

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.

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 shall be in accordance with the provisions of P.L. 1993, c.299 (N.J.S.A. 12:7-62 et seq.)

Administrative correction.

See: 27 N.J.R. 3621(c).

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

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 defined as 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).

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 one-half nautical mile from the shore.

(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 small craft advisories are in effect.

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

(l) 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.

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

(n) Advertisement banner flying is prohibited.

Amended by R.1996 d.88, effective February 20, 1996.
See: 27 N.J.R. 4135(a), 28 N.J.R. 1222(a).

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;