

**CHAPTER 82**  
**BOATING REGULATIONS**

**Authority**

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**Chapter Historical Note**

Chapter 82, Boating Regulations, was adopted as R.1994 d.205, effective April 18, 1994. See: 26 N.J.R. 744(a), 26 N.J.R. 1673(a).

Subchapter 9, Certificate of Ownership Fees, was adopted as R.1995 d.365, effective July 3, 1995. See: 27 N.J.R. 1521(b), 27 N.J.R. 2592(b).

Pursuant to Executive Order No. 66(1978), Chapter 82, Boating Regulations, was readopted as R.1999 d.127, effective March 24, 1999. See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

Chapter 82, Boating Regulations, was readopted as R.2004 d.318, effective July 22, 2004. See: Source and Effective Date.

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## SUBCHAPTER 1. EQUIPMENT

**13:82-1.1 Scope**

The rules in this chapter shall govern the operation of vessels on tidal and nontidal waters of the State of New Jersey.

**13:82-1.2 Construction**

(a) These rules shall be liberally construed to permit the Department and its various agencies to discharge statutory functions.

(b) As used in these rules, "Department" means the Department of Law and Public Safety, "Commission" means the Boat Regulation Commission, and "State Police" means the Division of State Police.

(c) These rules are to be construed consistent with Federal law and all regulations adopted by the United States Coast Guard, as amended and as may be amended, and other applicable laws or regulations relating to vessels.

Amended by R.1999 d.127, effective April 19, 1999.

See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

In (a), deleted a reference to the Marine Law Enforcement Bureau; and rewrote (b) and (c).

Administrative change.

See: 32 N.J.R. 2909(b).

**13:82-1.3 Equipment**

(a) No person shall operate or allow any person to operate any motorboat in or on the waters of this State unless said motorboat is carrying on board the minimum equipment for motorboats as is required in 33 C.F.R. Part 175, amendments thereto and as may be amended.

(b) Whenever such motorboat is in operation, this equipment shall be produced by the operator or the captain of the motorboat upon the request of a law enforcement officer of this State.

(c) Failure to produce such equipment will be a violation of this section.

Amended by R.1999 d.127, effective April 19, 1999.

See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

Rewrote (a).

**13:82-1.4 Personal flotation devices**

(a) No person shall operate or allow any person to operate any vessel in or on the waters of this State unless such vessel has a serviceable United States Coast Guard approved personal flotation device (PFD) for each person on board. Such PFD shall be of the type(s) and number(s) required by the United States Coast Guard for a vessel of that class operating on navigable waters. This section applies to all vessels except surfboards, racing shells, rowing sculls and racing kayaks.

(b) In accordance with P.L. 1999, c.161, every person who operates a vessel on the waters of this State with a child 12 years of age or younger on board shall have the child wear a properly fitted United States Coast Guard approved PFD whenever the vessel is underway. The PFD shall be fully secured on the child by all means provided in accordance with the manufacturer's instructions.

(c) Subsection (b) above shall not apply when the child is inside a fully enclosed cabin that is a permanent, non-removable part of the vessel that is intended by the vessel's manufacturer to carry passengers.

(d) The following classes of vessels shall be exempt from the requirements of (b) above:

1. Vessels owned and operated by the United States;
2. Vessels owned or operated by the State of New Jersey or an agency thereof, a county, a municipality, a volunteer first aid, rescue or emergency squad, a search and rescue unit established within a fire district created pursuant to N.J.S.A. 40A:14-70 or a volunteer fire company created pursuant to N.J.S.A. 40A:14-70.1 when a child is on board as a direct result of being rescued from an emergency situation;
3. Commercial vessels; and
4. Ferries.

(e) For the purposes of this section, "commercial vessel" means any vessel longer than 65 feet operated for a purpose that requires a United States Coast Guard Operator's or Master's License. "Ferry" means any vessel longer than 65 feet operating on a short run on a frequent schedule between two points offering a public service of a type normally attributed to a bridge or tunnel.

Amended by R.1999 d.127, effective April 19, 1999.

See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

Substituted "section applies to" for "rule includes" in the last sentence.

Amended by R.2000 d.89, effective March 6, 2000.

See: 31 N.J.R. 2465(a), 32 N.J.R. 814(a).

Added (a) designation; and added (b) through (e).

**13:82-1.5 Rotating lights**

(a) No vessel shall display a rotating or sequential flashing light except as provided in this section.

(b) Any law enforcement or emergency vessel may display a rotating blue light beacon.

(c) Any vessel engaged in activity recognized by the Coast Guard as being eligible for its use may display a rotating red and yellow light.

**13:82-1.6 Siren**

No vessel shall be equipped with, nor shall any person use upon a vessel, any siren except as otherwise permitted in this section. It is permissible that any vessel be equipped with a theft alarm signal device which is so arranged that it cannot be used by the operator as an ordinary warning

signal. This section shall not apply to any vessel operated by or for the Department, a first aid squad, or a police or fire department.

Amended by R.1999 d.127, effective April 19, 1999.  
See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

**13:82-1.7 Speed**

(a) No person shall operate a power vessel or allow a power vessel to be operated in a manner where the speed and/or wake of the power vessel may cause danger or injury to life or limb or damage to property.

(b) All power vessels shall reduce their speed to slow speed/no wake when passing:

1. Any marina, pier, dock, wharf or abutment at a distance of 200 feet or less, except on Lake Hopatcong, which shall be in accordance with N.J.A.C. 13:82-3.11;
2. Work barges or work floats while actually engaged in construction;
3. Through bridge spans;
4. Through lagoons, canals and confined areas of less than 200 feet in width;
5. Vessels not under command; or
6. Emergency vessels displaying sequential flashing or rotating blue lights.

(c) "Slow Speed/No Wake" as used in this section means the speed at which a power vessel moves through the water and is able to maintain minimum headway in relation to the vessel or structure being passed and producing the minimum wake possible.

(d) All power vessels, when moving through an area not specified in (b) above that has been designated as a "Slow Speed/No Wake" area by the State Police either by buoys or by signs stating "Slow Speed" and/or "No Wake" shall reduce their speed to "Slow Speed/No Wake."

(e) A "Slow Speed/No Wake" area is any area defined in (b) above and any area within 200 feet of a State Police authorized "Slow Speed/No Wake" sign or buoy.

(f) No person shall place, anchor, or construct any buoy that states or implies that an area is a "Slow Speed/No Wake" area pursuant to (a) through (e) above. The State Police may remove or have removed any such unauthorized buoy.

Amended by R.1999 d.127, effective April 19, 1999.  
See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

In (a), inserted a reference to wakes, and deleted a former second sentence; in (b), substituted "slow speed/no wake" for "a slow speed" in the introductory paragraph; rewrote (c) and (d); and added (e) and (f).

**13:82-1.8 Rules of the road**

All vessels navigating the waters of this State shall comply with the inland rules of the road as set forth by the Coast Guard, except where the international rules of the road are applicable.

**13:82-1.9 Anchoring near aid to navigation**

No person shall anchor or cause to be anchored, tie or cause to be tied any power vessel, rowboat, sailboat, canoe, or any other vessel to or within a radius of 50 feet of any light, beacon, buoy, or any other aid to navigation, except in an emergency. This section shall not apply to vessels operated by the State or Federal Government for the maintenance, replacement or survey of navigation aids.

**13:82-1.10 Anchoring in channels**

(a) No person shall operate any vessel in a manner which shall unreasonably interfere with other vessels or with free and proper navigation of the waterways.

(b) Anchoring in heavily traveled channels or main thoroughfares shall constitute such interference if unreasonable in the prevailing circumstances.

(c) No person shall tie up or anchor vessels or other craft in navigable channels in such a manner as to prevent or obstruct the passage of other vessels or craft, or carelessly sink or permit or cause to be sunk, or except in an emergency, voluntarily sink or permit or cause to be sunk a vessel or other craft in a navigable channel.

**13:82-1.11 Transversing race course**

No vessel shall move across the course or around the course of any race or regatta so as to create a water condition which shall unnecessarily endanger the life, limb or craft of those competing in the race or regatta.

Amended by R.1999 d.127, effective April 19, 1999.  
See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

Substituted a reference to vessels for a reference to boats.

**13:82-1.12 Obeying orders**

No person shall fail to stop or lay to when ordered to do so by any law enforcement officer.

**13:82-1.13 Riders**

(a) The operator of a power vessel shall not allow any person to ride in any position that would unduly endanger life or limb nor allow passengers or cargo in excess of the maximum capacity stated on the manufacturer's or U.S. Coast Guard information label.

1. This prohibition includes, but is not limited to, any position where the person may be in grave danger of falling overboard.

2. This prohibition excludes all positions which may be necessary for the operation or safety of the vessel.

**13:82-1.14 Altered motor numbers**

Any person who shall have in his or her possession any motor, whether inboard or outboard, the motor number of which has been altered or mutilated, or who shall come into possession of such a motor, shall at once file in writing with

the State Police a statement setting forth all circumstances in connection with his or her possession of such motor.

Amended by R.1999 d.127, effective April 19, 1999.

See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

Substituted "State Police" for "Bureau" preceding "a statement".

### 13:82-1.15 Lanyard cut-off switch

The operator of a vessel equipped with a lanyard cut-off switch shall wear the safety switch lanyard at all times when the vessel is in operation.

### 13:82-1.16 Exclusion of racing events

The provisions of this subchapter shall not apply to any vessel or to any operator while actually competing in an authorized race as in N.J.A.C. 13:82-4.6, held under the auspices of a duly incorporated yacht club or racing association.

### 13:82-1.17 Finding

(a) Any person finding, recovering or coming into possession of any vessel other than through normal purchase, loan, rental, charter, or gift, shall notify the State Police within 24 hours.

(b) The notification shall include a description of the vessel and the specific location where it was found or recovered.

Amended by R.1999 d.127, effective April 19, 1999.

See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

In (a), substituted "State Police" for "Bureau".

### 13:82-1.18 Obstruction to navigation

No person shall place, anchor, or construct or cause to be placed, anchored or constructed, any float or diving platform more than 25 feet from shore on any non-tidal waters where power vessels are permitted without the written approval of the State Police. Permitted floats or platforms that remain in the water between sunset and sunrise shall be marked by warning lights as required by the United States Coast Guard Navigation Rules International—Inland Annex V Rule 88.13. A copy of the Rule may be obtained from the State Police.

Amended by R.1999 d.127, effective April 19, 1999.

See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

Rewrote the section.

### 13:82-1.19 Nonlicensed operator

Any person owning a power vessel shall not knowingly allow it to be operated by a nonlicensed operator in waters where a license is required.

Amended by R.1999 d.127, effective April 19, 1999.

See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

Deleted a reference to motors.

## SUBCHAPTER 2. REPORTING OF BOATING ACCIDENTS

### 13:82-2.1 Reporting of boating accidents

(a) Pursuant to N.J.S.A. 12:7-34.46 and 33 C.F.R. § 173.1 et seq., the operator or operators shall report all boating accidents in which a person loses consciousness or receives medical treatment or is disabled for more than 24 hours to the State Police within 48 hours. Such reports shall be in writing on forms furnished by the State Police.

(b) In addition to the written report, required within 48 hours, when, as a result of an occurrence that involves a vessel or its equipment, a person dies or disappears from a vessel or its equipment, the operator shall, without delay, by the quickest means available, notify the nearest State Police station of the following:

1. The date, time and exact location of the occurrence;
2. The name of each person who died or disappeared;
3. The number and name of the vessel; and
4. The name and addresses of the owner and operator.

(c) When the operator of a vessel cannot give the notice or file the report required by (a) or (b) above, each person on board the vessel shall notify the State Police station or determine that the notice has been given or the report has been filed.

(d) If damage to the vessel and other property totals more than \$500.00, the operator or operators shall file a written report within 10 days on forms furnished by the State Police.

(e) The written report required in (a), (b) and (d) above shall include the following information:

1. The numbers and names of each vessel involved;
2. The name and address of each owner of each vessel involved;
3. The name of the nearest city or town, the county, the State and the body of water;
4. The time and the date of the casualty or accident;
5. The location on the water;
6. The visibility, weather and water conditions;
7. The estimated air and water temperatures;
8. The name, address, age or date of birth, telephone number, vessel operating experience, and boating safety training of the operator making the report;
9. The name and address of each operator of each vessel involved;
10. The number of persons on board or towed on skis by each vessel;

11. The name, address, and date of birth of each person injured or killed;

12. The cause of each death;

13. Weather forecasts available to, and weather reports used by the operator before and during the use of the vessel;

14. The name and address of each owner of property involved;

15. The availability and use of personal flotation devices;

16. The type and amount of each fire extinguisher used;

17. The nature and extent of each injury;

18. A description of all property damage with an estimate of the cost of all repairs;

19. A description of each equipment failure that caused or contributed to the cause of the casualty;

20. A description of the vessel casualty or accident;

21. The type of vessel operation (cruising, drifting, fishing, hunting, skiing, racing, or other), and the type of accident (capsizing, sinking, fire or explosion or other);

22. The opinion of the person making the report as to the cause of the casualty;

23. The make, model, type (open cabin, house or other), beam width at widest point, length, depth from transom to keel, horsepower, propulsion (outboard, inboard, inboard outdrive, sail, or other), fuel (gas, diesel or other), construction (wood, steel, aluminum, plastic, fiberglass, or other), and year built (model year), of the reporting operator's vessel;

24. The name, address, and telephone number of each witness;

25. The issued hull identification number, if any of the reporting operator's vessel; and

26. The name, address, and telephone number of the person submitting the report.

(f) When the operator of a vessel or other persons aboard cannot submit the casualty or accident report as required, the owner of the vessel shall submit the casualty or accident report.

Amended by R.1999 d.127, effective April 19, 1999.

See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

Rewrote (a) and (d); and in the introductory paragraph of (b) and in (c), substituted "State Police" for "Bureau" preceding "station".

Amended by R.2001 d.129, effective April 16, 2001.

See: 32 N.J.R. 4047(a), 33 N.J.R. 1204(b).

In (d), substituted "10" for "15".

## SUBCHAPTER 3. OPERATIONAL REGULATIONS

### 13:82-3.1 General provisions

(a) "Waterskiing" means anything with a rider being towed by a power vessel by means of a tow rope, tow line, or training boom, except another vessel being towed.

(b) All power vessels conducting waterskiing operations shall, while underway, keep at least 200 feet distant from any wharf, marina, dock, pier, bridge structure, abutment, or persons in the water, and 100 feet from other vessels, any shore, approved aid to navigation or mooring except specifically provided otherwise in these regulations.

(c) All power vessels conducting waterskiing operations shall have a crew of at least two persons, one of whom shall be a competent observer, and shall have adequate space on the vessel for the waterskiing participant.

(d) Tow lines shall be not less than 35 feet nor more than 75 feet in length, except as specifically provided otherwise in these regulations.

(e) Waterskiing is permitted only between sunrise and sunset, except as specifically provided otherwise in these regulations.

(f) Waterskiers shall wear a United States Coast Guard approved Type I, II, III or Type V Hybrid personal flotation device, except that a barefoot wetsuit may be worn during sanctioned competitions or shows and while training for such events, as long as there is a United States Coast Guard approved wearable personal flotation device on board the vessel for each skier.

(g) All ski boats shall display a signal pennant, which shall be orange in color and triangular in shape and not less than 12 inches on any dimension.

1. Said pennant shall be displayed at least four feet above the highest structure on the boat during each of the following activities:

- i. While pulling or retrieving a skier;
- ii. While a skier is in the water; or
- iii. While a tow line is in the water.

2. A person shall not display the pennant at any time other than while conducting any of the activities described in this subsection.

(h) The Commission shall, upon application, waive any one or more of the above requirements for events of public entertainment on any wholly-owned private lake, provided that it finds the event to be consistent with the interests of boating safety.

Amended by R.1998 d.198, effective April 20, 1998.

See: 30 N.J.R. 26(a), 30 N.J.R. 1422(b).

In (h), substituted "shall" for "may" following "Commission".

Amended by R.1999 d.127, effective April 19, 1999.  
See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

**13:82-3.2 Beaver Dam Creek, Point Pleasant and Brick Town, Ocean County**

No skiing shall be permitted in the north and south branches of Beaver Dam Creek west of Beaver Dam Road bridge.

**13:82-3.3 Deal Lake, Monmouth County**

(a) Water-skiing is permitted east of the Main Street bridge only.

(b) Skiing under Norwood Avenue bridge is prohibited.

(c) Tow lines shall not exceed 65 feet in length.

(d) Barefoot skiing, kite flying, para-sailing and ski-jumping are prohibited, except for specific exhibitions requiring a permit from the State of New Jersey, as required by law.

**13:82-3.4 Grinnel Lake, Sussex County**

(a) A maximum of two power vessels each towing a single skier shall be allowed on the ski course simultaneously.

(b) The skiing course is established as follows:

1. Commencing at a point approximately 100 feet south of Risse's point running in a counterclockwise direction.

2. Commencing at a point approximately 100 feet north of the northern shore of the island and continuing in a circle in a counterclockwise direction.

3. The course shall be identified by white styrofoam markers placed at approximately 200 foot intervals.

4. An orange flag will designate the starting point which will also be the finishing point.

(c) The tow line shall not exceed 65 feet in length.

(d) Vessels towing skiers shall proceed in counterclockwise pattern around the lake and the island, and in the narrow area behind the island the skier shall remain directly behind the vessel.

(e) Under no circumstances will skiing be permitted between the "island" and the Lehigh and Hudson Railroad embankment.

(f) Skiing hours are as follows:

1. Weekdays—11:00 A.M. to 6:00 P.M.;

2. Saturday, Sunday, and holidays—10:00 A.M. to 12:00 P.M.; 2:00 P.M. to 5:00 P.M.

(g) Barefoot skiing, kite flying, para-sailing and ski-jumping are prohibited, except for specific exhibitions requiring a permit from the State of New Jersey as required by law.

**13:82-3.5 Indian Lake, Morris County**

(a) Water-skiing is prohibited before 8:00 A.M. and after sunset.

(b) All water-ski riders shall start all operations and terminate all operations at a single designated point.

1. The designated point is to be within wading distance of shore in the area known as "Monkey Island."

2. This requirement is not to be interpreted as to prohibit normal pickup of a spilled water-skier.

(c) Seven red marker buoys are to be placed and maintained in a central location on the waters of Indian Lake, around which all vessels will proceed counterclockwise, keeping said buoys on the left.

(d) Barefoot skiing, kite flying, parasail and ski jumping are prohibited, except for specific exhibitions requiring a permit from the State of New Jersey, as required by law.

**13:82-3.6 Paulinskill Lake, Sussex County**

(a) Water-skiing shall be permitted on Paulinskill Lake only within the designated ski course as described below.

1. The skiing course shall commence at a point approximately 2,000 feet northeast of Beach No. 2 and run in a northerly direction on a line established in the center of the lake, to a point at the northeastern end of the Paulinskill Lake Association tract (said point is also known and designated as the southwestern end of the Lennington or campground tract); thence turn 180 degrees and run in a southwesterly direction along the center of a lake to the finish point which shall be at approximately the same point as the starting area designated as 2,000 feet northeast of Beach No. 2.

2. The ski course described in (a)1 above, including the start, stop and turning areas, will be identified by marker buoys.

(b) Skiing hours are designated as follows:

1. Weekdays—10:00 A.M. to sunset;

2. Saturday, Sunday and Holidays—12:00 Noon to sunset.

(c) A skier shall begin the course at the designated start area and continue on the right hand side of the center line in a counterclockwise direction.

(d) Turning shall be permitted only in the designated areas except when retrieving a fallen skier.

(e) A boat with a skier just starting the course shall yield the right of way to a boat and skier turning to repeat the course.

(l) Individuals intending to engage in parasailing shall notify the State Police station nearest the area of operation 24 hours in advance. Commercial operators shall notify the State Police at least 10 days in advance of the commencement of annual operations.

(m) Parasail operators shall only launch and land riders from the flight deck of the vessels.

(n) Advertisement banner flying is prohibited.

(o) The Commission shall, upon application, waive any one or more of the above requirements for events of public entertainment on any wholly-owned private lake, provided that it finds the event to be consistent with the interests of boating safety.

Amended by R.1996 d.88, effective February 20, 1996.

See: 27 N.J.R. 4135(a), 28 N.J.R. 1222(a).

Amended by R.1998 d.197, effective April 20, 1998.

See: 30 N.J.R. 25(b), 30 N.J.R. 1423(a).

Rewrote (e).

Amended by R.1998 d.198, effective April 20, 1998.

See: 30 N.J.R. 26(a), 30 N.J.R. 1422(b).

Added (o).

Amended by R.1999 d.127, effective April 19, 1999.

See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

Rewrote (j); and in (l), substituted references to the State Police for references to the Marine Law Enforcement Bureau.

## SUBCHAPTER 7. MOTOR VEHICLES ON ICE- COVERED WATERS

### 13:82-7.1 Scope

The following rules in this subchapter shall govern the operation of motor vehicles on ice-covered waters of New Jersey.

### 13:82-7.2 Definitions

The following words and terms, as used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

“All-terrain vehicle” means a motor vehicle, designed to travel over all terrain, of a type possessing between three and six rubber tires and powered by a gasoline engine not exceeding 400 cubic centimeters, but shall not include golf-carts.

“Snowmobile” means any motor vehicle designed primarily to travel over ice or snow, of a type which uses sled-type runners, skis, and endless belt, tread, cleats, or any combination of those or other similar means of contact with the surface upon which is operated, but does not include any farm tractor, highway or other construction equipment or any military vehicle.

### 13:82-7.3 Prohibited operation

No person shall operate a motor vehicle, other than a snowmobile or all-terrain vehicle, upon the ice-covered waters of this State at any time. Operators and passengers on a snowmobile or all-terrain vehicle shall wear a Coast Guard approved Type I, Type II, Type III or Type V Hybrid personal flotation device while on ice-covered waters.

### 13:82-7.4 Violations

Violations of this subchapter shall be subject to penalties as provided by N.J.S.A. 12:7-34.51.

## SUBCHAPTER 8. REGISTRATION AND LICENSING

### 13:82-8.1 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

“Director” means the Director of the Division of Motor Vehicles.

“Division” means the Division of Motor Vehicles.

“Register,” “registration” and “registration certificate” as used in this subchapter are the equivalent of the terms “number,” “numbering” and “certificate of number” which are used in the amended “New Jersey Boat Act of 1962” which is found at N.J.S.A. 12:7-34.36 et seq.

Amended by R.1999 d.127, effective April 19, 1999.

See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

Deleted “Bureau” definition.

### 13:82-8.2 Numbering pattern

(a) The following numbering pattern for boats under the New Jersey numbering pattern is hereby established:

1. The identification numbers awarded under the State system shall consist of three parts:
  - i. The first part shall consist of the letters NJ indicating this State;
  - ii. The second part shall consist of not more than four Arabic numerals;
  - iii. The third part shall consist of not more than two letters.
2. The parts shall be separated by a hyphen or an equivalent space (as examples: NJ-1234-AA, NJ 9999 ZZ).
3. Since the letters “I,” “O,” and “Q” may be mistaken for numerals, they shall not be used in the suffix.

Amended by R.1999 d.127, effective April 19, 1999.

See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

In (a)2, changed second example.

### 13:82-8.3 Display of numbers on vessels

(a) The identification number awarded to any vessel under the New Jersey numbering system shall be displayed thereon by being:

1. Painted on, or attached to, each side of the bow (that is, the forward half) of the vessel; reading from left to right; and in such position as to provide maximum visibility;
2. In block characters of good proportion not less than three inches in height; and

3. Of a color which will contrast with the color of the background (that is, dark numbers on a light background, or light numbers on a dark background) and so maintained as to be clearly visible and legible.

(b) No other number shall be carried on the bow of the vessel.

(c) This section does not apply to the following:

1. A vessel for which a valid temporary certificate has been issued to its owner by the issuing authority in the state in which the vessel is principally used; and

2. A vessel documented in accordance with Part 67 of Title 46, Code of Federal Regulations.

#### 13:82-8.4 Application for number

(a) The application for a number shall include the following information:

1. The legal name and address of the owner including zip code;

2. The driver license number or corpcode;

3. The citizenship of owner;

4. The date of birth of owner;

5. The type of application (new number, initial number, renewal of number, transfer of ownership, duplicate registration, duplicate decal and so forth);

6. The owner's eye color, height and weight;

7. The previous number, if any;

8. The hull material (wood, steel, aluminum, fiberglass, other);

9. The hull identification number, if any;

10. The type of boat (open, cabin, houseboat, sail, auxiliary, canoe, other);

11. The type of propulsion (outboard, inboard, sail, inboard/outboard, electric, other);

12. The type of fuel (gas, diesel, other);

13. The make, model and year;

14. The length, measured from end to end over the deck excluding sheer;

15. The state of principal use;

16. The type of use (livery, commercial or pleasure);

17. A statement of ownership by applicant; and

18. The signature of the owner or owners.

#### 13:82-8.5 Registration certificate

(a) The registration certificate shall include the following:

1. The legal name and address of owner;

2. The number issued;

3. The driver license number or corpcode;

4. The expiration date;

5. The state of principal use;

6. The type of use;

7. The hull identification number;

8. The make and year of vessel;

9. The model or type of vessel;

10. The hull material (wood, steel, aluminum, fiberglass, other);

11. The length of vessel;

12. The propulsion (inboard, outboard, sail, inboard/outboard, electric, other); and

13. The fuel (diesel, gasoline or other).

#### 13:82-8.6 Duplicate registration certificates

(a) The fee for the issuance of a duplicate registration certificate for a vessel shall be \$5.00.

(b) The fee for new registration certificates in transfer of ownership shall be in accordance with the annual fees established by N.J.S.A. 12:7-34.47.

Amended by R.1995 d.365, effective July 3, 1995.

See: 27 N.J.R. 1521(b), 27 N.J.R. 2592(b).

In (a) increased the fee from \$3 to \$5.

#### 13:82-8.7 Transfer of registration certificates

All requests for transfer of ownership shall be accompanied by a registration application form, the original registration certificate issued by the Coast Guard or the State of New Jersey and the certificate of title for those vessels which are required to be titled. If the original registration certificate does not accompany the request, a statement as to the disposition of the original registration certificate shall be written on the reverse side of the registration application form.

Amended by R.1999 d.127, effective April 19, 1999.

See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

Substituted a reference to registration certificates for a reference to restriction certificates in the second sentence.

#### 13:82-8.8 Registration certificate; livery vessels

The registration certificate for vessels less than 26 feet in length and leased or rented to another for the latter's noncommercial use of less than 24 hours may be retained on shore by the vessel's owner or his or her representative at the place from which the vessel departs or returns to the possession of the owner or his representative.

**13:82-8.9 Operation of vessel; certificate**

(a) Except for vessels that are not required to be numbered pursuant to the New Jersey Boat Act of 1962 as amended, no person shall operate or use a vessel upon the waters of the State unless such vessel has on board:

1. A valid registration certificate or temporary registration certificate for that vessel; or
2. A copy of the lease or rental agreement, signed by the owner or his or her authorized representative and by the person leasing or renting the vessel, which agreement contains at least:
  - i. The vessel number that appears on the registration certificate; and
  - ii. The period of time for which the vessel is leased or rented.

(b) In addition to any other requirement, whenever a vessel is in operation, the registration certificate, lease or rental agreement shall be presented to any Federal, State or local law enforcement officer at his or her request.

(c) No person shall use or operate a vessel to which this section applies unless the required registration certificate or rental agreement is carried on board in such a manner that it can be handed to the inspecting person.

Amended by R.1999 d.127, effective April 19, 1999.  
See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

In (c), substituted "shall" for "may" following "person".

**13:82-8.10 Registration certificate; validity**

(a) In addition to any other provision, specifically N.J.A.C. 13:82-8.9, a registration certificate is invalid after the date upon which:

1. The person whose name appears on the registration certificate as owner of the vessel sells or transfers all of his or her ownership in the vessel, involuntarily loses his or her interest in the registered vessel by legal process or in any way disposes of the vessel;
2. The vessel is lost, destroyed or abandoned; or
3. The fees for the issuance or renewal of the certificate of number are not paid.

(b) A registration certificate is invalid 60 days after the day on which the vessel is no longer principally used in the State where the registration certificate was issued as required by Title 33 of the Code of Federal Regulations.

**13:82-8.11 Notification required**

(a) In addition to any other requirement, a person whose name appears as the owner of a vessel on a registration certificate shall within seven days notify the Division in writing of:

1. Any change in address from that shown on his registration certificate;
2. The theft or recovery of the vessel;
3. The loss or destruction of a valid registration certificate; or
4. Any condition which would invalidate the registration certificate.

(b) A person whose name appears as the owner of a vessel on a registration certificate shall within two weeks notify the Division of a change in name due to marriage, divorce or by order of court.

**13:82-8.12 Removal of numbers; removal of validation sticker**

(a) The person whose name appears on a registration certificate as the owner of a vessel shall remove the registration number and validation sticker from the vessel when:

1. The vessel is no longer principally used in the State where the registration certificate was issued; or
2. The registration certificate becomes invalid because the application for the registration certificate contains a false or fraudulent statement.

(b) The validation sticker shall be removed upon completion of a sale or transfer transaction whichever is sooner.

(c) Expired validation stickers shall be removed.

(d) When a vessel is documented under Part 67 of Title 46, Code of Federal Regulations, the owner shall:

1. Remove the registration number and validation sticker from each side of the bow or the forward half of the vessel; and
2. Conform to the provisions of N.J.A.C. 13:82-8.13, Display of validation sticker and fee for duplicate, where the vessel is subject to the provisions of N.J.S.A. 12:7-34.44a, Documented Vessels under 500 gross tons based in this State.

**13:82-8.13 Display of validation sticker and fee for duplicate**

(a) Every vessel on the waters of this State required to be registered shall display validation stickers to indicate the year of expiration of its registration. The validation stickers shall be displayed on each side of the vessel, three inches behind the State registration number assigned to the vessel, except for documented vessels.

(b) Those vessels documented under Part 67 of Title 46, Code of Federal Regulations and required to register with this State pursuant to N.J.S.A. 12:7-34.44a shall display a validation sticker on each side of the vessel in an area adjacent to the main steering station affixed to a vertical

surface plainly visible at all times from both the port and starboard sides.

(c) The fee for the issuance of a duplicate validation sticker shall be \$5.00.

Amended by R.1995 d.365, effective July 3, 1995.

See: 27 N.J.R. 1521(b), 27 N.J.R. 2592(b).

In (c) increased the fee from \$3 to \$5.

#### **13:82-8.14 Registration of manufacturers' and dealers' boats**

(a) Registration requirements of this section shall apply to boats operated by manufacturers and dealers.

(b) The description of the boat will be omitted from the registration certificate since the numbers and the registration certificate awarded may be transferred from one boat to another. In lieu of the description, the word "manufacturer" or "dealer," as appropriate will be plainly marked on each registration certificate.

(c) The manufacturer or dealer may have the registration number awarded printed upon or attached to a removable sign or signs to be temporarily but firmly mounted upon or attached to the boat being demonstrated or tested so long as the display meets the requirements of N.J.A.C. 13:82-8.3.

#### **13:82-8.15 Registration of livery boats**

(a) Registration requirements of this section shall apply to boats operated by livery and other rental agents.

(b) The word "livery" shall be plainly marked on each registration certificate.

(c) The livery or rental agent may have the number awarded printed upon or attached to a removable sign or signs to be temporarily but firmly mounted upon or attached to the boat being rented so long as the display meets the requirements of N.J.A.C. 13:82-8.3.

#### **13:82-8.16 Misstatements**

(a) No person shall make any misstatement of fact in an application for a registration number or an operator's license, or give a fictitious name or address.

(b) The Division shall, upon presentation of evidence of any such misstatement, or the giving of a fictitious name or address, or of the conviction therefor, revoke the registration of the power vessel, or the operator's license as the case may be.

Amended by R.1999 d.127, effective April 19, 1999.

See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

In (b), deleted a reference to motors.

#### **13:82-8.17 Change in address; name**

(a) Every licensed operator of a power vessel or motor shall notify the Division of any change in his or her legal residence within seven days of the change.

(b) Every licensed operator of a power vessel or motor shall notify the Division within two weeks of a change in name due to marriage, divorce or court order.

#### **13:82-8.18 Renewal of registration**

(a) Any person, corporation or firm, applying for the renewal of a registration after six months have elapsed beyond the renewal date, may be assigned a new expiration date, 12 months from the current date.

(b) Failure to receive a renewal notice does not excuse the owner from the requirement of renewing the number on or before the expiration date shown on the registration certificate.

#### **13:82-8.19 Fee for duplicate operator license**

The fee for issuance of a duplicate digitized boat operator license shall be \$11.00.

Amended by R.1995 d.365, effective July 3, 1995.

See: 27 N.J.R. 1521(b), 27 N.J.R. 2592(b).

In (b) increased the fee from \$4.50 to \$5.

Emergency amendment, R.2003 d.280, effective June 16, 2003 (to expire August 15, 2003).

See: 35 N.J.R. 2946(a).

Rewrote the section.

Adopted concurrent amendment, R.2003 d.365, effective August 15, 2003.

See: 35 N.J.R. 2946(a), 35 N.J.R. 4299(a).

Provisions of R.2003 d.280 adopted without change.

#### **13:82-8.20 Operator license; proof of age and identity; expiration**

(a) Each applicant for a boat operator license shall, upon request, furnish proof of identity and date of birth and proof that the applicant's presence in the United States is authorized under Federal law. Such proof may be established by submission of the original or certified (by the issuing authority) copy of the primary and/or secondary documents which are listed in (b) below as follows:

1. Each applicant must produce documents which total at least six points.
2. Each applicant must present at least one primary document.
3. Each applicant must present at least one secondary document.
4. An applicant shall not submit more than two documents with a point value of one.
5. If discrepancies exist within or between documents submitted by an applicant, the Commission may require that the applicant submit additional documentation.

6. The Commission is required by law (N.J.S.A. 39:3-10) to refuse to grant any permit or license if the Commission has reasonable cause to believe that a document is altered, false or otherwise invalid.

7. An applicant who is not a United States citizen must submit proof of continued legal presence in the United States.

8. Commission authorized personnel may review, approve or accept other documentation that proves the applicant's identity and date of birth, and that the applicant's presence in the United States is authorized under Federal law.

9. The Commission reserves the right to make changes to the list of acceptable documents found in (b) below. Such changes will be posted on the Motor Vehicle Commission's website, [www.njmvc.gov](http://www.njmvc.gov), and will be available at all motor vehicle agencies.

(b) The following are acceptable documents:

1. Primary documents:

i. A United States citizen must submit at least one document from the following list:

| <u>Document</u>   | <u>Value</u> |
|---|--------------|
| United States or United States Territory birth certificate                                      | 4            |
| United States Department of State birth certificate (Form FS-545 or DS-1350)                    | 4            |
| United States Department of State Consular Report of Birth Abroad (Form FS-240)                 | 4            |
| United States adoption papers   | 4            |
| United States passport (current or expired less than three years)                               | 4            |
| New Jersey digitized driver or boat operator license (current or expired less than three years) | 4            |
| Valid New Jersey non-driver digitized identification card                                       | 4            |
| Valid United States military photo identification card  | 4            |
| Certificate of Naturalization (Form N-550, N-570 or N-578)                                      | 4            |
| Certificate of Citizenship (Form N-560, N-561 or N-645)   | 4            |

ii. A person who is not a United States citizen must submit at least one document from the following list:

| <u>Document</u>   | <u>Value</u> |
|---|--------------|
| Current Alien Registration Card (Form I-551) with expiration date and with INS or (BCIS) verification                                   | 4            |
| Foreign passports with INS or BCIS verification and with valid record of arrival/departure (Form I-94) or valid I-551 stamp in passport | 4            |
| Refugee Travel Document (Form I-571)  | 4            |
| United States Re-entry Permit (Form I-327)  | 4            |
| Valid I-94 stamped "Refugee," "Parolee," "Asylee" or "Notice of Action" (Form I-797 approved petition) by INS or BCIS                   | 4            |
| Valid I-94 with attached photo stamped "Processed for I-551 . . ." by INS or BCIS   | 4            |

|  |   |
|--|---|
| Current photo employment authorization card (Form I-688B or I-766) (must be presented with a valid social security card) | 3 |
| Current Alien Registration Card (Form I-551) without expiration date and with INS or BCIS verification                   | 2 |
| Photo Temporary Resident Card (Form I-688)   | 2 |

2. Secondary documents:

i. United States citizens and persons who are not United States citizens must submit at least one document from the list below.

| <u>Document</u>   | <u>Value</u> |
|---|--------------|
| Valid New Jersey digitized driver or boat operator license (a secondary document for non-United States citizens only)                       | 4            |
| Legal name change court order signed by a judge or court clerk  | 3            |
| Civil marriage certificate or divorce decree  | 3            |
| Current United States military dependent card   | 3            |
| United States military photo retiree card   | 3            |
| New Jersey firearm purchaser card   | 3            |
| Valid United States government employee driver license  | 2            |
| Valid United States government employee photo identification card   | 2            |
| United States military discharge papers (DD214)   | 2            |
| Federal Aviation Administration pilot license   | 2            |
| United States school photo identification card with transcript or school records  | 2            |
| United States college photo identification card with transcript   | 2            |
| Current New Jersey non-digitized photo driver license   | 1            |
| Current photo driver license of any other state of the United States including the District of Columbia                                     | 1            |
| Property tax statement, bill or receipt issued by a New Jersey municipality   | 1            |
| State professional license  | 1            |
| New Jersey public assistance card with photo  | 1            |
| Social Security card  | 1            |
| High school diploma or GED (general equivalency diploma)  | 1            |
| Bank statement/record (cannot be submitted in conjunction with ATM card)  | 1            |
| ATM (automated teller machine) card with preprinted name and applicant's signature (cannot be submitted in conjunction with bank statement) | 1            |
| Current health insurance card or current prescription card  | 1            |
| Current employee identification card accompanied by a printed pay stub  | 1            |
| High school certificate (written test waiver)   | 1            |
| Veteran's Administration universal access photo identification card   | 1            |

(c) Each applicant must present for inspection an acceptable proof of address document which may be, but is not limited to, the following:

1. A utility or credit card bill displaying applicant's name at current address, issued within last 90 days;
2. A property tax bill or receipt within last year;

3. Any letter or correspondence (including tax bills) received from a Federal Internal Revenue Service or any state tax office within the past year;

4. A high school or college report card or transcript within past two years (must contain address);

5. An original lease or rental agreement with the name of the applicant listed as the lessee or renter;

6. First class mail from any government agency within six months;

7. A checking or savings account statement (bank or credit union) within 60 days; or

8. A certification, verifying the address of an applicant under 18 years of age who does not have his or her own proof of address verification, from a parent or guardian.

(d) In addition to the documentation in (b) above, a parent or guardian must consent to the granting of a boat operator license for any applicant who is under 17 years of age.

(e) For purposes of a name change only, a New Jersey boat operator license can be issued in the boater's married name if an acceptable original or certified marriage certificate (state or municipal seal must appear on document) is accompanied by another acceptable identification in the boater's former name.

(f) All boat operator licenses which are endorsements on basic driver license shall have the same expiration date as the basic driver license.

(g) All boat-only operator licenses shall expire four years from the last day of the month in which the license was originally issued and, thereafter, every four years.

Emergency amendment, R.2003 d.280, effective June 16, 2003 (to expire August 15, 2003).

See: 35 N.J.R. 2946(a).

Rewrote the section.

Adopted concurrent amendment, R.2003 d.365, effective September 15, 2003.

See: 35 N.J.R. 2946(a), 35 N.J.R. 4299(a).

In (a)9, amended the website; in (b), inserted the introductory paragraph of 1, inserted a reference to Form FS-240 in 1i and inserted a reference to current employee identification cards accompanied by a printed pay stub in 2i.

### 13:82-8.21 General provisions; hull identification numbers

(a) Any vessel offered for sale in New Jersey must have a hull identification number assigned to it. The number assigned to said vessel shall be in the form approved by the United States Coast Guard.

(b) Registration numbers shall not be issued to any vessel that does not comply with the above requirement.

(c) Vessels which are homemade or for other reasons that do not have a hull identification number assigned to them by their builders shall be assigned a number by the Division once the Division receives satisfactory proof on a form approved by the Director that they have been examined by the State Police. The series used by the Division shall be composed of three parts. The first section shall be NJZ—followed by a second section composed of a five digit number commencing with 00001; the third section shall consist of the word "HULL." An example of a hull identification number is as follows: NJZ-00001-HULL.

(d) The hull identification number must be carved, burned, stamped, embossed or otherwise permanently affixed to the outboard side of the transom or, if there is no transom, to the outermost starboard side at the end of the hull that bears the rudder or other steering mechanism, above the waterline of the boat in such a way that alteration, removal or replacement would be obvious and evident.

(e) The character of the hull identification number must be no less than  $\frac{1}{4}$  of an inch in height.

Amended by R.1999 d.127, effective April 19, 1999.

See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

In (c), substituted a reference to the State Police for a reference to the Bureau of Marine Police in the first sentence.

## SUBCHAPTER 9. CERTIFICATE OF OWNERSHIP FEES

### Authority

N.J.S.A. 39:2-3, 39:3-10a, 39:3-28, 39:3-32, 39:3-33.4, 39:5-30.4, 39:6-42, 39:12-4, 39:13-7, 12:7-34.36 et seq., 12:7A-28 and P.L.1994, c.60.

### Source and Effective Date

R.1995 d.365, effective July 3, 1995.  
See: 27 N.J.R. 1521(b), 27 N.J.R. 2592(b).

### 13:82-9.1 Certificate of ownership fees

(a) The fee collected by the Division for issuing a certificate of ownership in case of a sale not subject to a security interest pursuant to N.J.S.A. 12:7A-12a shall be \$20.00.

(b) The fee collected by the Division for issuing a certificate of ownership and copy thereof in case of a sale subject to a security interest pursuant to N.J.S.A. 12:7A-12b shall be \$30.00.

(c) The fee collected by the Division for a certificate of ownership, upon the filing with the Director of a certificate of ownership together with a financing statement, pursuant to N.J.S.A. 12:7A-12c shall be \$30.00.

(d) The fee collected by the Division for a notice of satisfaction of a lien or encumbrance of record or abstract, or termination of a security interest pursuant to N.J.S.A. 12:7A-12f shall be \$10.00.

(e) The penalty collected by the Division from a purchaser who fails to comply with the provisions of N.J.S.A. 12:7A-12g shall be \$25.00.

(f) The fee collected by the Division for issuing a duplicate certificate of ownership pursuant to N.J.S.A. 12:7A-13 shall be \$25.00.

(g) The fees collected by the Division for providing copies of documents pursuant to N.J.S.A. 12:7A-15 shall be as follows:

1. Lien search, \$5.00.
2. Chain of title, \$10.50.

(h) The fee collected by the Division for issuing a corrected certificate of ownership pursuant to N.J.S.A. 12:7A-18 shall be \$20.00.

New Rule, R.1995 d.365, effective July 3, 1995.  
See: 27 N.J.R. 1521(b), 27 N.J.R. 2592(b).