

State-Specific Boating Safety Requirements

Alabama State Laws

1. Law Enforcement Authority

The officers of the Division of Marine Police of the Alabama Department of Conservation and Natural Resources, county sheriffs officers, and any other authorized peace officer or law enforcement officer can enforce the boating laws of Alabama. Enforcement personnel have the authority to stop and board vessels to check for compliance with state and federal laws. The U.S. Coast Guard (USCG) also has enforcement authority on all federally controlled waters.

2. Age Restrictions

Alabama boating law prohibits the operation of a vessel or personal watercraft by any person under the age of 12. In order to operate a vessel of PWC alone, the operator must be at least 14 years old and must have a vessel license. Operators 12 and 13 years old, after obtaining the vessel operator's license, can only operate if there is someone 21 years or older on board, who also has a vessel operator's license in possession, and is seated in a position to take immediate control of the vessel if necessary.

3. Boater Safety Education Requirements

All persons 12 years and older must have a boater safety certification to operate a motorized vessel on Alabama waters. To legally operate a vessel alone, the operator must be 14. The following exceptions apply:

- An Alabama resident who was 12 years of age or older on January 1, 2002 may, after obtaining a vessel license, operate alone.
- An Alabama resident who has obtained a vessel license prior to January 1, 2002, regardless of age, may operate alone.
- A non-resident, 12 years old to 14 years old, who has obtained a vessel license either in this state or his or her home state prior to January 1, 2002, or is 14 years of age or older may operate alone.

4. Vessel Registration

All mechanically propelled vessels, sailboats, and boats for hire must be registered in the State of Alabama.

The following exceptions include:

- A vessel operating under valid temporary certificate of number.
- A vessel already covered by a number in full force and effect awarded pursuant to federal law or a federally applied numbering system of another state, provided, that such vessel shall not have been within Alabama for a period greater than 90 consecutive days.
- A vessel under registry from a country other than the U.S. temporarily using the waters of Alabama.
- A vessel owned by the U.S., or a state, county or municipality.
- A ship's lifeboat.
- A vessel not propelled by machinery, except sailboats and boats for hire (rental).

Documented Vessels

Commercial vessels documented with the USCG do not need to be registered with the state. Recreational vessels documented with the U.S. Coast Guard are required to register in Alabama but they do not have to display the Alabama registration number on the bow. The current year decal should be placed in a conspicuous location on the vessel. The certificate shall be on board when in operation.

Where to Apply

All boat owners may register, renew, or transfer ownership at the office of a County Judge of Probate or License Commissioner. If a boat owner is not a resident of Alabama, registration can be completed at the Marine Police Division office in Montgomery, Alabama. All dealers and liveries (rental) must register with the Marine Police Division in Montgomery, Alabama. Liveries (rental) and dealer licenses can only be issued from the Marine Police Division office in Montgomery.

When to Apply

There is a 72-hour grace period to register a new boat. If a used boat is purchased that is currently registered with this state, the owner must file an application for transfer within 15 days. If a used boat has an expired registration, the owner must update the registration before the boat is used. If a boat was used for rental purposes, the old number will have to be removed from the boat and a new one issued. No transfer will be necessary in this case. There is no grace period for the purchase of a used boat.

The Alabama boat registration system is on a staggered basis. The first letter of an individual's last name determines the month of renewal. The renewal months in which a vessel owner shall register his vessel(s) is indicated below:

January - A, D

February - B

March - C, E

April - F, G, N

May - H, O

June - M, I

July - P, L

August - J, K, R

September - Q, S, T

October - U, V, W, X, Y, Z and all vessels registered under company names, as well as all dealers and liveries.

Numbering a Vessel

The permanent registration number appears on the right-hand side of the certificate preceded by the letters AL. The number contains 1 to 4 digits plus the 2-letter suffix following the number. This number remains with the boat regardless of change of ownership within the state.

The registration number must be placed on each side of the bow of the vessel, in such a position as to be clearly visible at all times. The number must be displayed in three parts with a hyphen or space separating each part; i.e., AL-1234-AA, and be of a color that contrasts with the background - dark on light or light on dark. Numbers shall be BLOCK characters, not less than 76 mm (3 inches) in height, excluding borders and must be of good proportion. Characters of varying thickness, slanted characters, and scroll-type characters are unacceptable. No number other than the number issued shall be displayed on either side of the bow. The validation decal must be affixed within 152 mm (6 inches) before or after and in line with the registration number on the port and starboard bow.

Hull Identification Number

Federal Law requires all vessels manufactured after 1972 to have a hull identification number affixed to the vessel by the manufacturer. This 12-digit number is normally located on the outside stern of the vessel on the right side, below the gunwale. This number must be included on the registration certificate and application for registration.

Homemade boats built after 1972 must also have a hull identification number. Boat owners registering a homemade vessel must apply with the Marine Police Division for a hull identification number to attach to the transom of the boat. It is necessary to give the date construction was completed.

5. Maximum Loading and Horsepower

The State of Alabama does not have any maximum loading and horsepower requirements that are in addition to federal regulations. To review federal regulations, refer to the section on Capacity Plates included in Chapter 1 of this course.

The following information was approved by NASBLA and is included in Chapter 1 of the Boater101 Course:

Capacity Plates

It is required for all mono-hull boats under 20 feet built on or after November 1, 1972 to have a capacity plate approved by the U.S. Coast Guard (USCG). In addition some manufacturers voluntarily install capacity plates on boats larger than 20 feet. This plate must be visible from the operator's station. The capacity plate lists a safe motor size; the maximum number of persons to be carried onboard and the total weight the boat can carry including persons, motor and gear. When operating your boat be sure to adhere to the restrictions listed on the capacity plate. Not only is it dangerous to overpower or overload a small boat since they can swamp or capsize more easily but also illegal. In many states, there are fines and penalties for exceeding capacity recommendations, including carrying more than the maximum number of people.

6. Equipment and Lighting Requirements

Personal Flotation Devices

All boats must be equipped with USCG-approved life jackets or personal flotation devices (PFDs). The quantity and type depends on the length of boat and the number of people onboard and/or being towed. Each PFD must be in good condition, the proper size for the intended wearer, and very importantly, must be readily accessible. Readily accessible means you must be able to put the PFD on in a reasonable amount of time in an emergency (boat sinking, on fire, etc.). PFDs should not be stowed in plastic bags, in locked or closed compartments or have other gear stowed on top.

PFD Requirements:

All boats must carry one Type I, II, III, or V USCG-approved PFD for each person onboard or being towed. If a Type V PFD is used, it must be approved for the activity being conducted. All PFDs must be in good and serviceable condition and be readily accessible. The PFDs must be of the proper size for the intended wearer. Sizing for PFDs is based on body weight and chest size.

In addition to the above requirements, boats 16 ft. in length or longer must have one Type IV USCG approved PFD onboard and readily accessible.

Children under 8 years of age must wear a properly secured USCG-approved PFD at all times while onboard any boat, except when in an enclosed cabin.

Each person onboard a PWC must wear a properly secured USCG-approved PFD.

Each person being towed behind a boat or PWC must wear a properly secured USCG-approved PFD.

Each person onboard a boat within 800 feet below a hydro-electric dam and/or navigational lock and dam must wear a Type I, II, III, or V USCG-approved PFD. Such PFD must be worn and securely fastened in accordance with manufacturer's instructions and recommendations. Sailboarders and wind surfers are exempt from any additional type of personal flotation device.

Fire Extinguishers

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

- Boats with inboard or inboard/outboard engines;
- Motorboats with closed compartments under seats where portable fuel tanks may be stored;
- Motorboats with permanently installed fuel tanks;
- Boats with closed or semi-closed living spaces; or
- Boats equipped with devices that consume petroleum products (e.g., stoves, lanterns).

Flame Arrestors

Because boat engines may backfire, all powerboats (except outboards) fueled with gasoline must have a USCG-approved backfire flame arrestor on each carburetor. To ensure that the backfire flame arrestor is working properly, it must be cleaned and checked for damage periodically.

Navigation Lights

Boat operators must ensure that their boats are equipped with the proper navigation lights that are used during these conditions:

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

All boats need to follow the U.S. Coast Guard requirements for navigation lights as discussed in Chapters 2 and 3 of this course.

Visual Distress Signals

All boats used on "FEDERAL WATERS" must be equipped with USCG-approved (day and night) visual distress signals (VDSs).

All boats on federal waters are required to carry night signals when operating between sunset and sunrise. In addition, 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. Pyrotechnic VDSs must be USCG-approved, in serviceable condition, and readily accessible.

The following combinations of signals are examples of VDSs that could be carried onboard to satisfy U.S. Coast Guard requirements:

- Three hand-held red flares (day and night), or
- Three orange smoke signals (day only) and one electric light (night only).

To prevent immediate or potential danger to persons onboard, it is unlawful to display visual distress signals on the water except when assistance is required.

Sound Producing Devices

In 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 information below will help determine what is required.

On State Waters:

Boats less than 16 feet long (includes PWC) are not required, but highly recommended to carry some form of sound producing devices such as a whistle or a horn.

Boats 16 feet long to less than 26 feet are required to carry a whistle or horn or some other means to make an efficient sound signal audible for at least one-half mile.

Boats 26 feet long to less than 40 feet are required to carry a whistle or horn or some other means to make an efficient sound signal audible for at least one mile.

Boats more than 40 feet long are required to carry a power-operated whistle or similar device that is audible for at least one mile.

On Federally Controlled Waters:

Boats under 65.6 feet long (includes PWCs) must carry a whistle or horn or some other means to make an efficient sound signal audible for at least one-half mile.

Boats 65.6 feet long or longer must carry a whistle or horn and a bell that makes an efficient sound signal audible for at least one-half mile.

7. Marine Sanitation Devices (MSDs)

Effective October 1, 2003, the new Marine Sanitation Act 2002-59 or Clean Boating Bill makes the Department of Conservation and Natural Resources responsible for enforcing boat sewage discharges. When the Act is fully implemented, the Department of Conservation and Natural Resources will inspect marine sanitation devices on both recreational and residence vessels and issue yearly MSD inspection decals.

Recreational boats with installed toilet facilities must have an operable USCG-certified marine sanitation device onboard. All boats 65 feet in length and under may use a Type I, II, or III MSD. Boats over 65 feet must install a Type II or III MSD.

Vessels with a Type III MSD are prohibited (except in an emergency) from docking, storing, anchoring, or mooring at marinas unless the marina has a pump-out or waste disposal system. It is illegal to discharge untreated sewage into the waters of the state or within 9 miles of the coastline in the Gulf of Mexico.

8. Muffling Devices

To reduce noise, motorboat engines must be equipped with factory-installed mufflers, exhaust water manifolds or other effective muffling system. Vessels operated on Alabama waters must not emit noise in excess of 86 decibels measured at a minimum distance of 15.2 meters (50 feet) from the vessel. The use of cutouts is prohibited, except for vessels competing in a regatta or official boat race, and for such vessels while on trial runs.

9. Boating Accidents

Boating accidents must be reported to the Alabama Marine Police Division, Department of Conservation and Natural Resources. If a boat is involved in an accident, the operator must give necessary assistance to the other vessel and passengers, as long as it will not personally endanger the operator, his or her passengers, or the vessel. The following boating accidents must be reported in writing:

- Any boating accident involving death, injury or property damage greater than \$50.00 must be reported within 10 days.

Accident report forms are available from Marine Police Officers, the Marine Police Division, or county sheriff's offices. Failure to report a boating accident may result in the levy of fines or the imposition of criminal penalties.

10. Vessel Speed Restrictions

All boaters need to observe all speed restrictions, according to the water traffic "Rules of the Road" in Alabama. These include No-Wake and Idle-Speed Zones. Boats should also avoid swim areas especially when being operated at high speeds.

11. Mooring to Markers or Buoys

It is unlawful to moor or attach a vessel to a beacon, light, buoy or any other navigational aid installed on public waters by proper authorities. It is also unlawful to tamper with, move, displace, damage or destroy any navigational aid. It is permissible, however, to tie off to buoys (i.e., mooring buoys) specifically designated for that purpose.

12. Reckless and Careless Operation

Reckless Operation of a vessel, water skis or similar device is a serious offense. Reckless operation of a vessel or the reckless use of water skis, a surfboard or similar device is defined as the willful or wanton disregard for the safety of persons or property at a speed or in a manner to endanger or likely to endanger life, limb, or property or injury of any person.

Examples of unlawful reckless operation are:

- Boating in restricted areas without regard for other boaters or persons, posted speeds and wake restrictions, diver-down flags, etc.
- Boating while under the influence of alcohol or drugs.
- Operating a vessel in swimming areas.
- Excessive speed in crowded areas, dangerous areas or during periods of limited visibility.
- Operating an overloaded vessel.
- Towing a skier in a crowded area where a fallen skier may be hit by other vessels, or towing in areas where the skier may hit an obstacle.
- Using a PWC to jump the immediate wake of another boat.

Violations result in conviction of a Class A misdemeanor and \$150 fine.

Careless Operation includes operating a vessel in a careless manner upon Alabama waters. Careless operation is the endangerment of life, limb, or property through negligence, carelessness, or inattention of the operator.

Examples of careless operation includes but is not limited to the following:

- Sitting in any position that is above the gunwale or cap of a vessel while moving above idle speed.
- Riding on the bow of vessel not equipped with handrails.
- Riding on a vessel with the lower extremities hanging over the gunwale or cap of the vessel.
- Creating hazardous wake in a congested area.

Violations result in conviction of a Class B misdemeanor and \$100 fine.

13. Interference with Navigation

It is unlawful to:

- Anchor a vessel in the traveled portion of a river or channel that will prevent or interfere with any other passing vessel.
- Obstruct a boat ramp, pier, wharf or access to any facility.
- Obstruct or mark the waters of Alabama in a way that may endanger the operation of watercraft or conflict with the marking system prescribed by the State of Alabama.

14. Boating Under the Influence

In Alabama, it is unlawful for anyone to operate a boat while intoxicated; i.e., operating a vessel while intoxicated due to alcohol or any combination of alcohol, controlled substance or drugs.

Alabama law provides:

- It is evidence of intoxication if a person has a blood alcohol concentration of 0.08% or more.
- It is unlawful for the owner of a boat or PWC to allow someone else to operate his or her vessel or PWC while that person is intoxicated.

By operating a boat or PWC on Alabama waters, operators have consented to be tested for alcohol or drugs if requested by law enforcement personnel. Refusal to submit to a field breath test or other approved testing shall result in the same punishment as provided for operators of motor vehicles on the state highways (automatic suspension of vessel license).

15. Mandatory Violator Education

Alabama does not currently have any legislation requiring boating safety education for boating law violators.

16. PWC Regulations

A personal watercraft is a vessel that uses an inboard motor powering a water jet pump as its primary source of motive power. These vessels are operated by a person sitting, standing, or kneeling on the vessel, rather than the conventional manner of sitting or standing inside the vessel.

The following regulations pertain to PWC operation:

- All PWC operators, passengers or persons being towed must wear a USCG-approved life preserver. (Violations result in a minimum \$100 fine plus court costs.)
- Unless the PWC has the self-circling feature, a "kill switch" must be attached to the operator. (Violations result in a minimum \$100 fine plus court costs.)
- No person under the age of 12 may operate a personal watercraft. (Violations result in a minimum \$100 fine plus court costs.)
- No person shall maneuver a personal watercraft in a manner, which endangers life, limb or property. (Violations result in a minimum fine of \$150 plus court costs.)
- All personal watercraft operators must comply with the waterway "Rules of the Road." (Violations result in a minimum \$50 fine plus court costs.)

Examples of unacceptable reckless operation include:

- Weaving through congested vessel traffic at high speed.
- Following closely behind within the wake of a vessel towing a person or persons on water skis, surfboard or other water sport device.
- Jumping the wake of another vessel traveling in the same direction in close proximity to the vessel.
- Cutting between a boat and the person or persons being towed by that boat.
- Crossing at right angles in close proximity to the stern of another vessel, or when visibility around the other vessel is obstructed.
- Steering a PWC toward any object or person in the water and turning sharply at close range so as to spray the object or person.

All PWCs used for towing any person shall be equipped with rearview mirrors. The mirrors must contain a minimum viewing area size of 10 square inches. Each mirror must have a minimum viewing area height of 2.5 inches and a minimum viewing area width of 4 inches. The mirrors must be attached or mounted on both the right and left sides of the PWC so as to provide the maximum rearward observation by the operator. Mirrors must not be mounted on the steering mechanism of the PWC. The minimum combined viewing area of both mirrors shall be 20 square inches. NOTE: An observer is not accepted in place of mirrors. (Violations result in a minimum \$100 fine plus court costs.)

17. Water Ski Regulations

Vessels used to tow a person on water skis, surfboard, or similar device must comply with the following regulations:

- Skiing is not allowed from sunset to sunrise or during inclement weather.
- Vessels towing skiers must be equipped with a 170 degree, wide-angle rearview mirror with a viewing surface of at least 500 sq. centimeters (78 square inches) or have on

board a person at least 12 years old, other than the operator, who can observe the progress of the skier.

- Skiers must wear an adequate and effective life preserver, buoyant vest or life belt. If the device worn is not USCG-approved, then an approved device for the skier must be on board the towing vessel.
- Citations to appear in court may be issued to the vessel operator and/or the skier if the vessel or ski is manipulated so that it endangers life, limb, or property.
- Skiing near or in front of, tow boats or other large vessels is prohibited since their visibility and their ability to stop quickly or maneuver is extremely limited.
- Vessel operators and passengers must not sit on the deck, gunwales or transom while the boat is in motion.

Violators are guilty of a Class B misdemeanor, punishable upon conviction and fined not less than 100 dollars.

18. Divers-down Flag

Federal navigation rules require vessels restricted in the ability to maneuver to display appropriate day shapes or lights. To meet this requirement, recreational vessels engaged in diving activities may exhibit a rigid replica of the international code flag "A" or a "Divers-Down" flag not less than one meter in height, or at night, display navigation lights 360 degrees red on top, white in middle and red on the bottom. Scuba divers, skin divers and snorkelers must mark their diving area by means of a diver's down flag. Vessel operators must keep a distance of at least 100 feet between the flag and their boats when on inland waters.

19. Liveries (Rental Agencies)

It is unlawful for a boat liveryman to rent or offer to rent any boat found to be in unsafe condition. However, if such boat can be made seaworthy or safe by repairs or alterations as so directed by the Department of Conservation and Natural Resources, the same boat may then be used for rental purposes, but only after another inspection of the vessel to determine whether such repairs or alterations have been made.

20. Other State-Specific Regulations

The Alabama Department of Education requires that a segment of the approved driver education curricula must include boating safety in Alabama, (beginning with the 1994-95 school year). The boating safety curriculum shall be approved in writing by the Commissioner of Conservation and Natural Resources and the State Superintendent of Education.

Applies to Lake Harris (Lake Wedowee), Lake Martin, and Weiss Lake ONLY:

Beginning October 1, 2006, there is an absolute ban on recreational vessels that are BOTH greater than 26 feet, 11 inches, and are rated by the manufacturer for or capable of a top speed in excess of 60 miles per hour.

Beginning July 1, 2007, there is a general ban on:

- Houseboats, and
- Recreational vessels over 30 feet, 6 inches.

Exceptions to this ban include annually permitted vessels:

- Needed for use on a temporary basis

- Houseboats licensed and in use on July 1, 2006, if they meet all applicable standards for sewage discharges, and are inspected annually; and
- Boats over 30 feet, 6 inches and NOT rated or capable of 60 miles per hour if they were licensed and in use on July 1, 2006, or were on site and available for sale at any marina located on any one of the above lakes on July 1, 2006.

These excepted vessels are issued a DCNR permit on an annual basis for that particular lake only, and only after annual inspection.

21. Environmental Awareness

Aquatic Nuisance Species

Non-native pest species living in or near water are often called aquatic nuisance species. These invaders, such as the zebra mussel can cause displacement, reduction or extinction of native species. Zebra mussels multiply rapidly and settle on any hard surface forming clumps of dense colonies. Because the zebra mussel does not have a known natural predator in U.S. waters, these dense colonies can clog municipal, industrial and agricultural water intake pipes and have been known to cause power plants to overheat. Zebra mussels also negatively impact boaters since they can create drag when attached to a boat hull making the boat's engine work harder and lowering fuel efficiency. It should be noted that most insurance will NOT pay for zebra mussel induced damage to your boat since this type of damage is listed as a preventable problem. Zebra mussels have been seen in the Wheeler Reservoir of the Tennessee River in North Alabama, but they have not multiplied to the extent seen in northern parts of the country.

Boaters can help slow the spread of zebra mussels by following these recommendations:

- Remove any visible vegetation from items that were in the water;
- Flush the engine cooling system, live wells, and bilge with hot water, rinse any other areas on your boat or associated equipment that get wet including trailer frames and other gear;
- Air dry other equipment for at least five days before using in uninfested waters;
- Do not immediately reuse your boat if it has been exposed to infested waters; and
- Examine the boat's exterior for mussels if it has been docked in infested waters.

If you see zebra mussels in any Alabama water body:

- Note the date and precise locations where the mussel or its shell(s) were found;
- Take the mussel with you (several, if possible) and store it in rubbing alcohol (Do Not throw any back into the water); and
- Immediately contact the: Alabama Sea Grant Extension 334-438-5690 or, the Tennessee Valley Authority (TVA) Zebra Mussel Hotline 1-800-538-2526

Additional Information

For more information on Alabama boating law refer to the Alabama Marine Police at:

<http://www.dcnr.state.al.us/MP/Menu.htm> and the Code of Alabama at <http://www.legislature.state.al.us/CodeofAlabama/1975/coatoc.htm>.