

CHAPTER 61**BOAT SAFETY COURSE****Authority**

N.J.S.A. 12:7-60.

Source and Effective Date

R.1995 d.238, effective May 1, 1995.
See: 27 N.J.R. 642(a), 27 N.J.R. 1807(b).

Executive Order No. 66(1978) Expiration Date

Chapter 61, Boat Safety Course, expires on May 1, 2000.

Chapter Historical Note

Chapter 61, Boat Safety Course, was adopted as R.1990 d.142, effective March 5, 1990. See: 21 N.J.R. 3434(a), 22 N.J.R. 831(c). Pursuant to Executive Order No. 66(1978), Chapter 61 expired on March 5, 1995, and was subsequently adopted as new rules by R.1995 d.238. See: Source and Effective Date. See, also, annotation at section 1.10.

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SUBCHAPTER 1. BOAT SAFETY COURSE REQUIREMENTS**13:61-1.1 Purpose**

This chapter prescribes the procedure and conditions for obtaining approval of a boat safety course for the formal instruction in power vessel handling and safety, and the establishment of a list of approved boat safety courses as pursuant to N.J.S.A. 12:7-60.

13:61-1.2 Definitions

For the purpose of this chapter, the terms set forth herein are defined as follows:

“Approved course” means a boat safety course as approved by the Superintendent of the Division of State Police pursuant to N.J.S.A. 12:7-60.

“Boat safety course” means an approved course by the Superintendent of the Division of State Police pursuant to N.J.S.A. 12:7-60.

“Notice of approval” means written notice from the Superintendent of the Division of State Police of approval of a submitted application set forth at N.J.A.C. 13:61-1.3, Application for Approval, and satisfaction of the requirements for approval set forth at N.J.A.C. 13:61-1.4, Requirements for Approval.

“Notice of Intent to Revoke” means written notice from the Superintendent of the Division of State Police as set forth at N.J.A.C. 13:61-1.8(b), Revocation of approval.

“Superintendent” means the Superintendent of the Division of State Police.

13:61-1.3 Application procedure

(a) An application for approval shall consist of and be submitted in the following manner:

1. A cover letter on the submitting public, private person or agency's letterhead shall contain a request for approval and be signed by either the submitting party's chief executive officer, president or individual of equal authority.
2. Submitted along with the cover letter shall be a written course outline, full course text containing the minimum requirements as set forth at N.J.A.C. 13:61-1.4, and a list of reference material.
3. Application for approval as a boat safety course shall be forwarded to:

Superintendent of State Police
c/o Marine Law Enforcement Bureau
River Road
P.O. Box 7068
West Trenton, NJ 08628-0068

13:61-1.4 Requirements for approval

(a) An approved boat safety course shall include the following course material:

1. Vessel Description:
 - i. Definition/classification;
 - ii. Types; and
 - iii. Hull designs.
2. Vessel Registration:
 - i. Boat titling law;
 - ii. Registration law;
 - iii. Registration numbers;

- iv. Documented vessels; and
 - v. Hull identification number.
3. Equipment:
- i. Personal flotation devices;
 - ii. Fire extinguishers;
 - iii. Sound producing devices;
 - iv. Navigational lights;
 - v. Visual distress signals;
 - vi. Ventilation;
 - vii. Flame arrestors;
 - viii. Mufflers;
 - ix. Capacity;
 - x. Marine sanitation devices; and
 - xi. Anchors.
4. Preparation:
- i. Trailers;
 - ii. Weather and sea conditions; and
 - iii. Float plan.
5. Operation:
- i. Navigation rules;
 - ii. Aids to navigation;
 - iii. Accidents;
 - iv. Responsibility; and
 - v. Mooring.
6. Procedures and Practices:
- i. Fueling;
 - ii. Anchoring;
 - iii. Loading; and
 - iv. Waterskiing.
7. Post Operation:
- i. Security;
 - ii. Storage; and
 - iii. Preventive maintenance.

(b) An approved boat safety course shall provide a minimum of eight hours of formal instruction.

(c) Upon the completion of the formal instruction, an approved examination shall be administered and successful completion shall be required.

13:61-1.5 Duration of approval

(a) An applicant's approval will be documented by the issuance of a Letter of Approval from the Superintendent.

(b) An approval as evidenced by a Letter of Approval from the Superintendent shall be valid for two years from the date of its issuance.

(c) An application for reapproval of a course shall be submitted pursuant to N.J.A.C. 13:61-1.3, Application procedure, and 13:61-1.4, Requirement for approval.

13:61-1.6 Inspection of approved courses

The Superintendent or designee may inspect any approved course to verify the requirements for approval set forth at N.J.A.C. 13:61-1.4, Requirements for approval, are being satisfied.

13:61-1.7 Approval of out-of-State boat safety courses

The Superintendent may recognize any out-of-State boat safety course which satisfies the minimum requirements for approval as set forth at N.J.A.C. 13:61-1.4, Requirements for approval.

13:61-1.8 Intent to revoke; revocation

(a) The Superintendent may revoke the approval of an approved course for failure to satisfy any requirements as set forth at N.J.A.C. 13:61-1.4, requirements for approval, pending any hearing provided for by law or these rules.

(b) A notice of intent to revoke an approved course shall be in writing from the Superintendent, stating the reason(s) for possible revocation, and effective date thereof.

(c) A notice of revocation of an approved course shall be in writing from the Superintendent stating the reason(s) for revocation and the effective date.

(d) Any course revoked by the Superintendent may seek future approval pursuant at N.J.A.C. 13:61-1.3, Application procedure, and 13:61-1.4, Requirements for approval.

13:61-1.9 Hearings

(a) In the case of the denial of an application, or the refusal to renew an application or notice of intent to revoke, or revocation of an approval, the Superintendent shall notify the applicant or approved party in writing of same and shall state the reasons for the action.

(b) Upon such notification, the Superintendent shall afford the applicant or approved party, an opportunity to be heard thereon in person or by counsel. A request for such an opportunity to be heard shall be made in writing to the Superintendent within 15 days from the receipt of notice provided at N.J.A.C. 13:61-1.8, Intent to revoke; revocation.

(c) If a request for an opportunity to be heard is timely received, the Superintendent shall set a date for hearing and notify the parties of the time and place thereof. Such a hearing shall be conducted by the Superintendent or designee.

(d) All hearings shall be held in accordance with the provisions of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

13:61-1.10 Administration

(a) Administrative files will be maintained by Marine Law Enforcement Bureau, Division of State Police and will include applications, copies of letters of Approval and Notices of Intent to Revoke/Revocation.

(b) The Division of State Police, Marine Law Enforcement Bureau will issue a laminated certificate to each person who attends and successfully completes an approved boat safety course.

Amended by R.1995 d.238, effective May 1, 1995.
See: 27 N.J.R. 642(a), 27 N.J.R. 1807(b).