



## U.S. Coast Guard - Sector San Juan



### Prevention Department

### Investigations Division

The Investigations Division carries out all the statutorily mandated investigations of commercial vessel casualties and reports of violation that require a determination for apparent cause and culpability. The findings of Coast Guard marine casualty investigations are used to create safety recommendations to prevent future marine casualties. It is imperative that commercial vessel operators understand and follow the marine casualty reporting requirements as outlined in 46 CFR part 4. Without timely and accurate reporting, the Coast Guard would be hampered in its ability to conduct an accurate investigation. Therefore, responsible parties that fail to report marine casualties as required would be subject to civil penalties. The following sections from the regulations are stated below for reference:

46 U.S. Code chapters 61 and 63 (Marine Casualty Reporting and Investigation) and 46 U.S. Code chapter 77 (Suspension and Revocation; S & R) provide the core concepts governing the U.S. Coast Guard's responsibilities for marine casualties. The statutes, as written, are broad in nature and are supplemented by more extensive regulatory requirements set forth in 46 Code of Federal Regulation (CFR) Part 4 (Marine Casualty and Investigations) and Part 5 (Marine Investigation Regulations - Personal Actions).

The primary purpose of an investigation is to ascertain the cause(s) of an accident, casualty, or personnel misbehavior to determine if remedial measures should be taken; and to determine whether any violation of federal law or regulation has occurred. The U.S. Coast Guard does not

conduct investigations to determine civil liability in disputes between private litigants. Rather, our investigations are a means to promote safety of life and property and to protect the marine environment. Investigations are conducted for: vessel casualties or accidents; violations of statutes the Coast Guard is authorized to enforce; incidents involving vessel personnel that may lead to suspension and revocation (S&R) proceedings or assessment of civil or criminal penalties; boating accidents; waterfront facility casualties and incidents; deep water port casualties and incidents; marine pollution incidents; accidents involving aids to navigation; and accidents involving structures on the outer continental shelf. The information garnered plays a major role in changing or developing new laws and regulations as well as implementing new technologies in areas of U.S. Coast Guard concern.

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