Rhode Island: The Legal Requirements of Boating

Your Vessel’s Certificate of Number and Decals
◆ Requirements for vessel registration vary from state to state. In Rhode Island, you must have a Certificate of Number (registration card) and validation decals to operate your vessel legally on Rhode Island’s public waters. The only exceptions are:
  • A vessel properly registered in another state using Rhode Island waters for 90 days or less or vessels from another country temporarily using Rhode Island waters
  • Ship’s lifeboats or vessels used only for racing
  • A rowboat less than 12 feet long, or a canoe or kayak
◆ The Certificate of Number and validation decals are obtained by submitting the proper application form and fee to:
  Department of Environmental Management Licensing and Registration
  235 Promenade Street
  Providence, RI 02908
tel: 401-222-6647
◆ The Certificate of Number (pocket-sized registration card) must be on board and available for inspection by an enforcement officer whenever the vessel is operated.
◆ The registration number (sequence of letters and numbers) and decals must be displayed as follows.
  • Number must be painted, applied as a decal, or otherwise affixed to the forward half of each side of the vessel as high above the waterline as possible.
  • Number must read from left to right on both sides of the bow.
  • Number must be in at least three-inch high, bold, BLOCK letters.
  • Number’s color must contrast sharply with its background.
  • Letters must be separated from the numbers by a space or hyphen: RI  3717  ZW or RI-3717-ZW.
  • No other numbers may be displayed on the forward half of the vessel.
  • Decals must be affixed to the right of, and in line with, the registration number on each side of the vessel.
◆ 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
◆ All vessels must be titled, except ship’s lifeboats, non-motorized inflatable vessels, surfboards, rowboats, documented vessels, and vessels less than 14 feet long.
◆ A vessel’s registration is valid for two years and expires on the last day of February.
◆ Outboard engines also must be registered. However, for outboard engines, it is a one-time registration—the registration does not expire.
◆ If ownership of a vessel changes, a new registration application must be filed. The registration number assigned to the vessel will remain the same.
◆ If you change your address or transfer your interest in the vessel, or if the vessel is abandoned, destroyed, or stolen, you must notify the Rhode Island Department of Environmental Management within 15 days.
◆ If you lose or destroy your Certificate of Number or title, you must complete a “duplicate” form and submit a processing fee within 30 days.
Larger recreational vessels owned by U.S. citizens may (at the option of the owner) be documented by the U.S. Coast Guard (USCG). Call the USCG at 1-800-799-8362 for more information. Documented vessels used primarily in Rhode Island must be registered with the state also. The documentation number will be used as the registration number. The vessel must display the validation decals issued by the state on each side of the vessel where most visible.

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 is homemade, the Department of Environmental Management will issue an HIN for your vessel and instruct you how to attach it permanently.
- It is illegal to destroy, remove, cover, or mutilate a hull identification number.

Who May Operate a Vessel

- All those born on or after January 1, 1986, are required to pass an approved boater education course before they legally may operate any vessel powered by a motor of more than 10 horsepower.
- Anyone operating a personal watercraft, regardless of age, must have passed an approved boater education course.
- The boater education course must be one that is approved by the Rhode Island Department of Environmental Management.
- Operators who are required to have passed a boater education course must carry on board their certificate of completion. The Rhode Island Department of Environmental Management will issue certificates of completion to boaters passing approved courses.
- Operators of vessels other than personal watercraft are exempt from the requirements above for any of the following reasons.
  - They are supervised on board by a person 18 years of age or older who has met the education requirements or ...
  - They hold a valid commercial vessel operator’s license or ...
  - They are not a resident of Rhode Island and meet the requirements of their state of residence or ...
  - They have been a resident of Rhode Island for 60 days or less or ...
  - They are operating a rented vessel and have successfully completed the requirements for renters (renters of vessels powered by a motor of more than 10 horsepower must watch an instructional video and pass a written examination prior to operation).
- There are no exemptions for personal watercraft operators. All PWC operators must have passed an approved boating safety course in Rhode Island or their state of residence.
Unlawful Operation of a Vessel

Rhode Island law provides regulations that apply to all vessel operators boating on Rhode Island waters.

- The failure to exercise the care necessary to prevent the endangerment of life, limb, or property of any other person is illegal.
- It is illegal to operate a vessel within any marked restricted areas such as swimming areas.
- No one may operate a vessel in any harbor, inlet, pond, or any other confined body of water in Rhode Island at a speed in excess of:
  - 45 miles per hour from sunrise to sunset and ...
  - 25 miles per hour from sunset to sunrise or during other periods of restricted visibility such as fog.
- It is illegal to exceed any posted speed limits. For example, harbors may be marked as “maximum speed 5 miles per hour—no wake” zones.
- It is illegal to enter any posted exclusionary zones.
- You may not dock or secure your vessel to a pier, wharf, or any other shore structure without the consent of the owner of the structure except in the case of an emergency.
- As an owner of a vessel, you are responsible for any damage or injury caused by the negligent operation of your vessel if it is being operated with your express or implied consent. If the vessel is being operated by an immediate family member, it is presumed that you have given consent.
- Some waterways in Rhode Island may have special regulations such as horsepower restrictions, speed limits, or limits on when certain watercraft may be used. Be sure to check for special restrictions on a waterway before going boating.

Attention Boaters

After the terrible events of September 11, 2001, federal, state, and local governmental bodies have determined that there is a real threat to some of our nation’s waterfront facilities such as nuclear power plants, dams, locks, military facilities, and other critical port facilities. In many instances, safety zones or exclusionary zones have been established and are being patrolled by federal and local law enforcement and, in some cases, military units. These areas are vital to national security and to the safety of all.

In some cases, moving safety zones are established around high-risk ships as they navigate through a harbor area to their berth or unloading terminal.

As a responsible boater, it is your duty to make sure that you pay attention to the orders of these patrols and heed the directions of law enforcement/security personnel. Failure to obey orders can subject violators to severe penalties.

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.

REMEMBER ...

Personal watercraft operators must obey all boating laws and also must obey additional laws that apply only to PWCs. See page 35 for unlawful operation laws that apply specifically to PWCs.

"no wake speed"

A speed at which the vessel does not produce a wake, not to exceed 5 miles per hour

Stay up-to-date on new boating laws!

Be sure to stay abreast of new boating laws and requirements.

For state boating law information, contact the Rhode Island Department of Environmental Management’s Division of Law Enforcement at:
- 401-222-2284 or
- www.dem.ri.gov

For federal boating laws, visit the U.S. Coast Guard’s boating safety website at:
- www.uscgboating.org

Information in this manual does not replace what is specifically legal for boating in Rhode Island, which is found in the Rhode Island General Laws and federal laws.
Rhode Island law prohibits anyone from boating while intoxicated (BWI). This includes the operation of any powerboat, sailboat, personal watercraft, water skis, sailboard, or similar device. Intoxicated means a person is under the influence of alcohol, a controlled substance, or drugs such that his or her thoughts or actions are impaired, causing a danger to others. 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.

Rhode Island law sets the blood alcohol limit for boating while intoxicated at 0.08% or greater.

Rhode Island law establishes penalties for boating while intoxicated. Penalties are set according to the Blood Alcohol Concentration (BAC) that is detected.

- **On a first conviction for offenders with a BAC of less than 0.10%, the penalties are:**
  - $100-$250 fine
  - Right to operate a vessel suspended for up to 45 days
  - 10-60 hours of community service
  - Required attendance at a boating safety course
  - $500 boating safety assessment fee
- **On a first conviction for offenders with a BAC over 0.10%, the penalties are:**
  - $100-$300 fine and/or imprisonment for up to one year
  - Right to operate a vessel suspended for up to three to six months
  - 10-60 hours of community service
  - Required attendance at a boating safety course and/or an alcohol/drug treatment class
  - $500 boating safety assessment fee

Operating a vessel while operating privileges are suspended carries additional penalties, including imprisonment and loss of operating privileges for two additional years.

Any convicted offender who had a child under 13 years of age on board the vessel may be imprisoned for up to one year. This imprisonment cannot be deferred or suspended.

An operator under 21 years of age who is convicted of BWI or for refusing to submit to chemical testing (see below) also may have his or her motor vehicle driver's license suspended for one year, lose the right to operate a vessel for up to an additional six months, and have the vessel’s registration suspended.

Subsequent convictions within a five-year period carry higher fines and other severe penalties, including imprisonment for up to five years and seizure of the offender’s vessel.

By operating a vessel on Rhode Island waters, you have consented to be tested for alcohol and/or drugs if requested by a law enforcement official. Refusal to submit to testing carries an automatic fine of $300, a $700 assessment fee, up to 60 hours of community service, and loss of boating privileges for one year. Fines and penalties will increase substantially with subsequent offenses.

**Obstructing Navigation**

Vessel operators should always be considerate of other vessel operators even when stopping to anchor or mooring. 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.
Personal Flotation Devices (Life Jackets)

All vessels must be equipped with U.S. Coast Guard–approved life jackets, also 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 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.

PFD Requirements

- All vessels must have at least one U.S. Coast Guard–approved Type I, II, or III life jacket for each person on board.

- In addition to the above requirement, one U.S. Coast Guard–approved Type IV PFD must be on board vessels 16 feet or longer.

- All PFDs must be in good and serviceable condition and readily accessible. Wearable PFDs (life jackets) must be of the proper size for the intended wearer. Sizing for life jackets is based on body weight and chest size.

- Children under 13 years of age must wear a U.S. Coast Guard–approved PFD (life jacket) while underway in a recreational vessel less than 65 feet in length unless below deck or in an enclosed cabin.

- Each person being towed behind a vessel on water skis, a surfboard, or other device must wear a U.S. Coast Guard–approved life jacket.

- Each person riding on a PWC must wear a U.S. Coast Guard–approved Type I, II, or III life jacket.

- A Type V life jacket may be substituted for any other type if it is specifically approved by the U.S. Coast Guard for the activity at hand.
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 equipped with an engine are required to have a Type B, U.S. Coast Guard–approved fire extinguisher on board. Vessels equipped with an outboard engine and less than 26 feet in length are exempt from this requirement if they have an open construction that does not allow flammable gases or vapors to be trapped.
- 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.

**Boater’s Tip**

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.

**Remember …**

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

Vessel operators may not hear sound signals or voices if the engine is not adequately muffled.

- All vessels equipped with an engine must have a factory-type muffler or exhaust water manifold installed on the engine or another effective muffling system for noise reduction purposes.
- The use of cutouts is prohibited except for vessels participating in permitted marine events.
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 or red 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.

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.

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.
Visual Distress Signals

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 used on Rhode Island waters or on federally controlled waters must be equipped with visual distress signals that are U.S. Coast Guard–approved, in serviceable condition, and readily accessible.
- 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.

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<thead>
<tr>
<th>If on State or Federally Controlled Waters</th>
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<tbody>
<tr>
<td><strong>Day</strong> (sunrise to sunset)</td>
<td><strong>Night</strong> (sunset to sunrise)</td>
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<tr>
<td>Vessels less than 16 feet long</td>
<td>None required</td>
</tr>
<tr>
<td>Manually propelled vessels</td>
<td>None required</td>
</tr>
<tr>
<td>Non-motorized open sailboats less than 26 feet long</td>
<td>None required</td>
</tr>
<tr>
<td>All other vessels</td>
<td>3 day (or day/night) VDSs</td>
</tr>
</tbody>
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Pyrotechnic Visual Distress Signals
- Orange Smoke—Handheld
- Orange Smoke—Floating
- Red Meteor
- Red Flare

Non-Pyrotechnic Visual Distress Signals
- Electric Light
- Orange Flag

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.

Don’t “cry wolf”…

It is illegal to knowingly transmit a false distress or hoax call, whether it be by radio, telephone, emergency flares, or any other means of communication. Under Rhode Island law, the penalty for a false distress or hoax call is a $1,000 fine, one year in jail, and reimbursement of emergency response costs.

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, 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.

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 less than 65.6 feet in length operating on Rhode Island waters.
• Vessels less than 26 feet in length, which includes PWCs, are required to carry on board some means of making an efficient sound signal.
• Vessels that are 26 feet up to 39.4 feet in length are required to carry on board some means of making an efficient sound signal and a fog bell.
• Vessels that are 39.4 feet to less than 65.6 feet in length are required to carry on board a whistle audible for at least one-half mile and a fog bell. A police whistle or its equivalent is not acceptable.

◆ 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.

Other Equipment and Regulations
◆ **Diver-Down Flags:** Persons scuba diving, skin diving, or snorkeling in Rhode Island waters where vessels are used must display a diver-down flag to mark their diving area. Vessels propelled by engines must remain at least 50 feet away from a diver-down flag, unless doing so would prevent safe navigation. Two types of flags are used to indicate diving activity.
• A rectangular red flag with a white diagonal stripe (¼ the width of the flag) is required on Rhode Island waters.
  - If the flag is displayed on the water, it must be at least 12 x 12 inches.
  - If the flag is flown from a vessel, it must be at least 18 x 18 inches.
  - The flag must be in place only while diving operations are in progress.
  - If diving between sunset and sunrise, the flag must be illuminated.
• 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.

◆ **Marine Events:** You must apply for a permit at least 15 days in advance in order to hold a race, regatta, parade, or tournament involving vessels propelled by engines on Rhode Island waters. Permits for events held on federally controlled waters are granted through the U.S. Coast Guard by applying at least 30 days in advance.

◆ **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 a PWC must wear a U.S. Coast Guard–approved Type I, II, III, or V personal flotation device (life jacket).
- If the PWC is equipped with a lanyard-type ignition safety switch, the lanyard must be attached to the person, clothing, or life jacket of the operator.
- PWCs may not be operated between one-half hour after sunset and one-half hour before sunrise.
- PWCs must be operated in a reasonable and prudent manner at all times. For example, it is illegal to:
  - Jump the wake of another vessel unnecessarily close to the other vessel.
  - Weave your PWC through congested traffic.
  - Swerve at the last moment to avoid collision.
- No one may operate a PWC at greater than headway speed within 200 feet of swimmers, divers, the shoreline, or moored vessels.
- When launched from shore or returning to shore, PWCs must proceed directly to the area where operation is allowed in a direction as near perpendicular as possible and not in excess of headway speed.
- Anyone operating a PWC, regardless of age, must have passed an approved boater education course (see page 26). It is illegal for the owner of a PWC to knowingly permit operation of his or her PWC in violation of this law.
- Some waters may have local regulations that limit or prohibit the operation of personal watercraft. Be sure to check local regulations before going boating.

Towing a Person With a Vessel Legally

In addition to adhering to laws as they apply to all vessels, operators towing a person(s) on water skis, surfboards, or any device of this type must obey these laws.

- It is illegal for vessels to tow persons on water skis, surfboards, or any device of this type between one-half hour after sunset and one-half hour before sunrise.
- Every vessel towing a person(s) on water skis, a surfboard, or a similar device must have an observer on board, in addition to the vessel operator, who is 12 years of age or older and in a position to observe the skier(s).
- Each person being towed behind a vessel on water skis, a surfboard, or other device must wear a U.S. Coast Guard–approved life jacket.
- A reasonable distance from other vessels, people, and property must be maintained while towing so as not to endanger life or property. It is illegal to cause the towed device or person being towed to collide with any object or person.
Waste, Oil, and Trash Disposal in Rhode Island and Federal Waters
◆ It is illegal to discharge waste, oil, or trash into any Rhode Island 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
◆ It is illegal to discharge any treated or untreated sewage into the waters of Rhode Island. All waters of Rhode Island have been declared “No Discharge Zones.”
◆ If you have a recreational vessel with installed toilet facilities, it must have an operable marine sanitation device (MSD) on board and be sealed to prevent discharge into the water.
◆ 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.
◆ Vessels 65 feet or less in length may use a Type I, II, or III MSD. Vessels more than 65 feet in length must install a Type II or III MSD.
◆ All installed devices must be U.S. Coast Guard–certified.
◆ It is illegal for a vessel with a permanently installed marine toilet to operate or moor for more than 30 days on state waters unless such vessel prominently displays a valid “no discharge certification” decal.
• There are two possible decals. One decal indicates that the boat owner or operator has taken the steps necessary to prevent the discharge of sewage into state waters. The other decal shows that the boat has no marine toilet or no through-hull fitting that would allow sewage to be discharged overboard.
• The decal is valid for four years and may be obtained from any certification agent upon inspection and testing of toilets, MSDs, and related plumbing on the boat.
• Vessels carrying a valid U.S. Coast Guard certificate of inspection are exempt.
• Failure to display a decal may result in a fine of up to $100.
• For a list of authorized MSD certification agents, visit the DEM website at: www.dem.ri.gov/programs/benviron/water/shellfish/pump/index.htm

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 National Response Center 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 also must call the Rhode Island Department of Environmental Management 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:

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 National Response Center by calling:
❖ 1-800-424-8802.
Also notify the Rhode Island Department of Environmental Management by calling:
❖ 401-222-1360.
After hours or for emergencies, contact the Environmental Police at:
❖ 401-222-3070.

Stop the Spread of Nuisance Species!

Introducing non-native species into Rhode Island 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.

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Boating Accident Report Form

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 or owners whose vessel is involved in an accident, casualty, vandalism, or theft must report the incident immediately to the Department of Environmental Management or to a nearby state or local police office if the incident results in:
  - Death or disappearance of a person or ...
  - Injury to a person or ...
  - Property damage or loss exceeding $2,000.
- Vessel owners whose vessel is involved in an accident, casualty, vandalism, or theft exceeding $2,000 must make written reports of damages or losses within five days of the incident. Report forms are available by contacting DEM’s Division of Law Enforcement Office at 401-222-2284 or on the Internet at: www.dem.ri.gov/programs/bnatres/enforce/pdfs/boatacc.pdf
- Vessel operators who cause serious bodily injury to another person due to reckless operation will be charged with “operating so as to endanger, resulting in personal injury” and, if convicted, be imprisoned for up to five years.
- Vessel operators who cause the death of another person due to reckless operation will be charged with “operating so as to endanger, resulting in death” and, if convicted, be imprisoned for up to ten years.

Enforcement

Officers of the Department of Environmental Management’s Environmental Police, harbormasters, and police officers have the authority to enforce the boating laws of Rhode Island. The U.S. Coast Guard also has enforcement authority on federally controlled waters.
- It is illegal to refuse to stop or move when commanded to do so by a person with enforcement authority.
- The officer has the authority to stop and board your vessel in order to check that you are complying with state and federal laws.