

Rhode Island Department of Environmental Management

Environmental Police

*Rhode Island Specific Boating
Statutes & Regulations*



Statutes and Regulations

- R.I.G.L. Title 46-Waters & Navigation

<http://www.rilin.state.ri.us/Statutes/TITLE46/INDEX.HTM>

This Title establishes law on the regulation of boats, laws regarding boating and alcohol and laws regarding Personal Watercraft (PWC) operation

- DEM Rules and Regulations Promulgated in 2014

<http://www.dem.ri.gov/pubs/regs/regs/enforce/boats14t.pdf>

These Rules and Regulations Incorporate:

- The international/inland rules for vessels operating on the water of the state.
- Additional boating regulations with regards to safety equipment

Personal Flotation Devices

- This regulation applies to all vessels used on all RI waters. **Only** exemptions are racing vessels engaged in sanctioned races or practicing within 48 hours of a sanctioned race.
- There are now only two types of Personal Flotation Devices
 - **WEARABLE PFD**-PFD intended to be worn or otherwise attached to the body & used in accordance to specifications and limitations on the USCG label
 - **THROWABLE PFD**-PFD intended to be thrown to a person in the water & used in accordance to specifications and limitations on the USCG label.
**Wearable can not be used as a throwable.*



State P.F.D Requirements

- All vessels must have at least one Wearable PFD for each person on board
 - Includes canoes and kayaks, kiteboards, sailboards & paddleboards
- Vessels 16' or longer must have at least one Throwable PFD
 - Exempted: canoes and kayaks, kiteboards, sailboards & paddleboards
- RI Law requires all children under 13 years of age to wear a USCG approved PFD while underway in a vessel less than 65' unless below deck or in an enclosed cabin.

State PFD Requirements Cont.

- **STOWAGE**-All PFDs **MUST** be readily accessible
 - Readily Accessible defined as being visible to the operator and passengers and/or easy to gain access to in the event of an emergency
- **CONDITIONS, APPROVAL & MARKING**-All PFDs must be in serviceable condition, legibly marked with USCG approval, of the appropriate size for person it is intended
 - Serviceable Condition defined as all straps, hardware, cover, floatation material in undamaged condition

Fire Extinguishers

- Regulation applies to all motorboats/ motor vessels
- Must be type “B”
- USCG approved
- Good Serviceable Condition
- Readily Accessible
- Required Amount Onboard
- Exemptions: motorboat w/ outboard motor & open construction (construction does not permit entrapment of gases)



Fire Extinguishers

- Less than 26ft 1 BI
- 26ft < 40ft 2 BI or 1 BII
- 40ft up to 65ft 3 BI or
1 BI & 1 BII
- Fixed system substitutes 1 BI



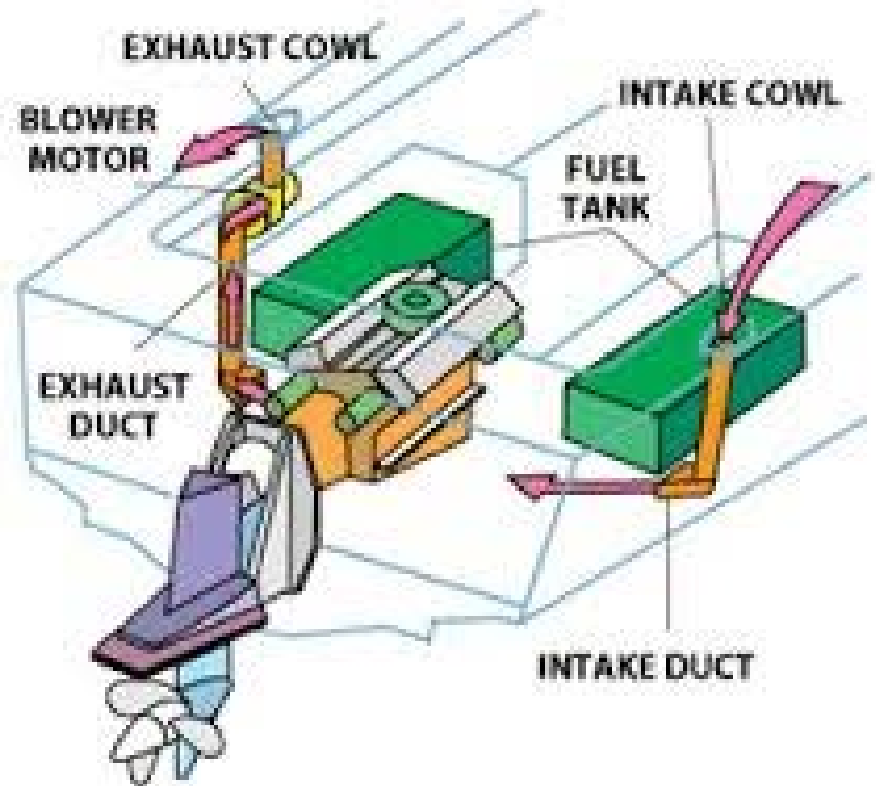
Backfire Flame Arresters

- Approved by USCG
- Marked according to 46 CFR 162
- Maintained in serviceable condition



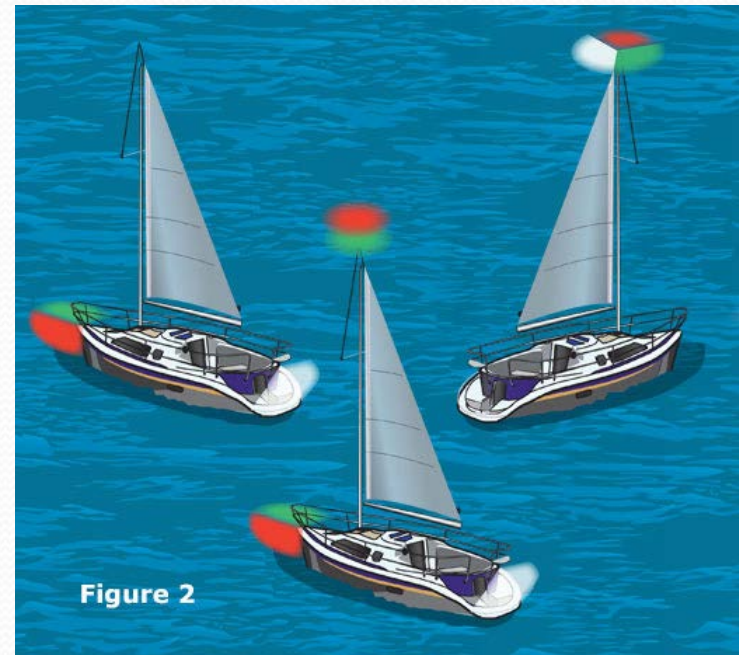
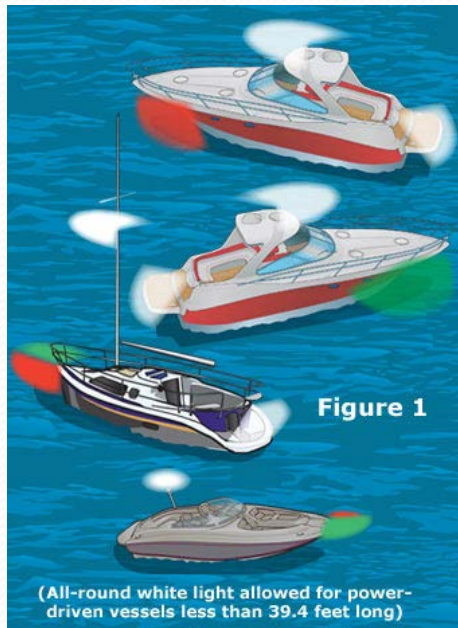
Ventilation

- Required on all motorboats or motor vessels, except open boats, the construction or decking over of which is commenced after April 25, 1940, and which use fuel having a flash-point of 110 degrees Fahrenheit or less.
- The vessel shall have at least 2 ventilator ducts fitted with cowls or their equivalent, for the efficient removal of explosive or flammable gasses from the bilges of every engine and fuel tank compartment.
- There shall be at least one exhaust duct installed so as to extend from the open atmosphere to the lower portion of the bilge and at least one intake duct installed so as to extend to a point at least midway to the bilge or at least below the level of the carburetor air intake.
- The cowls shall be located and trimmed for maximum effectiveness and in such a manner so as to prevent displaced fumes from being re-circulated.



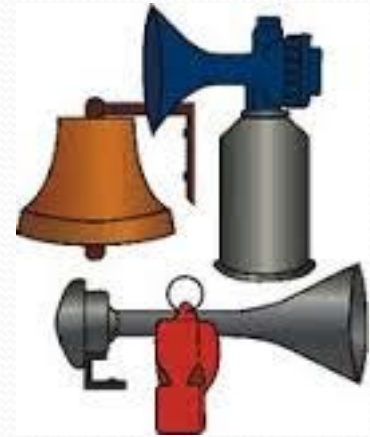
Navigation Lights

- Rhode Island Regulations mirror Federal Regulations



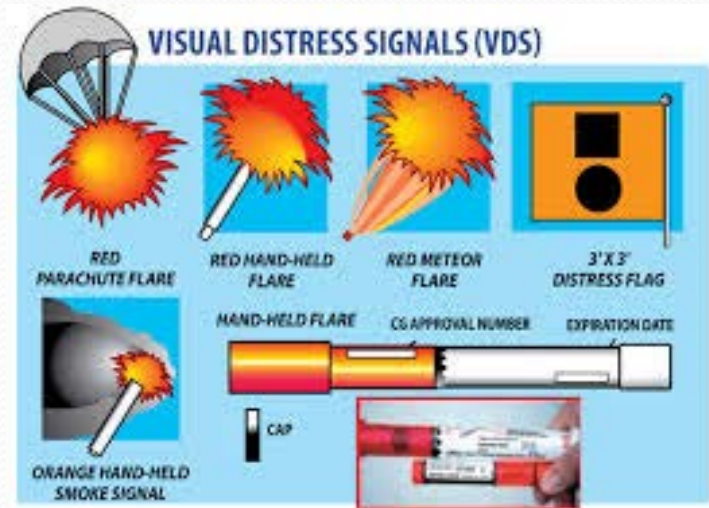
Sound Signal Devices

- Vessels 65.6 ft to 328.1 ft (20-100 meters)
 - Whistle & Bell audible for 1 nautical mile
- Vessels 39.4 ft to 65.6 ft (12-20 meters)
 - Whistle audible for $\frac{1}{2}$ nautical mile
- Vessels less than 39.4 ft (12 meters)
 - Some means of making an efficient sound signal capable of a 4 second blast.
 - This regulation includes canoes, kayaks, sailboards, kiteboards, and paddleboards
- Vessels over 328.1 ft (100 meters)
 - Whistle, Bell & Gong where tone of gong and bell must be different. Electronic version of bell and gong can be used as long as manual signal is always possible.



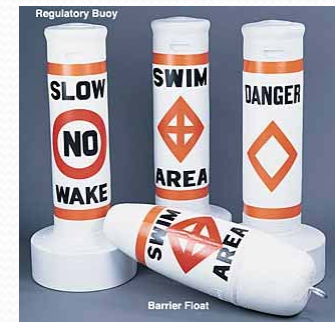
Visual Distress Signals

- Applies to vessels used on COASTAL waters of this State
- Vessels 16ft or > must have 3 day use and 3 night use OR 3 day/night
- Vessels < 16ft must carry 3 devices suitable for night when operating between sunset and sunrise
- Exempted vessels: vessels engaged in a race or practice & sailboat < 26ft w/ open construction and no motor
- VDS must be readily accessible and in serviceable condition
- **NOTE:** Expired flares can be carried on board as extra equipment



Uniform State Waterway Marker System

- DEM is authorized to make rules for the marking of water areas through the placement of navigation aids or regulatory markers.
- It is unlawful to operate a vessel in a manner other than prescribed or permitted by a navigation aid/regulatory marker(i.e. No Wake, Swim Area)
- It is unlawful to moor or fasten to a navigational aid/regulatory marker or to willfully damage, tamper, remove, obstruct or interfere with



Diving, Skin Diving and Snorkeling

- Dive flag required
- 12 inches x 12 inches if displayed on a buoy
- 18 inches x 18 inches if displayed from a boat
- Illuminated by a light at night
- Flag must be displayed only when diving operation is in progress
- Boats required to stay at least 50 feet away
- Diver can not obstruct navigation



Waterskiing

- *Prohibited between 1 hour after sunset to 1 hour before sunrise
- 2nd person in the boat at least 12 years of age to act as an observer
- Person being towed must wear an approved PFD



Registration

- Required on all vessels except:
 - Non-motorized rowboats less than 12ft
 - Canoes and kayaks (w/out motors)
 - A ship's lifeboat
 - Boats exclusively used for racing
 - Houseboats
 - Ferries
 - Vessels registered from another state in RI waters less than 90 days (law does **not** say consecutively)
 - Outboard engines must also be registered. This is a one-time registration that does not expire

RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT Office of Boat Registration (ROOM 346) 235 Promenade St., Providence RI 02908 www.state.ri.us/DEM				RHODE ISLAND BOAT REGISTRATION CERTIFICATE				
APPLICANT NO. 82492	REG. TYPE OR DOCUMENTED RHODE ISLAND	TIN 152R278	BOAT NUMBER 2225Z	HULL IDENTIFICATION NO. R12881881981	SERIAL NO. 03B41148	EXPIRATION DATE 02/28/2003		
DATE OF BIRTH 01/01/2001	NAME OF VESSEL	LAST NAME DOE, JOHN	FIRST FIRST	INITIAL	NAME OF BOAT AVON	COLOR WHT	LENGTH 14	FEET 01
STREET ADDRESS 1 SMITH ST	TYPE 1	HULL 1	USE 1	PROPULSION 2	FUEL 1			
CITY OR TOWN PROVIDENCE, RI 02909	STATE	ZIP CODE	REGULATED MOTOR MANUFACTURER # 1	H. F. # 1	MOTOR # 1 SERIAL NUMBER			
PRINCIPAL MOORING AREA/ANCHORING PORT HOPE	REGULATED MOTOR MANUFACTURER # 2	H. F. # 2	MOTOR # 2 SERIAL NUMBER					
PORT OF DOCUMENTATION	OWNER'S SIGNATURE							
OFFICIAL DEM VALIDATION								

- Documented vessels are **not** exempt. The documentation number will become your registration number. Unregistered vessels are subject to property tax.

TITLE 44

Taxation

CHAPTER 44-3

Property Subject to Taxation

SECTION 44-3-3

§ 44-3-3 *Property exempt.* – The following property is exempt from taxation

(27) Motorboats as defined in § 46-22-2 for which the annual fee required in § 46-22-4 has been paid;

Registration & Titling

- 2 year registration expires last day of February
- Must be kept onboard the vessel
- Only current registration decal shall be displayed
- Required to notify boat registry on changes (i.e. address, owner, etc)
- All vessels over 14ft must be titled



What you will need to register your vessel:

NEW VESSELS:

- Dealer's Bill of Sale
- Manufacturer's Certificate of Origin

USED VESSELS:

- Notarized Bill of Sale or gift statement
- Title notarized by the Seller



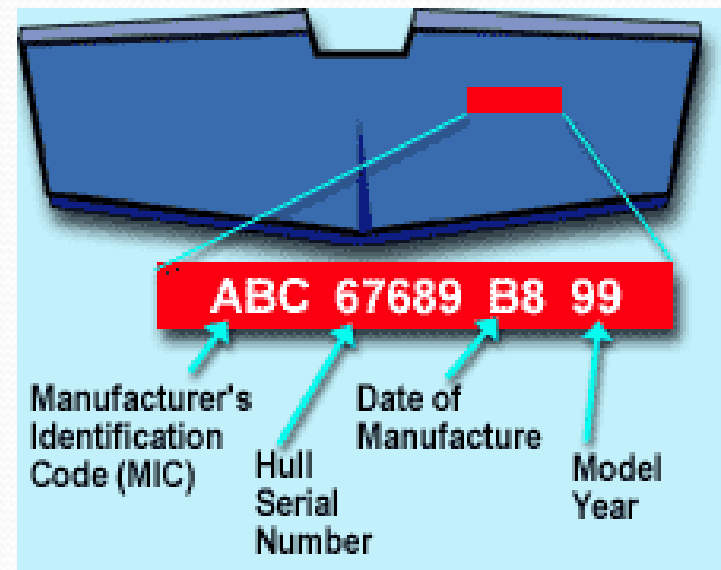
Always recommended to contact DEM Boat Licensing & Registration prior to any purchase to verify what paperwork you will need.

401-222-6647

ASK BEFORE YOU BUY!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

Hull Identification Number

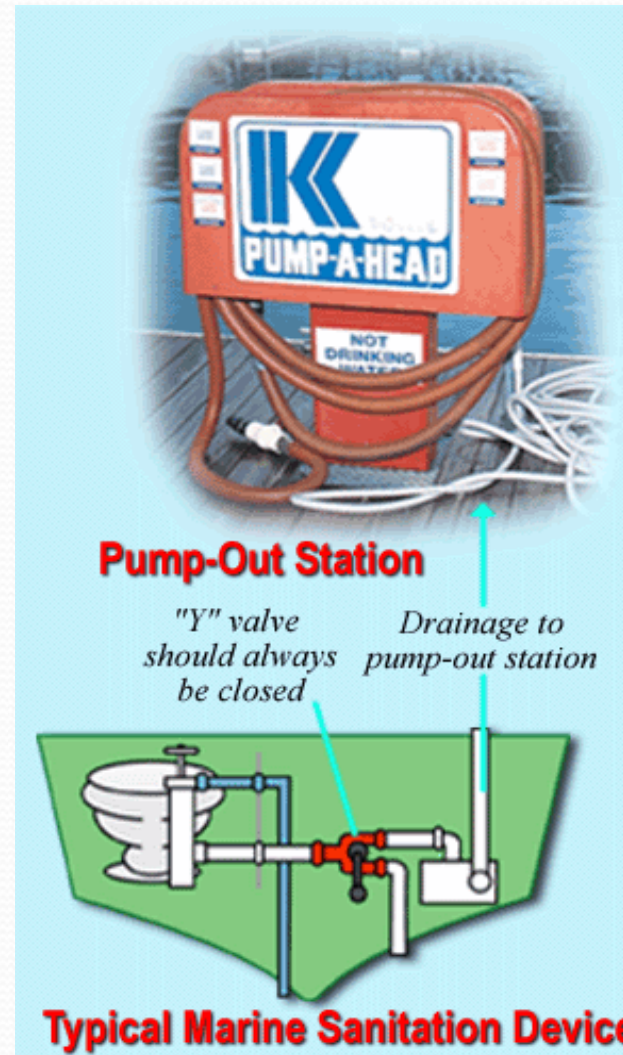
- 12 digit number required on all boats built after 1972
- Illegal to alter, remove or deface (RIGL 46-22.1-6)
- Normally located on starboard transom
- Environmental Police perform HIN inspections at request of Div. of Boat Registration & Licensing
- RIZ number issued to homemade boats



Marine Sanitation Devices

- Applies to any vessel equipped with a MSD
- Inspections by Authorized Agents
- No Discharge Certificate Decals
 - Green decals for type III MSD or No MSD (these
 - Yellow decals for type I & II MSD
- Decals will be valid for 4 years
- Program Handled by:
DEM/Division of Water Resources-
Shellfish Section

<http://www.dem.ri.gov/programs/water/shellfish/marine-pumpouts.php>



Marine Sanitation Devices

- All RI waters are declared a “No Discharge” area
- MSDs CG approved
- Three main types:
 - Type I & II
 - Chemically treats waste
 - Y-valve transfer into holding tank or discharges overboard
 - Y-valve must be secured to prevent overboard discharge when within state waters
 - Type III
 - Transfer waste to holding tank for pump-out

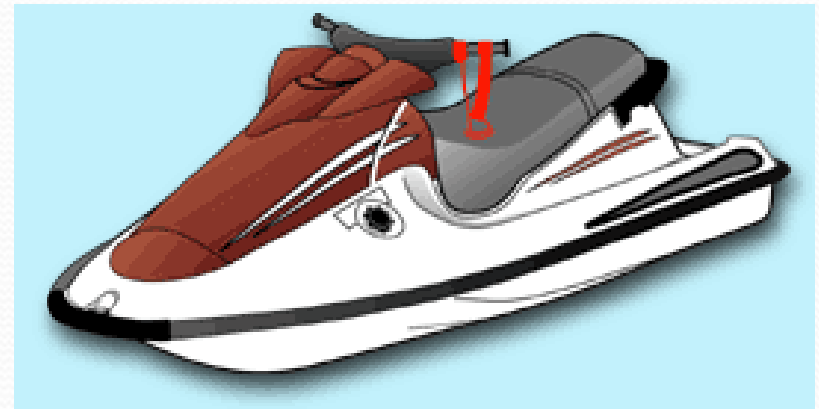
Personal Water Craft

- PFDs must be worn
- Prohibited between $\frac{1}{2}$ hour after sunset to $\frac{1}{2}$ before sunrise
- Operated with engine cut-off lanyard attached



Personal Water Craft

- Operated at headway speed 200ft from swimmers divers shore and moored boats
- Operate as perpendicular to shoreline as possible when launching as you head out to area of operation
- Operate in reasonable and prudent manner
- Boating Safety Education card required for all operators no matter how old you are or what State you are from!!!!



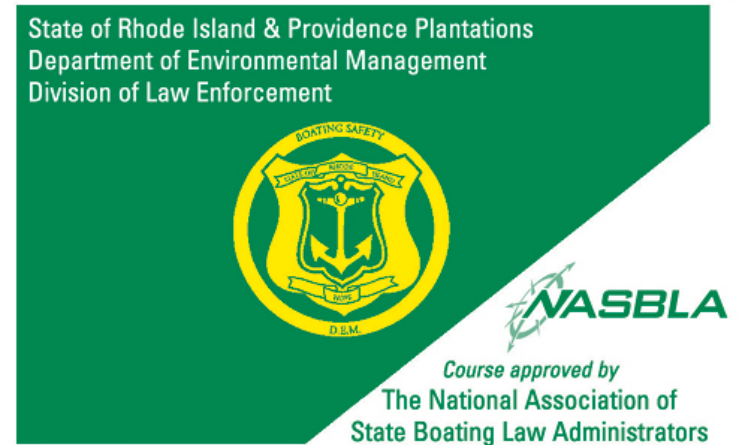
Prohibited Operations

- Reckless Operation/
Operating to Endanger the
life, limb, property of another
- Reckless Operation Death
Resulting or Serious Bodily
Injury Resulting
- Violating NO-WAKE zone
- Obstructing navigation
- Docking or making fast to any
pier, wharf or structure
without the consent of the
owner



Boating Education

- Required by anyone born after Jan 1, 1986, to operate a vessel having more than 10 hp.
- Anyone operating a personal watercraft (PWC) regardless of their age or where they are from
- Certificate card required to be onboard while operating
- RI DEM Environmental Police maintains a database of all Rhode Island certified boaters.



Boating Education

- Operators are exempted from these requirements if they:
 - Are supervised onboard by person 18 years of age or older who has met the education requirements
 - Hold a valid commercial vessel operator's license
 - Are not a resident of Rhode Island and meet the requirements of their state of residence (this does not apply to non-residents operating a PWC-must be certified)
 - Have been a resident of Rhode Island for 60 days or less
 - Are operating a rented vessel and have successfully completed the requirements for renters

TITLE 46

Waters and Navigation

CHAPTER 46-22

Regulation of Boats

SECTION 46-22-9.6

§ 46-22-9.6 False distress or hoax calls. – (a) Whoever, knowing it to be false, transmits or causes to be transmitted by radio, telephone, use of emergency flares or other means of communication, the alleged occurrence or impending occurrence of an emergency situation which threatens the life, or safety of a person and/or the loss of property, to any state, federal or local law enforcement or other public safety agency shall be guilty of transmitting a false distress or hoax call.

(b) Any person charged with the commission of the foregoing shall, upon conviction, be subject to imprisonment not to exceed one year and a fine not to exceed one thousand dollars (\$1,000). In addition to any other fines or penalties imposed under this section, the person or persons convicted shall pay restitution for any cost related to the emergency response to the false or hoax call.

BOAT ACCIDENTS-Duty of Operator

- **DUTY OF OPERATOR**

- Render Aid (as long as it does not put you or your vessel in danger)
- Give your name, address, and identification of your vessel in writing to any person injured or owner of any property damaged



BOATING ACCIDENTS-Reporting

Immediate Reporting to DEM, USCG, Local Police, or State Police if:

- accident results in death or personal injury that requires anything beyond basic first aid
- accident results in property damage in excess of \$2000

Written Report to DEM within 5 days of incident if


- accident results in death or personal injury that requires anything beyond basic first aid
- accident results in property damage in excess of \$2000

BOAT ACCIDENT REPORT FORMS

Forms are available online:

<http://www.dem.ri.gov/programs/bnatres/enforce/pdfs/boatacc.pdf>

Or by calling:
DEM/Environmental Police
401-222-3070

		BOATING ACCIDENT REPORT State of Rhode Island and Providence Plantations Department of Environmental Management Division of Law Enforcement Environmental Police	235 Promenade Street, Room 250 Providence, RI 02908 (401) 222-2284
<small>RIGL 46-22-21 requires that any operator or owner of a vessel involved in an accident which results in death, personal injury beyond first aid, or damage to the vessel(s) and/or property that exceeds \$2000.00 must report the accident IMMEDIATELY to Rhode Island Environmental Police, USCG or local authorities. RIGL 46-22-5(i)/Rule14(2) requires that any operator or owner of a vessel involved in an accident which results in death, personal injury beyond first aid, or damage to the vessel(s) and/or property that exceeds \$2000.00 must submit a BOATING ACCIDENT REPORT to the Rhode Island Environmental Police within five (5) days of the accident.</small>			
COMPLETE ALL BLOCKS (INDICATE THOSE NOT APPLICABLE BY "NA")			
ACCIDENT DATA			
DATE OF ACCIDENT		TIME <input type="checkbox"/> AM <input type="checkbox"/> PM	NAME OF BODY OF WATER
			LOCATION (GIVE LOCATION PRECISELY)
NUMBER OF VESSELS INVOLVED	NEAREST CITY OR TOWN	COUNTY	STATE ZIP CODE
WEATHER (check all applicable) <input type="checkbox"/> CLEAR <input type="checkbox"/> CLOUDY <input type="checkbox"/> FOG <input type="checkbox"/> RAIN <input type="checkbox"/> SNOW <input type="checkbox"/> HAZY	WEATHER REPORTS CONSULTED PRIOR TO ACCIDENT? <input type="checkbox"/> YES <input type="checkbox"/> NO	WATER CONDITIONS <input type="checkbox"/> CALM WAVES (LESS THAN 6") <input type="checkbox"/> CHOPPY (WAVES 6" TO 2') <input type="checkbox"/> ROUGH (WAVES 2' TO 6") <input type="checkbox"/> VERY ROUGH (GREATER THAN 6") <input type="checkbox"/> STRONG CURRENT	TEMPERATURE (ESTIMATE) AIR _____ °F WATER _____ °F
NAME OF OPERATOR		OPERATOR ADDRESS	
DATE OF BIRTH MO DAY YR	GENDER <input type="checkbox"/> FEMALE <input type="checkbox"/> TRANS <input type="checkbox"/> MALE <input type="checkbox"/> OTHER	OPERATOR EXPERIENCE <input type="checkbox"/> NONE <input type="checkbox"/> UNDER 100 HOURS <input type="checkbox"/> 100 HOURS OR MORE	BOATING SAFETY <input type="checkbox"/> STATE COURSE <input type="checkbox"/> USCG AUXILIARY <input type="checkbox"/> NONE
OPERATOR TELEPHONE NUMBER ()	NAME OF OWNER		INSTRUCTION <input type="checkbox"/> U.S. POWER SQUADRON <input type="checkbox"/> AMERICAN RED CROSS <input type="checkbox"/> OTHER
OWNER TELEPHONE NUMBER ()	NUMBER OF PEOPLE ON BOARD	NUMBER OF PEOPLE BEING TOWED	RENTED BOAT? <input type="checkbox"/> YES <input type="checkbox"/> NO
BOAT NO. 1 (THIS VESSEL)			
BOAT REGISTRATION OR DOCUMENTATION NUMBER	BOAT MANUFACTURER	MODEL	HULL IDENTIFICATION NUMBER BOAT LENGTH
TYPE OF BOAT <input type="checkbox"/> OPEN MOTORBOAT <input type="checkbox"/> CABIN MOTOR BOAT <input type="checkbox"/> AUXILIARY SAIL <input type="checkbox"/> SAIL (ONLY) <input type="checkbox"/> ROWBOAT <input type="checkbox"/> PERSONAL WATERCRAFT <input type="checkbox"/> INFLATABLE BOAT <input type="checkbox"/> AIR BOAT <input type="checkbox"/> PADDLESCRAFT <input type="checkbox"/> PONTOON BOAT <input type="checkbox"/> HOUSEBOAT <input type="checkbox"/> OTHER (specify)	HULL MATERIAL <input type="checkbox"/> WOOD <input type="checkbox"/> ALUMINUM <input type="checkbox"/> STEEL <input type="checkbox"/> FIBERGLASS <input type="checkbox"/> RUBBER/VINYL/CANVAS <input type="checkbox"/> PLASTIC <input type="checkbox"/> OTHER (specify)	ENGINE <input type="checkbox"/> OUTBOARD <input type="checkbox"/> INBOARD <input type="checkbox"/> INBOARD/STERNDRIVE <input type="checkbox"/> P/OO DRIVE <input type="checkbox"/> OTHER (specify)	FIRE EXTINGUISHERS ON BOARD: # OF FIRE EXTINGUISHERS USED: TYPE OF FIRE EXTINGUISHER (i.e., ABC) AMOUNT OF FIRE EXTINGUISHERS USED: FUEL <input type="checkbox"/> GASOLINE <input type="checkbox"/> DIESEL <input type="checkbox"/> ELECTRIC <input type="checkbox"/> NONE <input type="checkbox"/> OTHER (specify)
DEPTH FROM TRANSOM (STERN) TO KEEL (BOTTOMMOST POINT): _____ ft. _____ in.	COMMERCIAL VESSEL? <input type="checkbox"/> YES <input type="checkbox"/> NO	PROPULSION <input type="checkbox"/> PROPELLER <input type="checkbox"/> WATERJET <input type="checkbox"/> AIR THRUST <input type="checkbox"/> SAIL <input type="checkbox"/> OTHER (specify)	BOAT NAME YEAR BUILT STATE
BEAM WIDTH AT WIDEST POINT: _____ ft. _____ in.			PERSONAL FLOTATION DEVICES (LIFE JACKETS) WAS BOAT ADAQUATLEY EQUIPPED WITH CG APPROVED LIFE JACKETS? <input type="checkbox"/> YES <input type="checkbox"/> NO WERE THE LIFE JACKETS WORN PRIOR TO THE ACCIDENT? <input type="checkbox"/> YES <input type="checkbox"/> NO WERE THE LIFE JACKETS WORN AS A RESULT OF THE ACCIDENT? <input type="checkbox"/> YES <input type="checkbox"/> NO
OPERATION AT TIME OF ACCIDENT (check all applicable) <input type="checkbox"/> CRUISING <input type="checkbox"/> CHANGING DIRECTION <input type="checkbox"/> CHANGING SPEED <input type="checkbox"/> DRIFTING <input type="checkbox"/> TOWING <input type="checkbox"/> BEING TOWED <input type="checkbox"/> ROWING/PADDLING <input type="checkbox"/> SAILING <input type="checkbox"/> LAUNCHING <input type="checkbox"/> DOCKING/UNDOCKING <input type="checkbox"/> AT ANCHOR <input type="checkbox"/> TIED TO DOCK/MOORING <input type="checkbox"/> OTHER (specify) <input type="checkbox"/> COMMERCIAL OPERATION	ACTIVITY AT TIME OF ACCIDENT (check any if applicable) <input type="checkbox"/> FISHING <input type="checkbox"/> TOURNAMENT <input type="checkbox"/> HUNTING <input type="checkbox"/> SWIMMING/DIVING <input type="checkbox"/> MAKING REPAIRS <input type="checkbox"/> WATERSKIING/TUBING/ETC. <input type="checkbox"/> RACING <input type="checkbox"/> WHITEWATER SPORTS <input type="checkbox"/> FUELING <input type="checkbox"/> STARTING ENGINE (S) <input type="checkbox"/> NON-RECREATIONAL <input type="checkbox"/> COMMERCIAL ACTIVITY <input type="checkbox"/> OTHER (specify)	TYPE OF ACCIDENT (check all applicable) <input type="checkbox"/> GROUNDING <input type="checkbox"/> CAPSIZING <input type="checkbox"/> FLOOD/SWAMPING <input type="checkbox"/> SINKING <input type="checkbox"/> FIRE OR EXPLOSION (FUEL) <input type="checkbox"/> FIRE OR EXPLOSION (OTHER) <input type="checkbox"/> SKIER MISHAP <input type="checkbox"/> COLLISION WITH VESSEL <input type="checkbox"/> COLLISION WITH FIXED OBJECT <input type="checkbox"/> COLLISION WITH FLOATING OBJECT <input type="checkbox"/> FALLS OVERBOARD <input type="checkbox"/> FALLS IN BOAT <input type="checkbox"/> STRUCK BY BOAT <input type="checkbox"/> STRUCK BY MOTOR/PROPELLER <input type="checkbox"/> STRUCK SUBMERGED OBJECT <input type="checkbox"/> HIT AND RUN <input type="checkbox"/> OTHER (specify)	WHAT CONTRIBUTED TO THE ACCIDENT? (check all applicable) <input type="checkbox"/> WEATHER <input type="checkbox"/> EXCESSIVE SPEED <input type="checkbox"/> IMPROPER LOOKOUT <input type="checkbox"/> RESTRICTED VISION <input type="checkbox"/> OVERLOADING <input type="checkbox"/> IMPROPER LOADING <input type="checkbox"/> HAZARDOUS WATERS <input type="checkbox"/> ALCOHOL USE <input type="checkbox"/> DRUG USE <input type="checkbox"/> HULL FAILURE <input type="checkbox"/> MACHINERY FAILURE <input type="checkbox"/> OPERATOR INEXPERIENCE <input type="checkbox"/> OPERATOR INATTENTION <input type="checkbox"/> CONGESTED WATERS <input type="checkbox"/> PASSENGER/SKIER BEHAVIOR <input type="checkbox"/> DAMLOCK SAFETY <input type="checkbox"/> OTHER (specify)
ESTIMATED SPEED <input type="checkbox"/> NONE <input type="checkbox"/> 10-20 MPH <input type="checkbox"/> OVER 40 MPH <input type="checkbox"/> UNDER 10 MPH <input type="checkbox"/> 21-40 MPH			

BOATING UNDER THE INFLUENCE



- Rhode Island law sets the blood alcohol limit for boating while intoxicated at 0.08% or greater
- The BUI statute mirror the DUI state in Rhode Island
- Only differences with regards to penalties are:
 - Boating Safety Course vs. Driver Retraining
 - Boating rights are suspended vs. Drivers's license suspended
 - Exception is if under 21, then Driver's license will be suspended if convicted

Note: Statute states "Watercraft"- a device for transportation by water . This means that all vessels including canoes, kayaks, rowboats, etc. are subject to this statute.

TITLE 46

Waters and Navigation

CHAPTER 46-22

Regulation of Boats

SECTION 46-22-15

§ 46-22-15 **Owner's civil liability.** – The owner of a vessel shall be liable for any injury or damage occasioned by the negligent operation of the vessel, whether the negligence consists of a violation of the provisions of the statutes of this state, or neglecting to observe such ordinary care and such operation as the rules of the common law require. The owner shall not be liable, however, unless the vessel is being used with his or her express or implied consent. It shall be presumed that the vessel is being operated with the knowledge and consent of the owner, if at the time of the injury or damage, it is under the control of his or her spouse, father, mother, brother, sister, son, daughter, or other immediate member of the owner's family. Nothing contained herein shall be construed to relieve any other person from any liability which he or she would otherwise have, but nothing contained herein shall be construed to authorize or permit any recovery in excess of the injury or damage actually incurred.

History of Section.

(P.L. 1959, ch. 187, § 1.)

CONTACT INFORMATION

Environmental Police

24-Hr Dispatch Center 401-222-3070

Boating Safety Program Coordinator

Lt Steven Criscione

401-222-2986

Steven.Criscione@dem.ri.gov

Boating Safety Education Coordinator

EPO Jennifer Ogren

401-222-1986

Jennifer.Ogren@dem.ri.gov

www.dem.ri.gov