columns.)

Overtaking Another Vessel

This is something almost all boaters do at some point. (Offshore boats do it all day long!) The basic rule is that the overtaken vessel is considered the stand-on vessel. You cannot impede the progress or interfere with the chosen course of an overtaken vessel.

One short blast of the horn indicates you intend to pass on the starboard side of the other vessel. If this is acceptable to the overtaken vessel, it should respond with one short blast of its horn. If it is not acceptable, the overtaken vessel should respond with the danger signal (five short blasts of the horn).

If you intend to pass the overtaken vessel on its port side, give two short blasts from your horn. If the other skipper agrees that this is the best (and safest) course of action, he should return two short blasts from his horn. If the skipper of the overtaken vessel feels this is an unacceptable course of action, he should give five short blasts of his horn back to the overtaking skipper.

Most boaters I encounter, both in instructing clients or on my personal vessel, either do not know this rule or disregard it. More often than not I get looks of annoyance from the skipper of the overtaken vessel when attempting to signal him. (It's like they think I'm getting on their case for something.) I do it anyway for one very important reason: It is crucial to the safety of both vessels that the skipper of the

overtaken vessel is aware that he is about to be passed and on which side. I just wave at them as if to say I just wanted to get your attention. (Investing in a good rear view mirror is advisable.)

Crossing Situations

Crossing situations refer to two vessels crossing each other's paths and the appropriate action that should be taken based on which vessel is the stand-on vessel and which is the give-way vessel.

So what is the difference between the stand-on vessel and the give-way vessel? In a perfect world, the stand-on vessel would not change its course or speed when encountering a crossing situation. The give-way vessel, on the other hand, should alter course or slow down and pass astern of the stand-on vessel.

Many rules exist regarding crossing situations, so I'm going to stick to the basics. First, visualize looking down on your vessel from above. Next, consider your vessel a "clock" with the bow representing 12 o'clock. Any vessel approaching your vessel from 12 o'clock to 4 p.m. is the stand-on vessel. You become the give-way vessel. It does not matter which direction you are going, i.e. north, south, east or west. You must let this vessel pass unimpeded by either slowing down or changing course so that you pass astern of the crossing vessel.

These rules are a large part of the onboard instruction I do for my clients. Learning the rules in real time with real situations has a big impact. Having said this, I drill into my clients' heads: Obey the rules, but don't trust anyone else to! Don't take for granted or assume the skipper of the other vessel knows the rules or even is aware that he is approaching a crossing situation. I tell my clients if they are not sure of the intentions of the crossing vessel to slow down to idle and put your hands in the air as if to say to the other skipper: "You've got the ball. Go anywhere you want. I don't want any confrontation."

Head-on Situations

In a head-on situation involving vessels under power neither vessel is stand-on. Both are give-way. The usual course of action when two vessels under power are meeting head-on is for each vessel to alter course to starboard. A sound signal should also be given. If the vessels are going to alter course and pass port-to-port, they should give one short blast on the horn. If passing starboard-to-starboard, give two short blasts.

Maritime Law

By now some of you may have realized that nowhere in this column is the term right of way mentioned. The fact is in maritime law no vessel has the right of way. This term is substituted by stand-on/give-way. The fact that no vessel has the right of way explains, in part, the sharing of liability in marine collisions. When driving, one automobile often has the legal right of way over another; this is not the case with watercraft.

As an example, let's assume a vessel is crossing you from 10 o'clock. Since we know that vessels crossing from 12 o'clock to 4 p.m. are the stand-on vessels, this vessel would seem to be the give-way vessel. He should slow down or adjust his course to avoid colliding with your vessel.

Next, this vessel does collide with yours. Who's at fault? Sounds simple enough, right? Wrong!

Were you traveling at a "safe" speed? Did you have an "adequate" lookout? Did the collision occur in a "narrow" fairway? Did you take appropriate evasive action? If it was just before sunset, did you have your navigation lights on? Were they in good working order?

I think you get the point. Maritime collisions are rarely assessed to be caused by only one vessel. "Contributory negligence" is often used in maritime litigation to assign a share of blame for a collision.

If I haven't confused you by now try this: Maritime law says you must obey the rules, unless obeying the rules creates an even more dangerous situation. If this is the case, and you obey the rules and as a result have a collision, you are at fault. A skipper must disobey the rules if by doing so a collision is avoided. (I'd love to hear a good trial lawyer spin that one in court.)

I know this stuff may be boring but let me tell you: as someone who's been boating for over 43 years there is NOTHING boring about a near collision on the water (especially at a high rate of speed.) Know the rules. Obey the rules. Don't trust anyone else to. Take a safe boating class. Better still: get some onboard instruction. (I've got a friend who has a cousin whose brother does onboard training for a living! Ha!)

As always, feedback is appreciated. I can be reached at 925/890-8428 or kevo@YachtsmanMagazine.com. Be safe and happy boating! 🚤