

CHAPTER 82
BOATING REGULATIONS

Authority

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

Source and Effective Date

R.1999 d.127, effective March 24, 1999.
See: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).

Executive Order No. 66(1978) Expiration Date

Chapter 82, Boating Regulations, expires on March 24, 2004.

Chapter Historical Note

Chapter 82, Boating Regulations, was adopted as R.1994 d.205, effective April 18, 1994. See: 26 N.J.R. 744(a), 26 N.J.R. 1673(a).

Pursuant to Executive Order No. 66(1978), Chapter 82, Boating Regulations, was readopted as R.1999 d.127, effective March 24, 1999. See: Source and Effective Date. See, also, section annotations.

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 and its various agencies to discharge statutory functions.

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

(c) These rules are to be construed consistent with Federal law and all regulations adopted by the United States Coast Guard, as amended and as may be amended, and other applicable laws or regulations relating to vessels.

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

In (a), deleted a reference to the Marine Law Enforcement Bureau; and rewrote (b) and (c).
Administrative change.
See: 32 N.J.R. 2909(b).

13:82-1.3 Equipment

(a) No person shall operate or allow any person to operate any 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 33 C.F.R. Part 175, 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.

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

Rewrote (a).

13:82-1.4 Personal flotation devices

(a) No person shall operate or allow any person to operate any vessel in or on the waters of this State unless such vessel has a serviceable United States Coast Guard approved personal flotation device (PFD) for each person on board. Such PFD shall be of the type(s) and number(s) required by the United States Coast Guard for a vessel of that class operating on navigable waters. This section applies to all vessels except surfboards, racing shells, rowing sculls and racing kayaks.

(b) In accordance with P.L. 1999, c.161, every person who operates a vessel on the waters of this State with a child 12 years of age or younger on board shall have the child wear a properly fitted United States Coast Guard approved PFD whenever the vessel is underway. The PFD shall be fully secured on the child by all means provided in accordance with the manufacturer's instructions.

(c) Subsection (b) above shall not apply when the child is inside a fully enclosed cabin that is a permanent, non-removable part of the vessel that is intended by the vessel's manufacturer to carry passengers.

(d) The following classes of vessels shall be exempt from the requirements of (b) above:

1. Vessels owned and operated by the United States;
2. Vessels owned or operated by the State of New Jersey or an agency thereof, a county, a municipality, a volunteer first aid, rescue or emergency squad, a search and rescue unit established within a fire district created pursuant to N.J.S.A. 40A:14-70 or a volunteer fire company created pursuant to N.J.S.A. 40A:14-70.1 when a child is on board as a direct result of being rescued from an emergency situation;
3. Commercial vessels; and
4. Ferries.

(e) For the purposes of this section, "commercial vessel" means any vessel longer than 65 feet operated for a purpose that requires a United States Coast Guard Operator's or Master's License. "Ferry" means any vessel longer than 65 feet operating on a short run on a frequent schedule between two points offering a public service of a type normally attributed to a bridge or tunnel.

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

Substituted "section applies to" for "rule includes" in the last sentence.

Amended by R.2000 d.89, effective March 6, 2000.
See: 31 N.J.R. 2465(a), 32 N.J.R. 814(a).

Added (a) designation; and added (b) through (e).

13:82-1.5 Rotating lights

(a) No vessel shall display a rotating or sequential flashing light except as provided in this section.

(b) Any law enforcement or emergency vessel may display a rotating blue light beacon.

(c) Any vessel engaged in activity recognized by the Coast Guard as being eligible for its use may display a rotating red and yellow light.

13:82-1.6 Siren

No vessel shall be equipped with, nor shall any person use upon a vessel, any siren except as otherwise permitted in this section. It is permissible that any vessel be equipped with a theft alarm signal device which is so arranged that it cannot be used by the operator as an ordinary warning signal. This section shall not apply to any vessel operated by or for the Department, a first aid squad, or a police or fire department.

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

13:82-3.13 Operation on Greenwood Lake

(a) A person shall not operate a vessel on Greenwood Lake, Passaic County, in such a way as to unreasonably

interfere with or endanger any other vessel or person. Every vessel operated on Greenwood Lake shall be operated in a careful and prudent manner.

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

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

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

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

13:82-3.14 Operation on Cranberry Lake

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

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

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

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

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

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

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

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

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

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

Amended by R.1999 d.127, effective April 19, 1999.
Sec: 31 N.J.R. 113(a), 31 N.J.R. 1069(a).
Rewrote (a); and added (b) and (c).

13:82-3.16 Upper Greenwood Lake

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

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

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

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

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

13:82-3.17 Diving and swimming

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

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

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

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

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

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

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

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

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

(b) Provisions for Manasquan Inlet are as follows:

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

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

(c) Provisions for Barnegat Inlet are as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In (a)2, deleted "approved by the New Jersey Boat Regulation Commission" at the end of the introductory paragraph.

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

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

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

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

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

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

SUBCHAPTER 4. WATERCRAFT NOISE CONTROL

13:82-4.1 Definitions

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

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

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

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

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

Deleted "Department" definition.

13:82-4.2 Noise limitation provisions

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

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