

## **PART FIVE**

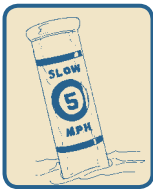
# **General Boating Regulations**



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## Speed

In New York State, vessel speed is generally limited to 5 mph when within 100 feet of the shore, a dock, pier, raft, float, or anchored boat.



On some specific bodies of water the 5 mph limit has been extended to 200 feet, and there may also be a 45 mph daytime and 25 mph nighttime speed limit. Local ordinances may further regulate the speed of boats operated within specific areas, check with authorities regarding local regulations.

When no speed limit is posted, vessels must always be operated in such a fashion so as not to endanger others. A vessel must be able to stop within a distance appropriate to the prevailing conditions. A vessel operator is responsible for any damage caused by the vessel's wake. Prudent judgment requires operators to reduce speed when passing marinas, fishing vessels, work boats or other similar areas. When encountering marine regattas or parades, always transit with an escort vessel. Should no escort vessel be provided, vessels should only proceed at a safe, no wake speed, as far away from the regatta as safely possible.

## Boating Accidents

It is the responsibility of every boater to render all practical and necessary aid possible to other vessels requiring assistance, without endangering their vessel or their passengers.

If you are involved in a boating accident you must stop and give your name, address and vessel identification to the owner of the damaged property or any injured party. If personal



injury has been caused to another person, or another person has disappeared under the water, the nearest law enforcement agency shall be contacted immediately. In the event of an accident involving only property damage, if the person sustaining damage cannot be located at the scene or the other operator involved leaves the scene, the accident shall be reported to the nearest law enforcement agency immediately. If you are the owner or operator of a boat involved in a boating accident

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in which there was an injury, death or disappearance of a person, or if property damage exceeding \$1,000 to any one party has occurred, you must report the matter in writing to New York State Parks within 5 days of the accident. Failure to report an accident is a violation under NYS Law.

Accident Report forms can be found at: [www.nysparks.com/recreation/boating/resources.aspx](http://www.nysparks.com/recreation/boating/resources.aspx)

## Age & Education Requirements

### FIND A BOATING SAFETY COURSE

- **New York State Office of Parks, Recreation and Historic Preservation** – [www.WearItNewYork.com](http://www.WearItNewYork.com)
- **United States Coast Guard Auxiliary** – [www.cgaux.org](http://www.cgaux.org)
- **United States Power Squadron** – [www.usps.org](http://www.usps.org)

### Motor Boat Education Requirements:

- Operators born on or after May 1, 1996 must have a boating safety certificate and be at least 10 years of age.
- Operators who are younger than 18 years of age must be accompanied by a person who is at least 18 years of age or older and is the holder of a boating safety certificate or not required by law to hold a certificate.
- The operator is the owner of a recently purchased motor boat, if required by law to hold a boating safety certificate may operate the vessel without the required certificate for up to 120 days from date of purchase.
- Persons 18 years of age or older may rent a motor boat without a boating safety certificate provided that the operator of the livery holds a certificate, demonstrates the use of the vessel and safety equipment, and the person renting demonstrates their understanding of the vessels operation and safety equipment. Those under the age of 18 must have a boating safety certificate in order to rent a vessel.

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## Motor Boat Operators Exempted From Having To Hold A Boating Safety Certificate:

- Persons born before May 1, 1996
- Certified New York Safe Boating Instructors
- Members of the USCG Auxiliary or US Power Squadron
- Persons licensed by NYS Parks, the United States Coast Guard or Canadian Coast Guard to operate commercial vessels
- Police officers, peace officers, fire and rescue personnel, and life guards when acting pursuant to assigned duties
- A resident of another state or country who is the holder of a valid boating safety certificate issued according to the laws of their home state or country

## Enforcement/Violations

Several different law enforcement agencies enforce the Federal and State navigation laws. The US Coast Guard patrols the joint jurisdictional waters while enforcing federal laws. The State Park Police, State Police, Department of Environmental Conservation, as well as county and local agencies work to ensure compliance with state laws upon the water. Violations of State and Federal statutes carry fines and/or imprisonment.



Law enforcement may terminate the operation of any vessel, including rowboats and canoes, found to have an immediately hazardous violation of the law which may result in an accident or physical injury.

Reckless operation of a boat can be a violation or misdemeanor. Operators are required to operate a boat in a careful and prudent manner in such a way as not to interfere with the free and proper use of the navigable waters or endanger any boat or person. Reckless operation may be the result of operator ignorance, inattention, indifference or carelessness. Some examples of reckless operation include:

- Operating at high speed in a congested area or in restricted visibility
- Following another boat too closely
- Operating too closely to swimmers or divers
- Operating near dams

- Cutting through a regatta or marine parade
- Overloading a boat
- Allowing passengers to ride on the bow, gunwale or transom while underway



## Boating While Intoxicated

No one may operate a vessel on the waters of NYS while impaired or intoxicated either through the consumption of alcohol or drugs. An operator with a blood alcohol level of 0.08 or higher is considered legally intoxicated. New York law prescribes heavy fines, imprisonment, and the suspension of operator privileges for violators. In New York, if you are stopped for the suspicion of impaired operation and refuse to voluntarily submit to a breath test, your privilege to operate may be immediately suspended, pending a hearing.

## Zero Tolerance

New York, in an effort to send a clear message to our young citizens that underage drinking will not be tolerated, has enacted legislation, for those under 21 years of age, providing for the suspension or revocation of operating privileges if caught drinking while operating a vessel.



It is important to realize that particularly on the water, even small amounts of alcohol may greatly impair one's ability to function in three critical areas: balance, coordination, and judgment. Compound this with such environmental stressors such as glare, heat, vibration, and engine noise, one can become quickly fatigued thus slowing your reaction time.

We must always keep in mind that a boat is an unstable platform, and since a large percentage of fatalities occur from falling overboard. Alcohol will also decrease your coordination. Drinking also impairs your ability should you find yourself unexpectedly immersed in the water. Many a good swimmer has drowned because alcohol distorted their ability to orient themselves upon entering the water and ended up swimming down instead of towards the surface.

Alcohol may also give you the feeling that you and your boat can perform maneuvers beyond both your limits. The ability to process information from various sources is also depressed by alcohol and the person may develop a tunnel vision perspective, thus blocking out

critical information. One's ability to judge speed and distance are also impaired which also limits one's ability to track moving objects. Alcohol also reduces your night vision, you lose the ability to differentiate between red and green which makes the intoxicated boater an even greater hazard after dark.

### Float Plan

Complete this page, before going boating and leave it with a reliable person who can be depended upon to notify the Coast Guard or other rescue organization, should you not return as scheduled.

**Do not file this plan with the Coast Guard.**

1. Name of person reporting and telephone number.

\_\_\_\_\_

2. Description of boat.

Type \_\_\_\_\_ Color \_\_\_\_\_ Trim \_\_\_\_\_

Registration No. \_\_\_\_\_ Length \_\_\_\_\_

Name \_\_\_\_\_ Make \_\_\_\_\_ Other Info. \_\_\_\_\_

3. Engine type \_\_\_\_\_ H.P. \_\_\_\_\_

No. of engines \_\_\_\_\_ Fuel capacity \_\_\_\_\_

4. Survival equipment: (Check as appropriate)

- |                                        |                                         |                                 |
|----------------------------------------|-----------------------------------------|---------------------------------|
| <input type="checkbox"/> PFDs          | <input type="checkbox"/> Flares         | <input type="checkbox"/> Mirror |
| <input type="checkbox"/> Smoke Signals | <input type="checkbox"/> Flashlight     | <input type="checkbox"/> Food   |
| <input type="checkbox"/> Paddles       | <input type="checkbox"/> Water          | <input type="checkbox"/> Others |
| <input type="checkbox"/> Anchor        | <input type="checkbox"/> Raft or Dinghy | <input type="checkbox"/> EPIRB  |

5. Radio  yes  no Type \_\_\_\_\_ Freqs. \_\_\_\_\_

6. Automobile license \_\_\_\_\_

Type \_\_\_\_\_ Trailer license \_\_\_\_\_

Color \_\_\_\_\_ and make of auto \_\_\_\_\_

where parked \_\_\_\_\_

7. Persons aboard \_\_\_\_\_

Name	Age	Address & Telephone No.
_____	_____	_____
_____	_____	_____

8. Do any of these persons aboard have a medical problem?

yes  no If yes, what? \_\_\_\_\_

9. Trip Expectations: Leave at \_\_\_\_\_

From \_\_\_\_\_ Going to \_\_\_\_\_

Expect to return by \_\_\_\_\_ (Time) and  
not later than \_\_\_\_\_

10. Any other pertinent info. \_\_\_\_\_

11. If not returned by \_\_\_\_\_ (Time) call  
the COAST GUARD, or (Local authority) \_\_\_\_\_

12 Telephone numbers \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_