

CHAPTER 61
BOAT SAFETY COURSE

Authority

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

Source and Effective Date

R.2010 d.296, effective November 23, 2010.
See: 42 N.J.R. 2003(a), 42 N.J.R. 3063(b).

Chapter Expiration Date

Chapter 61, Boat Safety Course, expires on November 23, 2015.

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.

Chapter 61, Boat Safety Course, adopted as new rules by R.1995 d.238, effective May 1, 1995. See: 27 N.J.R. 642(a), 27 N.J.R. 1807(b).

Pursuant to Executive Order No. 66(1978), Chapter 61, Boat Safety Course, was readopted as R.2000 d.188, effective April 7, 2000. See: 32 N.J.R. 780(b), 32 N.J.R. 1622(a).

Chapter 61, Boat Safety Course, was readopted as R.2005 d.270, effective July 21, 2005. See: 37 N.J.R. 1684(a), 37 N.J.R. 3046(a).

Subchapter 2, Boat Safety Instructors, was adopted as new rules by R.2007 d.191, effective June 18, 2007. See: 39 N.J.R. 756(a), 39 N.J.R. 2364(b).

Chapter 61, Boat Safety Course, was readopted as R.2010 d.296, effective November 23, 2010. As a part of R.2010 d.296, Subchapter 3, Pre-Rental Boat Safety Instruction, was adopted as new rules, effective December 20, 2010. See: Source and Effective Date. See, also, section annotations.

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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 formal instruction in power vessel handling and safety, and the establishment of a list of approved boat safety courses pursuant to N.J.S.A. 12:7-60.

Amended by R.2003 d.376, effective October 6, 2003.
See: 35 N.J.R. 1792(a), 35 N.J.R. 4729(a).

13:61-1.2 Definitions

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

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

“Boat safety certificate” means a certificate issued by the Superintendent to an individual upon that person’s successful completion of an approved boat safety course.

“Boat safety course” means formal instruction in power vessel handling and safety.

“Boat safety course clerical administrator” means an individual who may or may not be a provider or a boat safety instructor, and who is employed by, is a volunteer for, or is retained under contract to any boating safety course provider, either public or private, who will be entering data or completing other duties pertaining to boat safety certificates issued by that provider.

“Boat safety instructor” means an individual who is a State of New Jersey boating safety course provider, or a person who is employed by, is a volunteer for or is retained under contract to any boating safety course provider, either public or private, and who will be taking part in the instruction or testing of students in a boating safety course approved by the Superintendent for the issuance of a New Jersey Boat Safety Certificate, or who may have contact with class participants in a manner that may be construed by class participants as an official capacity.

“Marine Services Bureau” means the Marine Services Bureau in the Division of State Police, Department of Law and Public Safety.

“Provider” means a public or private person or agency offering a boat safety course, for profit or otherwise.

“Superintendent” means the Superintendent of State Police.

“Temporary boat safety certificate” means a temporary certificate issued by an approved course provider, in a manner prescribed by, and on forms provided by, the Superintendent, to an individual, certifying that person’s successful completion of an approved boating safety course.

Amended by R.2003 d.376, effective October 6, 2003.
See: 35 N.J.R. 1792(a), 35 N.J.R. 4729(a).

Rewrote introductory paragraph, “Approved course”, “Boat safety course”, and “Superintendent”; deleted “Notice of approval” and “Notice of Intent to Revoke”; added “Provider”.

Amended by R.2007 d.191, effective June 18, 2007.
See: 39 N.J.R. 756(a), 39 N.J.R. 2364(b).

Added definitions “Boat safety instructor” and “Marine Services Bureau”.

Amended by R.2010 d.296, effective December 20, 2010.
See: 42 N.J.R. 2003(a), 42 N.J.R. 3063(b).

Inserted definitions “Boat safety certificate”, “Boat safety course”, “clerical administrator” and “Temporary boat safety certificate”; and in definition “Boat safety instructor”, substituted “Superintendent” for “State of New Jersey”.

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 applicant’s letterhead containing a request for approval and a description of the manner in which and, if known, the location(s) where the course will be provided signed by applicant or the applicant’s chief executive officer, president or individual of equal authority;

2. A written outline and full course text containing the minimum requirements set forth at N.J.A.C. 13:61-1.4, which may be compiled by the provider or a commercially available product, a sample examination and description of examination security protocols, and a list of reference material;

3. Any visual and/or audio learning aid(s) that is/are to be utilized while administering an approved boat safety course. This shall include, but is not limited to, instructional videos, slide presentations, computer programs, etc; and

4. A list of the names and identification numbers of all approved boat safety instructors employed or authorized to teach the course. The approved boat safety provider shall notify the Marine Services Bureau, in writing, of any additions or deletions to the list.

(b) The application shall be submitted to:

New Jersey State Police
Division Headquarters
c/o Marine Services Bureau
River Road
PO Box 7068
West Trenton, NJ 08628–0068

Amended by R.2000 d.188, effective May 1, 2000.
See: 32 N.J.R. 780(b), 32 N.J.R. 1622(a).

In (a)3, substituted a reference to the Marine Services Unit for references to the Marine Law Enforcement Bureau.

Amended by R.2003 d.376, effective October 6, 2003.
See: 35 N.J.R. 1792(a), 35 N.J.R. 4729(a).

Rewrote the section.

Amended by R.2005 d.270, effective August 15, 2005.
37 N.J.R. 1684(a), 37 N.J.R. 3046(a).

Rewrote the section.

Amended by R.2007 d.191, effective June 18, 2007.
See: 39 N.J.R. 756(a), 39 N.J.R. 2364(b).

Rewrote (a)3.

Amended by R.2010 d.296, effective December 20, 2010.
See: 42 N.J.R. 2003(a), 42 N.J.R. 3063(b).

In (a)2, inserted “the” preceding “provider”; added new (a)3; recodified former (a)3 as (a)4; and in (a)4, inserted the last sentence.

13:61-1.4 Course requirements; requirements for approval

(a) Course materials submitted for approval shall comply with the National Association of State Boating Law Administrators (NASBLA) boat safety course standards 1.1 through 8.2.14, and R1 through R4, as published in the 2010 version of the “National Boating Education Standards,” incorporated herein by reference, as amended and supplemented, in effect at the time the course is submitted. The standards may be obtained from the National Association of State Boating Law Administrators, 1500 Leestown Rd, Ste 330, Lexington, KY 40511 or online at www.nasbla.org. Delivery of approved courses shall comply with the standards in effect at the time that the course is taught.

(b) In addition to the requirements in (a) above, course materials shall include comprehensive information on the following New Jersey State specific topics:

1. Mandatory education requirements for out-of-State operators;
2. New Jersey specific laws and rules that pertain to vessel speed;
3. New Jersey specific laws and rules that pertain to waterskiing;
4. Homeland security;
5. Environmental concerns when operating in shallow water or near environmentally sensitive shorelines;
6. Marine Sanitation Devices (MSD);
7. New Jersey specific laws and rules pertaining to the operation of personal watercraft; and
8. Contact information for the New Jersey State Police, Marine Services Bureau.