

STATE OF ALASKA
State-Specific Boating Safety Requirements

SL 1. Law Enforcement Authority

The Alaska Department of Public Safety has authority to enforce all boating laws and regulations adopted in the Alaska Statutes. The U.S. Coast Guard (USCG) also has enforcement authority on all federally controlled waters.

A peace officer may enforce these laws and regulations and, in the exercise of enforcement, may stop and, if the peace officer has probable cause to believe a violation of these regulations has occurred, may board a boat. A peace officer may issue a citation to a person who violates a provision of Alaska boating laws.

A person employed by the Alaska Department of Natural Resources, or a person authorized by the commissioner, acting as a peace officer, may enforce these laws and regulations only in units of the Alaska State Park System.

SL 2. Age Restrictions

There is no minimum age restriction for a vessel operator in the State of Alaska at this time.

SL 3. Boater Safety Education Requirements

The State of Alaska does not require vessel operators to complete a boating safety course, but does highly recommend them. In addition to a basic boating safety course, new boaters should continue their education by taking a course on boat handling and operation. Boaters must also be aware that state boating safety laws are updated annually, and boaters must stay informed of any changes to state boating safety requirements.

SL 4. Vessel Registration

An undocumented boat placed on Alaskan waters must be registered and numbered.

Boat dealers require that purchasers of a new or used boat sold at retail must complete a registration application and pay the registration fee before the boat leaves the dealer's premises, unless the boat is exempt from registration and numbering requirements.

It is unlawful to operate a boat on Alaskan waters unless a valid certificate of number has been issued by the Department of Administration. The identification number and any required validation decals must be properly displayed on the boat.

The Department of Administration authorizes agents to accept an application and registration fee for registration, to issue a registration, and to forward the application and registration fee to the Department of Administration.

Unless the owner has been awarded a current, valid Alaska certificate of number from the U.S. Coast Guard, the owner of a boat for which a current certificate of number has been awarded under federal law or a federally approved numbering system of another state must apply for a certificate of number in this state if the boat is operated on Alaskan waters for more than 90 consecutive days. If a boat has an existing number, the owner may request that the department issue the same number, and the department must comply with the request, unless compliance would result in a duplication of numbers.

A certificate of number, issued in the State of Alaska, is valid for three years unless terminated or discontinued earlier. The certificate expires on the last day of the month at the end of the three-year period. The expiration date is indicated on the certificate.

All records of ownership of boats that are kept by the Department of Administration are public records. The Department of Administration provides records of ownership and registration expense reports to the Department of Public Safety for the purposes of meeting the federal requirements for state programs.

The following boats are exempt from the numbering and registration provisions of this regulation:

- A boat that is operated in this state for a period not exceeding 90 consecutive days and that has a current, valid certificate of number issued by another state having a federally approved numbering system;
- A foreign boat operated in water of the state for a period not exceeding 90 consecutive days;
- A boat owned by the United States or an entity or political subdivision of the United States, or a boat owned by a state or an entity or political subdivision of a state;
- A boat without a motor, that is exclusively paddled, poled, rowed, or powered by wind, or a boat with a valid document to operate that is issued by the United States or a foreign government.

SL 5. Maximum Loading and Horsepower

Proper loading is critical to safe boat operation. Always use great care when loading and take the time to evenly distribute both the load and passengers. Federal law requires a U.S. Coast Guard boat capacity plate must be secured by the manufacturer on every vessel built after 1972. The capacity plate tells the maximum amount of people, weight, and engine power that the boat can handle. Never exceed a boat's recommended capacity.

SL 6. Equipment and Lighting Requirements

Except as otherwise provided by law, a boat placed on the waters of Alaska:

- Must be equipped with and use the sound producing devices and visual distress signals of the same number, type, and specifications required by the U.S. Coast Guard;
- That is equipped with a gasoline engine for electrical generation, mechanical power, or mechanical propulsion must also be equipped with the ventilation systems and backfire flame control devices of the same type and specifications required by the U.S. Coast Guard; and
- That is equipped with an engine for electrical generation, mechanical power, or mechanical propulsion must also be equipped with the fire extinguishers of the same number, type, and specifications required by the U.S. Coast Guard.

From sunset to sunrise and during periods of restricted visibility, a boat placed on Alaskan waters must display lights of the same number, type, and specifications required by the U.S. Coast Guard.

A boat on Alaskan waters must be equipped with one USCG-approved Type I, Type II, or Type III PFD in serviceable condition for each person on board the boat. A Type V PFD may be on board in place of a PFD required in this regulation if the Type V PFD device is in serviceable condition and

- If the approval label on the Type V personal flotation device indicates that the device is approved for the activity in which the boat is being used, or that the device is approved as a substitute for a personal flotation device of the type required on the boat; and
- For a device that contains a reference to an owner's manual, if the Type V personal flotation device is used in accordance with the requirements in the owner's manual.

In addition to the requirements in this regulation, a boat 16 feet or longer, other than a kayak or canoe, must be equipped with one Type IV PFD that can be thrown and that is approved by the U.S. Coast Guard.

Only a vessel operated by a peace officer or emergency professional in the performance of official duties may display a flashing or revolving red or blue emergency light.

A vessel operator on Alaskan waters may not transport a person under 13 years of age on the deck of a boat or in an open boat unless the youth is wearing a USCG-approved Type I, Type II, or Type III PFD. A Type V PFD may be worn in place of a PFD required under this regulation if the Type V PFD is in serviceable condition and

- If the approval label on the Type V PFD indicates that the device is approved for the activity in which the boat is being used, or that the device is approved as a substitute for a PFD of the type required on the boat; and
- For a device that contains a reference to an owner's manual, if the Type V PFD is used in accordance with the requirements in the owner's manual.

The Department of Public Safety may require, by regulation, that a boat or class of boats be provided with additional equipment necessary for the safety of persons and property.

SL 7. Marine Sanitation Devices

Federal law mandates that all boats with a marine toilet have a USCG-approved and certified marine sanitation device on board and in use.

SL 8. Muffling Devices

To reduce noise, motorboat engines should be equipped with factory-installed mufflers, exhaust water manifolds or other effective muffling system. These mufflers should not be modified or tampered with in any way. While some states prohibit the use of cutouts, Alaska does not have any laws concerning muffling devices at this time.

SL 9. Boating Accidents

The operator of a boat involved in a collision, accident, or casualty shall:

Render assistance as is practicable and necessary to save other persons from danger or to minimize the danger to other persons to the extent that the operator can do so without serious danger to the operator's boat, crew, and passengers; and

Give the operator's name, address, and identification number of the operator's boat in writing to each person injured in the collision, accident, or casualty and to the owner of property damaged in the collision, accident, or casualty.

If a boating accident occurs and results in a fatality, injury, or property damage \$500, the boat operator must make a written report of the accident to the Department of Public Safety. Under federal law, if a person dies or there are injuries requiring more than first aid, the report must be filed within 48 hours. If a boat accident involves loss or damage greater than \$500, the report must be filed within 10 days. Reports are used primarily to gather important statistical information. An accident report form can be obtained from State Office of Boating Safety, the Department of Public Safety, or the U.S. Coast Guard.

SL 10. Vessel Speed Restrictions

In the State of Alaska, vessel operators must at all times use safe speeds so that they can take proper and effective action to avoid collisions and stop within an appropriate distance.

SL 11. Mooring to Markers or Buoys

It is a criminal offense to damage, tamper, or move navigational aids. It is also illegal to tie up to a navigational buoy, day beacon, or light structure. It is permissible, however, to tie off to a mooring buoy.

SL 12. Reckless and Careless Operation

It is unlawful to operate a boat or manipulate a device on Alaskan waters in a reckless or negligent manner that endangers the life or property of another person.

SL 13. Interference with Navigation

It is illegal to impede, interfere, or prevent the safe and effective navigation by any vessel in Alaska state waters.

SL 14. Boating Under the Influence

In the State of Alaska it is unlawful to operate a boat under the influence of alcohol or any other controlled substance. The blood alcohol concentration intoxication level for Alaska is 0.08. Alcohol affects balance, vision, judgment, and reaction time. Alcohol also increases the body's heat loss and can result in hypothermia.

SL 15. Mandatory Violator Education

The State of Alaska has no mandatory violator education legislation at this time.

SL 16. PWC Regulations

Personal watercraft (PWCs) are those vessels (boats) designed for operation by a person sitting, standing, or kneeling on the craft rather than sitting or standing inside the vessel. PWCs include, but are not limited to, jet skis, wet bikes, wave runners and similar craft. PWCs are considered powered vessels and must abide by the same rules and regulations as any other boat.

PWCs are engineered differently from most boats. Since they are a jet boat, water forced out through the steerable nozzle controls the direction of the boat. If you release the throttle or shut off the ignition, you will lose all steering control. When operating a PWC, boaters should avoid being stranded by carrying a full fuel reserve tank. The PWC must be equipped with a USCG-approved PFD for every passenger or person being towed. In addition, all PWC operators or passengers under the age of 13 must wear a USCG-approved PFD. Remember that when you are operating a PWC, you must adhere to all boating regulations.

SL 17. Water Ski Regulations

It is unlawful in Alaska to operate a boat on waters of the state for towing a person on water skis, a surfboard, or a similar device unless the boat is equipped with a rearview mirror to view the person being towed; or there is, in the boat, a person of 12 years of age or older, in addition to the operator, in a position to observe the progress of the person being towed.

It is unlawful to tow a person under 13 years of age on water skis, a surfboard, or a similar device unless the person being towed is wearing a USCG-approved Type I, Type II, or Type III PFD; or Type V PFD if the Type V PFD is in serviceable condition and if the approval label on the Type V PFD indicates that the device is approved for the activity; or for a device that contains a reference to an owner's manual, if the Type V PFD is used in accordance with the requirements in the owner's manual.

SL 18. Divers-down Flag

Anyone in the water using an underwater breathing device may display a diver's flag constructed of rigidly supported material at least 12 inches by 12 inches in area of red background with a white diagonal stripe. This diver's flag may be displayed on a boat or surface float and must extend a minimum distance of 3 feet from the surface of the water. The

diver's flag must be placed at or near the point of submergence and is a warning that a diver is submerged and may be within 100 feet of the flag. Divers must remain within 100 feet of the diver's flag while at or near the surface.

A boat operator within sight of a diver's flag must proceed with caution, steering clear of the flag by a distance of 100 feet. Outside commercial shipping lanes, boats maneuvering within a 100-foot radius of a diver's flag must be slowed to no-wake speeds or five miles per hour, whichever is necessary to maintain steerage in the seaway. It is unlawful to display a diver's flag unless diving operations are in progress.

SL 19. Liveries (Rental Agencies)

While Alaska does not currently have legislation specific to liveries or livery operation, all liveries should provide renters with information on rules, laws, and basic navigation and boating safety.

SL 20. Environmental Awareness

To help ensure a quality boating experience for you and for others in the future, please follow these guidelines while you are on Alaskan waters:

- Never discharge oily bilge water, chemicals, trash, fishing line, or other human-generated waste into the water
- Know how much the fuel tanks can hold, and don't overfill them.
- Use absorbent pads to catch fuel drips, then dispose of the pads properly on shore.
- Reduce the amount of packaging and plastic taken aboard.
- Keep a sturdy garbage container on board and use it. Pick up any litter that falls overboard. Establish a rule that no trash, no matter how small, gets thrown overboard.
- Use on-shore restrooms before departure.
- Keep untreated raw sewage out of coastal and inland waters.
- Keep the boat bottom clean and engine tuned for optimal performance and reduced emissions.
- Do heavy boat cleaning and maintenance well out of the water. Regularly scrub decks with fresh water and a brush to reduce the need for heavy cleaners.
- Recycle used zincs.
- Don't idle your engine(s) unnecessarily.

Marine Animal Protection

Consider using sinkers made of materials other than lead. Small lead sinkers are ingested by shore birds and sea birds, killing them.

Encounters with marine mammals are always exciting. However, federal law protects many marine mammal species. Boaters should stay at least 300 feet away from marine mammals, and farther if your presence makes the animals change their behavior. Time spent viewing individuals or a particular group of animals should be kept to less than 30 minutes. Never try to pursue animals, restrict their path, or encircle them. Always leave a clear escape route. If a marine mammal approaches, put the engine in neutral and let the animal pass. If an animal displays erratic behavior or appears disturbed, cautiously leave the area. Never handle young animals, and refrain from offering food items to animals.

Don't take more fish than you can use within the next 3-6 months.

Many of our shoreline areas are very sensitive habitats. Please practice "leave no trace" techniques when on land. Avoid getting too close to bird rookeries. Any change in a bird's behavior means you're too close.

Alaska has many special protected areas. Whenever boating in a new area, contact local resource management agencies or landowners to obtain additional guidelines.

Aquatic Nuisance Species

Aquatic nuisance species (ANS) are non-indigenous species that invade local water bodies and can threaten native species, ecological stability, traditional human activities, and even human health. Examples include zebra mussels, hydrilla, whirling disease, spiny water fleas, round gobies, and water hyacinth. Though not yet a problem in Alaska, ANS have become a significant problem in other states. When boating in the "lower 48," Alaskans can help reduce the spread of ANS by following these simple steps:

- Clean and dry boats and equipment before transporting. Remove any visible mud, plants, fish or animals from the hull.
- Eliminate water from boats and equipment, including bilge areas, before transporting.
- Never release plants, fish or animals into a body of water unless they came out of that body of water.

Additional Information

For more information on Alaska boating law refer to the Division of Parks and Outdoor Recreation at <http://www.dnr.state.ak.us/parks/boating/index.htm> or Alaska's Boating Safety Website, <http://www.alaskaboatingsafety.org>.