

# STATE OF INDIANA

## *State-Specific Boating Safety Requirements*

### **1. Law Enforcement Authority**

The boating laws of Indiana are enforced by the Conservation Officers of the Indiana Department of Natural Resources, the U.S. Coast Guard officers, and any other authorized peace officer or law enforcement officer. They have the authority to stop and board boats in order to check for compliance with state and federal laws. The U.S. Coast Guard also has enforcement authority on all Waters of Concurrent Jurisdiction.

When regulations refer to “Waters of Concurrent Jurisdiction” it means Lake Michigan (Indiana portion), the Great Miami River, the Ohio River and the portion of the Wabash River that forms a border between Indiana and Illinois.

### **2. Age Restrictions**

Effective January 1, 1996, all motorboat or PWC operators must have a valid driver’s license to operate on all Indiana public waters. Any person who is at least 15 years old may operate a motorboat or PWC only if they successfully complete a boater education course approved by the Department of Natural Resources and have onboard an I.D. issued by the Indiana Bureau of Motor Vehicles. No one under 15 years of age may legally operate a PWC or a motorboat with greater than 10 horsepower.

### **3. Boater Safety Education Requirements**

Persons who are at least age fifteen (15) and do not have a driver's license, can operate a motorboat if they take a boating safety course and have an I.D. issued by the Bureau of Motor Vehicles.

### **4. Vessel Registration**

You must have an Indiana certificate of registration and a validation decal to legally operate a watercraft on public waters in Indiana unless:

- The watercraft is non-motorized (watercraft using an electric trolling motor are required to register), or
- It is registered in another state and has operated on Indiana waters for not more than 60 consecutive days.

Boats documented by the U.S. Coast Guard must also be registered by the State and display the excise decal. If your watercraft requires registration, it is illegal to operate or allow others to operate it unless it’s registered and properly numbered.

The certificate of registration indicates the number that must be displayed on the bow of the watercraft. The certificate must be kept onboard and available for inspection by an enforcement officer whenever the boat or PWC is being operated. The registration number and validation decals must be displayed as follows:

- Number must be painted, applied as a decal or otherwise affixed to both sides of the bow.

- Number shall read from left to right on both sides of the bow.
- Number's color must contrast with its background.
- Number must be in at least three-inch-high **BLOCK** letters.
- Numbers must be single color and clearly legible from a distance of 100 feet.
- Decals must be affixed on both sides of the boat, to the right side of and within three inches of the registration number. Decals include the month and year of expiration. Only the current decal may be displayed.

Registration information must be kept current:

- The boat excise tax decal is valid for one year. Owners who have already registered their watercraft will automatically be sent a renewal notice to their residence.
- If you change address, you must notify a Bureau of Motor Vehicles license branch within 30 days of the change.
- If you transfer ownership of your boat, or it is destroyed, the owner should report it to the local Bureau of Motor Vehicles license branch within 15 days.
- If you lose or destroy your certificate of registration or decal you must apply to the Bureau of Motor Vehicles for a duplicate and submit a processing fee.

Larger recreational boats, owned by U.S. citizens, may (at the option of the owner) be documented by the U.S. Coast Guard. U.S. Coast Guard documented boats must also have a certificate of registration but are exempt from displaying the "IN" numbers.

A watercraft that must be registered must also have a certificate of title except:

- Watercraft acquired by the owner before January 1, 1986.
- Watercraft that is less than \$3,000 in value when new.
- Home-built watercraft built for personal use and not for resale.

Although there are exemptions from titling, you may still want to title your boat. A title verifies ownership in case the boat is stolen.

### **Hull Identification Number**

The Hull Identification Number (HIN) is a unique, 12 digit number, assigned by the manufacturer, to boats built after 1972.

Hull Identification Numbers:

- Distinguish one boat from another.
- Are engraved or stamped in the hull transom or on a metal plate attached to the transom.
- Should be recorded by the owner and put in a place other than the boat in case warranty problems arise or the boat is lost or stolen.

You may obtain a Hull Identification Number for a home built boat or replace a missing Hull Identification Number by applying to your local Bureau of Motor Vehicles Branch Office.

## **5. Maximum Loading and Horsepower**

Before operating your vessel, always check the boat's capacity plate, usually located near the operator's position or on the boat's transom. This plate indicates the maximum weight capacity or maximum number of people that the boat can safely carry and the maximum power of the motor that can be installed on the vessel. Never overload and/or overpower your vessel. Since PWCs do not have a capacity plate, always follow the recommended capacity in the owner's manual and on the manufacturer's warning decal.

## **6. Equipment and Lighting Requirements**

### **Personal Flotation Devices (PFDs)**

All boats must carry one wearable (Type I, II, III, or V) U. S. Coast Guard-approved PFD for each person onboard or being towed.

Boats 16 ft. in length (except a canoe or kayak) or longer must have one Type IV U.S. Coast Guard-approved PFD onboard and readily accessible.

Each person on a PWC must wear an approved PFD.

All persons being towed behind a boat or PWC on water skis or any other device must wear a U.S. Coast Guard-approved PFD. Ski belts are not U.S. Coast Guard-approved.

All PFDs must be:

- U.S. Coast Guard-approved.
- In good and serviceable condition.
- Readily accessible. You must be able to put the PFD on in a reasonable amount of time in an emergency. PFDs should not be stowed in plastic bags, in locked or closed compartments or have gear stowed on top of them.
- Of the proper size for the intended wearer. Sizing for PFDs is based on body weight and chest size.

In addition to the above, on Waters of Concurrent Jurisdiction, the following applies:

- Children under 13 years of age must wear a PFD except when child is below deck in an enclosed cabin or the watercraft is docked or at anchor.
- Anyone towed on water skis, a surfboard, a kite or similar device must wear a Type I, II, or III PFD (Type V PFDs are not approved).

### **Fire Extinguishers**

Although it's always wise to carry a fire extinguisher, the requirements discussed below only apply to those operating on Waters of Concurrent Jurisdiction.

All boats are required to have a Type B fire extinguisher(s) onboard if one or more of the following conditions exist:

- Closed compartments under seats where portable fuel tanks may be stored;
- Closed storage compartments in which flammable or combustible materials may be stored;
- Closed living spaces; or
- Permanently installed fuel tanks.

You are not required to carry a fire extinguisher on a motorboat with an outboard motor.

Approved types of fire extinguishers are identified by the following marking on the label “Marine Type U.S. Coast Guard-Approved,” followed by the size and type symbols and the approval number.

### **Backfire Flame Arrestors**

Because boat engines may backfire, all powerboats (except outboards) fueled with gasoline must have a U.S. Coast Guard-approved backfire flame arrestor on each carburetor. Periodically clean the flame arrestor and check for damage.

### **Ventilation Systems**

The importance of ventilation is crucial. The purpose of ventilation systems is to avoid explosions by removing flammable gases. Properly installed ventilation systems greatly reduce the chance of a life-threatening explosion. All gas-powered boats, constructed in a way that would entrap fumes, must have at least two ventilation ducts fitted with cowls to remove the fumes. If your boat is equipped with a power ventilation system, turn it on for at least four minutes after fueling, prior to starting your engine.

### **Navigation Lights**

Boat operators must make sure that their boats are equipped with the proper navigation lights and use the lights during these conditions:

- When away from the dock between sunset and sunrise, and
- During periods of restricted visibility such as fog or heavy rain.

No other lights that may be mistaken for required navigation lights may be exhibited. The required navigation lights differ depending on the type and size of your boat. Refer to Chapters 2 and 3 of this course if you need to review lighting requirements.

All boats are required to display a white light visible from all directions whenever they are moored or anchored away from dock between sunset and sunrise.

### **Sound-Producing Devices**

During periods of reduced visibility, or whenever a boat operator needs to signal his or her intentions or position, a sound-producing device is essential. The device may be a whistle, horn, or bell that is audible for one-half mile.

The following requirements apply to boats operating on Waters of Concurrent Jurisdiction:

- Boats less than 12 meters (39.4 ft.) in length, which includes PWCs, are required to carry a whistle or horn or some other means to make an efficient sound signal to signal intentions or positions.
- Boats that are 12 meters (39.4 ft.) or more in length are required to carry onboard a whistle or horn, and a bell.

### **Visual Distress Signals (VDSs)**

Boats used on Waters of Concurrent Jurisdiction, must be equipped with U.S. Coast Guard-approved (day and night) VDSs. All boats on these waters are required to carry night signals when operating between sunset and sunrise.

The following boats must also carry day signals:

- Recreational boats 16 feet or longer, and
- Non-motorized, open sailboats 26 feet or longer.

If pyrotechnic VDSs are used, a minimum of three must be carried in the boat.

### **7. Marine Sanitation Devices (MSDs)**

Both federal and state laws prohibit the disposal of raw sewage from vessels into Lake Michigan. These laws have been enacted to protect human health and the environment. Each year some public beaches along the Indiana coastline of Lake Michigan must be closed due to bacterial contamination. Although the sources of the contamination are not fully understood, there are concerns that improper marine sanitation practices may one of the causes.

Boaters with holding tanks on their vessels are reminded to dispose of sewage properly at pumpout stations. Those with Type I and Type II marine sanitation devices are reminded to make sure the devices are in good working order and operated according to specifications. Your help is essential to good water quality for ourselves and our children.

### **8. Muffling Devices**

A person may not operate a motorboat on Indiana waters unless the boat motor is equipped with:

1. A muffler;
2. An underwater exhaust; or
3. Other device that muffles or suppresses the sound of the exhaust to prevent excessive and unusual noise at all speeds.

### **9. Boating Accidents**

A boating accident includes, but is not limited to: capsizing; collision; breaking down; flooding; fire; explosion; and the disappearance of a boat other than by theft. Boat operators involved in a boating accident must stop and remain at the scene to give assistance, ensuring that any injured person involved in the accident receives medical treatment. Operators involved in an accident must give his or her name and address, boat registration number, and the name and address of the boat's owner to operators of other boats and any person injured in the accident.

Operators must report the accident to the office of the county sheriff, the nearest state police post, or the nearest conservation office as quickly as possible. The operator must file an accident report form supplied by the Indiana Department of Natural Resources within 24 hours of the accident if:

- A person dies or disappears, or
- A person is injured or requires medical treatment, or
- Damage to the boat and other property exceeds \$750.

If the operator of a boat is physically incapable of performing this duty, each other occupant of the boat shall perform the duty or see that the duty is performed. Failure to report a boating accident or collision which results in an injury to a person is a Class A misdemeanor. If the accident or collision results in serious bodily injury, or death of a person, the offense is a felony.

## **10. Vessel Speed Restrictions**

No person operating a motorboat shall approach or pass another boat in a manner, or at a high rate of speed, which creates a hazardous wake or wash. No person shall operate any motorboat less than two hundred (200) feet off of the shoreline, unless they are operating at idle speed. All boats must be operated at 10 miles per hour or less between sunset and sunrise.

### **“Idle Speed” or “No-Wake - Idle Speed”**

When you see buoys or signs indicating Idle- or No-Wake Speed, they indicate a boating restricted area established to protect the safety of the public, protection of ecological resources and property. Idle speed means the slowest possible speed, not exceeding five miles per hour, so as to maintain steerage with minimal wake.

## **11. Mooring to Markers or Buoys**

It is illegal to moor or attach a boat to a buoy (other than a mooring buoy), beacon, light, or any other navigational aid placed on public waters by proper authorities. It is also illegal to move, displace, tamper with, damage, or destroy any navigational aid.

## **12. Reckless and Careless Operation**

Operating a boat or PWC in a manner that unnecessarily endangers a person or property of another person is considered dangerous. If you interfere with another person’s lawful use of public water or obstruct a legally permitted marine event you may also be charged. Should you be ticketed by a law enforcement officer for one of the crimes listed below, you could have points assessed against your driver’s license.

Examples of dangerous operation on a PWC are:

- Weaving through congested traffic;
- Following a watercraft that is towing other individuals;
- Jumping the wake of another watercraft;
- Cutting between a boat and an individual being towed;
- Crossing paths with another vessel when vision is obstructed; and
- Steering toward an object or person in the water and turning sharply at close range.

Other operating violations include:

- Operating a PWC while facing backwards.
- Operating a boat at speeds of more than 10 miles per hour between the hours of sunset to sunrise.
- Loading the boat or PWC beyond the recommended capacity shown on the capacity plate or recommended by the manufacturer.
- Causing a hazardous wake or wash from your boat or PWC.
- Boating in restricted zones (safety zones and ecological zones) without regard for other boaters or persons, posted speeds, and wake restrictions.
- Operating within 150 feet of a Divers-Down flag unless assisting the diver.

- Operating in a circular course around another boat engaged in fishing or a person swimming.
- Allowing passengers to ride on the gunwale or, if the motorboat is less than 21 feet in length, on the bow.
- Lake and channel restrictions vary depending on the size of the waterbody or waterway. You may be restricted to idle speed anywhere from 50 to 200 feet from the shoreline, depending on the size of lake or width of the channel.

### **13. Interference with Navigation**

It is against federal law to operate your boat in any way that interferes with the navigation of another vessel. It is also illegal to anchor a boat in the traveled portion of a river or channel that will prevent or interfere with any other boat passing through the same area. Furthermore, it is not permitted to obstruct a pier, wharf, ramp or access to any facility.

### **14. Boating Under the Influence**

It is illegal to operate a motorboat or a personal watercraft while intoxicated due to alcohol or any combination of alcohol, controlled substance, or drugs. Alcohol and drugs cause impaired balance, blurred vision, poor coordination, impaired judgment, and slow reaction time. It is unlawful for owners of boats or PWCs to operate or allow anyone else to operate their boat or PWC while that person is intoxicated.

Indiana law defines intoxication as having a blood alcohol level of 0.08% or greater, or being under the influence of alcohol and/or drugs such that a person's thoughts and actions are impaired and he or she has a loss of normal control of faculties to such an extent as to cause danger to others. You may also be arrested if your blood alcohol level is less than 0.08% but over 0.05%.

If arrested and convicted of boating while intoxicated:

- You will face the penalties of a Class C misdemeanor. In addition, if this is your first offense or the first in 10 years, you may lose all your driving privileges (motor boat and motor vehicle) for at least 90 days and up to two years.
- If you are convicted a second time within five years, you may be fined and jailed, and lose the privilege to operate a vehicle, boat, or PWC for 180 days and up to two years. More severe penalties exist for additional convictions.

A person boating while intoxicated who causes the death or serious injury of another person will, upon conviction, be guilty of a felony.

By operating a boat or PWC on Indiana waters, you have consented to be tested for alcohol or drugs if requested by a law enforcement official. If you refuse to be tested, you will be subject to arrest and punishment consistent with the penalties described above and lose your privilege to operate a vessel for at least one year.

### **15. Mandatory Violator Education**

If a person's Indiana driver's license is suspended, the court that recommends the suspension of the person's driver's license may require the person, as a prerequisite to the

ending of the suspension, to successfully complete a boating education course approved by the Department of Natural Resources.

### **16. PWC Regulations**

Personal watercraft (PWC) operators must adhere to additional legal requirements that apply specifically to the operation of PWCs on Indiana waters.

- Each person riding on or towed behind a PWC must wear a U.S. Coast Guard-approved wearable personal flotation device. Recommended PFDs are designed to withstand the impact of hitting the water at high speed.
- PWCs must either be equipped with an ignition safety switch or have a self-circling feature in case the operator falls off. An operator of a PWC equipped with lanyard-type ignition safety switch must always attach the lanyard to his or her person, clothing, or PFD.
- PWCs may be operated only during daylight hours unless equipped with appropriate lighting.
- It is illegal to operate a PWC while you are under the influence of alcohol or drugs.
- You must operate a PWC in a reasonable and prudent manner. It is illegal to endanger human life, safety, or property. You may not:
  - Weave through congested traffic,\*
  - Follow a watercraft that is towing other individuals,\*
  - Jump the wake of another watercraft,\*
  - Cut between a boat and an individual being towed,\*
  - Cross paths with another watercraft when vision is obstructed,\*
  - Steer toward an object or person in the water and turn sharply at close range, or\*
  - Operate while facing backwards.\*

\* Should you be ticketed by an enforcement officer for one of these crimes, you could have points assessed against your driver's license.

### **17. Water Ski Regulations**

- Every boat or PWC towing a person(s) on water skis, an aquaplane or a similar device must have a person onboard, in addition to the boat operator, observing the towed person(s) at all times.
- If towing a person behind a PWC, the PWC must be at least nine (9) feet in length and be rated for three people -- the driver, the observer and the retrieved skier.
- All persons being towed behind a boat or PWC on water skis or any other device must wear a U. S. Coast Guard-approved PFD. Ski belts are not USCG-approved.
- Persons should be towed behind a boat or PWC only during daylight hours.

### **Water Skiing / Tubing on the Ohio River**

Several laws for water skiing and tubing on the Ohio River differ from that of other Indiana waterways. The operator of the towing vessel may have either an observer onboard or use a rear view mirror.

- If an observer is used, he or she must be at least 12 years of age.

- If a rear view mirror is used, the mirror must have at least a 160-degree wide-angle field of vision and be mounted so that the operator can see the person being towed.
- A mirror is not allowed if towing a kite. There must be an observer at least 12 years old onboard.

Permissible hours of operation are extended to one (1) hour before sunrise and one (1) hour after sunset. Anyone towed on water skis, a surfboard, a kite or similar device must wear a Type I, II, or III PFD (Type V PFDs are not approved).

### **18. Divers-Down Flag**

Indiana law requires that scuba divers or snorkelers display a “Divers-Down” flag to mark the diving area. The Divers-Down flag:

1. Must be free flying; and
2. Shall be lowered when all divers are aboard or ashore.

A person may not operate a watercraft within one hundred fifty (150) feet of a Divers-Down flag unless the watercraft is directly involved in supporting the diver who is displaying the flag.

A diver may not dive or display a Divers-Down flag within one hundred fifty (150) feet of an anchored watercraft unless the watercraft is directly involved in supporting the diver.

Except during an emergency, a diver shall surface within one hundred (100) feet of the divers-down flag displayed for the diver.

### **19. Liveries (Rental Agencies)**

The state of Indiana does not have regulations governing liveries at this time. All rented boats must comply with liability insurance requirements and must be provided with all the required safety equipment to operate on the waters of the state of Indiana.

### **20. Environmental Awareness**

Exotic species, those not native to the region, have caused "biological pollution" to Lake Michigan and the other Great Lakes since the 1800s. Subsequent to European settlement, well over 100 exotic aquatic organisms have become established in the Great Lakes. More than one-third of these exotic species have been introduced in the past 30 years, a major increase coinciding with the opening of the St. Lawrence Seaway.

Many exotic species pose an economic or ecological threat to Lake Michigan and other waters of Indiana and neighboring states. Harmful exotic species associated with our waters are sometimes called aquatic nuisance species. Examples of aquatic nuisance species include several fish (gobies, ruffes, sea lampreys, alewives, white perch, and common carp); mollusks and crustaceans (zebra mussels, rusty crayfish, and spiny water fleas); and plants (Eurasian water milfoil, curly-leaf pondweed, and purple loosestrife).

Zebra mussels have proven particularly costly to the natural aquatic environment of the Great Lakes and surrounding waterways. Already well established in Lake Michigan, zebra mussels colonize and clog water intakes. Millions of dollars are expended annually in an effort to remove the mussels and keep intakes open. Zebra mussels may also

replace native species of mollusks and are suspected of contributing to the great decline in yellow perch populations experienced in recent years.

Boaters can play an important role in the control of the spread of zebra mussels and other aquatic nuisance species. Zebra mussels may be unintentionally transported from one lake or stream to another by the movement of boats containing a life form of the zebra mussel. Adult zebra mussels can be transported to new areas by hitchhiking on watercrafts. They can attach to boats and trailers, and survive for a week or more out of the water. The larvae will drift with the currents and can be transported in the water as well. In fact, the mussels can be found in a bilge, bait bucket, ballast water, live well, and engine cooling units.

In December 1996, the Indiana Natural Resources Commission adopted a Zebra Mussel Containment Policy. The policy promotes precautionary steps to be taken by boaters to reduce the likelihood zebra mussels will infest inland lakes and streams in Indiana and in neighboring states. Recreational boaters can slow or stop the spread of zebra mussels by taking a few simple precautions.

- Inspect your boat, trailer, or engine or any area that comes in contact with water, which is infested with zebra mussels.
- Dispose of mussels properly in the trash. Do not leave them at the water's edge because that may hasten the spread of the mussel.
- Do not transport baitfish or water from any area to other waters. You may be transporting the invisible larval stages.
- Leave your boat out of the water for at least 10 days. Mussels cannot usually live long without water.
- Because larval mussels can survive for about a month in areas that contain trapped water, it is important to flush the motor and other water-retaining areas of your boat with a chlorine solution. You should also clean your boat, motor, trailer, bait bucket and live well with a salt solution (1/2 cup of salt per gallon of water, 100°F) or a bleach solution (one part bleach/10 parts water) if the boat has been operated in infested waters. High-pressure washing can also dislodge mussels from hidden areas.
- Keep an eye on your boat's temperature gauge. Zebra mussels can damage your boat equipment by fouling the cooling system. A hot-running engine may indicate your cooling system is infested.

### **Lake & River Enhancement Program**

The Division of Soil Conservation's Lake and River Enhancement Program (LARE) was developed in 1989 to ensure the continued viability of public-access lakes and streams. The program's initial goal was to utilize a watershed approach to reduce non-point source sediment and nutrient pollution of Indiana's surface water to a level that meets or surpasses state water quality standards.

The 2003 Indiana General Assembly enacted House Enrolled Act 1336 which will increase the LARE fee paid by registered boat owners. The increase in fees will provide

funding for the Division of Soil Conservation to also remove sediment and control exotic or invasive plant or animal species.

In addition, one-third of these fees will provide funding for the Law Enforcement Division to establish additional marine enforcement patrols on Indiana lakes and rivers. A portion of these funds may also be available for counties with supplemental law enforcement marine patrols.

The LARE fee is set forth by the value of the boat when new.

<b>Value of the boat</b>	<b>Fee</b>
Less than \$1000	\$5
At least \$1000, but less than \$3000	\$10
At least \$3000, but less than \$5000	\$15
At least \$5000, but less than \$10,000	\$20
At least \$10,000	\$25

### **Marine Events**

A permit may be required for any of the following situations when placed or conducted on public waters. Permits are issued following a site investigation. Persons planning an event or wanting to place a structure in the waterway must contact the DNR, Law Enforcement Division headquarters for more information and the appropriate forms. This applies to events or structures such as:

- Boat race;
- Water ski event;
- Water ski course or jump;
- Swimming platform or anchored swim raft; and
- Buoys, markers or flags.

**NEW Law for 2004!** Major organized boating activities to be conducted on public waters will require a permit starting in 2004. If you plan to host an event that involves fifteen or more watercraft as participants, or the event will draw 50 or more boats as spectators you will need this new permit. If you conduct an event on public water, which also will disrupt normal boat traffic, then you will also need to apply.

### **Fishing Tournaments**

In Indiana, fishing tournaments on public waters can only be regulated by the Department of Natural Resources. A county or city park department (or another local entity such as a conservancy district) might place restrictions on the use of an access site, including restrictions pertaining to fishing tournaments. It is advisable to check with the owner/operator of the launch facility before planning your event to see what regulations apply.

For more information visit: [www.in.gov/dnr/fishwild/fish/rule.htm](http://www.in.gov/dnr/fishwild/fish/rule.htm)

### **What is considered a fishing tournament?**

A fishing tournament is defined as an activity involving fifteen (15) or more watercraft used for taking fish where:

- Persons compete for a trophy, citation, cash, prize, or
- A fee is charged to participants.

Department of Natural Resources properties that have public water where fishing tournaments are managed include all the reservoir properties: Monroe, Salamonie, Mississinewa, Huntington, Brookville, Hardy, Patoka, Lieber and Raccoon lakes. Anyone wishing to hold a tournament on any of these lakes must contact Department of Natural Resources, State Parks and Reservoirs.

**NEW for October 2003!** The Natural Resource Commission adopted additional rules governing fishing tournaments. These rules will go into effect later this year and apply to Lake Wawasee and Syracuse Lake in Kosciusko County.

**Additional Information**

For more information on Indiana boating law refer to the Indiana Department of Natural Resources Natural Resource Commission at: [http://www.in.gov/nrc/boat\\_laws/](http://www.in.gov/nrc/boat_laws/)