

## STATE OF IDAHO

### *State-Specific Boating Requirements*

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

The Idaho Department of Parks and Recreation has the authority to carry out the administration of the provisions of the Idaho Safe Boating Act and to issue related rules and regulations. County sheriffs and deputy sheriffs are the primary enforcement officers of the boating laws of Idaho on waterways within their jurisdiction or county. All Idaho peace officers have the authority to stop and board boats in order to check for compliance with federal and state laws. The U.S. Coast Guard (USCG) has enforcement authority on federally controlled waters.

#### **SL 2. Age Restrictions**

There are no specific age restrictions for operating a vessel in Idaho, except that the operator must be physically and mentally capable of operating the vessel under the prevailing conditions. Moreover, there are local age regulations in Benewah, Kootenai and Bonner counties of northern Idaho. In these counties, persons 10 to 14 years of age can be the sole operators of motorboats with less than 15 horsepower. To operate a vessel with more than 15 horsepower, the operator must be supervised by a responsible adult.

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

Boating safety education is required in the State of Idaho in the following circumstances:

- Personal Watercraft rental businesses must provide an educational course, disseminated by the Idaho Department of Parks and Recreation, to each person who will ride and operate the rented vessel. The operator of the rented Personal Watercraft must carry evidence of the successful completion of this course onboard while operating the vessel.
- Boaters convicted of boating under the influence of drugs or alcohol are required to pass a boating safety course in addition to other penalties prescribed by the court.

#### **SL 4. Vessel Registration**

An Idaho Certificate of Registration and a validation sticker are needed to legally operate a boat or Personal Watercraft on Idaho waters. The only exceptions are:

- Manually propelled boats (for example, canoes, rafts and kayaks);
- Float tubes (with or without a motor) of single tube construction;
- Sailboards;
- Boats properly registered in another state and operated on Idaho waters for 60 or fewer consecutive days; and
- USCG-documented boats.

The Certificate of Registration and validation stickers are obtained by submitting the proper application form and fee to the Idaho Department of Parks and Recreation. Application forms are available from the Idaho Department of Parks and Recreation, boat registration vendors and county motor vehicle department offices. Certificates of Registration expire on December 31 each year. Renewal notices are mailed to all owners of previously registered boats and Personal Watercraft. You may send the renewal directly to the Idaho Department of Parks and Recreation or take it to the county motor vehicle department's office. If you change address, sell, abandon or destroy your boat or Personal Watercraft, or if your boat or Personal Watercraft is stolen, you must contact the Idaho Department of Parks and Recreation within 15 days. Hull Identification Numbers are required by both state and federal laws.

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

The State of Idaho has adopted the federal maximum loading and horsepower requirements. 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 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 it is also illegal. In many states, there are fines and penalties for exceeding capacity recommendations, including carrying more than the maximum number of people.*

If the vessel is not required to display a capacity plate, the operator should use the following formula to determine the maximum number of persons the vessel can safely carry under normal operating conditions:

$$N = \frac{(L)(W)}{15}$$

Where:

L: Length of Vessel

W: Width of Vessel

N: Maximum number of persons allowed

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

The USCG sets minimum safety standards for vessels and associated equipment. To meet these standards, some of the equipment must be USCG-approved. All boats operating on Idaho waters must carry and, if required, have in operation, acceptable personal flotation devices (PFDs), visual distress signals, fire extinguishers, sounding devices, backfire flame arrestor, ventilation systems, and navigation lights as required by federal law. If you are purchasing a new boat and a boat manufacturer installs the safety equipment, it should not be assumed that the vessel is properly equipped at time of purchase. Boat owners are responsible for ensuring that his or her vessel meets USCG regulations in accordance with vessel size and the waters in which the vessel is being operated. To review the federal requirements for safety equipment, refer to Chapter 2 of this course.

### **Fire Extinguishers**

All recreational vessels must be equipped with approved fire extinguishers of the type, number and size specified by Idaho laws and agency rules. Vessels under 26 feet in length, propelled by outboard motors, of open construction, which will not permit the entrapment of explosive or flammable gases or vapors, and not carrying passengers for hire, are exempt from these requirements. All fire extinguishers must be approved by either the USCG or Underwriters Laboratories, be in good condition, fully charged, and be readily accessible. The number and type of fire extinguishers required to be on board are specified as follows:

- Vessels less than 26 feet in length: at least one B-I extinguisher;

- Vessels at least 26 feet, but less than 40 feet in length: at least two B-I or one B-II extinguisher(s);
- Vessels 40 feet in length or greater: at least three B-I, or one B-II and one B-I extinguishers.

### **Backfire Flame Control**

All vessels built after April 1940 with inboard-mounted gasoline engines (including inboards and inboard-outboards) must have equipment to control engine backfire from being released from the carburetor. This could include either a USCG-approved or Underwriters Laboratories-approved backfire flame arrestor mounted securely on the carburetor, or another all-metal device that ensures any engine backfire released from the carburetor will be dispersed to the open atmosphere and not endanger persons or property. All backfire flame arrestors must be completely constructed out of metal, mounted securely to the carburetor, and maintained in good condition.

### **Ventilation**

All engine and fuel tank compartments on vessels built after April 1940 must be vented to enable gasoline fumes to be removed from enclosed spaces. Ventilation systems generally include ducting and cowls that remove the fumes while the vessel is in motion. All vessels constructed after July 31, 1980 must also have a power exhaust blower mounted in the engine compartment to force gasoline fumes out of the space. The open end of the intake duct mounted on the exhaust blower must be in the lower one-third of the compartment and above the normal level of accumulated bilge water. All ventilation ducting must be clear of obstructions. Be sure to operate the exhaust blower for at least four minutes before starting the engine, especially after refueling.

### **Sound Producing Devices**

All vessels must have onboard a "sound-producing device," such as a whistle or horn. The device must be capable of producing a constant blast of at least six seconds and be audible for at least one-half mile. All vessels 39.4 feet in length or greater must also carry a bell capable of producing a clear, bell-like tone.

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

PFDs must be carried on all powered and non-powered vessels operated on Idaho waters. They must be USCG-approved, of proper size, in "like new" condition, and always within easy reach of users. Boats under 16 feet long, as well as canoes and kayaks of any length, must have a Type I, Type II, or Type III PFD for each person on board. A Type IV cushion or ring buoy will not meet this requirement. Boats 16 feet and longer (except canoes and kayaks of any length) must meet the above requirements and have a Type IV PFD on board. A Type V PFD is a special purpose PFD that may be used in place of a Type III if it is approved for the appropriate activity, i.e. whitewater rafting. It is also possible a Type V special purpose PFD must be worn at all times to meet U.S. Coast Guard approval. To ensure the proper use of a Type V PFD, always refer to the list of approved activities and conditions found on the label of the device.

### **Mandatory PFD Usage**

Children 14 and under must wear an approved life jacket when they are aboard a boat 19 feet in length or less whenever the boat is underway or under power. This applies to manually propelled boats, such as canoes and rafts, in addition to powerboats, sailboats, Personal Watercraft, and fishing float tubes.

The following are exempt from these PFD requirements:

- Seaplanes, sailboards, and some racing boats sanctioned under a marine event permit with the local county sheriff's office;
- Fly fishing float tubes are not required to carry PFDs on lakes less than 200 surface acres. Fly fishing pontoons or cataraft designs are required to carry PFDs on all Idaho waters.

### **Visual Distress Signals**

Visual distress signals are not required but are highly recommended on vessels operating on state-controlled waters. Vessels operating in federally controlled waters must carry visual distress signals appropriate for their vessel, as determined by the U.S. Coast Guard. To review federal requirements for visual distress signals refer to Chapter 2 of this course.

### **Lighting Requirements**

#### Vessels Under 7 meters (23.0 ft.) Long

Manually propelled vessels must exhibit the following lights exhibit the same lights as required for manually propelled boats under 20 meters (65.6 ft.) in length if it is practical for the type of vessel. If this light configuration is impractical for the type of vessel, the operator must have on hand at least one lantern or flashlight shining a white light.

#### Vessels Less Than 12 Meters (39.4 ft) Long When Underway

Power driven boats must exhibit red and green sidelights visible from a distance of at least one mile and an all-round white light or both a masthead light and a stern light. These lights must be visible from a distance of at least two miles on a dark clear night. The all-round white light (or the masthead light) must be at least one meter (3.3 ft.) higher than the sidelights.

Sailboats or boats that are paddled, poled and rowed must exhibit a red and green sidelight visible from a distance of at least one mile on a dark clear night and a stern light visible from a distance of at least two miles.

#### Vessels Equal to or Greater Than 12 Meters (39.4 ft) and Less Than 20 meters (65.5 ft.) When Underway

Power-driven boats must exhibit red and green sidelights visible from a distance of at least two miles on a dark clear night and an all-round white light or both a masthead light and a stern light. These lights must be visible from a distance of at least two miles on a dark clear night. The all-round white light (or the masthead light) must be at least one meter (3.3 ft.) higher than the sidelights.

Sailboats or boats that are paddled, poled and rowed must exhibit a red and green sidelight visible from a distance of at least two miles on a dark clear night and a stern light visible from a distance of at least two miles.

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

All vessels equipped with a marine toilet must use a USCG-approved Type I, II or III MSD. Those vessels using Type III MSDs must empty them at a boat pump-out station. Vessels using Type I or II MSDs may discharge treated sewage only where specifically allowed by federal law. When boating on waters where discharge is not allowed, the marine toilet must be sealed to prevent discharge.

### **SL 8. Muffling Devices**

To reduce noise, motorboat engines must be equipped with factory-installed mufflers, exhaust water manifolds or other effective muffling system. The following muffling requirements must be met:

- Boats built before January 1, 1995, must not exceed 90 dB(A) using the stationary test.
- Vessels built on or after January 1, 1995, must not exceed 88 dB(A) using the stationary test.
- While operating on lakes and rivers wider than 500 feet, it is unlawful to exceed 75 dB(A) as measured from shore.

Contact your local sheriff's department for free vessel noise screening.

### **SL 9. Boating Accidents**

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, crew or the vessel. The operator must also give his or her name, address, and the identifying number of his or her vessel to anyone injured in the accident and to the owner of any damaged property.

The operator of any vessel involved in an accident must report the accident to the sheriff of the county in which the accident took place if it involved property damage in excess of \$500, personal injury, death, or the disappearance of a person that would indicate a death. The sheriff must be notified immediately, by the quickest means possible. A written report must also be filed within 48 hours of the accident if a person dies or is injured and within 10 days in other cases.

Boating accident report forms can be obtained from any sheriff's department office or the Idaho Department of Parks and Recreation. Boating accident reports are used for statistical purposes and cannot be used in any judicial proceeding.

### **SL 10. Vessel Speed Restrictions**

Exceeding a posted speed limit is prohibited. Specifically, it is unlawful to:

- Operate at a speed greater than no wake speed, maximum of five nautical miles per hour, while within 100 feet of a dock, swimmer or other person in the water (unless safely pulling a water skier from a dock, or unless the person in the water is your water skier). No wake speed is defined as the slowest possible speed at which you can maintain steerage.
- Operate at a speed and proximity to another boat or Personal Watercraft so as to require the other operator to swerve at the last moment to avoid a collision.

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

It is unlawful to moor or attach a vessel to a beacon, light, buoy (except a mooring 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.

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

Grossly negligent operation of a vessel, water skis or similar device is a serious offense. It is unlawful for any person to operate any vessel in a careless or heedless manner so as to be indifferent to any person or property of other persons. Negligent operation is defined as operating at a rate of speed greater than will permit the operator in the exercise of reasonable care to bring the vessel to a stop within the assured clear distance ahead. Vessel operators are responsible for damage caused by their wake. Minimize disturbance or damage to other vessels, docks, floating homes and shoreline installations by slowing down and being aware of your surroundings.

Examples of prohibited vessel operation include, without limiting:

- operating at a speed greater than no wake or five nautical miles per hour while within 100 feet of a dock, swimmer or other person in the water (unless safely pulling a water skier from a dock, or unless the swimmer or other person in the water is the vessel's water skier);
- becoming airborne or completely leaving the water while crossing the wake of another vessel while within 100 feet of the vessel creating the wake;
- weaving through congested traffic; or
- operating at such a speed and proximity to another vessel, person or property of another person so as to require the operator to swerve at the last moment to avoid a collision.

### **SL 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 Idaho in a way that may endanger the operation of watercraft or conflict with the marking system prescribed by the State of Idaho.
- Operate or otherwise position a vessel, other object or any person in a way that would obstruct or impede the normal flow of traffic on the lakes of this state.

Boater operators heading upstream in a power-driven boat on Idaho's narrow channels or fairways on Western Rivers should be aware that all boats coming toward them from the opposite direction have the right-of-way. All violations of inland Navigation Rules constitute interference with navigation.

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

It is unlawful for anyone to operate or be in actual physical control of a vessel while under the influence of alcohol, drugs or other intoxicating substances. A blood alcohol concentration of 0.08% or higher for persons 21 years of age or older, and 0.02% or higher for persons under the age of 21, constitutes "under the influence."

The maximum penalty for operating a vessel under the influence of alcohol or drugs is a \$1,000 fine and/or six months in the county jail. Those convicted must successfully complete a course on safe boating, and may lose their privileges to operate a boat for up to two years.

Anyone causing great bodily harm, permanent disability or permanent disfigurement to a person other than himself or herself while operating a vessel under the influence of alcohol or drugs is guilty of a felony and shall be sentenced to the state board of corrections for a period not to exceed five years, with a minimum of 30 days. He or she may also be fined up to \$5,000, and shall have his or her privileges to operate a vessel suspended by the court for a mandatory period of one year after the release from prison.

By operating a vessel on Idaho waters, you have given "implied consent" to be tested for the presence of alcohol, drugs or other intoxicating substances if requested by a peace officer. Any person refusing to submit to testing for the presence of alcohol, drugs or other intoxicating substances shall be assessed a civil penalty of \$200.

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

In addition to penalties, boaters found guilty of operating under the influence of drugs or alcohol must attend a boating safety course. Those who are repeat offenders of any boating law or rule must also successfully complete a boating safety course.

### **SL 16. Personal Watercraft**

In addition to adhering to all boating laws, Personal Watercraft operators must obey the following requirements specific to their watercraft:

- Each person riding on or towed behind a Personal Watercraft must wear a USCG-approved Type I, II, III or V PFD. Type V inflatable PFDs are not approved for use on Personal Watercraft.
- Operate a Personal Watercraft between sunset and sunrise or during periods of restricted visibility (such as fog) is prohibited, unless the manufacturer has equipped the Personal Watercraft with the required navigation lights from the factory.
- A Personal Watercraft should give way to any powerboat towing a skier by altering course and/or reducing speed to five nautical miles per hour within 100 feet of the boat or skier.
- It is unlawful to chase, harass or disturb wildlife with your Personal Watercraft.
- Personal Watercraft must be operated in a reasonable and prudent manner at all times.

It is unlawful to operate in a negligent manner such as:

- Weaving your Personal Watercraft through congested traffic;
- Jumping the wake of another boat within 100 feet of the other boat; or
- Swerving at the last moment to avoid collision in order to splash another boat or person.

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

A vessel towing a person on water skis, aquaplane or other similar device must be occupied by a second, competent person (other than the operator) onboard to observe the water skier. An international orange or red flag, which is at least one-foot-square, must be carried on board and displayed aloft, visible from all sides, when the person being towed becomes disengaged from the tow line and is down in the water. It is unlawful to tow a water skier between the hours of one hour after sunset and one hour before sunrise. Vessel operators are responsible for the actions of any person they are towing.

### **SL 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. All vessels shall operate at no-wake speed (not to exceed 5 miles per hour) while within 100 feet of any displayed Diver-Down flag.

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

#### **Personal Watercraft Rentals**

Any person who offers a Personal Watercraft for lease, rent or hire must provide a state-approved life jacket and any other safety equipment required by law at no charge. The person offering the vessel for rent must also place a decal on the vessel listing safe operating requirements and instruct the operators on the safe operation of the vessel. For Personal Watercraft, the safe operating instruction must include the video "Play it Safe," produced by the Personal Watercraft Industry Association. All persons operating a Personal Watercraft that has been leased, rented or hired must carry proof they completed the instruction.

#### **Other Vessel Rentals**

It is the responsibility of any business that leases, rents or hires out a vessel to supply the renter all safety equipment required by state statutes and agency rules at no additional fee to

the customers. Written rental agreements may be carried on board vessels that are rented, leased or hired but do not serve as a substitute for the original certificate of registration.

### **SL 20. Other State-Specific Regulations**

Any political subdivision of the State of Idaho may at any time, but only after sufficient public notice is given, adopt local ordinances on the operation of vessels on any waters within its territorial limits or with reference to swimming within areas of intense or hazardous vessel traffic, provided the ordinances are intended to promote or protect the health, safety and general welfare of its citizenry.

Any political subdivision of the State of Idaho may at any time, but only after sufficient public notice is given, adopt ordinances establishing operational zones for Personal Watercraft on any waters within its territorial limits. Personal Watercraft operational zone designations are limited to:

- No wake or less than five (5) nautical miles per hour;
- Personal Watercraft only;
- No Personal Watercraft allowed; and
- Distance from shoreline.

### **SL 21. Environmental Awareness**

#### **Hypothermia**

Hypothermia is the lowering of the body's core temperature as a result of exposure to a cold environment. Even in the summer in Idaho, the water temperatures can hover around 50 degrees F. Under normal circumstances, the human body maintains a temperature of about 98.6 degrees F. Once a body is immersed in cold water, the core body temperature begins to decline and the person will start to feel cold. Hypothermia can set in as quickly as ten minutes, or at different rates depending on a person's physical health, the temperature of the water and what the person is wearing. With the onset of hypothermia, the person will start to shiver in an attempt to re-warm itself. As a person's core temperature decreases, manual dexterity and coordination is lost. As a result, a person may suffer mental impairment and can potentially die from cardiac arrest if the body's core temperature remains low. In many cases, the person may lose consciousness and drown before the body's core temperature drops low enough to cause death.

#### **How to prevent Hypothermia**

It is recommended that you carry and wear proper protective clothing such as:

##### PFDs

The more coverage your PFD provides, the better it is at preventing hypothermia. Even lightweight PFDs will help, though, if they're designed to keep your head above water.

##### Flotation Suits

Flotation suits are also called "wet suits." They can be a one-piece suit or a jacket and pants combination. Once you enter the water in a wet suit, a small amount of water will enter the suit and spread in a thin layer around your body in between your skin and the suit. Your body warms the layer of water and helps maintain your core temperature.

##### Immersion Suits

Boaters who are out for long periods of time or in colder weather should carry an immersion suit that can be quickly donned in an emergency. These are considered "dry" suits, and they provide the highest level of thermal insulation as well as flotation. They are designed to keep you alive for an extended period of time until help arrives.

### **Aquatic Nuisance Species**

In Idaho the most common aquatic nuisance species are zebra mussels and Eurasian water milfoil. The zebra mussel is an exotic mollusk that is threatening the environmental health of freshwater lakes and rivers in the United States. Adult zebra mussels are characterized by a semi-D shaped, bivalved shell with light and dark brown or black banding (stripes) and are no larger than 5 cm (2 inches). Eurasian water milfoil is a plant with feathery underwater foliage. It originated in Europe and Asia and was introduced into North America many years ago. It was once commonly sold as an aquarium plant.

Aquatic nuisance species, like zebra mussels and Eurasian water milfoil, most often spread between waterways by hitching a ride on boats and trailers. When moved into new waters, these species rapidly multiply, damaging the water resource.

To prevent spreading nuisance species:

- Inspect your vessel and trailer, removing any nuisance species (zebra mussels and Eurasian water milfoil) you see before leaving the waterway;
- Drain your motor, live well, and bilge on land before leaving the waterway;
- Empty your bait bucket on land. Never release live bait into a waterway or release aquatic animals from one waterway into another;
- Rinse your vessel, trailer and equipment;
- Air-dry your vessel and equipment for as long as possible;
- Kill attached zebra mussels by pulling boats out of the water to dry for a minimum of 10-14 days;
- Flush the engine's cooling system with hot water; and
- Apply antifouling materials such as paint and films to vessel hulls; trim tabs, water ports, transducers and swimming platforms to discourage zebra mussel attachment.

### **Additional Information**

For more information on Idaho boating law, refer to the Idaho Department of Parks and Recreation at <http://www.idahoparks.org/recreation/boating.aspx>, and the Idaho Safe Boating Act at <http://www3.state.id.us/idstat/TOC/idstTOC.html>, Idaho Code, Title 67 – State Government and State Affairs, Chapter 70 - Idaho Safe Boating Act, Sections 67-7001 et seq.