

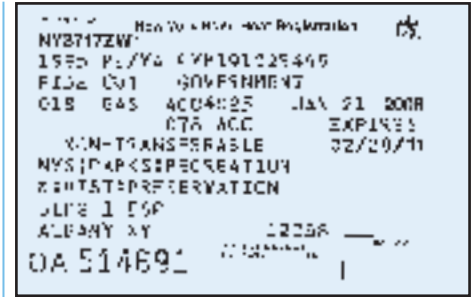
New York: The Legal Requirements of Boating

Your Vessel's Registration

- ◆ Requirements for vessel registration vary from state to state. In New York, all power-driven vessels, including personal watercraft and federally documented pleasure vessels, that operate principally upon the waters of New York are required to register with the New York State Department of Motor Vehicles (DMV).
- ◆ To register your vessel, you must bring a completed Boat Registration/Title Application (available from DMV offices), the appropriate registration fee, proof of ownership, proof of payment of sales tax, and a bill of sale to any DMV District Office or any participating County Clerk Motor Vehicle office.
- ◆ *The Certificate of Registration (registration card) must be on board and available for inspection by a law enforcement officer whenever the vessel is operated.*
- ◆ The registration number and validation stickers must be displayed as follows.
 - Number must be painted, applied as a decal, or otherwise affixed to both sides of the bow.
 - Number must read from left to right on both sides of the bow.
 - Number must be in at least three-inch-high **BLOCK** letters.
 - Number's color must contrast with its background.
 - Letters must be separated from the numbers by a space or hyphen; for example: **NY 3717 ZW** or **NY-3717-ZW**.
 - No other numbers may be displayed on either side of the bow.
 - Stickers must be displayed on both sides of the bow, placed in line with and three inches to the stern of the registration number.
- ◆ If your vessel requires registration, it is illegal to operate it or allow others to operate your vessel unless it is registered and numbered as described above.

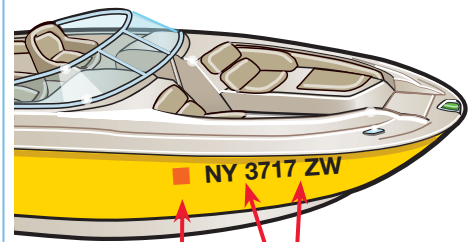
Other Facts About Titling and Registering Your Vessel

- ◆ A Certificate of Registration is valid for three years from the date of registration. A renewal form is mailed to the owner at least 30 days prior to the expiration date. If the renewal form is not received by mail, the owner should contact the Department of Motor Vehicles (DMV) and renew in person.
- ◆ The DMV issues a Certificate of Title for model year 1987 and newer vessels that are at least 14 feet long and registered in New York State. This title takes the place of the registration certificate as proof of ownership for these vessels. Titles are not issued for documented vessels.
- ◆ If you change your address, you must notify the DMV within 10 days.
- ◆ If your vessel is destroyed, abandoned, or stolen, notify the DMV within 15 days.
- ◆ If you lose or destroy your Certificate of Registration, you must apply for a duplicate certificate and submit a processing fee.
- ◆ Any vessel visiting New York from another state has up to 90 days before it must register with the DMV, provided it is currently registered in its state of principal use.
- ◆ Larger recreational vessels owned by U.S. citizens may (at the option of the owner) be documented by the U.S. Coast Guard. Call the USCG at **1-800-799-8362** for more information.



Certificate of Registration

The Certificate of Registration (pocket-sized card) must be carried on board the vessel whenever the vessel is operated.



Spaces or hyphens should appear here.

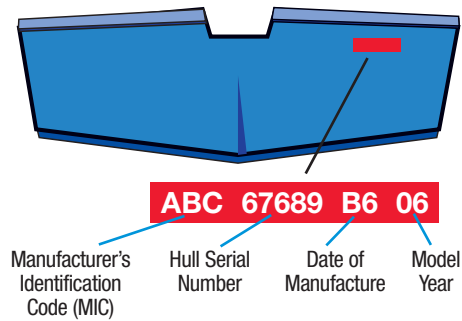


Validation Sticker



PWCs also are required to display the certificate's number and validation stickers.

Hull Identification Number



Registration Questions?

Call the New York State
Department of Motor Vehicles:

- 212-645-5550 from within New York City
- 518-474-0456 from elsewhere in New York

Obtain information on the Internet:

- www.nydmv.state.ny.us



Or visit any Department of
Motor Vehicles office.

Boating Safety Certificates

Acceptable Boating Safety Certificates include certificates issued by:

- The Commissioner
- United States Power Squadrons
- United States Coast Guard Auxiliary
- In the case of a non-resident, his/her home state or country as a result of completing a boating safety course

State Law

Hull Identification Number

- ◆ The Hull Identification Number (HIN) is a unique, 12-digit number assigned by the manufacturer to vessels built after 1972.
- ◆ Hull Identification Numbers:
 - Distinguish one vessel from another—the same as serial numbers distinguish one car from another.
 - Are engraved in the fiberglass or on a metal plate permanently attached to the transom.
- ◆ You should write down your HIN and put it in a place separate from your vessel in case warranty problems arise or your vessel is stolen.
- ◆ If your vessel does not have a HIN, you must obtain one before the vessel can be registered. To acquire a HIN for your vessel:
 - Obtain an application for a HIN (Form OPS 420) from any Department of Vehicles (DMV) office.
 - Send the completed application to the Office of Parks, Recreation and Historic Preservation. Your application will be processed within two weeks and sent to a local law enforcement agency which inscribes the HIN on your vessel.

Who May Operate a Vessel (Other Than a PWC)

To operate a recreational boat (other than a PWC) in New York, the following restrictions apply.

- ◆ **If you are under 10 years of age**, you must be accompanied on board by a person 18 years of age or older.
- ◆ **If you are between 10 and 18 years of age**, you may operate a boat legally *only if*:
 - You have passed a boating safety course approved by the New York State Office of Parks, Recreation and Historic Preservation and have on board your Boating Safety Certificate (see sidebar) *or ...*
 - You are accompanied on board by a person 18 years of age or older.
- ◆ **If you are 18 years of age or older**, you may operate any boat alone legally without education requirements.
- ◆ New York currently does not require vessel operators 18 years of age or older to complete a boating safety course. However, taking a course is strongly recommended.

Who May Operate a Personal Watercraft (PWC)

To operate a personal watercraft (PWC) in New York, the following restrictions apply.

- ◆ As of January 1, 2009, you must:
 - Be at least 14 years of age *and ...*
 - Have passed a boating safety course approved by the New York State Office of Parks, Recreation and Historic Preservation *and ...*
 - Carry your Boating Safety Certificate on board the PWC.
- ◆ No one under the age of 16 may rent a PWC.

Unlawful Operation of a Vessel

New York law prohibits reckless operation of a vessel. Reckless operation of a vessel is that which unreasonably interferes with the free and proper use of the navigable waters of the state or unreasonably endangers any other vessel or person. The following are some examples of reckless operation.

- ◆ **Failure to Regulate Speed** is going faster than is reasonable and prudent under the conditions (vessel traffic, weather, closeness to shore, etc.) or not having regard for actual or potential hazards. Some examples are:
 - Operating at an excessive speed in the vicinity of other vessels or in dangerous waters
 - Operating at greater than “**slow, no wake speed**” in any posted “no wake” zone
 - Operating at greater than the posted speed limit on any body of water
 - Operating at a speed that causes damage from the wake of your vessel
- ◆ **Improper Distance** is operating a vessel at greater than five miles per hour when operating within 100 feet of:
 - The shore
 - A dock or pier
 - A raft or float
 - An anchored or moored vessel
- ◆ **Riding on the Bow, Deck, or Gunwale** is allowing passengers to ride on the bow, **gunwale**, transom, seat backs, seats on raised decks, or any other place that is not equipped with fixed seating and there may be a chance of falling **overboard**. This does not apply to persons involved with mooring, anchoring, or handling the sails of a vessel.
- ◆ **Reckless Operation** are other acts which disregard the safety of yourself and/or others:
 - Jumping the wake of another vessel too close to that vessel
 - Weaving through congested traffic
 - Swerving at the last minute to avoid a collision
 - Overloading the vessel beyond the recommended capacity shown on the capacity plate installed by the vessel manufacturer
- ◆ **Unsafe Condition** is operating a vessel in a condition that causes a hazard to the occupants or others on the waterways. Law enforcement officers may instruct the operator to immediately return to the nearest dock or safe anchorage, and the operator may not continue operating until the condition is corrected. Examples of conditions that are considered unsafe operation include:
 - There are insufficient personal flotation devices, fire extinguishers, backfire flame arrestors, ventilation systems, or navigation lights.
 - The boat is overloaded or overpowered.
 - The operator is intoxicated.

Remember ...

As the owner of a vessel, you may be held liable for the unlawful operation of your vessel by others.

“slow, no wake speed”

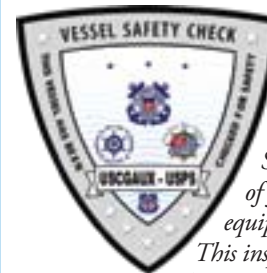
The slowest speed at which it is still possible to maintain steering; the vessel should not produce a wake at this speed

gunwale

Upper edge of vessel's side (generally pronounced “gunnel”)

overboard

Over the side or out of the vessel



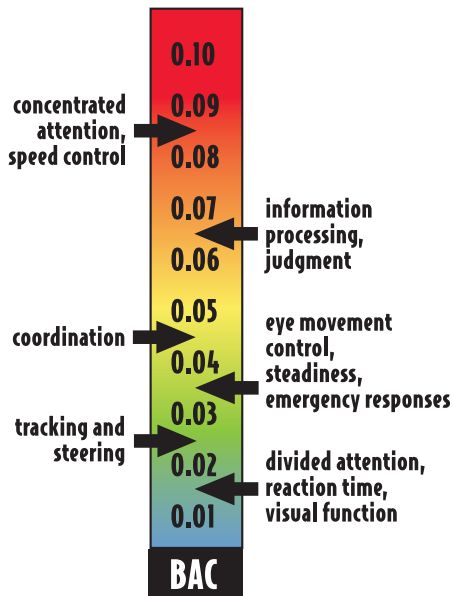
The U.S. Coast Guard Auxiliary and U.S. Power Squadrons will perform a Vessel Safety Check (VSC) of your vessel and equipment free of charge. This inspection covers federal and state requirements. If your vessel meets all VSC requirements, you will receive a VSC decal. If your vessel fails to meet all requirements, no report is made to any law enforcement agency.





Because you can drink faster than your system can burn off the alcohol, there is an increasing level of alcohol in your blood. This level is referred to as Blood Alcohol Concentration (BAC).

Areas of Impairment Due to Blood Alcohol Concentration (BAC)



moor

To keep a vessel in place by setting anchor or tying the vessel to a fixed object or buoy



Avoid all security zones and restricted areas. Keep a sharp eye out for anything that looks peculiar or out of the ordinary.

Alcohol and Drugs ... Zero Tolerance!

New York law prohibits anyone from operating while intoxicated—that is, operating any vessel while impaired by or intoxicated with alcohol or drugs. Alcohol and drugs cause impaired balance, blurred vision, poor coordination, impaired judgment, and slower reaction times. Alcohol is a major contributor to boating accidents and fatalities. Read more about the effects and risks of consuming alcohol in Chapter 5.

- ◆ New York law sets the following limits on blood alcohol concentration.
 - You are considered to be boating while intoxicated if your blood alcohol concentration is 0.08% or greater.
 - In addition to being subject to the limits above, vessel operators under 21 years of age also are subject to “zero tolerance” penalties. “Zero tolerance” is enforced for minors whose blood alcohol concentration is between 0.02% and 0.07%.
- ◆ Penalties if convicted of operating while intoxicated include heavy fines, imprisonment, and suspension of operator privileges. Those under 21 years of age, may have their operating privileges suspended or revoked if caught drinking while operating a vessel.
- ◆ If you are stopped on suspicion of impaired operation and refuse to voluntarily submit to a breath test, your privilege to operate a vessel may be suspended immediately pending a hearing.

Obstructing Navigation

Vessel operators should always be considerate of other vessel operators even when stopping to anchor or **moor**. Keep in mind that it is illegal to:

- ◆ Operate any vessel in such a way that it will interfere unnecessarily with the safe navigation of other vessels on the waterway.
- ◆ Anchor a vessel in the traveled portion of a river or channel in a way that will prevent or interfere with any other vessel passing through the same area.
- ◆ Moor or attach a vessel to a buoy (other than a mooring buoy), beacon, light, or any other navigational aid placed on public waters by proper authorities.
- ◆ Move, displace, tamper with, damage, or destroy any navigational aid.
- ◆ Obstruct a pier, wharf, boat ramp, or access to any facility.

Homeland Security Restrictions

Recreational boaters have a role in keeping our waterways safe and secure.

- ◆ Violators of the restrictions below can expect a quick and severe response.
 - Do not approach within 100 yards and slow to minimum speed within 500 yards of any U.S. Naval vessel. If you need to pass within 100 yards of a U.S. Naval vessel for safe passage, you must contact the U.S. Naval vessel or the U.S. Coast Guard escort vessel on VHF-FM channel 16.
 - Observe and avoid all security zones. Avoid commercial port operation areas, especially those that involve military, cruise-line, or petroleum facilities.
 - Observe and avoid other restricted areas near dams, power plants, etc.
 - Do not stop or anchor beneath bridges or in the channel.
- ◆ Keep a sharp eye out for anything that looks peculiar or out of the ordinary. Report all activities that seem suspicious to the local authorities, the U.S. Coast Guard, or the port or marina security.

Personal Flotation Devices (Life Jackets)

All vessels must be equipped with U.S. Coast Guard–approved life jackets, called personal flotation devices (PFDs). The quantity and type depend on the length of your vessel and the number of people on board and/or being towed. Each PFD must be in good condition, be the proper size for the intended wearer, and very importantly, be readily accessible! Readily accessible means you must be able to put the PFD on in a reasonable amount of time in an emergency (vessel sinking, on fire, etc.). PFDs should not be stowed in plastic bags or in locked or closed compartments, and they should not have other gear stowed on top of them.

Vessel operators should ask everyone on their vessel to wear a PFD whenever on the water. ***PFDs can save lives, but only if they are worn!***

PFD Requirements

- All vessels must have at least one Type I, II, III, or V personal flotation device (life jacket) that is U.S. Coast Guard–approved and of the proper size for each person on board or being towed. Sizing for PFDs is based on body weight and chest size.
- All persons on board a recreational vessel 21 feet in length or less must wear a U.S. Coast Guard–approved personal flotation device from November 1 to May 1.
- In addition to the above requirements, vessels 16 feet in length or longer must have one Type IV U.S. Coast Guard–approved PFD on board.
- All PFDs must be in good and serviceable condition and must be readily accessible.
- New York law requires that all children under 12 years of age *wear* a U.S. Coast Guard–approved Type I, II, or III PFD while on board any vessel less than 65 feet in length unless they are in a fully enclosed cabin.
- One Type V may be substituted for any other type if it is specifically approved by the U.S. Coast Guard for the activity at hand. Type V PFDs may not be substituted on children weighing less than 90 lbs.
- Each person riding on a PWC or being towed behind a vessel must *wear* a U.S. Coast Guard–approved Type I, II, or III personal flotation device.

PFD Descriptions

TYPE I: Offshore Life Jackets

These vests are geared for rough or remote waters where rescue may take awhile. They provide the most buoyancy, are excellent for flotation, and will turn most unconscious persons face up in the water.

TYPE II: Near-Shore Vests

These vests are good for calm waters when quick assistance or rescue is likely. Type II vests will turn some unconscious wearers face up in the water, but the turning is not as pronounced as with a Type I.

TYPE III: Flotation Aids

These vests or full-sleeved jackets are good for calm waters when quick assistance or rescue is likely. They are not recommended for rough waters since they will not turn most unconscious persons face up. Type III PFDs are used for water sports such as water-skiing. Some Type III PFDs are designed to inflate when you enter the water.

TYPE IV: Throwable Devices/Not Wearable

These cushions and ring buoys are designed to be thrown to someone in trouble. Since a Type IV PFD is not designed to be worn, it is neither for rough waters nor for persons who are unable to hold onto it.

TYPE V: Special-Use Devices

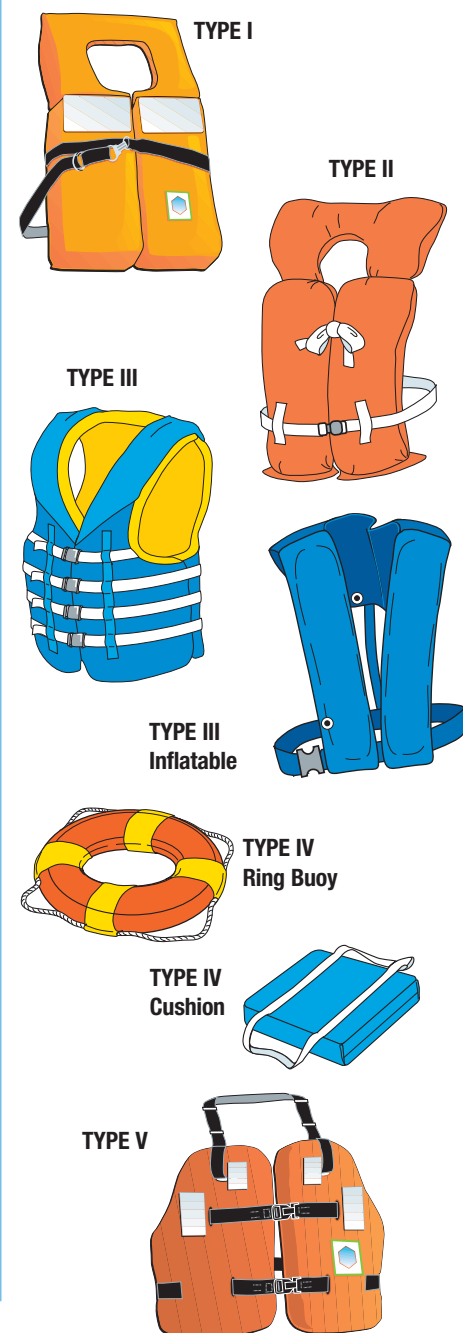
These vests, deck suits, hybrid PFDs, and others are designed for specific activities such as windsurfing, kayaking, or water-skiing. Some Type V PFDs are designed to inflate when you enter the water. *To be acceptable, Type V PFDs must be used in accordance with their label.*

BOATER'S TIP!

An emergency situation (rough water, rapid onset of bad weather, or dangerous boating traffic) can occur suddenly—leaving little or no time to put on life jackets. Life jackets are very difficult to put on once you are in the water. Be a smart boater, and have everyone on board your vessel wear their life jackets at all times.

Types of Personal Flotation Devices

Read and follow the label restrictions on all PFDs.



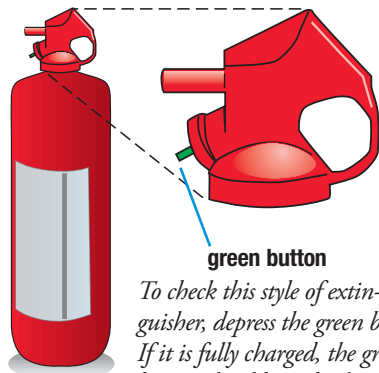


PWC operators need to take special steps in case of fire. Because their fire extinguishers may not be easily accessible, they should simply swim away quickly

and use another operator's extinguisher. They should not open the engine compartment to put out the fire.

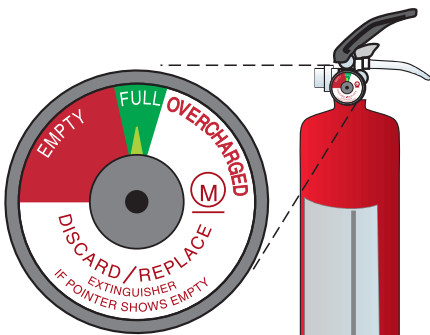
Fire Extinguisher Charge Indicators

Check the charge level of your fire extinguishers regularly. Replace them immediately if they are not fully charged.



green button

To check this style of extinguisher, depress the green button. If it is fully charged, the green button should pop back out immediately.



On this style of fire extinguisher, the needle indicator should be in the "full" range.

Remember ...

Keep bilges clean and free of trash in order to reduce the risk of fire.

State Law

Fire Extinguishers

- ◆ Extinguishers are classified by a letter and number symbol. The number indicates the relative size of the extinguisher, and the letter indicates the type of fire it will extinguish.
 - **Type A** fires are of combustible solids like wood.
 - **Type B** fires are of flammable liquids like gasoline or oil.
 - **Type C** fires are electrical fires.
- ◆ All vessels are required to have a Type B fire extinguisher(s) on board except:
 - Outboard vessels less than 26 feet in length and of open construction (construction that does not permit the entrapment of flammable vapors or gases)
 - PWCs operating on New York state waters (PWCs are required to carry a fire extinguisher on joint jurisdictional waters)
- ◆ Approved types of fire extinguishers are identified by the following marking on the label—"Marine Type USCG Approved"—followed by the type and size symbols and the approval number.

Use this chart to determine the type and quantity of fire extinguishers required for your vessel.

Length of Vessel	Without Fixed System	With Fixed System*
Less than 26 feet	one B-I	None
26 feet to less than 40 feet	two B-I <i>or</i> one B-II	one B-I
40 feet to less than 65 feet	three B-I <i>or</i> one B-II and one B-I	two B-I <i>or</i> one B-II

* refers to a permanently installed fire extinguisher system

- ◆ Extinguishers should be placed in an accessible area—not near the engine or in a compartment, but where they can be reached immediately. Be sure you know how to operate them.
- ◆ Fire extinguishers must be maintained in usable condition. Inspect extinguishers regularly to ensure the following.
 - Seals and tamper indicators are not broken or missing.
 - Pressure gauges or indicators read in the operable range.
 - There is no physical damage, corrosion, leakage, or clogged nozzles.

Backfire Flame Arrestors

Because boat engines may **backfire**, all powerboats (except outboards) that are fueled with gasoline must have an approved backfire flame arrestor on each carburetor. Backfire flame arrestors are designed to prevent the ignition of gasoline vapors in case the engine backfires.

- ◆ Backfire flame arrestors must be:
 - In good and serviceable condition
 - U.S. Coast Guard–approved (must comply with SAE J-1928 or UL 1111 standards)
- ◆ Periodically clean the flame arrestor(s) and check for any damage.

Ventilation Systems

Ventilation systems are crucial. Their purpose is to avoid explosions by removing flammable gases. Properly installed ventilation systems greatly reduce the chance of a life-threatening explosion.

- ◆ All gasoline-powered vessels, constructed in a way that would entrap fumes, must have at least two ventilation ducts fitted with **cowls** to remove the fumes. At least one exhaust duct must extend from the open atmosphere to the lower bilge. At least one intake duct must extend from a point at least midway to the bilge or below the level of the carburetor air intake.
- ◆ If your vessel is equipped with a power ventilation system, turn it on for at least four minutes in either of these situations:
 - After fueling
 - Before starting the engine
- ◆ If your vessel is not equipped with a power ventilation system (for example, a personal watercraft), open the engine compartment and sniff for gasoline fumes before starting the engine.

Mufflers and Noise Level Limits

- ◆ In New York, it is illegal to install muffler “cut outs.”
- ◆ Vessel engine noise may not exceed 90 decibels during a stationary test conducted alongside a dock or 75 decibels when tested while passing offshore.
- ◆ It is also illegal to remove, alter, or modify the muffler system in such a way that will prevent a vessel from meeting these standards.



© Minnesota Dept. of Natural Resources

WARNING:

Gasoline vapors can explode. Before starting engine, operate blower for four minutes and check (using your nose) engine compartment for gasoline vapors.

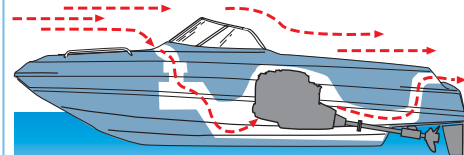
Vessels built after July 31, 1980, which contain power exhaust blowers in gasoline engine compartments, must have the above warning sticker placed near the instrument panel.

backfire

Explosion of prematurely ignited fuel or of unburned exhaust gases in an internal combustion engine

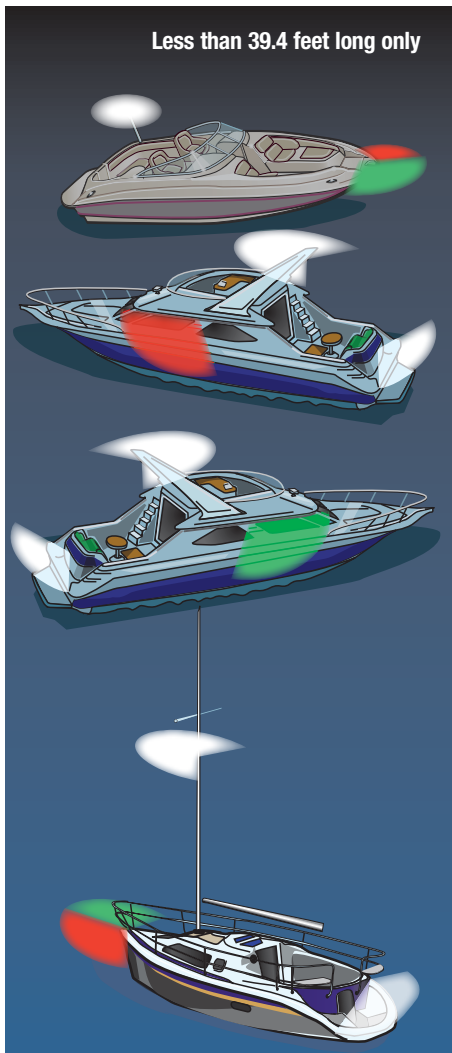
cowl

Hooded opening designed to scoop in air



Powerboats are built to ventilate the engine when underway. As the boat moves along, an air intake scoops up fresh air and forces it down the air duct into the engine compartment. The exhaust sucks out the explosive fumes from the lowest part of the engine and fuel compartments.

I. Power-Driven Vessels Less Than 65.6 Feet



The red and green lighting must conform to the illustration above. Red should be on the left side of the bow and green on the right side of the bow.

2. Unpowered Vessels Less Than 65.6 Feet



An alternative to the sidelights and sternlight is a combination red, green, and white light, which must be exhibited near the top of the mast.

3. Unpowered Vessels Less Than 23 Feet



To prevent a collision, vessel operators should never leave shore without a flashlight. Even if you plan to return before dark, unforeseen developments might delay your return past nightfall.

Navigation Lights

- ◆ Vessel operators must make sure that their vessels are equipped with the proper navigation lights and use the lights during these conditions:
 - When away from the dock between sunset and sunrise
 - During periods of restricted visibility such as fog or heavy rain
- ◆ The different types of navigation lights are described in “Navigation Lights” in Chapter 3. No other lights that may be mistaken for required navigation lights may be exhibited. *Note: Blue flashing lights are restricted to use by law enforcement vessels only.*
- ◆ The required navigation lights differ depending on the type and size of your vessel. The common lighting configurations for recreational vessels are discussed below. For other configurations and requirements for larger vessels, see the U.S. Coast Guard’s *Navigation Rules*.

Power-Driven Vessels Less Than 65.6 Feet Long When Underway

If less than 65.6 feet (20 meters) long, these vessels must exhibit the lights as shown in illustration 1. Remember, power-driven vessels include sailboats operating under engine power. The required lights are:

- ◆ Red and green sidelights visible from a distance of at least two miles away—or if less than 39.4 feet (12 meters) long, at least one mile away—on a dark, clear night.
- ◆ An all-round white light (if less than 39.4 feet long) or both a masthead light and a sternlight. These lights must be visible from a distance of at least two miles away on a dark, clear night. The all-round white light (or the masthead light) must be at least 3.3 feet (one meter) higher than the sidelights.

Unpowered Vessels When Underway

Unpowered vessels are sailing vessels or vessels that are paddled, poled, or rowed.

- ◆ If less than 65.6 feet long, these vessels must exhibit the lights as shown in illustration 2. The required lights are:
 - Red and green sidelights visible from a distance of at least two miles away—or if less than 39.4 feet long, at least one mile away—on a dark, clear night.
 - A sternlight visible from a distance of at least two miles away.
- ◆ If less than 23.0 feet (7 meters) long, these vessels should:
 - If practical, exhibit the same lights as required for unpowered vessels less than 65.6 feet in length.
 - If not practical, have on hand at least one lantern or flashlight shining a white light as shown in illustration 3.

All Vessels When Not Underway

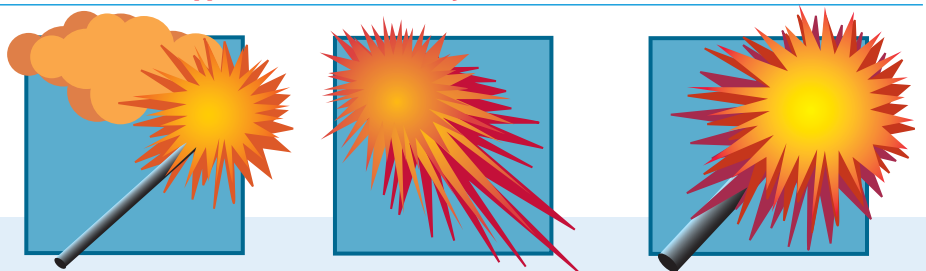
All vessels are required to display a white light visible in all directions whenever they are moored or anchored outside a designated mooring area between sunset and sunrise.

Visual Distress Signals (VDS)

Visual Distress Signals (VDSs) allow vessel operators to signal for help in the event of an emergency. VDSs are classified as day signals (visible in bright sunlight), night signals (visible at night), or both day and night signals. VDSs are either pyrotechnic (smoke and flames) or non-pyrotechnic (non-combustible).

- ◆ Vessels on **federally controlled waters** and New York state waters must be equipped with U.S. Coast Guard–approved visual distress signals. All vessels, regardless of length or type, are required to carry night signals when operating between sunset and sunrise. Most vessels must carry day signals also; exceptions to the requirement for day signals are:
 - Recreational vessels that are less than 16 feet in length
 - Non-motorized open sailboats that are less than 26 feet in length
 - Manually propelled vessels
- ◆ VDSs must be U.S. Coast Guard–approved, in serviceable condition, and readily accessible.

U.S. Coast Guard–Approved Visual Distress Signals

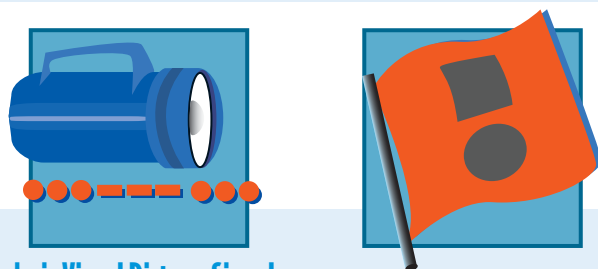


Pyrotechnic Visual Distress Signals

Orange Smoke
Day Signal

Red Meteor
Day and Night Signal

Red Flare
Day and Night Signal



Non-Pyrotechnic Visual Distress Signals

Electric Light
Night Signal

Orange Flag
Day Signal

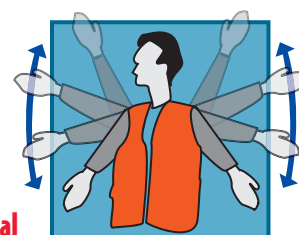
- ◆ If pyrotechnic VDSs are used, a minimum of three must be carried in the vessel. Also, pyrotechnic VDSs must be dated and may not be carried past their expiration date.
- ◆ The following combinations of signals are examples of VDSs that could be carried on board to satisfy U.S. Coast Guard requirements:
 - Three handheld red flares (day and night)
 - One handheld red flare and two red meteors (day and night)
 - One handheld orange smoke signal (day), two floating orange smoke signals (day), and one electric light (night only)
- ◆ It is prohibited to display visual distress signals while on the water unless assistance is required to prevent immediate or potential danger to persons on board a vessel.

Pyrotechnic Devices

- *Pyrotechnics are excellent distress signals. However, there is potential for injury and property damage if not handled properly. These devices produce a very hot flame, and the residue can cause burns and ignite flammable materials.*
- *Pistol-launched and handheld parachute flares and meteors have many characteristics of a firearm and must be handled with caution. In some states, they are considered a firearm and are prohibited from use.*
- *Pyrotechnic devices should be stored in a cool, dry, and prominently marked location.*

Non-Pyrotechnic Devices

- *The distress flag is a day signal only. It must be at least 3 x 3 feet with a black square and ball on an orange background.*
- *The electric distress light is accepted for night use only and must flash the international SOS distress signal automatically.*



Arm Signal

Although this signal does not meet VDS equipment requirements, wave your arms to summon help if you do not have other distress signals on board.

federally controlled waters

Waters on which vessels must observe federal requirements, including VDS requirements; these waters include:

- Coastal waters
- The Great Lakes
- Territorial seas
- Bodies of water connected directly to one of the above, up to a point where the body of water is less than two miles wide

Common Sound Signals

Some common sound signals that you should be familiar with as a recreational boater are as follows.

Changing Direction

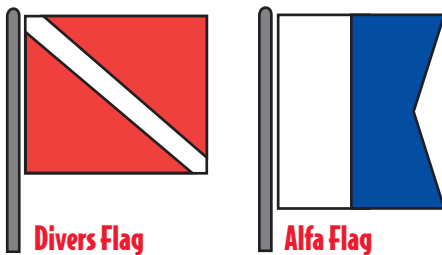
- **One short blast** tells other boaters “I intend to pass you on my port (left) side.”
- **Two short blasts** tell other boaters “I intend to pass you on my starboard (right) side.”
- **Three short blasts** tell other boaters “I am backing up.”

Restricted Visibility

- **One prolonged blast** at intervals of not more than two minutes is the signal used by power-driven vessels when underway.
- **One prolonged blast plus two short blasts** at intervals of not more than two minutes is the signal used by sailing vessels.

Warning

- **One prolonged blast** is a warning signal (for example, used when coming around a blind bend or exiting a slip).
- **Five (or more) short, rapid blasts** signal danger or signal that you do not understand or that you disagree with the other boater’s intentions.



Scuba divers and snorkelers should not place a flag in an area already occupied by other boaters or where their diving operation will impede the normal flow of waterway traffic. Divers also should follow all of the water safety rules themselves.

Sound-Producing Devices

In periods of reduced visibility or whenever a vessel operator needs to signal his or her intentions or position, a sound-producing device is essential. The navigation rules for meeting head-on, crossing, and overtaking situations described in Chapter 3 are examples of when sound signals are required.

- ◆ These requirements apply to vessels operating on New York state waters.
 - Every power-driven vessel must carry on board a mechanical sound-producing device that can make a sound signal audible for at least one-half mile lasting two seconds or more.
 - On vessels less than 39 feet in length, which includes PWCs, a mouth whistle will suffice if it can make a sound signal audible for at least one-half mile lasting two seconds or more.
 - Vessels more than 39 feet in length must carry a bell.
- ◆ These requirements apply to vessels operating on federally controlled waters.
 - Vessels less than 65.6 feet (20 meters) in length, which includes PWCs, are required to carry on board a whistle or horn or some other means to make an efficient sound signal audible for at least one-half mile.
 - Vessels that are 65.6 feet (20 meters) or more in length are required to carry on board a whistle or horn, *and* a bell that are audible for at least one mile.
- ◆ Sirens may be used only by law enforcement or emergency vessels.

Other Equipment and Regulations

- ◆ **Diver-Down Flag:** Scuba divers and snorkelers must display a diver-down flag to mark their diving area. Under no circumstances should a vessel approach within 100 feet of any vessel or object displaying a diver-down flag. Divers should be aware that it is illegal to disturb any underwater archeological site or remove any artifacts without a state-issued permit. Two types of flags are used to indicate diving activity.
 - A rectangular red flag with a white diagonal stripe, at least 15 x 15 inches in size, if on New York state waters.
 - A blue and white International Code Flag A (or Alfa flag), at least 3.3 feet (one meter) high and visible from all directions, must be displayed on vessels on federally controlled waters. This flag indicates that the *vessel* is involved in a diving activity.
- ◆ **Anchors:** New York law requires that all power-driven vessels, except PWCs, carry an anchor and rope that has enough holding power to provide the vessel with safe anchorage.
- ◆ **Marine Events:** Permits for events on state-controlled waters are required and granted through the New York State Office of Parks, Recreation and Historic Preservation by applying at least 30 days prior to the event. If the event is to be held on federally controlled waters, a permit from the U.S. Coast Guard is required.
- ◆ **Local Regulations:** Local waterways may have specific equipment and operational restrictions in addition to those covered in this chapter. Be sure to check for local regulations before you go boating.

Requirements Specific to Personal Watercraft (PWCs)

In addition to adhering to all boating laws, personal watercraft (PWC) operators have requirements specific to their vessel.

- ◆ Each person riding on or towed behind a PWC must wear a U.S. Coast Guard–approved Type I, II, or III personal flotation device.
- ◆ If the PWC is equipped with an ignition safety switch, the switch must be functional and the lanyard must be attached to the operator.
- ◆ PWCs also must have on board a horn or whistle and a VDS (a fluorescent orange flag one foot square or other U.S. Coast Guard–approved VDS).
- ◆ PWC owners must not remove any manufacturer-installed backfire flame arrestor or ventilator.
- ◆ It is illegal to operate a PWC between sunset and sunrise or when conditions are classified as restricted visibility. The installation of an after-market light kit does not allow you to operate a PWC at night legally.
- ◆ You may not operate a PWC within 500 feet of a designated swim area. If a launch area exists within the 500-foot exclusion area, a PWC may access and exit at no more than 10 mph.
- ◆ Reckless operation of PWCs is strictly prohibited. Some examples of such operation are:
 - Jumping a wake too close to other vessels
 - Weaving through congested traffic
 - Last minute swerving to avoid collision
 - Carrying more passengers than is recommended by the manufacturer
 - Any other maneuver which unreasonably or unnecessarily endangers life, limb, or property

Towing a Person With a Vessel Legally

Vessel operators towing a person(s) on water skis, a surfboard, or any similar device must obey these laws also.

- ◆ Those being towed must *wear* a U.S. Coast Guard–approved Type I, II, or III PFD.
- ◆ Every vessel towing a person(s) on water skis, a surfboard, or a similar device must have on board a person who is at least ten years old, in addition to the operator, observing the towed person(s).
- ◆ It is illegal for vessel operators to tow person(s) on water skis, a surfboard, or any similar device between sunset and sunrise.
- ◆ Vessels towing water-skiers or participating in a similar activity must operate in a careful and prudent manner. A reasonable distance from other vessels, people, and property must be maintained so as not to endanger life or property. Buzzing or spraying another vessel or swimmer is illegal.
- ◆ When towing a person behind a PWC, the PWC must be rated for at least three people—the driver, the observer, and the retrieved skier.

Remember ...

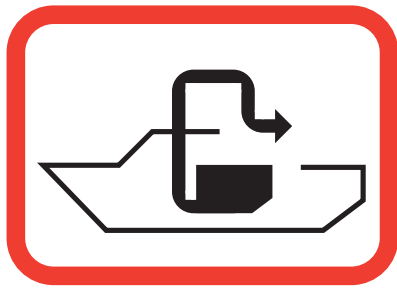
As an owner of a PWC, it is your responsibility to see that no other person operates your PWC in such a way that it violates the laws of New York.

PWC Rental Operations ...

- Liveries are prohibited from renting PWCs to anyone less than 16 years of age.
- Liveries must explain and demonstrate proper use of a PWC either in person or by video to prospective renter. Then the prospective renter must demonstrate to the livery that he or she has the ability to operate safely and use the safety equipment.
- Prospective renters are required to provide proof of identification and age to the livery at the time of renting. The livery must retain a record of the rental for at least one year.
- If the renter is 18 years of age or younger, he or she must have a valid Boating Safety Certificate.
- If the renter is older than 18 years, he or she may operate without a Boating Safety Certificate if:
 - Operation is restricted to a specific area and the entire area is within 2,500 feet of the livery or ...
 - A livery agent is assigned to supervise operation of the rented PWC, the supervisor is always within 500 feet of the rented PWC, and the PFD of the PWC operator is clearly marked so that the operator is easily distinguished by the supervisor.



If towing a skier with a PWC, the PWC must be rated for at least three people—the operator, the observer, and the retrieved skier.



Pump-Out Station Sign

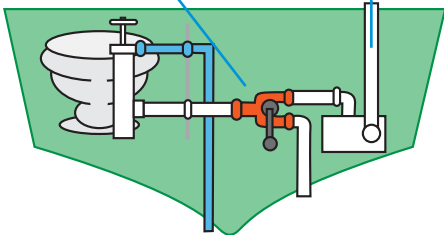
Signs like these are posted at pump-out stations in New York.



Pump-Out Station

“Y” valve must be sealed so waste cannot be discharged into the water

Drainage to pump-out station



Typical Marine Sanitation Device

Waste, Oil, and Trash Disposal in New York and Federal Waters

- ◆ It is illegal to discharge waste, oil, or trash into any state or federally controlled waters. This is for very good reasons.
 - Sewage carries disease and other pollutants that are harmful to people, aquatic plants, and animals.
 - Trash thrown into the water can injure swimmers and wildlife alike. It also can plug engine cooling water intakes.
 - Pollution is unsightly and takes away from your enjoyment of the water.
- ◆ Vessel operators need to be aware of the following regulations for waste, oil, and trash disposal that apply to both federally controlled and state waters. The Refuse Act prohibits throwing, discharging, or depositing any refuse matter of any kind (including trash, garbage, oil, and other liquid pollutants) into the waters of the United States.

Discharge of Sewage and Waste

The marine sanitation device (MSD) requirements on New York state waters are dictated by both the federal and state government, depending where you boat.

- ◆ If you have a recreational vessel with installed toilet facilities, it must have an operable, U.S. Coast Guard certified MSD on board.
- ◆ There are three types of MSDs.
 - Types I and II MSDs are usually found on large vessels. Waste is treated with special chemicals to kill bacteria before the waste is discharged. Types I and II MSDs with “Y” valves that would direct the waste overboard must be secured so that the valve cannot be opened. This can be done by placing a lock or non-reusable seal on the “Y” valve or by taking the handle off the “Y” valve.
 - Type III MSDs provide no treatment and are either holding tanks or portable toilets. Collected waste should be taken ashore and disposed of in a pump-out station or onshore toilet.
- ◆ All installed MSDs must be U.S. Coast Guard–certified.
- ◆ The chart below states the MSD requirements for New York:

Waters	MSD Requirements
<i>Any land-locked lake located completely within the borders of New York</i>	No discharge of any sewage is permitted. All marine sewage must be kept on board the vessel in a Type III MSD and pumped ashore at a marine pump-out facility.
<i>The waters of Canandiagua, Skaneateles, Greenwood (Orange County) Lake, or Lake George</i>	Any vessel equipped with a toilet, sink, tub, etc. which result in the drainage of any waste water whatsoever must have all such material drain into a holding tank. The holding tank must be drained ashore at a marine pump-out facility. Any overboard lines from such systems must also be either sealed or removed.
<i>The Great Lakes, State Canals, Hudson River, Long Island Sound, or any tidal water</i>	Vessels may discharge sewage overboard only after it has been treated in a U.S. Coast Guard certified Type I or II MSD. Type I MSDs may not be used on vessels over 65 feet in length. Recent legislation now permits localities located in tidal areas to adopt No-Discharge zones provided they've followed the requirements of both federal and state law. Consult with local officials in these areas first.
<i>Lake Champlain</i>	Boaters may not discharge sewage at all. All vessels must have their MSDs inoperable as well as all overboard lines disconnected and removed. Sewage may only be kept on board in an approved Type III device, for later transfer to a marine pump-out facility. The “Y”-valve or any overboard lines must be disconnected and removed.

Discharge of Trash

The Act to Prevent Pollution from Ships places limitations on the discharge of garbage from vessels. It is illegal to dump refuse, garbage, or plastics into any state or federally controlled waters. Many forms of litter can kill birds, fish, and marine mammals.

- ◆ You must store trash in a container while on board and place it in a proper receptacle after returning to shore.
- ◆ If boating on federally controlled waters and your vessel is 26 feet or longer, you must display a Garbage Disposal Placard in a prominent location. The Garbage Disposal Placard is a durable sign that is at least 4 x 9 inches and notifies passengers and crew about discharge restrictions.

Discharge of Oil and Other Hazardous Substances

Regulations issued under the Federal Water Pollution Control Act require all vessels with propulsion machinery to be able to retain oil mixtures on board.

- ◆ You are not allowed to discharge oil or hazardous substances. The penalty for illegal discharge may be a fine of up to \$10,000.
- ◆ You are not allowed to dump oil into the bilge of the vessel without means for proper disposal. Fuel spills can be removed using absorbent bilge pads.
- ◆ You must dispose of oil waste at an approved reception facility. On recreational vessels, a bucket or bailer is adequate for temporary storage prior to disposing of the oil waste at an approved facility.
- ◆ You must notify the U.S. Coast Guard immediately if your vessel discharges oil or hazardous substances in the water. Call toll-free **1-800-424-8802**. Report the discharge's location, color, source, substances, size, and time observed. You must also call the New York State Department of Environmental Conservation (**1-800-457-7362**) and report the discharge.
- ◆ If boating on federally controlled waters and your vessel is 26 feet or longer, you must display a 5 x 8-inch placard made of durable material, fixed in a conspicuous place in the machinery spaces or at the bilge pump control station, stating the following:

Discharge of Oil Prohibited

The Federal Water Pollution Control Act prohibits the discharge of oil or oily waste upon or into any navigable waters of the U.S. The prohibition includes any discharge which causes a film or discoloration of the surface of the water or causes a sludge or emulsion beneath the surface of the water. Violators are subject to substantial civil and/or criminal sanctions including fines and imprisonment.

Waste Management Plan

- ◆ Ocean-going vessels that are 40 feet or more in length with cooking and sleeping facilities must have a written Waste Management Plan.
- ◆ The captain of the vessel is responsible for implementing the Waste Management Plan.
- ◆ The Waste Management Plan, identifying the vessel's name and home port, should be posted and should include directives to all persons on board about:
 - Discharging sewage and hazardous substances
 - Discharging garbage and other food waste
 - Disposing of plastics, bottles, and cans
 - Reading applicable placards for additional information
 - Advising the captain in case of oily discharges or diesel spills



Oil Discharge Placard

A 5 x 8-inch sign that states the law pertaining to oil discharge



What To Do in Case of Discharge

If your vessel discharges oil or hazardous substances into the water, notify the U.S. Coast Guard by calling:

- **1-800-424-8802.**

You should also report the discharge to the New York State Department of Environmental Conservation by calling:

- **1-800-457-7362**



Stop the Spread of Nuisance Species!

Introducing non-native species into New York waters can upset the balance of the ecosystem, thereby harming the environment. Aquatic nuisance species, such as zebra mussels, quagga mussels, milfoil, and hydrilla, most often spread between waterways by hitching a ride on vessels and trailers. When transplanted into new waters, these organisms proliferate, displacing native species and damaging the water resource.

To prevent spreading aquatic nuisance species:

- Inspect your vessel and trailer, and remove any plants and animals you see before leaving the area.
- Drain your motor, live well, and bilge on land before leaving the area.
- Empty your bait bucket on land. Never release live bait into a body of water or release aquatic animals from one body of water into another.
- Rinse your vessel, propeller, trailer, and equipment.
- Air-dry your vessel and equipment for as long as possible.

Boating Accident Report Form

BOATING ACCIDENT REPORT

The operator/owner of a recreational vessel is required to report in writing whenever an accident results in the loss of life, disappearance from the vessel, injury requiring treatment beyond first aid, or property damage in excess of \$500 or the complete loss of a vessel. Cases of death or injury must be reported to local police immediately and to OPRHP or the complete loss of a vessel. Cases of death or injury must be reported to local police immediately and to OPRHP within 48 hours. All other accidents must be reported within 5 days of the occurrence. Reports can be mailed to the Director of Marine & Recreational Vehicles, OPRHP, Agency Plaza, Albany, NY 12238. Phone 518/474-0445.

12238, 518/474-0445. This information may be disclosed pursuant to the Freedom of Information Law.

ACIDENT INFORMATION

Date of Accident: _____ Time: _____ Waterway: _____ Nearest City/Town: _____ State: _____

of Vessels: _____ Location: _____ County: _____

WEATHER

Weather: Clear Cloudy Rain Snow Fog Haze

Water Conditions: Calm (waves < 1') Choppy (1' - 2') Rough (2' - 6') Very Rough (waves > 6')

Temperatures (estimate): Air: _____ Water: _____

Wind: None Light (0-8 mph) Moderate (9-16) Strong (17-25) Storm (over 25 mph)

Visibility: Day: Good Fair Poor Night: Good Fair Poor

OPERATOR INFORMATION

Operator Name: _____ Operator Phone Number: _____ Operator's Experience: _____

Operator Address: _____

Owner Name: _____ Owner Address: _____

Registration/Document #: _____ State: _____ Hull Identification Number: _____ Vessel Name: _____

Manufacturer: _____ Model: _____ Length: _____ Year Built: _____

VESSEL INFORMATION

Type of Boat: Open Motorboat Cabin Motorboat Auxiliary Sail Sail (only) Rowboat Canoe/Kayak Personal Watercraft (Jet Ski) Hobiecat Other (specify): _____

Hull Material: Wood Aluminum Steel Fiberglass Rubber/Vinyl/Canvas Rigid Hull Inflatable Other (specify): _____

Engine: Outboard Inboard Inboard/Outboard Auxiliary Sail Other (specify): _____

Fuel: Gasoline Diesel Electric

Propulsion: Propeller Water Jet Air Thrust Manual Sail

Personal Flotation Devices: Were the boat's safety equipment inspected with USCG APPROVED PFD's? Yes No Were the PFD's Accessible? Yes No

Fire Extinguishers: Yes No On Boat? Yes No

OPERATION

Operation (check all that apply): Cruising Chasing Clipping Speed Towing Diving Baiting Fishing/Boating Sailing Launching Docking/Unhooking At Anchor Tied to Dock/Moored Other (specify): _____

Activity (check all that apply): Fishing Hunting Swimming/Canoeing Water Skiing/Tubing/etc. Rafting Whitewater Sports Fueling Starting Engine Non-recreational Other (specify): _____

TYPE OF ACCIDENT

Grounding Collision Flooding/Swamping Spring Fire/Explosion (fuel) Fire/Explosion (other) Skier Mishap Collision w/ Fixed Object Collision w/ Floating Object Falls Overboard Falls in Boat Struck by Boat Struck by Propeller Struck by Submerged Object Other (specify): _____

CAUSES (check all that apply)

Alcohol Use Competent Waters Darn Lock Drop Line Equipment Failure Excessive Speed Hazardous Waters Hull Failure Improper Loading Machinery Failure No Steer Lockout Operator Inattention Operator Maintenance Overloading Poor Visibility Passenger/Operator Behavior Hazardous Operation Submerged Object Weather Other (specify): _____

Estimated Speed: Not Measured Under 10 mph 10-20 mph 21-40 mph Over 40 mph

LEGAL STATEMENT The Office of Parks, Recreation & Historic Preservation is authorized to collect this information by Chapter 146 of the Laws of 1979 and Section 47 of the Navigation Law. It will be used for statistical purposes and will be forwarded to the US Coast Guard pursuant to federal regulations. Failure to provide the requested information may subject you to legal sanction. This information will be made available to the Director of Marine & Recreational Vehicles, OPRHP, Agency Plaza, Albany, NY 12238. Phone 518/474-0445. This information may be disclosed pursuant to the Freedom of Information Law.

HR & Rm 1: YES NO

Boating Accidents and Casualties ... What the Law Requires You To Do

- ◆ An operator involved in a boating accident must:
 - Stop his or her vessel *immediately* at the scene of the accident *and ...*
 - Assist anyone injured or in danger from the accident, unless doing so would seriously endanger his or her own vessel or passengers *and ...*
 - Give, in writing, his or her name, address, and vessel identification to anyone injured and to the owner of any property damaged by the accident.
- ◆ Vessel operators involved in an accident must report the accident if it has resulted in:
 - Death or disappearance of a person *or ...*
 - An injury requiring professional aid *or ...*
 - Property damage exceeding \$1,000.
- ◆ If the accident resulted in a death, disappearance or injury, you must report it immediately to the police and then to the Office of Parks, Recreation and Historic Preservation within 48 hours.
- ◆ If the accident resulted only in property damage, you must report it to the Office of Parks, Recreation and Historic Preservation within five days. If the owner of the property damaged cannot be located at the scene of the accident, also report the accident to the nearest police agency within 24 hours.
- ◆ To report an accident to the Office of Parks, Recreation and Historic Preservation, the operator or owner must send a completed accident report form to:

New York State Office of Parks, Recreation, and Historic Preservation
Agency Blvd. #1, Empire State Plaza
Albany, NY 12238

Enforcement

- ◆ The boating laws of New York are enforced by State Park police; sheriff departments; local, county, and State Police; the Department of Environmental Conservation; and Harbormasters and Bay Constables. U.S. Coast Guard officers also patrol and have enforcement authority on joint jurisdictional waters.
- ◆ It is illegal to refuse to follow the directive of a person with law enforcement authority. An operator who has received a visual or audible signal from a law enforcement officer must bring his or her vessel to a stop.