

**CHAPTER 82
BOATING REGULATIONS**

Authority

N.J.S.A. 12:7-34.40, 12:7-34.49 and 12:7A-28.

Source and Effective Date

R.2004 d.318, effective July 22, 2004.
See: 36 N.J.R. 1184(a), 36 N.J.R. 3886(a).

Chapter Expiration Date

Chapter 82, Boating Regulations, expires on July 22, 2009.

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. GENERAL PROVISIONS

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 vessel in or on the waters of this State unless the vessel is carrying on board the minimum equipment required by Title 33 and Title 46 of the Code of Federal Regulations, amendments thereto and as may be amended, for the size and type of vessel.

(b) Whenever the vessel is in operation, this equipment shall be produced by the owner or operator 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).

Amended by R.2004 d.318, effective August 16, 2004 (operative October 1, 2004).

See: 36 N.J.R. 1174(a), 36 N.J.R. 3886(a).

Substituted references to vessel for references to motorboat throughout; in (a), amended the C.F.R. reference and inserted ", for the size and type of vessel" at the end; in (b), substituted "owner or operator" for "operator or the captain of the motorboat".

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) readily accessible 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 N.J.S.A. 12:7-47.1, 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 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).

Amended by R.2004 d.318, effective August 16, 2004 (operative October 1, 2004).

See: 36 N.J.R. 1174(a), 36 N.J.R. 3886(a).

In (a), inserted "readily accessible" following "personal flotation device (PFD)"; in (b), amended the N.J.S.A. reference.

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.

13:82-3.2 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.