



3810-FF

DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 706

Certifications and Exemptions under the International  
Regulations for Preventing Collisions at Sea, 1972

AGENCY: Department of the Navy, DoD.

ACTION: Final rule.

SUMMARY: The Department of the Navy (DoN) is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972, as amended (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General (DAJAG) (Admiralty and Maritime Law) has determined that USS MICHAEL MONSOOR (DDG 1001) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with certain provisions of the 72 COLREGS without interfering with its special

function as a naval ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

DATES: This rule is effective [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER] and is applicable beginning October 3, 2017.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander Kyle Fralick, (Admiralty and Maritime Law), Office of the Judge Advocate General, Department of the Navy, 1322 Patterson Ave., SE, Suite 3000, Washington Navy Yard, DC 20374-5066, telephone 202-685-5040.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the DoN amends 32 CFR part 706.

This amendment provides notice that the DAJAG (Admiralty and Maritime Law), under authority delegated by the Secretary of the Navy, has certified that USS MICHAEL MONSOOR (DDG 1001) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with the following specific provisions of 72 COLREGS without interfering with its special function as a naval

ship: Annex I paragraph 2 (a)(i), pertaining to the location of the forward masthead light at a height not less than 6 meters above the hull; Annex I, paragraph 2(g) pertaining to the placement of sidelights above the hull of the vessel; Rule 30(a)(i) and Annex I, paragraph 2(k) pertaining to the vertical separation between anchor lights, and the location of the forward anchor light at a height of not less than 6 meters above the hull; Annex I, paragraph 3(a), pertaining to the horizontal separation between the forward and after masthead lights; Annex I, paragraph 2(i)(iii), pertaining to the vertical spacing of task lights; and Annex I, paragraph 3(c), pertaining to the task lights placed at a horizontal distance of not less than 2 meters from the fore and aft centerline of the vessel. The DAJAG (Admiralty and Maritime Law) has also certified that the lights involved are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is

based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), Vessels.

For the reasons set forth in the preamble, the DoN amends part 706 of title 32 of the Code of Federal Regulations as follows:

PART 706—CERTIFICATIONS AND EXEMPTIONS UNDER THE  
INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA,  
1972

1. The authority citation for part 706 continues to read as follows:

Authority: 33 U.S.C. 1605.

2. Section 706.2 is amended by:

a. In Table One, adding in alphanumerical order by vessel number, an entry for USS MICHAEL MONSOOR (DDG 1001);

b. In Table Three, adding in alphanumerical order by vessel number, an entry for USS MICHAEL MONSOOR (DDG 1001);

c. In Table Four, under paragraph 15, adding in alphanumerical order by vessel number, an entry for USS MICHAEL MONSOOR (DDG 1001);

d. In Table Four, under paragraph 19, adding in alphanumerical order by vessel number, an entry for USS MICHAEL MONSOOR (DDG 1001);

e. In Table Four, under paragraph 22 adding, in alphanumerical order by vessel number, an entry for USS MICHAEL MONSOOR (DDG 1001); and

f. In Table Five, adding, in alphanumerical order by vessel number, an entry for USS MICHAEL MONSOOR (DDG 1001).

The additions read as follows:

§ 706.2 Certifications of the Secretary of the Navy under

Executive Order 11964 and 33 U.S.C. 1605.

\* \* \* \* \*

Table One

Vessel	Number	Distance in meters of forward masthead light below minimum required height §2(a)(i)Annex 1
***** USS MICHAEL MONSOOR *****	DDG 1001	2.33

\* \* \* \* \*

Table Three

Table Three  Vessel	No.	Masthead lights arc of visibility; rule 21(a)	Side lights arc of visibility; rule 21(b)	Stern light arc of visibility; rule 21(c)	Side lights distance inboard of ship's sides in meters 3(b) annex 1	Stern light, distance forward of stern in meters; rule 21(c)	Forward anchor light, height above hull in meters; 2(K) annex 1	Anchor lights relation -ship of aft light to forward light in meters 2(K) annex 1
USS MICHAEL MONSOOR  *****	DDG 1001						5.3	2.99 below

\* \* \* \* \*

Table Four

\* \* \* \* \*

15. \* \* \*

Vessel	Number	Horizontal distance from the fore and aft centerline of the vessel in the athwartship direction
***** USS MICHAEL MONSOOR  *****	DDG 1001	FWD Lower: <sup>1</sup> 0.33 meters FWD Middle: <sup>1</sup> 0.31 meters FWD Upper: <sup>1</sup> 0.30 meters AFT Lower: <sup>1</sup> 1.05 meters AFT Middle: <sup>1</sup> 1.05 meters AFT Upper: <sup>1</sup> 1.05 meters

<sup>1</sup>On DDG 1000, the ship does not have a traditional mast. To achieve the effect of a "single, all-around light," multiple sets of task lights are embedded into each of the four faces of the ship's superstructure. Except when viewing the ship from dead ahead, dead astern or broadside, two deckhouse surfaces are visible; consequently, two sets of task lights are visible simultaneously. Because the deckhouse surfaces are sloped, unless the lights are viewed dead-on, the three task lights do not present as being in a vertical line.



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19. \* \* \*

Vessel	Number	Distance in meters of sidelights above maximum allowed height
USS MICHAEL MONSOOR *****	DDG 1001	2.23 PORT 2.52 STBD

\* \* \* \* \*

22. \* \* \*

Vessel	Number	Vertical Separation of the task light array is not equally spaced, the separation between the middle and lower task light exceed the separation between the upper and middle light by
***** USS MICHAEL MONSOOR *****	DDG 1001	FWD: 0.01 meter AFT: 0.00 meter PORT: 0.17 meter STBD: 0.24 meter

Table Five

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VESSEL	No.	Masthead lights not over all other lights	Forward masthead light not in	After masthead light less than	Percentage horizontal separation attained
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		and obstructions. annex I, sec. 2(f)	forward quarter of ship. annex I, sec. 3(a)	½ ship's length aft of forward masthead light. annex I, sec.3(a)	
***** USS MICHAEL MONSOOR *****	DDG 1001	X	X	X	77.2

APPROVED: October 3, 2017

A. S. JANIN  
 Captain, JAGC, U.S. Navy  
 Deputy Assistant Judge Advocate  
 General (Admiralty and Maritime Law)

Dated: October 10, 2017.

A. M. NICHOLS,  
Lieutenant Commander,  
Judge Advocate General's Corps,  
U.S. Navy,  
Federal Register Liaison Officer.

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