

**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. 1174(a), 36 N.J.R. 3886(a).

**Chapter Expiration Date**

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 82, Boating Regulations, expires on January 18, 2010. See: 41 N.J.R. 3033(a).

**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.

**13:82-1.6 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 vessel in a manner where the speed and/or wake of the vessel may cause danger or injury to life or limb or damage to property.

(b) All vessels shall reduce 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, in accordance with N.J.A.C. 13:82-3.11;
2. Work barges, platforms or floats while actually engaged in work related activity;
3. Through bridge openings of 400 feet or less;
4. Through lagoons, canals and confined areas of less than 200 feet in width;
5. Vessels not under command;
6. Emergency vessels displaying sequential flashing or rotating blue lights; or
7. Vessels engaged in activities recognized by the Coast Guard displaying rotating or sequential flashing red and yellow lights.

(c) "Slow speed/No wake" as used in this section means the speed at which a 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) State Police, on the recommendation of the Commission or on its own initiative, may designate a specific area not included in (b)1 through 6 above as a temporary slow speed/no wake area based on congestion, visibility, safety, or other good cause. All vessels moving through these areas shall reduce their speed to slow speed/no wake within a 200-foot radius of the sign or buoy, in addition to any restriction under (b) above.

(e) No person shall place, anchor, or construct any buoy that states or implies that an area is a "Slow Speed/No Wake" area except as provided in (a) through (d) 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).

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).

Rewrote the section.

**13:82-1.8 Navigation rules**

All vessels navigating the waters of this State shall comply with the Inland Navigation Rules Act of 1980, 33 U.S.C. §§ 2001-2038, except where the International Navigation Rules Act of 1977, 33 U.S.C. §§ 1601-1608 are applicable. Both acts, as may be amended or supplemented, are incorporated by reference.

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).

Rewrote the section.

**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 Traversing 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.

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).

**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 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.

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), deleted "power" preceding "vessel" in the introductory paragraph.

#### 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 Floats and swim platforms

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.

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).

#### 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.

#### 13:82-1.20 Marine events

(a) For the purposes of this section, "marine event" means an organized water event of limited duration that takes place on a predetermined schedule. A marine event shall include, but is not limited to, vessel parades, regattas, contests that use speed, acceleration, distance, time and/or destination, retrieval of any object(s), obstacle courses or maneuvering as a measure of competition involving more than five vessels (sail and/or power) underway at any time, and swimming events. A marine event shall not include events of public entertainment on wholly-owned private lakes.

(b) Marine events shall not be held unless a permit has been issued in accordance with this section, unless the United States Coast Guard has notified the State Police that the Coast Guard is assuming primary responsibility for the event. A copy of the permit shall be available for inspection by a member of the State Police upon request during the marine event. Failure to possess or produce the permit upon request of a member of the State Police shall be cause for termination of the event.

(c) The organizer or sponsor of the marine event shall submit a request in writing to the Station Commander of the State Police marine station responsible for patrolling the area in which the event is intended to take place. The request shall state the nature of the intended activity and shall include the name, address and telephone number of the person or organization sponsoring the event, the date, start and anticipated finish time, route of travel, number of vessels and estimated number of persons, and any other information requested by the Station Commander. This request shall be submitted at least 45 days prior to the event. If the event encompasses more than one State Police marine station area, the Station Commander of the area in which the event starts shall process the request, after consultation with the Station Commanders of any other State Police stations effected by the event, and determine whether or not to issue the permit. The Station Commander shall notify the United States Coast Guard district of any request for a permit affecting waters subject to the jurisdiction of the United States. The Station Commander may consult with other law enforcement agencies or governmental bodies with jurisdiction in the affected area.

(d) The Station Commander shall consider the following factors to determine whether or not to issue a permit for the event:

1. Inherent hazards of the event;
2. Customary presence of commercial or pleasure craft in the area;
3. Any obstruction of a navigable channel that may reasonably be expected to result;
4. The expected accumulation of spectator craft;
5. Previous history of the event or sponsor;
6. Other events for which a permit has been issued that may be affected; and
7. The need for conditions or restrictions.

(e) The Station Commander shall issue the permit, with or without restrictions, or shall deny the request and advise the sponsor of the reasons. At the discretion of the Station Commander, a single permit may be requested and issued for recurring events by the same sponsor or organizer for a period not to exceed six months.

(f) The Station Commander or Shift Supervisor may terminate any event due to circumstances that were unforeseen at the time of issuance of the permit that may present a safety hazard, including weather conditions, or if the event is being conducted in a manner that is inconsistent with the laws of this State, or restrictions of the permit.

New Rule, 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).

## 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., when, as a result of an occurrence that involves a vessel or its equipment, a person dies or disappears from a vessel 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.

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

(c) If as a result of an occurrence that involves a vessel or its equipment, a person dies; a person is injured and requires medical treatment beyond first aid; damage to the vessel and other property totals more than the Federal standard for filing an accident report as established pursuant to 33 CFR 173.55, or there is the complete loss of any vessel; or a person disappears from a vessel under circumstances that indicate death or injury, the operator or operators shall file a written report on forms furnished by the State Police within:

1. Forty-eight hours of the occurrence if a person dies within 24 hours of the occurrence or if a person is injured and requires medical treatment beyond first aid; or
2. Within 10 days of the occurrence or death if an earlier report is not required under (c)1 above.

(d) The written report required in (c) 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 the casualty or accident occurred;
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 manufacturer's 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.

(e) When the operator of a vessel cannot submit the casualty or accident report required in (d) above, 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".

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).

Rewrote the section.

Administrative Correction.

See: 38 N.J.R. 2731(a).

### SUBCHAPTER 3. OPERATIONAL REGULATIONS

#### 13:82-3.1 Waterskiing

(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 (including vessel, towline and skier) 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).

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 (b), inserted "(including vessel, towline and skier)" following "All power vessels".

**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 Lake Grinnell, 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.

(h) Vessels on the lake shall not exceed 15 feet in length and shall not exceed 40 total horsepower.

Amended by R.2006 d.365, effective October 16, 2006.

See: 38 N.J.R. 2635(a), 38 N.J.R. 4490(a).

Section was "Grinnel Lake, Sussex County". Added (h).

**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.

(f) A boat with a skier may continue around the ski course as many times as desired, turning in the designated areas.

(g) When more than one boat is on the ski course at the same time, each boat shall maintain a distance of at least 1,000 feet between itself and the boat in front of it.

(h) No boat shall pass a boat with a fallen skier unless signaled to do so by an occupant of that boat.

(i) A slalom course is established and located directly in front of the parallel to Beach No. 2. The starting area shall be a point 250 feet northeast of Beach No. 1. Turning areas shall be located approximately 250 feet northeast of Beach No. 1 and 1,000 feet northeast of Beach No. 2.

1. Slalom hours shall be as follows:

i. Weekdays—6:00 P.M. to sunset;

ii. Weekends and holidays—8:00 A.M. to 12:00 Noon.

(j) A maximum of six power vessels shall be allowed on the ski course simultaneously.

1. When proceeding in the same direction, these vessels shall remain a minimum of 1,000 feet apart.

2. In the event the lead skier falls, the vessel following shall stop and remain in place until the fallen skier has regained skiing position or boarded a vessel.

3. When one vessel is towing two or more skiers, no other vessels towing skiers shall be permitted on the ski course.

(k) The luminous painted barrel designating the starting and/or finishing point at the eastern or western boundary of the course and the luminous painted barrel designating the turning point at the western boundary of the course will be removed from the lake during the hours between sunset and sunrise. This requirement may be eliminated if a blinking amber light is mounted on the barrels.

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

(m) The use of the most easterly beach will be allowed as a take-off point and return point between the hours of 9:30 A.M. and 10:30 A.M. for a ski school or training class, as a practice area.

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

In (i)1i, substituted a reference to 6:00 P.M. for a reference to 6:00 A.M.

### 13:82-3.7 Grover's Mill Pond, Mercer County

(a) No power vessel powered by a motor in excess of 7½ horsepower, shall be operated on Grover's Mill Pond, Mercer County.

(b) No power vessel shall be operated upon Grover's Mill Pond between the hours of 11:00 P.M. and 7:00 A.M.

(c) No waterskiing shall be permitted on Grover's Mill Pond at any time.

### 13:82-3.8 Lake Mohawk, Sussex County

(a) No waterskiing shall be permitted in Tamarack Cove, Turtle Cove, Three Finger Cove or the South End Cove of the lake.

(b) No waterskiing shall be permitted to the west of Manitou Island north and south of Manitou Bridge.

(c) Power vessels shall not exceed a speed of 10 miles per hour from sunset to 8:00 A.M. anywhere on the lake.

(d) Power vessels shall not exceed a speed of five miles per hour—no wake—in Tamarack Cove, Turtle Cove, Three Finger Cove or the South End Cove of the lake.

(e) Power vessels shall not exceed five miles per hour—no wake—within 200 feet of any shore, wharf, pier, bridge structure, or abutment, dock, floating float of any kind, or floating swimming or diving platform except for waterski practices, shows and exhibitions with a waiver granted by the Boat Regulation Commission.

(f) Power boats shall not exceed a speed of 35 miles per hour between 8:00 A.M. and sunset except for waterski practices, shows and exhibitions with a waiver granted by the Boat Regulation Commission.

(g) All power vessels towing ski or aquaplane riders shall keep at least 200 feet distance from any other craft except for waterski practices, shows and exhibitions with a waiver granted by the Boat Regulation Commission.

(h) Waterskiing or aquaplane or towing of skiers or aquaplanes shall be permitted only during the hours between 9:00 A.M. and sunset.

(i) Barefoot skiing, balloon skiing, kite flying skiing, hydrofoil skiing, motor operated ski skiing, parasail skiing and ski jumping are prohibited except for waterski practices, shows and exhibitions with a waiver granted by the Boat Regulation Commission.

Amended by R.2001 d.467, effective December 17, 2001.

See: 33 N.J.R. 2803(a), 33 N.J.R. 3280(a), 33 N.J.R. 4384(a).

In (e) and (g), added "except for waterski practices, shows and exhibitions with a waiver granted by the Boat Regulation Commission".

**13:82-3.9 South Branch of Kettle Creek, Ocean County**

(a) No waterskiing shall be permitted in the south branch of Kettle Creek.

(b) Waterskiing is prohibited west of a line, if extended, from the easterly end of Queen Ann Road (Bay Harbor Estates), Brick Township, to 224 Kettle Creek Road (Lot 30, Block 254) in Dover Township.

**13:82-3.10 Shrewsbury and Navesink Rivers and adjacent areas; tidal waters**

(a) No waterskiing shall be permitted in the following waterway areas of Shrewsbury and Navesink Rivers and adjacent areas:

1. Between northern limit Buoys No. 10 and No. 11 at Highlands to Buoys No. 28 at Rumson; thence to Buoys No. 5 off Barley Point;
2. From Buoys No. 10 southerly through Monmouth Beach Channel and Cove;
3. From Buoys No. 28 through area between Gunning Island and Rumson including entire area of Oyster Bay of Pollys Pond.

(b) The right is reserved to amend these rules and regulations to cover more extensive areas as conditions warrant.

(c) All power vessels towing ski or aquaplane riders while underway must at all times keep at least 100 feet from any shore, wharf, pier, bridge structures, or abutment, or persons in the water.

(d) In passing another boat the operator thereof must keep at least 100 feet distance from any other craft.

(e) Waterskiing or aquaplaning or towing of skis or aquaplane will be permitted only during the hours between sunrise and sunset.

(f) The provisions of (b) through (e) above apply to all tidal waters.

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

**13:82-3.11 Lake Hopatcong, Sussex and Morris County**

(a) From May 15 through September 15 of each calendar year, no person shall waterski on Saturdays, Sundays or holidays between the hours of 11:00 A.M. and 5:00 P.M. in the following areas:

1. Byram Cove;
2. Between Raccoon Island and Prospect Point;
3. Between Prospect Point and Halsey Island;
4. Woodport Cove;
5. Between Halsey Island and Raccoon Island; and

**6. Henderson Cove.**

(b) No vessel shall pull more than two skiers at any one time on Saturdays, Sundays or holidays from May 15 through September 15 of any year except when participating in an exhibition or race sanctioned by the State Police or the Division of Parks and Forestry.

(c) The towing vessel shall not be loaded beyond the manufacturer's recommended capacity. For purposes of this subsection, the skier, or skiers, shall be included when determining the number of passengers in the vessel.

(d) While towing a skier, the operator of the vessel shall maintain a distance from any shore, structure, buoy, person in the water, vessel or other object, of not less than the length of the tow line plus 100 feet.

(e) The ski boat operator shall, when a skier has fallen, or has otherwise become disconnected from the tow line, reduce speed and return to the skier in a safe and reasonable manner.

(f) The dropping of skis for the purpose of barefoot or slalom skiing is prohibited, unless the ski is immediately retrieved by a following vessel.

(g) No vessel shall be operated upon Lake Hopatcong between the hours of sunset and sunrise at a speed in excess of 10 miles per hour.

(h) No vessel shall be operated upon Lake Hopatcong on Saturdays, Sundays or legal holidays between May 15 and September 15 at a speed in excess of 30 miles per hour.

(i) No vessel shall be operated at a speed in excess of five miles per hour within 100 feet of shore, any wharf, pier, bridge, dock structure, buoy or person in the water or designated bathing area which is marked by buoys.

(j) No vessel shall be operated at such a speed that shall cause 100 percent of the hull to come out of the water. Operation of the vessel in such a manner shall constitute, without further proof, careless operation. An exception to this requirement will be allowed for operation during authorized races sanctioned by the State Police or the Division of Parks and Forestry, or with a race test permit issued by the State Police.

(k) When the water level reaches the Extreme High Water Level (Elevation 924.20 feet) or when the gauge at the dam in Hopatcong State Park reads 9.5, a "Slow Speed—No Wake" condition shall exist.

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), substituted a reference to vessels for a reference to boats, and substituted "State Police or the Division of Parks and Forestry" for "United States Coast Guard or Bureau" at the end; in (c), substituted references to towing vessels for references to ski boats; and in (j), substituted "the State Police or the Division of Parks and Forestry, or with a race test permit issued by the State Police" for "the United States Coast Guard, the Bureau, or with a race test permit issued by the Bureau" at the end.

Amended by R.2001 d.62, effective February 20, 2001.

See: 32 N.J.R. 2976(b), 33 N.J.R. 683(a).

Added (a)6.

### 13:82-3.12 Budd Lake, Morris County

(a) The ski boat operator shall, when a skier has fallen or has otherwise become disconnected from the tow line, reduce speed and return to the skier in a safe and reasonable manner.

(b) The dropping of skis for the purpose of barefoot or slalom skiing is prohibited, unless the ski is immediately retrieved by a following vessel.

(c) No vessel shall be operated on Budd Lake on Saturdays, Sundays, and legal holidays between May 15 and September 15, at a speed in excess of 35 miles per hour, from sunrise to sunset.

(d) No vessel shall be operated on Budd Lake between the hours of sunset and sunrise at a speed in excess of 15 miles per hour.

(e) Any applicant for a permit from the State Police for a race or regatta shall submit an application to the Township Clerk, who shall then submit such application to the State Police with any comments or recommendations from the Township.

(f) No vessel shall be operated at such a speed that shall cause 100 percent of the hull to come out of the water, except in the case of a race or regatta, where permitted by the rules of such race or regatta.

(g) No vessel shall be operated at a speed in excess of five miles per hour within 50 feet of any shore, wharf, pier, bridge, dock structure, buoy, or person in the water or designated bathing areas which are marked by buoys.

(h) A distance of at least 30 feet shall be maintained between all vessels operating at speeds in excess of five miles per hour.

(i) No person shall operate a personal watercraft on Budd Lake on Saturdays, Sundays or legal holidays between May 15 and September 15.

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

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

In (e), substituted "State Police" for "Bureau" throughout.

### 13:82-3.13 Operation on Greenwood Lake

(a) A person shall not operate a vessel on Greenwood Lake, Passaic County, in such a way as to unreasonably interfere with or endanger any other vessel or person. Every vessel

operated on Greenwood Lake shall be operated in a careful and prudent manner.

(b) A vessel shall not be operated upon Greenwood Lake at a speed exceeding 45 miles per hour.

(c) A vessel shall not be operated upon Greenwood Lake at a speed exceeding 15 miles per hour between one-half hour after sunset and one-half hour before sunrise.

(d) A vessel shall not be operated upon Greenwood Lake within 200 feet of shore, a dock, pier, raft or float, or an anchored or moored vessel at a speed exceeding five miles per hour.

(e) The provisions of this section shall not apply to any vessel or to any person operating a vessel while actually competing in an authorized race or regatta.

### 13:82-3.14 Operation on Cranberry Lake

(a) Subject to the restrictions imposed by (b) below, vessels operating on Cranberry Lake shall not exceed a speed of 25 miles per hour.

(b) No person shall operate a vessel at a speed in excess of five miles per hour between sunset and sunrise or at any time in the following areas:

1. In front of the clubhouse and extending north of the bridge into Laurel Cove;
2. Between Rose's Beach and Rock Island;
3. In Weaver House Cove;
4. Within 100 feet of any shore, any wharf, pier, bridge, dock structure, buoy or person in the water or designated bathing area which is marked by buoys.

(c) Any person swimming or using a raft, tube or other floatation device shall be accompanied by a boat escort unless such person is not more than 75 feet from the shore or is in an area in which vessel speed is limited to five miles per hour.

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), reduced the speed limit from 35 to 25 miles per hour.

### 13:82-3.15 Seven Presidents Park, Long Branch, Monmouth County

(a) Between Memorial Day weekend and Labor Day, no person shall operate a personal watercraft, power vessel or any other type of vessel (hereinafter referred to as watercraft) on waters within the boundaries of Seven Presidents Ocean-front Park designated as bathing, surfing, or boogie board use areas. Those watercraft entering and exiting the ocean shall utilize the boat launch area and watercraft access lane as designated on site, and shall maintain a speed no faster than that which is necessary to safely navigate the surf until clear of the watercraft access area. The riding of waves by personal watercraft within the watercraft access lane is prohibited.

(b) After Labor Day and before Memorial Day weekend, personal watercraft may utilize the boat launch area to ride waves, except as provided in N.J.S.A. 12:7-63. Power vessels shall give right of way to sailboats when required by the International Steering and Navigation Rules, Rule 18. A copy of the rule may be obtained from the State Police.

(c) The boat launch area is defined by two jetties: the northern jetty is 900 feet south of the park's northern boundary and contains a storm drain outfall; the southern jetty is located approximately 1,300 feet south of the park's northern boundary.

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 added (b) and (c).

### 13:82-3.16 Upper Greenwood Lake

(a) No waterskiing is permitted around Blueberry Island, Carters Island and Snake Island at the northeast end of the lake or in the Mount Laurel section cove in the southeast section of the lake.

(b) Personal watercraft are prohibited from the Mount Laurel section cove in the southeast section of the lake.

(c) All vessels shall maintain slow speed no wake around Blueberry Island, Carters Island and Snake Island at the northeast end of the lake, and in the Mount Laurel section cove in the southeast section of the lake.

(d) No vessel shall be operated on Upper Greenwood Lake on Saturdays, Sundays and legal holidays at a speed in excess of 30 miles per hour. Between sunset and sunrise, no vessel shall be operated at a speed in excess of 10 miles per hour.

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

### 13:82-3.17 Diving and swimming

(a) General provisions with respect to diving and swimming are as follows:

1. Underwater diving with or without an underwater apparatus is permitted in all navigable waters in New Jersey unless otherwise prohibited in this section.

2. Any person while diving shall mark his or her position with a buoyed flag:

i. Such flag shall be displayed so that it is visible all around the horizon from a buoy, float, boat or other floating object;

ii. Such flag shall be a minimum of 14 inches by 16 inches, shall be rigid to enhance visibility and shall be a red background with a white diagonal stripe running from one corner to the other.

3. No person shall operate a vessel within 50 feet of the buoyed flag.

4. No person shall display a flag at times other than when diving is in progress.

5. No person shall swim or dive in a narrow, confined or improved channel or in a marked fairway, under a bridge, or impede, obstruct or interfere with passage of watercraft therein.

6. No diver shall surface more than 25 feet from the buoyed flag except in an emergency.

(b) Provisions for Manasquan Inlet are as follows:

1. Underwater diving shall be permitted in the Manasquan Inlet only within 50 feet from the stone jetties and bulkheads.

2. Underwater diving is permitted only in the area east of an imaginary line drawn from Ocean Avenue, Point Pleasant Beach, extended to a point across the inlet at First Avenue, Manasquan.

(c) Provisions for Barnegat Inlet are as follows:

1. Except as provided in this subsection, no person or persons shall, while engaged in gogglefishing, spearfishing or skin diving, enter into any navigable channel or approach within 200 feet of any boat anchored or underway within the water adjacent to the land areas of the Borough of Barnegat Light.

2. No person shall dive in any of the waters of the Barnegat Inlet channel.

3. Skin and Scuba diving is permitted from the north and south jetties, but no person shall dive further than 25 feet from the rock jetty or bulkhead within the inlet.

4. No person shall dive within Barnegat Inlet between 8:00 A.M. and 5:00 P.M. on Saturdays and Sundays from June 1 to September 30.

5. A diver shall mark his or her position with a float and skin diver's flag.

6. Only "buddy diving" shall be permitted in the Barnegat Inlet.

7. Recreational diving is prohibited within 100 feet of the north monument.

8. Recreational diving is prohibited within the inlet when the current is at flood.

(d) Provisions for Shark River Inlet are as follows:

1. Underwater diving is permitted in the Shark River Inlet in that area which lies east of a line extending from the northwest end of A Street in Belmar to the southeast end of First Avenue in Avon.

2. Divers shall stay within 25 feet of the jetties and bulkheads in the area described.

3. A diver shall mark his or her position with a float and skin diver's flag.

4. No diver shall surface more than 15 feet from the buoyed flag except in an emergency.

5. No underwater diving shall be permitted in Shark River Inlet between the hours of 8:00 A.M. and 5:30 P.M. during the period each year commencing May 1 terminating October 1.

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, deleted "approved by the New Jersey Boat Regulation Commission" at the end of the introductory paragraph.

### 13:82-3.18 Mandatory wearing of personal flotation device (PFD) on Round Valley Reservoir

All persons on board vessels under 14 feet in length or a canoe, kayak, inflatable, or windsurfer, regardless of power, while on Round Valley Reservoir shall wear a serviceable United States Coast Guard Approved Type I, II, III or V Hybrid Personal Flotation Device (PFD).

New Rule, R.1995 d.464, effective August 21, 1995.

See: 27 N.J.R. 1144(b), 27 N.J.R. 3202(c).

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

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

### 13:82-3.19 Patcong Creek, Atlantic County

Waterskiing is prohibited on Patcong Creek along its entire length north of the Somers Point—Mays Landing (County Route 559) Bridge.

New Rule, R.2001 d.296, effective August 20, 2001 (operative October 1, 2001).

See: 33 N.J.R. 1340(a), 33 N.J.R. 2818(a).

### 13:82-3.20 Mullica River, Atlantic and Burlington Counties

Waterskiing is prohibited on the upper section of the Mullica River west of the Lower Bank (County Route 652) Bridge.

New Rule, R.2001 d.296, effective August 20, 2001 (operative October 1, 2001).

See: 33 N.J.R. 1340(a), 33 N.J.R. 2818(a).

### 13:82-3.21 Point Pleasant Canal, Ocean County

No person shall operate a canoe, kayak, rowboat or other non-motorized vessel in the confines of the Point Pleasant Canal, except in an emergency.

New Rule, R.2008 d.109, effective April 21, 2008.

See: 39 N.J.R. 4077(a), 40 N.J.R. 2120(a).

## SUBCHAPTER 4. WATERCRAFT NOISE CONTROL

### 13:82-4.1 Definitions

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

"Person" means any corporation, company, association, society, firm, partnership and joint stock company, as well as individuals, and shall include the State and all its political subdivisions and any agencies and instrumentalities thereof.

"Vessel" means a boat or watercraft other than a seaplane on the water, used or capable of being used as a means of transportation on the water.

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

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

Deleted "Department" definition.

### 13:82-4.2 Noise limitation provisions

(a) No person shall operate or give permission for the operation of any vessel or watercraft capable of emitting noise totalling in excess of 90 dba in or upon the waters of this State.

(b) Measurements shall be made by a sound level meter which satisfies ANSI-S 1.4, type 2, or equivalent, and is certified by the Department of Environmental Protection, Office of Noise Control, with reference, as applicable, to standards of the New Jersey Office of Weights and Measures or the National Institute of Science and Technology or both, or by other competent authority designated by the Office of Noise Control.

(c) The noise emission test measurement shall be made with the sound level meter at a distance of not less than four feet above the water at a point where the transom gunwale and port or starboard gunwale intersects. The vessel being tested shall operate its engine at the lowest throttle setting in neutral gear. In the case of a vessel with multiple engines, said engines shall operate together at the lowest throttle setting in neutral gear. Personal watercraft, jet boats, and all other vessels which have no neutral gear shall operate at the lowest throttle setting with minimum or no headway motion.

(d) Any member of the State Police or other law enforcement officer certified by the Office of Noise Control with a reason to suspect that a vessel is exceeding the noise limitation may require the operator to submit to a noise emissions test as described in (b) and (c) above.

(e) Any person who fails to comply with the directive to submit to a noise emissions test shall be ordered to immediately return the vessel to its mooring and cease operations and shall be subject to the penalty for violation of those regulations.

(f) The noise limitation provisions of this section shall not apply to vessels registered and actually participating in racing events or tune-up periods for such racing events, when authorized by the State Police or by any other public authority with the approval of the State Police. Tune-up periods approved pursuant to this section shall be limited as follows:

1. Before any race boat is tested, the driver shall secure a Race Test Permit from the State Police.
2. Before the permit is issued, the applicant shall submit a statement which shall include the following:
  - i. The name and address of the driver;
  - ii. The type and a description of the boat;
  - iii. The area of the test;
  - iv. The name and address of the boat's owner;
  - v. The date and location of the next race in which the operator will compete; and
  - vi. Any other information deemed necessary by the State Police.
3. From May 15 through October 1, there shall be no race tests permitted on Saturday, Sunday or holiday.
4. All race tests shall be conducted between the hours of 10:00 A.M. and sunset.
5. All race tests shall be limited to a total test period of 20 minutes on the water.
6. There shall be a maximum five race tests in any seven day period.
7. No driver shall be permitted more than five race tests in any seven day period.
8. No boat shall be tested more than five times in any seven day period.
9. The provisions of (f)3, 6, 7 and 8 above shall not apply on a body of water in the three-day period immediately preceding a race on that body of water. Subject to such restrictions as may be imposed by the U.S. Coast Guard or the State Police, testing on days of sanctioned race may begin two hours before the start of the first race.
10. The State Police may deny or cancel any permit issued by the State Police for the reasons of boat traffic, poor weather, confined area, or other valid reason.

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

In (d), substituted "member of the State Police" for "marine police officer" following "Any"; and in (f), substituted references to the State Police for references to the Department in the introductory paragraph, substituted references to the State Police for references to the Bureau in 1, 2vi and 9, rewrote the introductory paragraph of 2, and rewrote 10.

### 13:82-4.3 Muffling device

Every outboard motor, inboard motor or inboard/outboard motor in use or attached to a vessel operating on the waters of this State shall be equipped with a muffling system as supplied by the manufacturer or installed by the owner. The muffling system shall be maintained in good working order at all times. An exception to this requirement will be allowed for operation during authorized races sanctioned by the United States Coast Guard, the State Police, or operation with a race test permit.

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, or operation with a race test permit" for "Bureau, or other operation with a race test permit issued by the Bureau" at the end.

### 13:82-4.4 Use of cutouts

(a) The use of cutouts, removal of mufflers, or cutting or punching holes in mufflers is prohibited.

(b) Mufflers may be removed and cutouts opened only where such boats are actually engaged in a lawfully conducted race or during such tuning-up period as the permitting authority may assign thereto.

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), substituted "permitting authority" for "Department" following "as the".

### 13:82-4.5 Owner's permission

No person shall operate or tamper with any vessel or its motor without the owner's permission.

### 13:82-4.6 Racing events

(a) Every incorporated yacht club or racing association, before holding or conducting races or regattas, whether for inboard or outboard motors, or both, shall first secure a permit to hold such races from the State Police.

(b) Application for such permit shall be made in writing to the State Police at least 45 days prior to the race or regatta, and no such race or regatta shall be conducted unless a permit has been received.

(c) Any such permit shall include such requirements as will tend to insure the safety of those competing and the safety of other craft, during such regatta or race, including the tuning-up period before, as shall be prescribed by the State Police. All boats not competing, except official boats, shall remain anchored during the running of the events of 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).

In (a) and (b), substituted "State Police" for "Bureau"; in (b), deleted "from the Bureau" at the end; and in (c), substituted "State Police" for "Department" at the end of the first sentence.

Amended by R.2001 d.129, effective April 16, 2001.  
 See: 32 N.J.R. 4047(a), 33 N.J.R. 1204(b).  
 In (b), substituted "45" for "20".

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## SUBCHAPTER 5. PERSONAL WATERCRAFT

### 13:82-5.1 Scope

Operations of personal watercraft on the waters of the State shall be in accordance with the provisions of P.L. 1993, c.299 (N.J.S.A. 12:7-62 et seq.), section 18 of P.L. 1995, c.401 (N.J.S.A. 12:7-86) and rules promulgated thereunder by the Superintendent of State Police at N.J.A.C. 13:64.

Administrative correction.  
 See: 27 N.J.R. 3621(c).  
 Petition for rulemaking: Personal watercraft.  
 See: 27 N.J.R. 4454(b), 28 N.J.R. 300(c).  
 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.

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## SUBCHAPTER 6. PARASAILING

### 13:82-6.1 Scope

Parasailing, as defined in N.J.A.C. 13:82-6.2, is permitted on the waters of the State, except where prohibited by this subchapter or by local ordinance.

### 13:82-6.2 Definition of parasailing

"Parasailing" means anything with a rider towed by a power vessel by means of a tow rope where the rider ascends into the air by the towline extended from the vessel and remains suspended in the air as the vessel runs its course.

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

### 13:82-6.3 Operation

(a) Vessels engaged in parasailing operations must be designed by the manufacturer for parasailing, and be equipped with a rear launch platform and hydraulic winch used to release the towline.

(b) All commercial parasail operators are required to have a Captain's License for carrying passengers for hire issued by the United States Coast Guard.

(c) All parasailing operations shall include an observer 18 years of age or older at all times to monitor the progress of the airborne parasail rider and parachute.

(d) All parasail riders shall wear a United States Coast Guard approved Type I, II, or III personal flotation device of the proper size and must be connected to the towline and secured in a seat harness attached to an ascending type of parachute.

(e) Parasailing conducted in the Atlantic Ocean shall be restricted to not less than three-eighths nautical mile from the shore. This restriction applies to the entire parasailing apparatus, including vessel, tow line and rider.

(f) No parasailing shall be permitted within 600 feet of a bridge span, concrete bridge supports, barriers, other vessels, or persons in the water.

(g) Parasailing shall be prohibited on bodies of water less than 1200 feet in width from shore to shore.

(h) All parasail towing vessels shall be equipped with a VHF radio.

(i) Parasailing shall only be conducted from one-half hour after sunrise to one-half hour before sunset, and at no time during restricted visibility.

(j) Parasailing is prohibited when there are sustained winds of 25 knots and/or seas five feet or higher in the area of operation.

(k) Tow lines shall not exceed 500 feet in length.

(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. 12:7-51.

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).

Amended the N.J.S.A. reference.

## 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.

“Chief Administrator” means Chief Administrator of the Motor Vehicle Commission.

“Commission” means the Motor Vehicle Commission.

“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.

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).

Added “Chief Administrator” and “Commission”, deleted “Director” and “Division”.

### 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.