12 Damage Caused by Excessive Speed

1 **Caution**

1.1 During recent years there has been a marked increase in damage to wharves, boat-houses, small boats, moored ships, and erosion of the shoreline caused by draw-off and wave disturbance created by the passage of ships and boats.

1.2 Additionally, there is a risk of causing serious bodily harm to persons in, on or near the shore. Children are particularly vulnerable to this hazard.

1.3 The amount of draw-off and the size and intensity of the waves at any given speed varies with the hull form and draft of each vessel. Other factors include the vessel's proximity to the shore and the configuration of the channel.

1.4 High water levels will increase and extend the damaging effects of a vessel's passage, and must be taken into account.

1.5 Masters, pilots, operators and owners of vessels may be subject to court action for damages sustained by injured parties as a result of damage or injury caused by the passage of their vessels.

1.6 Regulations designed to control this type of damage would require speed limits to be set sufficiently low to prevent damage by any type of vessel. This might impose unrealistic speed restrictions on some vessels, thereby making navigation unsafe by reducing their ability to maintain steerageway, or cause undue economic and recreational restraints.

1.7 Regulatory control of vessels' speed can be avoided if each person in charge of navigating a vessel, who best knows its characteristics, exercises restraint and reduces speed as necessary. Due consideration must be given to all the factors that may contribute to damage.

2 **Special speed restrictions**

2.1 Speed restrictions are described in:

.1 *Collision Regulations*,

.2 Sailing directions,

.3 The Seaway Handbook,

.4 *Vessel Operation Restriction Regulations*,

.5 *St. Clair and Detroit River Navigation Safety Regulations*,

.6 Various Notices to Mariners and Seaway Notices, and

.7 Various harbour regulations and acts.

2.2 Those in charge of navigating vessels should refer to current Notices to Mariners and Notices to Shipping for information about temporary or amended speed restrictions. Temporary speed restrictions may be established for the purpose of safe navigation or for the protection of persons or property at or near the shore.

Authority: Transport Canada