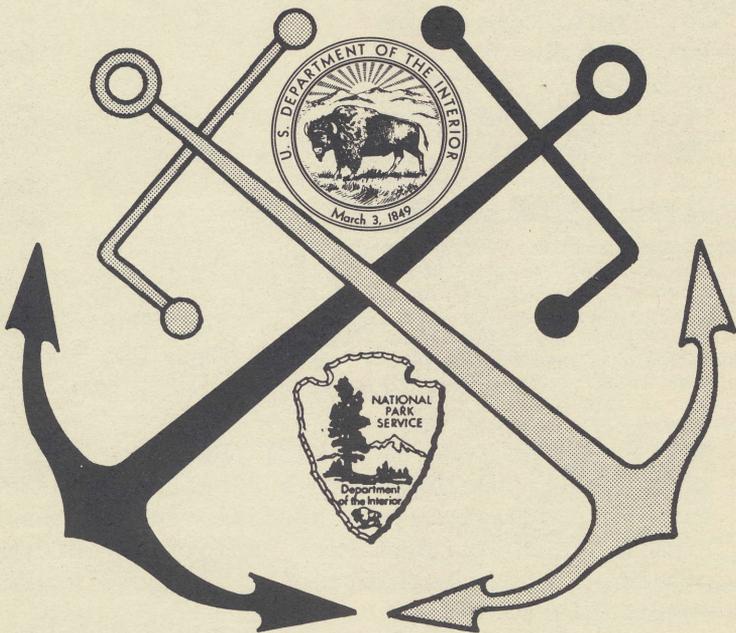


# BOATING REGULATIONS

IN THE NATIONAL PARK SYSTEM



UNITED STATES DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

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\* Source: The provisions of this Part 3 appear at 31 F.R. 16655, Dec. 29, 1966, unless otherwise noted.

NOTICE TO NATIONAL PARK VISITORS: The enclosed rules and regulations are subject to amendment and are supplemented by special regulations. Please see a National Park Ranger for information regarding other regulations and special rules applicable to the local area.

## PART 3—BOATING

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**AUTHORITY:** The provisions of this Part 3 issued under secs. 1 and 3, 39 Stat. 535, as amended; sec. 1, 47 Stat. 1420; 60 Stat. 885, as amended; sec. 2, 49 Stat. 666; 16 U.S.C. 1, 3, 9a, 17j-2, 462, and acts relating to the individual areas.

### § 3.0 Applicable regulations.

In addition to the regulations contained in this part, the U.S. Coast Guard Regulations, Titles 33 and 46, Code of Federal Regulations, are applicable on navigable waters of the United States.

### § 3.1 Definitions.

(a) "Vessel" includes every type or description of craft, other than a seaplane on the water, used or capable of being used as a means of transportation on water. This definition includes but is not limited to the following: Boat, motorboat, houseboat, rowboat, powerboat, jet boat, fishing boat, towboat, scow, flatboat, sailboat, cruiser, motor vessels, ship, barge, tug, floating cabana, party boat, charter boat, ferryboat, canoe, raft, or any buoyant device permitting or capable of free floatation.

(b) "Motorboat" means any vessel propelled by machinery (including steam) of 65 feet or less in length, whether or not such machinery is the principal source of power.

(c) "Motor vessel" means any vessel propelled by machinery (except steam) over 65 feet in length, whether or not such machinery is the principal source of power.

(d) "Sailboat or sail vessel" means any vessel propelled solely by wind effect on the sail.

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(e) "Hand-propelled vessel" means any vessel which is propelled by human muscular effort, which includes but is not limited to oars, paddles, or other contrivances, and upon which no mechanical propulsion device such as electric motor, steam, or internal combustion engine or sail is used for the operation of such vessel.

(f) "Machinery" includes an inboard or outboard engine and any other type of motor or mechanical device capable of propelling a vessel.

(g) "Length" refers to the overall length of the hull, extending from end to end over the deck, excluding sheer, measured in a straight line from the foremost part to the aftermost part of a vessel and parallel to the centerline. Bow sprits, bumpkins, rudders, outboard motor brackets and similar fittings or attachments are not to be included in the measurement. Length shall be stated in feet and inches.

(h) "Operator" refers to the person who operates or has charge of the navigation or use of a vessel.

(i) "Owner" means the person who claims lawful possession of a vessel by virtue of legal title or equitable interest therein which entitles him to such possession.

(j) "Point" means eleven and one-quarter degrees of arc.

(k) "Visible" means visible on a dark night with a clear atmosphere.

(l) "Underway" means not at anchor or made fast to the shore or aground.

(m) "State" means a State or legal subdivision of the United States, Guam, the Virgin Islands, the Commonwealth of Puerto Rico, and the District of Columbia.

(n) A "boating accident" includes but is not limited to: Capsizing, collision, foundering, flooding, fire, explosion, and the disappearance of a vessel other than by theft.

(o) "Person" means an individual, partnership, firm, corporation, association, or other entity.

(p) "Navigable waters of the United States," as used in the rules and regulations of this part, shall be construed to mean those waters of the United States, including the territorial seas adjacent thereto, the general character of which is navigable, and which, either by themselves or by uniting with other waters, form a continuous waterway on which boats or vessels may navigate or travel between two or more States or to or from foreign nations. A stream which other-

wise conforms with the above definition would not change its navigable character because of the existence of natural or artificial obstructions such as falls, shallows, rapids, dams, or bridges. Statutory declarations by Congress and decisions pronounced by the Federal courts as to the navigability of specific waters are binding.

(q) "Port" means the left side of a vessel looking from the stern toward the bow.

(r) "Starboard" means the right side of a vessel, looking from the stern toward the bow.

(s) "Stern" means the aft or rear end of the vessel.

(t) "Bow" means the forward part of a vessel.

(u) "Privately owned vessel" means any vessel other than one owned by or engaged in the official business of the Federal Government, or a State or any political subdivision thereof.

(v) "Uniform waterway markers" shall mean the waterway marker system generally accepted for use in various State and Federal areas which includes but is not limited to the following symbols and designations:

(1) *Danger*. Orange bordered diamond symbol on white background. Words placed within border may include "ROCK," "DAM," "SNAG," etc.

(2) *Keep out*. Orange bordered diamond symbol with cross on white background. Words placed outside the symbol may include "Dam," "Waterfall," "Domestic water," "Swim area," etc.

(3) *Restricted area*. Orange bordered circle on white background for regulating water use activity. Words placed within border may include "5 MPH," "No Swim," "No SCUBA," "Fishing Only," etc.

(4) *Information*. Orange bordered square or rectangle on white background. Words placed within symbol may include place names, distances, arrows indicating directions, availability of supplies and facilities, etc.

(w) All of the definitions contained in paragraphs (a) through (v) of this section shall apply to all regulations contained in this chapter.

[31 F.R. 16655, Dec. 29, 1966, as amended at 32 F.R. 8294, June 9, 1967]

### § 3.2 Permits.

(a) The Superintendent may, by the posting of appropriate signs, require the issuance of a permit before any vessel is placed in or operated on the waters. He may also, consistent with regulations in this part, specify conditions of such permit. Where such permits are required, no vessel shall be operated in or on the waters without a permit. The permit must be carried within the vessel at all times and shall be exhibited upon request of any authorized person.

(b) In natural and historical areas, the launching or operating of any motorboat on waters which are not directly accessible by a designated public road is prohibited.

### § 3.3 Numbering.

(a) No vessels, except those specifically exempt herein, which are propelled by machinery of more than 10 horsepower shall be allowed to operate in or on the waters unless such vessels have been documented by the Bureau of Customs, numbered by the U.S. Coast Guard, or numbered by a State having a numbering system approved by the U.S. Coast Guard as provided by the Federal Boating Act of 1958 (72 Stat. 1754). Such vessels shall be properly identified, and the required valid documents or certificates of number shall be carried on board.

(b) The following vessels are exempt from the requirements of paragraph (a) of this section: Foreign vessels temporarily using waters of the United States, Federal, State, and municipal vessels, vessels used exclusively for racing, and vessels operating under a valid temporary Certificate of Number.

### § 3.4 Motorboat classifications.

Motorboats subject to the provisions of the regulations of this part shall be divided into four classes as follows:

Class A—Less than 16 feet in length.

Class 1—16 feet or over, but less than 26 feet in length.

Class 2—26 feet or over, but less than 40 feet in length.

Class 3—40 feet or over, but not more than 65 feet in length.

### § 3.5 Lights required.

Every motorboat when underway from sunset to sunrise shall carry and exhibit the following lights, and during such time no other light which may be mistaken for those prescribed shall be exhibited.

(a) Classes A and 1:

(1) A bright white light aft to show all around the horizon.

(2) A combined lantern in the fore part of the vessel and lower than the white light aft, showing green to starboard and red to port, so fixed as to throw the light from right ahead to two points abaft the beam on their respective sides.

(b) Classes 2 and 3:

(1) A bright white light in the fore part of the vessel as near the stem as practicable, so constructed as to show an unbroken light over an arc of the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the vessel; namely, from right ahead to 2 points abaft the beam on either side.

(2) A bright white light aft to show all around the horizon and higher than the white light forward.

(3) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the starboard side. On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the port side. The said side lights shall be fitted with inboard screens of sufficient height so set as to prevent these lights from being seen across the bow.

(c) Every white light heretofore prescribed in this section shall be of such character as to be visible at a distance of at least 2 miles, and every colored light shall be of such character as to be visible at a distance of 1 mile.

(d) Any motorboat may carry and exhibit the lights required by the Act of October 11, 1951 (65 Stat. 406-420), as amended (33 U.S.C. 143-147d), in lieu of the lights prescribed in this section.

(e) All other vessels shall display the lights prescribed by Statutory Rules of the Road (33 U.S.C. 143-147d; 151-232; 241-295; and 303-356), which include but are not limited to the following requirements for sailboats and hand-propelled vessels:

(1) Vessels when propelled by sail alone shall exhibit the following lights: On the starboard side a green light, and on the portside a red light so constructed as to show an unbroken light over an arc of the horizon from dead ahead to 2 points abaft the beam. Such vessels shall also carry at the stern a 12-point white light so fixed as to throw the light 6 points from aft on each side of the vessel; or in a small vessel if it is not possible on account of bad weather or other sufficient cause for this light to be fixed, such vessel shall carry ready at hand a lantern or flashlight to show a white light which shall be exhibited in sufficient time to avert collision. Sailboats less than 40 feet in length may carry a combined light in lieu of separate side lights.

(2) All hand-propelled vessels operated between sunset and sunrise shall have ready at hand a lantern or flashlight to show a white light which shall be exhibited in sufficient time to avoid collision.

(3) All vessels at anchor between sunset and sunrise, unless anchored at a designated site, shall carry forward or where it can best be seen a bright white light to show all around the horizon and visible for 1 mile.

### § 3.6 Lifesaving equipment required.

(a) All motor vessels shall carry a U.S. Coast Guard approved life preserver for each person on board, and such vessels carrying passengers for hire shall also be provided with an additional number of approved life preservers suitable for children equal to at least 10 percent of the total number of persons carried.

(b) Motorboats when carrying passengers for hire shall be provided with a U.S. Coast Guard approved life preserver for each person on board, and with an additional number of approved life preservers suitable for children equal to at least 10 percent of the total number of persons carried.

(c) Motorboats of Class 3 not carrying passengers for hire shall carry a U.S. Coast Guard approved life preserver or ring life buoy for each person aboard.

(d) All other vessels shall carry a U.S. Coast Guard approved life preserver, ring life buoy, buoyant vest, or buoyant cushion for each person aboard.

(e) Lifesaving devices required on all vessels shall be in a good and serviceable condition, and shall be so placed as to be immediately accessible in the event of emergency.

### § 3.7 Signaling devices.

Motorboats shall be provided with an efficient whistle or other sound producing device as set forth below:

<i>Class of Motorboat</i>	<i>Type of Device</i>
A-----	None.
1-----	Mouth, hand, or power operated whistle or other sound producing mechanical device, capable of producing a blast for 2 seconds or more duration, and audible for at least one-half mile.
2-----	Hand or power operated horn or whistle capable of producing a blast of 2 seconds or more duration, and audible for at least 1 mile; and a bell.
3-----	Power operated horn or whistle capable of producing a blast of 2 seconds or more duration and audible for a distance of at least 1 mile; and a bell.

**§ 3.8 Flame arrestors.**

Each carburetor of every gasoline engine except outboard motors installed in a vessel shall be equipped with an efficient flame arrestor approved by the U.S. Coast Guard.

**§ 3.9 Ventilation.**

All vessels which use fuel having a flashpoint of 110° F. or less shall be equipped with ventilators as required by the U.S. Coast Guard.

**§ 3.10 Fire extinguishers.**

All motorboats shall carry at least the minimum number of hand portable fire extinguishers approved by the U.S. Coast Guard, as set forth below, except that motorboats of Classes A and 1 of open construction which are propelled by outboard motors but are not carrying passengers for hire need not carry such fire extinguishers.

Class of motorboat	Minimum number of B-I hand-portable fire extinguishers required (however, one B-II hand-portable fire extinguisher may be substituted for two B-I hand-portable fire extinguishers).	
	No fixed fire extinguishing system in machinery spaces	Fixed fire extinguishing system in machinery spaces
A.....	1	0
1.....	1	0
2.....	2	1
3.....	3	2

Examples of minimum size graduations for some of the typical hand-portable fire extinguishers are set forth below:

Classification		Foam (gallons)	Carbon dioxide (pounds)	Dry chemical (pounds)
Type	Size			
B.....	I.....	1 1/2	4	2
B.....	II.....	2 1/2	15	10
B.....	III.....	12	35	20

**§ 3.11 Commercial operations.**

(a) Vessels subject to United States Coast Guard inspection and certification shall not be operated on navigable waters of the United States unless the vessel has a valid certificate of inspection issued by the U.S. Coast Guard.

(b) In all waters, the operator of any vessel engaged in commerce, including a vessel carrying passengers for hire, must have either a valid U.S. Coast Guard operator's license or a valid operator permit issued by the Superintendent, following presentation of a valid U.S. Coast Guard operator's license or other adequate evidence of competency by the applicant. On vessels carrying passengers for hire which are operated on navigable waters of the United States, the only acceptable evidence of competency will be a valid U.S. Coast Guard operator's license. In the case of those persons holding operators' permits issued by the Superintendent, violation of the regulations in this chapter or disregard of the conditions outlined in the permit by the permittee or other person under the direction or control of the permittee, will constitute cause for the cancellation of the permit.

(c) The use of liquified petroleum gases and gasoline for cooking, heating, or lighting is prohibited on vessels carrying passengers for hire.

(d) No vessel carrying passengers for hire or reward may be used upon the waters until and unless all safety equipment as described above, has undergone an inspection by the Superintendent or other authorized officer at intervals not to exceed 12 months and such equipment has been found to be acceptable by the examining officer.

### § 3.12 Rules of the road.

The Statutory Rules of the Road (see § 3.5(e)), which have been enacted by the Congress to prevent collision of vessels, must be observed by vessels which are subject to these regulations. The following regulations of this section outline specific requirements set forth in these rules which are hereby adopted for all vessels operated on any area waters.

(a) In narrow channels, when it is safe and practicable, every vessel shall keep to the right of the middle of the channel.

(b) When vessels are approaching each other head on, or nearly so, each shall be operated to pass the other on the port side at a distance and speed so that the wake of each will not endanger the other.

(c) When a vessel desires to pass another traveling in the same direction, the overtaking vessel shall keep clear of the overtaken vessel and shall not pass until it is safe to do so, and then at such speed and distance so as not to endanger the overtaken vessel. The overtaken vessel shall maintain its course and speed until the overtaking vessel has safely passed. An overtaking situation shall exist whenever a vessel approaches another from any direction more than two points abaft the beam of the other vessel.

(d) A crossing situation shall exist when two vessels are approaching each other at right angles or obliquely so as to involve risk of collision, other than when one vessel is overtaking another. In a crossing situation, the vessel which has the other on her own port side shall hold her course and speed; and the vessel which has the other on her own starboard side shall keep out of the way of the other by directing her course to starboard so as to cross the stern of the other vessel, or stop and reverse if necessary to avoid collision.

(e) Any vessel propelled by machinery shall keep clear of any vessel under sail or being propelled by oars or paddles.

(f) Safe and prudent speed shall be maintained in docking, fishing, or buoyed areas so as not to endanger persons, vessels, or other property.

### § 3.13 Accidents.

(a) In case of collision, accident, fire, or other casualty, the operator shall render such assistance as may be practicable and necessary to other persons affected. He shall also give in writing his name, address, and identification of his vessel to any person injured or to the owner of any property damaged.

(b) A report of collision, accident, fire, or other casualty that results in property damage or any personal injury or death to any person must be made by each operator of the vessels involved to the Superintendent as soon as possible, and in any event within 24 hours. This report does not relieve the responsibility of making boating accident reports as may be required by States or the U.S. Coast Guard.

### § 3.14 Prohibited operations.

(a) No operator or person in charge of any vessel shall operate or knowingly permit any other person to operate a vessel in a reckless or negligent manner, or in a manner so as to endanger or be likely to endanger any person or property.

(b) No operator shall permit any person to ride on the gunwales, transom, or on the decking over the bow of a vessel propelled by machinery while the vessel is underway, unless the vessel is adequately equipped with rails or guards: *Provided, however*, That this shall not apply while the vessel is being maneuvered for mooring or unmooring, or when embarking or disembarking passengers.

(c) Operating or being in actual physical control of a vessel while under the influence of alcohol or drugs is prohibited.

(d) No privately owned vessel shall be used to carry passengers for hire, or be used in any other commercial operation, unless written authorization has been granted in accordance with § 5.3 of this chapter, except as provided by special regulations for areas having navigable waters.

(e) Vessels transported by vehicles must be launched or removed from the waters only at designated launching sites.

(f) No vessel shall be operated within an area designated by a uniform waterway marker or a white buoy, having a horizontal international orange band at the top and bottom and an international orange diamond with cross on the white portions of the buoy, or between a line of such markers or buoys.

(g) No vessel propelled by machinery shall be operated within 500 feet of any designated swimming area, except within marked channels in which instance slow speed shall be maintained.

(h) All vessels shall proceed with due caution and at a slow speed while underway when in the vicinity of any diver's marker, designated by a standard square-shaped flag containing a white diagonal stripe on a red field.

(i) No vessel shall be operated in excess of 5 miles per hour within designated harbors or in any area designated

by a uniform waterway marker or white buoy, having a horizontal international orange band at the top and bottom and an international orange circle with a black "5 MPH" therein on the white portions of the buoy, or between a line of such buoys and the nearest shore.

(j) Attaching a vessel to or interfering with any marker, navigational buoy, or other navigational aid is prohibited.

(k) Operating any vessel in a manner which will unreasonably interfere with other vessels or with free and proper navigation of the waterways is prohibited. Anchoring in heavily traveled channels or main thoroughfares shall constitute such interference if unreasonable in the prevailing circumstances.

(l) Every vessel which is propelled on the waters by an internal combustion engine shall be equipped with a muffler so constructed as to prevent any intense or prolonged noise in the operation of such vessel, and the said muffler shall not be removed, cut down, or put out of operation for any purpose, except upon authorization of the Superintendent during periods of regattas. Nothing contained in this paragraph shall apply to vessels equipped with underwater exhausts or to vessels discharging water through open exhaust pipes, so long as these methods of silencing the exhaust are effective.

(m) Leaving any vessel unattended, outside of designated mooring or beaching areas, for a period in excess of 24 hours without prior written permission of the Superintendent is prohibited, and any vessel so left may be impounded by the Superintendent.

(n) Vessels equipped with a propeller above the water line, commonly referred to as an "airboat" are prohibited.

(o) In natural and historical areas no vessel 40 feet or more in length shall be placed in or operated on the fresh waters, except the waters of the Great Lakes: *Provided, however,* That this paragraph shall not apply to concession-operated sightseeing or ferrying vessels.

(p) In recreational areas no vessel more than 65 feet in length shall be placed in or operated on the fresh waters, except the Great Lakes: *Provided, however,* That this paragraph shall not apply to concession-operated sightseeing or ferrying vessels.

(q) No log boom, pier, dock, fence, pile, raft, anchorage, or other obstruction shall be installed in the waters.

(r) The provisions of this section shall not apply to vessels operated for official use by any agency of the United States, or of the States or political subdivisions thereof in which the waters are situated.

### § 3.15 Restricted waters.

(a) No vessel shall be operated on any waters which are zoned or marked as migratory bird waters, or for fish cultural or wildlife uses.

(b) No vessel shall approach any dam or other engineering works closer than the limits posted with appropriate signs or markers.

(c) The Superintendent may close or otherwise restrict the use of any body of water when necessary to protect life or property, or for any other emergency. Such restricted area shall be defined, whenever practicable, by signs or markers and shall be designated on a map or chart, copies of which shall be conspicuously posted at places such as public docks and launching sites.

(d) The Superintendent may, by the posting of appropriate signs, restrict the loading, unloading, or mooring of privately owned vessels at Government-owned docks, piers and floats.

(e) The Superintendent may, by the posting of appropriate signs, establish limitations on the time allowed for camping on or from vessels, either in single periods, or combined separate periods, in any area waters or portions thereof.

### § 3.16 Other safety requirements.

(a) All vessels, except motorboats of Classes 2 and 3 and motor vessels, shall be equipped with oars or paddles while underway.

(b) No vessel, while underway, shall carry more than a safe capacity load in persons or total weight, taking into consideration water and weather conditions, hull configuration, and intended use: *Provided*, That the passenger loading capacity defined in the "Certificate of Inspection" for vessels inspected by the U.S. Coast Guard shall govern over any limit ascertained by application of a formula for determining maximum safe loads.

(c) All vessels of open construction shall carry a suitable bailing bucket, in addition to whatever bilge pumps or automatic bailing devices with which the vessel may be equipped.

(d) All vessels, except those capable of being safely beached, shall be equipped with an anchor and line of sufficient weight and length to securely anchor such vessel.

### § 3.17 Water sanitation.

(a) In fresh waters, except the Great Lakes, the draining, dumping, or discharging of wastes or refuse, including human wastes, into the waters from any vessel is prohibited.

(b) In salt waters and in the Great Lakes, the draining, dumping, or discharging of wastes or refuse, including human wastes, into the waters from any vessel is prohibited within the boundary of the federally owned or controlled area administered by the National Park Service; or, if such boundary extends more than 1 mile from the mean low waterline of the nearest shore, within such 1-mile limit.

(c) All vessels shall have a waste receptacle aboard. Receptacles shall be emptied only into facilities provided at docks or other specified places.

[31 F.R. 16655, Dec. 29, 1966, as amended at 32 F.R. 8294, June 9, 1967]

### § 3.18 Inspections.

The Superintendent may at any time stop or board any vessel to examine documents, licenses or permits relating to operation of the vessel and to inspect such vessel to determine compliance with regulations.

## AMERICA'S NATURAL RESOURCES

*Created in 1849, the Department of the Interior—America's Department of Natural Resources—is concerned with the management, conservation, and development of the Nation's water, wildlife, mineral, forest, and park and recreational resources. It also has major responsibilities for Indian and territorial affairs.*

*As the Nation's principal conservation agency, the Department works to assure that nonrenewable resources are developed and used wisely, that park and recreational resources are conserved for the future, and that renewable resources make their full contribution to the progress, prosperity, and security of the United States—now and in the future.*

