

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

N.J.S.A. 12:7-34.36 et seq. and 12:7A-29.

Source and Effective Date

R.1994 d.205, effective April 18, 1994.
See: 26 N.J.R. 744(a), 26 N.J.R. 1673(a).

Executive Order No. 66(1978) Expiration Date

Chapter 92, Boating Regulations, expires on April 18, 1999.

CHAPTER TABLE OF CONTENTS**SUBCHAPTER 1. EQUIPMENT**

- 13:82-1.1 Scope
- 13:82-1.2 Construction
- 13:82-1.3 Equipment
- 13:82-1.4 Personal flotation devices
- 13:82-1.5 Rotating lights
- 13:82-1.6 Siren
- 13:82-1.7 Speed
- 13:82-1.8 Rules of the road
- 13:82-1.9 Anchoring near aid to navigation
- 13:82-1.10 Anchoring in channels
- 13:82-1.11 Transversing race course
- 13:82-1.12 Obeying orders
- 13:82-1.13 Riders
- 13:82-1.14 Altered motor numbers
- 13:82-1.15 Lanyard cut-off switch
- 13:82-1.16 Exclusion of racing events
- 13:82-1.17 Finding
- 13:82-1.18 Obstruction to navigation
- 13:82-1.19 Nonlicensed operator

SUBCHAPTER 2. REPORTING OF BOATING ACCIDENTS

- 13:82-2.1 Reporting of boating accidents

SUBCHAPTER 3. OPERATIONAL REGULATIONS

- 13:82-3.1 General provisions
- 13:82-3.2 Beaver Dam Creek, Point Pleasant and Brick Town, Ocean County
- 13:82-3.3 Deal Lake, Monmouth County
- 13:82-3.4 Grinnel Lake, Sussex County
- 13:82-3.5 Indian Lake, Morris County
- 13:82-3.6 Paulinskill Lake, Sussex County
- 13:82-3.7 Grover's Mill Pond, Mercer County
- 13:82-3.8 Lake Mohawk, Sussex County
- 13:82-3.9 South Branch of Kettle Creek, Ocean County
- 13:82-3.10 Shrewsbury and Navesink Rivers and Adjacent Areas; Tidal Waters
- 13:82-3.11 Lake Hopatcong, Sussex and Morris County
- 13:82-3.12 Budd Lake, Morris County
- 13:82-3.13 Operation on Greenwood Lake
- 13:82-3.14 Operation on Cranberry Lake
- 13:82-3.15 Seven Presidents Park, Long Branch, Monmouth County
- 13:82-3.16 Upper Greenwood Lake
- 13:82-3.17 Diving and swimming
- 13:82-3.18 Mandatory wearing of personal flotation device (PFD) on Round Valley Reservoir

SUBCHAPTER 4. WATERCRAFT NOISE CONTROL

- 13:82-4.1 Definitions
- 13:82-4.2 Noise limitation provisions
- 13:82-4.3 Muffling device
- 13:82-4.4 Use of cutouts
- 13:82-4.5 Owner's permission
- 13:82-4.6 Racing events

SUBCHAPTER 5. PERSONAL WATERCRAFT

- 13:82-5.1 Scope

SUBCHAPTER 6. PARASAILING

- 13:82-6.1 Scope
- 13:82-6.2 Definition of parasailing
- 13:82-6.3 Operation

SUBCHAPTER 7. MOTOR VEHICLES ON ICE-COVERED WATERS

- 13:82-7.1 Scope
- 13:82-7.2 Definitions
- 13:82-7.3 Prohibited operation
- 13:82-7.4 Violations

SUBCHAPTER 8. REGISTRATION AND LICENSING

- 13:82-8.1 Definitions
- 13:82-8.2 Numbering pattern
- 13:82-8.3 Display of numbers on vessels
- 13:82-8.4 Application for number
- 13:82-8.5 Registration certificate
- 13:82-8.6 Duplicate registration certificates
- 13:82-8.7 Transfer of registration certificates
- 13:82-8.8 Registration certificate; livery vessels
- 13:82-8.9 Operation of vessel; certificate
- 13:82-8.10 Registration certificate; validity
- 13:82-8.11 Notification required
- 13:82-8.12 Removal of numbers; removal of validation sticker
- 13:82-8.13 Display of validation sticker and fee for duplicate
- 13:82-8.14 Registration of manufacturers' and dealers' boats
- 13:82-8.15 Registration of livery boats
- 13:82-8.16 Misstatements
- 13:82-8.17 Change in address; name
- 13:82-8.18 Renewal of registration
- 13:82-8.19 Fee for duplicate operator's license
- 13:82-8.20 Operator's license; proof of age and identity; expiration
- 13:82-8.21 General provisions; hull identification numbers

SUBCHAPTER 9. CERTIFICATE OF OWNERSHIP FEES

- 13:82-9.1 Certificate of ownership fees

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, the Marine Law Enforcement Bureau and its various agencies to discharge statutory functions.

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

(c) These rules are to be construed consistent with the Federal Motorboat Act of 1940 (46 U.S.C. 526 et seq.), the Federal Safe Boating Act of 1971 (46 U.S.C. 1451 et seq.), and all regulations adopted under each Act, as amended and as may be amended, and other applicable Federal law or regulation relating to vessels.

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 the Federal Boating Act of 1940, the Federal Boat Safety Act of 1971 and/or amendments thereto and as may be amended, including any and all regulations adopted thereunder, 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.

13:82-1.4 Personal flotation devices

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's 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. Such PFD's shall be readily accessible when the vessel is underway. This rule includes all vessels except surfboards, racing shells, rowing sculls and racing kayaks.

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, a police or fire Department.

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 of the power vessel may cause danger or injury to life or limb or damage to property. The speed of every power vessel shall be regulated so as to avoid the risk of damage or injury by any means, from the power vessel's wake.

(b) All power vessels shall reduce their speed to a slow speed 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" as used in this section is defined as 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. "No wake" as used in this subsection shall mean the speed at which a power vessel moves through the water while maintaining minimum headway and producing the minimum wake possible.

(d) All power vessels, when moving through an area that has been marked a "Slow Speed/No Wake" area either by buoys or by signs with those words, shall move only at a no-wake speed. No vessel may be operated at other than minimum headway speed while in a "Slow Speed/No Wake" area.

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 boat shall move across the course or around the course of any such 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.

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

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 Bureau within 24 hours.

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

13:82-1.18 Obstruction to navigation

Unless permitted in writing by the Land Use Regulation Program in the Department of Environmental Protection and Energy, 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 unless the same be properly marked by warning lights, which lights shall be approved by the Land Use Regulation Program, between the hours of sunset and sunrise.

13:82-1.19 Nonlicensed operator

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

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, 46 U.S.C. 1451 et seq., and 33 CFR 173.1 et seq., all boating accidents in which a person loses consciousness or receives medical treatment or is disabled for more than 24 hours, shall be reported to the Bureau within 48 hours. Such reports shall be in writing on forms furnished by the Bureau.

(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 Bureau 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 Bureau 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 \$100.00, a written report shall be made within 15 days on forms furnished by the Bureau.

(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.

SUBCHAPTER 3. OPERATIONAL REGULATIONS

13:82-3.1 General provisions

(a) "Waterskiing" is defined as 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 may, 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.

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.

(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 A.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.

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 and diving platform.

(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.

(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.

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 operations of 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) Water-skiing 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.

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.

(b) No boat 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 United States Coast Guard or Bureau.

(c) The ski boat 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 boat.

(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 United States Coast Guard, the Bureau, or with a race test permit issued by the Bureau.

(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.

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 Bureau for a race or regatta shall submit an application to the Township Clerk, who shall then submit such application to the Bureau 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.

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 35 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.

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) within the outer (eastern) most boundaries of the jetties located at Seven Presidents Park, Long Branch, Monmouth County, with the exception of watercraft entering and egressing the boat launch area. Those watercraft entering and egressing the boat launch area are to stay within the entry-egress lane as designated on site and are to maintain a speed no faster than that which is required to safely navigate the surf.

13:82-3.16 Upper Greenwood Lake

(a) No water-skiing shall be 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 shall be 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.

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 approved by the New Jersey Boat Regulation Commission:

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 gogglifishing, 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.

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 will 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).

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.

“Department” means the Department of Law and Public Safety, Division of State Police.

“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 sea-plane on the water, used or capable of being used as a means of transportation on the water.

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 and Energy, 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 marine police officer 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 Department or by any other public authority with the Department’s approval. 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 Bureau.
2. Before the permit is issued, the Bureau shall obtain a statement from the applicant 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 Bureau.
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 Bureau, testing on days of sanctioned race may begin two hours before the start of the first race.

10. The Bureau, is authorized to deny or cancel any permit issued by the Bureau for the reasons of boat traffic, poor weather, confined area, or other valid reason.

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 Bureau, or other operation with a race test permit issued by the Bureau.

13:82-4.4 Use of cutouts

(a) The use of cutouts, removal of mufflers, 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 Department may assign thereto.

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 Bureau.

(b) Application for such permit shall be made in writing to the Bureau at least 20 days prior to the race or regatta, and no such race or regatta shall be conducted unless a permit shall have been received from the Bureau.

(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 Department. All boats not competing, except official boats, shall remain anchored during the running of the events of the race or regatta.

SUBCHAPTER 5. PERSONAL WATERCRAFT

13:82-5.1 Scope

Operations of personal watercraft on the waters of the State in accordance with the provisions of P.L. 1993, c.299 (N.J.S.A. 12:7-62 et seq.).

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" is an operation conducted with a vessel designed by the manufacturer for parasailing, equipped with a rear launch platform and hydraulic winch used to release a towline connected to a rider fitted with a personal flotation device secured in a seat harness connected to the towline and an ascending type of parachute. 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.

13:82-6.3 Operation

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

(b) 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.

(c) All parasail riders shall wear a United States Coast Guard approved Type I, II, or III personal flotation device.

(d) Parasailing conducted in the Atlantic Ocean shall be restricted to not less than one-half nautical mile from the shore.

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

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

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

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

(i) Parasailing is prohibited when small craft advisories are in effect.

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

(k) Individuals intending to engage in parasailing shall notify the Marine Law Enforcement Bureau station nearest the area of operation 24 hours in advance. Commercial operators shall notify the Marine Law Enforcement Bureau at least 10 days in advance of the commencement of annual operations.

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

(m) Advertisement banner flying is prohibited.

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.

“Bureau” means the Bureau of Marine Police in the Division of State Police.

“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.

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 Z2).
3. Since the letters “I,” “O,” and “Q” may be mistaken for numerals, they shall not be used in the suffix.

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 restriction 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.

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 may use or operate a vessel to which this section applies unless the required registration certificate or rental agreement is carried onboard in such a manner that it can be handed to the inspecting 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 motor, or the operator's license as the case may be.

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's license

(a) The fee for issuance of a duplicate boat operator's license shall be \$3.00.

(b) The fee for issuance of a duplicate boat operator's license with a photo shall be \$5.00.

(c) Photo licenses shall be mandatory for boaters under the age of 21.

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.

13:82-8.20 Operator's license; proof of age and identity; expiration

(a) All applicants for a boat operator's license will be required to furnish proof of identity and date of birth. Proof of identity and date of birth may be established in the following manner:

1. An original domestic birth certificate or foreign birth certificate with United States Consulate Seal when United States citizen is born outside of the country;
2. A certified copy of birth certificate (state or municipal seal must appear on document);
3. A United States passport;
4. A valid foreign passport (with acceptable Visa status indicated in passport);
5. A valid alien registration card;
6. Citizenship papers;
7. Military identification cards (active duty only);
8. United States adoption papers;
9. A valid New Jersey driver license (also acceptable if expired less than three years);
10. A New Jersey Division of Motor Vehicles nondriver identification card;
11. Military discharge papers (DD-214);
12. A court order or judgment authorizing legal name change when accompanied by satisfactory proof of birth; or
13. A valid work authorization card (when accompanied by a Social Security card).

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

(c) For purposes of a name change only, a New Jersey boat 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.

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

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

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 Bureau of Marine 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.

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).