

# Chapter 352-66 WAC

## UNIFORM WATERWAY MARKING SYSTEM

### WAC

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**WAC 352-66-010 Purpose.** (1) The purpose of this chapter is to establish a uniform waterway marking system of aids to navigation, including regulatory markers compatible with the United States lateral system of buoyage, to which all waterway markers owned by state, local government, or private parties shall conform. The uniform waterway marking system is designed to assist the recreational boater in safe navigation and to allow the state and its political subdivisions to provide uniform regulatory information regarding vessel operation on the waters of Washington state not serviced by a marking system administered by the federal government.

[Statutory Authority: RCW 43.51.040. 90-07-051, § 352-66-010, filed 3/19/90, effective 4/19/90.]

**WAC 352-66-020 Definitions.** As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) "Buoy" is any waterway marker designed to float on the water while anchored in a fixed position so as to be clearly visible to operators of an approaching vessel and used to convey an official message.

(2) "Lateral system" is a system of waterway markers prescribed in Title 33, Code of Federal Regulations, part 62, employing an arrangement of shapes, colors, numbers, and light characteristics to indicate to a vessel operator the preferred direction of travel for safe passage.

(3) "Sign" is any device designed to carry an official message which is attached to another object, such as a piling, buoy, pier, or the land itself.

(4) "Uniform state waterway marking system (USWMS)" means the system of aids to navigation including regulatory markers, buoys, and signs prescribed in Title 33, Code of Federal Regulations, subpart 66.10, which are used to provide vessel operators guidance for safe navigation and to identify water areas where vessel operation is restricted or controlled.

(5) "Vessel" means every watercraft used or capable of being used as a means of transportation on the water, other than a seaplane.

(6) "Waters of Washington state" means any waters within the territorial limits of Washington state.

(3/19/90)

[Statutory Authority: RCW 43.51.040. 90-07-051, § 352-66-020, filed 3/19/90, effective 4/19/90.]

**WAC 352-66-030 General regulations.** (1) On the navigable waters of Washington state, marking to assist navigation is accomplished by a lateral system of buoyage for use with nautical charts. The lateral system is used by the United States Coast Guard in the marking of navigable waters of the United States as determined by the United States Coast Guard Commandant. The lateral system may be also used by the state and subdivisions thereof for private aids to navigation only when all applicable permits for private aids to navigation have been approved by the United States Coast Guard and other federal, state, or local authorities.

(2) The USWMS has been developed to provide a means to convey to the small vessel operator, in particular, adequate guidance to indicate safe boating channels by indicating the presence of either natural or artificial obstructions or hazards, marking restricted or controlled areas, and providing directions. The USWMS is suited to use on all waters of Washington state and is designed to satisfy the needs of all types of small vessels. It supplements and is generally compatible with the Coast Guard lateral system of aids to navigation.

(3) The USWMS consists of two categories:

- (a) A system of regulatory markers; and
- (b) A system of aids to navigation.

[Statutory Authority: RCW 43.51.040. 90-07-051, § 352-66-030, filed 3/19/90, effective 4/19/90.]

**WAC 352-66-040 Regulatory markers.** Regulatory markers indicate to a vessel operator the existence of dangerous areas, as well as those areas which are restricted or controlled, such as speed zones and areas dedicated to a particular use, or to provide general information and directions:

(1) Each regulatory marker shall be colored white with international orange geometric shapes.

(2) When a buoy is used as a regulatory marker it shall be white with horizontal bands of international orange placed completely around the buoy circumference. One band shall be at the top of the buoy body, with a second band placed just above the water line of the buoy so that both international orange bands are clearly visible to approaching vessels. The area of the buoy body visible between the two bands shall be white.

(3) Geometric shapes shall be placed on the white portion of the buoy body and shall be colored international orange. The authorized geometric shapes and meanings associated with them are as follows:

- (a) A vertical open faced diamond shape means danger.
- (b) A vertical open faced diamond shape having a cross centered in the diamond means that a vessel is excluded from the marked area.

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(c) A circular shape means that a vessel operated in the marked area is subject to certain operating restrictions.

(d) A square or rectangular shape with directions or information will have lettering on the inside.

(4) Where a regulatory marker consists of a square or rectangular shaped sign displayed from a structure, the sign shall be white with an international orange border. When a diamond or circular geometric shape associated with the meaning of the marker is included, it shall be centered on the signboard.

[Statutory Authority: RCW 43.51.040. 90-07-051, § 352-66-040, filed 3/19/90, effective 4/19/90.]

**WAC 352-66-050 Aids to navigation.** Aids to navigation used in the USWMS are an organized system of buoys with conspicuous shapes, colors, and markings primarily established to assist vessel operators by indicating position or the safe and proper course on which to proceed.

(1) Aids to navigation used in the lateral system indicate to a vessel operator the preferred direction of travel for safe passage principally by defining the port or left-hand side and the starboard or right-hand side of a route to be followed. Buoys used in the cardinal system indicate to a vessel operator the preferred direction of travel for safe passage through distinct colors which have meaning in relation to the cardinal points of the compass, north, east, south, and west.

(2) On a well-defined channel including a river or other relatively narrow natural or improved waterway, an aid to navigation shall normally be a solid colored buoy. A buoy which marks the left side of the channel viewed looking upstream or toward the head of navigation shall be colored all black. A buoy which marks the right side of the channel viewed looking upstream or toward the head of navigation shall be colored all red. On a well defined channel, solid colored buoys shall be established in pairs, one on each side of the navigable channel which they mark, and opposite each other to inform the user that the channel lies between the buoys and that he or she should pass between the buoys.

(3) On an irregularly defined channel, solid colored buoys may be used singly in staggered fashion on alternate sides of the channel provided they are spaced at sufficiently close intervals to inform the user that the channel lies between the buoys and that he or she should pass between the buoys.

(4) Where there is no well-defined channel, or when a body of water is obstructed by objects whose nature or location is such that the obstruction can be approached by a vessel from more than one direction, supplemental aids to navigation having cardinal meaning may be used. The use of aids to navigation having cardinal meaning is discretionary provided that they are not used on waters considered navigable by the United States Coast Guard Commandant unless specifically permitted by the United States Coast Guard.

(5) Aids to navigation conforming to the cardinal system shall consist of three distinctly colored buoys.

(a) A white buoy with a red top may be used to indicate to a vessel operator that he or she must pass to the south or west of the buoy.

(b) A white buoy with a black top may be used to indicate to a vessel operator that he or she must pass to the north or east of the buoy.

(c) In addition, a buoy showing alternate vertical red and white stripes may be used to indicate to a vessel operator that an obstruction to navigation extends from the nearest shore to the buoy and that he or she must not pass between the buoy and the shore. The number of white and red stripes is discretionary, provided that the white stripes are twice the width of the red stripes.

[Statutory Authority: RCW 43.51.040. 90-07-051, § 352-66-050, filed 3/19/90, effective 4/19/90.]

**WAC 352-66-060 Size, shape, material, and construction of waterway markers.** The size, shape, material, and construction of all waterway markers, both fixed and floating, shall be such as to be observable under normal conditions of visibility at a distance such that the significance of the waterway marker will be recognizable before the observer is endangered or is violating a restricted or controlled area.

[Statutory Authority: RCW 43.51.040. 90-07-051, § 352-66-060, filed 3/19/90, effective 4/19/90.]

**WAC 352-66-070 Numbers, letters, or words on markers.** (1) Numbers, letters, or words on an aid to navigation or regulatory marker shall be placed in a manner to enable them to be clearly visible to an approaching and passing vessel. They shall be block style, well proportioned, and as large as the available space permits. Numbers and letters on red or black backgrounds shall be white; numbers and letters on white backgrounds shall be black.

(2) Odd numbers shall be used to identify solid colored black buoys or black topped buoys; even numbers shall be used to identify solid colored red buoys or red topped buoys. All numbers shall increase in an upstream direction or toward the head of navigation. The use of numbers to identify buoys is discretionary.

(3) Letters only may be used to identify regulatory markers and the white and red vertically striped obstruction markers. When used the letters shall follow alphabetical sequence in an upstream direction. The letters I and O shall be omitted to preclude confusion with numbers. The use of letters to identify regulatory markers and obstruction markers is discretionary.

[Statutory Authority: RCW 43.51.040. 90-07-051, § 352-66-070, filed 3/19/90, effective 4/19/90.]

**WAC 352-66-080 Reflectors or reflective materials.** (1) The use of reflectors or reflective materials shall be discretionary.

(2) When used on buoys having lateral significance, red reflectors or retroreflective materials shall be used on solid colored red buoys; green reflectors or retroreflective materials shall be used on solid colored black buoys; white reflectors or retroreflective materials only shall be used for all other buoys including regulatory markers, except that orange reflectors or retroreflective materials may be used on the orange portions of regulatory markers.

[Statutory Authority: RCW 43.51.040. 90-07-051, § 352-66-080, filed 3/19/90, effective 4/19/90.]

**WAC 352-66-090 Navigation lights.** The use of navigational lights on state aids to navigation, including regulatory markers, is discretionary. When used, lights on solid colored buoys shall be regularly flashing, regularly occulting, or equal interval lights. For ordinary purposes the frequency of flashes may not be more than thirty flashes per minute (slow flashing). When it is desired that lights have a distinct cautionary significance, as at sharp turns or sudden constrictions in the channel or to mark wrecks or other artificial or natural obstructions, the frequency or flashes may not be less than sixty flashes per minute (quick flashing). When a light is used on a cardinal system buoy or a vertically striped white and red buoy it shall always be quick flashing. The colors of the lights shall be the same as for reflectors; a red light only on a solid colored red buoy; a green light only on a solid colored black buoy; a white light only for all other buoys including regulatory markers.

[Statutory Authority: RCW 43.51.040. 90-07-051, § 352-66-090, filed 3/19/90, effective 4/19/90.]

**WAC 352-66-100 Mooring (anchor) buoys.** (1) Mooring buoys for private aids to navigation shall be colored white and shall have a horizontal blue band around the circumference of the buoy centered midway between the top of the buoy and the water line.

(2) A lighted mooring buoy shall normally display a slow flashing white light. When its location in a waterway is such that it constitutes an obstruction to a vessel operated during hours of darkness, it shall display a quick flashing white light.

(3) A mooring buoy shall bear ownership identification provided that the manner and placement of the identification does not detract from the meaning intended to be conveyed by the color scheme or identification letter when assigned.

[Statutory Authority: RCW 43.51.040. 90-07-051, § 352-66-100, filed 3/19/90, effective 4/19/90.]

**WAC 352-66-110 Placement to conform.** No person, political subdivision, or agent of the state shall establish, erect, or place any new or replacement regulatory marker or aid to navigation after January 1, 1991, unless such device conforms to the provisions of this chapter.

[Statutory Authority: RCW 43.51.040. 90-07-051, § 352-66-110, filed 3/19/90, effective 4/19/90.]

**WAC 352-66-120 Abuse prohibited.** (1) No person shall damage, remove, interfere with, moor to, or otherwise obstruct the purpose of any regulatory marker or aid to navigation.

(2) When a vessel is involved with a violation of this chapter, violators shall be subject to the penalties set forth in RCW 88.02.110.

(3) Other violations of this chapter shall subject the violator to the penalties set forth in RCW 43.51.180.

[Statutory Authority: RCW 43.51.040. 90-07-051, § 352-66-120, filed 3/19/90, effective 4/19/90.]