

Virginia Administrative Code

4VAC15-390. Watercraft: Safe and Reasonable Operation of Vessels

4VAC15-390-10. Applicability.

Summary: This amendment will revise the current regulation related to safe and efficient operation of vessels and in particular the application of navigation rules.

Rationale: A change to the current regulation, 4VAC15-390-10, is needed because the existing language has led to cases being dismissed in court. In 2023, we revised this chapter to remove the specific U.S. Coast Guard (USCG) Inland Navigation Rules and instead reference those rules directly in the applicability section. This was done because a wording change in the federal USCG rules made our regulation unenforceable. To resolve the ongoing enforceability issue, staff has recommended revising the regulation again. This proposed revision incorporates the USCG navigation rules by reference and clearly states that any violation of those federal rules is also a violation of this regulation.

4VAC15-390-10. Applicability.

~~The following sections in T~~his chapter apply~~ies~~ to the operation of "vessels," as "vessel" is defined in § 29.1-700 of the Code of Virginia, on all waters within the Commonwealth. In addition to the regulations set forth in this chapter, United States Coast Guard regulations Vessels complying with the Inland Navigation Rules, 33 CFR Parts 83, 84, 86, 87, and 88, as established by the U.S. Coast Guard, are considered to be in compliance with the requirements of incorporated by reference into this chapter. Violations of these federal regulations (33 CFR Parts 83, 84, 86, 87, and 88) may be charged as a violation of this regulation.

Statutory Authority

§§29.1-701 and 29.1-735 of the Code of Virginia.