

STATE OF ILLINOIS
State-Specific Boating Safety Requirements

SL 1. Law Enforcement Authority

According to the Illinois Boat Registration and Safety Act, The Illinois Department of Natural Resources (DNR) has full and complete jurisdiction of all waters within the boundaries of the State of Illinois. The U.S. Coast Guard (USCG) also has enforcement authority on all federally controlled waters.

DNR agents and other duly authorized police officers may board and inspect any watercraft at any time for the purpose of determining compliance with the Illinois Boat Registration and Safety Act.

SL 2. Age Restrictions

No person under 10 years of age may operate a motorboat.

Youth at least 10 years of age and under 12 years of age may operate a motorboat only if they are accompanied on the motorboat and under the direct control of a parent or guardian, or a person at least 18 years of age designated by a parent or guardian.

Those at least 12 years of age and under 18 years of age may operate a motorboat only if:

- They are accompanied on the motorboat and under the direct control of a parent or guardian, or
- A person at least 18 years of age designated by a parent or guardian, or
- Such motorboat operator is in possession of a Boating Safety Certificate issued by the DNR Office, Division of Education or a valid certificate issued by another state, a province of the Dominion of Canada, the USCG Auxiliary or the U.S. Power Squadron.

Violations of this Section performed with the knowledge of a parent or guardian shall be deemed a violation by the parent or guardian and are punishable under the Illinois Boat Registration and Safety Act.

SL 3. Boater Safety Education Requirements

The Illinois DNR issues certificates of boating safety to those 10 years of age or older who have successfully completed the prescribed course of instruction and passed such tests as may be prescribed by the Illinois DNR. Persons at least 12 years of age and under 18 years of age, must possess a certificate of boating safety recognized by the state in order to be the sole operator of a vessel. The Illinois DNR may cooperate with schools, private clubs and other organizations in offering boating safety courses throughout the State of Illinois.

SL 4. Vessel Registration Every watercraft other than sailboards, on Illinois waters, must be numbered. No one may operate or give permission for the operation of such watercraft on Illinois waters unless the watercraft is numbered in accordance with the Illinois Boat Registration and Safety Act, in accordance with applicable federal law, or in accordance with a federally approved numbering system of another state, and unless:

- The certificate of number awarded to such watercraft is in full force and effect, and
- The identifying number set forth in the certificate of number is displayed on each side of the bow of such watercraft.

The owner of each watercraft requiring registration and titling by this State must file a watercraft application with the Illinois DNR. The application must be signed by the owner of

the boat and accompanied by the required documents (new boats: you must surrender the original properly endorsed Manufacturer's Certificate of Origin; Boats previously registered or titled in another state: you must surrender the owner's registration certificate and/or title; Illinois titled boats: you must surrender the owner's Illinois title) and appropriate fee.

Warning: Boats purchased new or used from out-of-state dealers, manufacturers or lending institutions are subject to tax. You must contact the Illinois Department of Revenue at 1-800-732-8866 for instructions before submitting an application.

Boats exempted from registration and titling: Watercraft need not be registered and titled if it is:

- A watercraft which has a valid marine document issued by the United States Coast Guard, EXCEPT THAT any such documented vessel used upon the waters of this State for more than 60 days in any calendar year shall be registered in compliance with the Illinois Boat Registration and Safety Act.
- Already covered by a number in full force and effect from another state, if such boat will not be within this State for a period of 60 consecutive days.
- A sailboard.
- A watercraft from a country other than the United States temporarily using the waters of the State.
- A watercraft owned by the United States, a state or subdivision thereof, used solely for official purposes and clearly identifiable.
- A vessel used exclusively as a ship's lifeboat.
- A watercraft that is competing in a race approved by the Illinois DNR, or if the watercraft is designed and intended solely for racing and is engaged in navigation that is incidental to preparation of the watercraft for the race. Preparation of the watercraft for the race may be accomplished only after obtaining the written authorization of the Illinois DNR.
- A non-powered watercraft owned and operated on water completely impounded on land belonging to the owner of the watercraft. This does not apply to waters controlled by a club or association.
- A canoe or kayak which is owned by an organization which is organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation.

Hull Identification Number (HIN): Boats manufactured after 1972 will have a hull identification number consisting of 12 characters normally found on the outboard side of the transom, or if there is no transom, to the outermost starboard side at the end of the hull that bears the rudder or other steering mechanism, above the water line. The HIN may be carved, burned, stamped, embossed, or otherwise permanently affixed in such a way that alteration, removal or replacement would be obvious or evident.

No person may possess a watercraft that has the HIN removed, defaced or obliterated.

SL 5. Maximum Loading and Horsepower

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.

In the State of Illinois, boats purchased after January 1, 1968 must have a manufacturer's capacity plate permanently affixed.

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 Illinois 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 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.

The Illinois Boat Registration and Safety Act provides that the following equipment will be provided in various classes of boats:

Personal Flotation Devices (life preservers):

It is unlawful to operate any watercraft unless at least one USCG-approved PFD of the following types or their equivalent is on board for each person: Type I, Type II or Type III (wearable PFDs). The PFD requirement does not apply to sailboards.

Any watercraft 16 feet or more in length, except a canoe or kayak, must have at least one Type IV (throwable) USCG-approved PFD or its equivalent on board, in addition to the PFDs required above. When assisting a person on water skis, aquaplane, or similar device, there must be one USCG-approved PFD on board the watercraft for each person being assisted or towed, or worn by the person being assisted or towed. NOTE: A ski belt is not a USCG-approved PFD.

The type of PFD and USCG approval information will be found on the device label.

All such PFDs mentioned in this section must be readily accessible, in serviceable condition, of an appropriate size for whom it is intended, and legibly marked with the U.S. Coast Guard approval number.

No person may operate a personal watercraft (PWC) or specialty prop-craft unless each person aboard is wearing a Type I, Type II, Type III, or Type V PFD approved by the U.S. Coast Guard.

No person may operate a watercraft under 26 feet in length unless a Type I, Type II, Type III, or Type V personal flotation device is being properly worn by each person under the age of 13 on board the watercraft at all times in which the watercraft is underway. This requirement, however, does not apply to persons who are below decks in totally enclosed cabin spaces. This provision does not apply to a person operating a watercraft on private property.

Mandatory PFD Usage

Illinois law requires that all children under the age of 13 must wear a USCG-approved PFD while on a recreational vessel under 26 feet that is underway, unless they are in an enclosed cabin or below deck.

Lanyards:

No person may operate any motorboat including a PWC, which is equipped with a lanyard type engine cut-off switch, unless that lanyard is properly attached to his or her person, clothing or worn PFD, as appropriate for the vessel.

Lights:

Every vessel must carry and display when underway between the hours of sunset and sunrise such lights as are required by the USCG for watercraft of equivalent length and type.

Whistles:

It is unlawful to operate a motorboat without a mouth, hand, or power operated whistle, horn, or other appliance capable of producing a blast of 2 seconds or more duration and audible for at least one half mile. This regulation applies to all motorboats regardless of size or motor.

Fire Extinguishers:

It is unlawful to operate any motorboat equipped with an internal combustion engine anywhere in Illinois without at least one USCG-approved fire extinguisher placed as to be readily accessible and in such condition as to be ready for immediate and effective use.

Carburetor Arrestors:

Except for outboard motors, all motorboats must be fitted with a USCG-approved device for arresting backfire.

Ventilators:

Except for open boats, all motorboats using fuel having a flashpoint of 100 degrees Fahrenheit or less must have at least 2 ventilator ducts, fitted with cowls or their equivalent, for the efficient removal of explosive or flammable gases from the bilges of every engine and fuel tank compartment. There must be at least one exhaust duct installed so as to extend to a point at least midway to the bilge or at least below the level of the carburetor air intake. The cowls must be located and trimmed for maximum effectiveness and in such manner so as to prevent displaced fumes from being recirculated.

Siren and Flashing Lights:

The use of sirens or flashing lights is unlawful except on duly designated patrol boats, and such sirens or flashing lights used in violation of the Boating Act will be considered a public nuisance and subject to confiscation and disposal as determined by a competent court of jurisdiction.

Visual Distress Signals:

It is unlawful to operate any watercraft on the waters of Lake Michigan without having onboard visual distress signals as required and approved by the U.S. Coast Guard, so placed as to be readily accessible and in such condition as to be ready for immediate and effective use. (Note: The U.S. Coast Guard requires visual distress signals on all vessels being operated at night and on all vessels 16 feet or greater being operated during the day).

Battery Covers:

Storage batteries must be provided with suitable supports and secured against shifting. Batteries must be equipped with non-conductive shielding means to prevent accidental shorting.

SL 7. Marine Sanitation Devices (MSDs)

Illinois law prohibits the discharge of any sewage, treated or untreated, into the state's freshwaters. Recreational vessels with installed toilet facilities must have onboard an operable marine sanitation device (MSD). All installed devices must be USCG certified. Type III MSDs must have the "Y"-valve secured to prevent waste from being discharged into the water.

SL 8. Muffling Devices

To reduce noise, motorboat engines must be equipped with factory-installed mufflers, exhaust water manifolds or other effective muffling system. An effective muffler or underwater exhaust system is one that does not produce sound levels that create excessive or unusual noise, or sound levels that are in excess of 90 decibels when subjected to a stationary sound level test or 75 decibels when in operation on the waters of this State.

A motorboat tuned up for or participating in official trials for a sanctioned race or regatta conducted under a permit, or a motorboat being operated by a boat or marine engine manufacturer for the purpose of testing or development, are exempt from this requirement.

A person who operates a motorboat upon the waters of this State shall be deemed to have given consent to the test or tests prescribed by the Illinois DNR to determine if the motorboat is in compliance.

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.

Whenever a boat is involved in a collision or accident, causing injury or death to persons or property damage of \$500, a report, completed by the operator, must be made to DNR.

All boating accidents which result in death or serious injury to any person must be reported by the operator within 48 hours. All other accidents must be reported within 5 days. The report will be confidential and without prejudice to the individual reporting. Forms for the reporting of accidents in the above categories may be obtained from your local Natural Resources Office or from the Central Office.

Violations of these provisions carry penalties and may include imprisonment upon conviction.

SL 10. Vessel Speed Restrictions

Restricted Areas: It is unlawful to operate a motorboat in a water area which has been clearly marked by buoys or signs as a bathing, fishing or otherwise restricted area, except in the manner prescribed by the buoys or signs marking the area. In areas designated as "No Wake" areas, no motorboat underway is allowed to exceed 5 miles per hour while in the posted "No Wake" area.

Slow - No Wake Areas: No person may operate a watercraft within 150 feet of a public launching ramp owned, operated or maintained by the Illinois DNR or a political subdivision of the State at greater than a "No Wake" speed. Posting of the areas is not required.

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

Careless Operation:

It is unlawful to operate a watercraft in a careless or heedless manner as to endanger any person or property, or at a rate of speed greater than will permit him or her, in the exercise of reasonable care, to bring the watercraft to a stop within the assured clear distance ahead. The operator of a watercraft is liable for any injury or damage occasioned by the negligent operation of such watercraft, whether such negligence consists of a violation of the provisions of the Illinois Compiled Statutes, or in the failure to observe such ordinary care in such operation as the rules of the common law require.

Reckless Operation:

It is unlawful to operate a watercraft, specialty prop-craft, PWC or manipulate any water skis, aquaplane, or similar device in such a manner as to willfully or wantonly endanger the life, limb or property of any person, to weave through congested traffic, to jump the wake of another vessel unreasonably or unnecessarily close to the other vessel or when visibility around the other vessel is obstructed, to wait until the last possible moment to swerve or avoid collision, or operate any watercraft so as to approach or pass.

Passenger Location:

No person operating a motorboat may allow a person in the motorboat to ride or sit on the gunwales, tops of seat backs, or on the decking over the bow or stern of the motorboat while the motorboat is underway, unless the person is inboard of guards or rails provided on the motorboat to prevent passengers from being lost overboard.

Nothing in this section may be construed to prohibit entry upon the decking over the bow or stern of the motorboat for the purpose of anchoring, mooring, or casting off or some other necessary purpose nor to prohibit customary practices while lawfully engaged in commercial fishing under the provisions of the Fish and Aquatic Life Code or hunting and trapping under the provisions of the Wildlife Code.

These provisions do not apply to the driver of the boat, a person while fishing, or to a person on private property.

SL 13. Interference with Navigation

It is unlawful to:

- Anchor a vessel in the traveled portion of a river, channel, or other waterbody 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 Illinois in a way that may endanger the operation of watercraft or conflict with the marking system prescribed by the State of Illinois.
- 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.

In addition, anchoring under bridges or in heavily traveled channels constitutes such interference if unreasonable under the prevailing circumstances.

SL 14. Boating Under the Influence

It is unlawful to operate a watercraft while under the influence of alcohol or any other drug to the degree which renders him/her incapable of safely operating such watercraft or who has any amount of a drug, substance, or compound in his/her blood or urine resulting from the unlawful use or consumption of cannabis as defined in the Cannabis Control Act or a controlled substance listed in the Illinois Controlled Substance Act. The Blood Alcohol Concentration intoxication level in the State of Illinois is 0.08%.

In addition to any criminal penalties that may be imposed, DNR is authorized to suspend the watercraft operation privileges of any person convicted or found guilty of a misdemeanor under this section for a period of one year, except that a first-time offender is exempt from this mandatory one-year suspension.

In addition to any criminal penalties imposed, DNR is also authorized to suspend the watercraft operation privileges of any person convicted of a felony under this section for a period of 3 years. By operating a watercraft on Illinois waters you have given "implied consent" to be tested for alcohol and/or controlled substances.

SL 15. Mandatory Violator Education

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

SL 16. PWC Regulations

Personal watercraft 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 must be registered, carry PFDs and be operated at a speed safe enough for the operator to avoid a collision or to stop in time to avoid an accident.

Under Illinois law, operating a PWC or a specialty prop craft between the hours of sunset and sunrise is prohibited.

SL 17. Water Ski Regulations

When towing a person on water skis, aquaplane or similar device, the towing vessel must have a capacity of at least three persons and must be occupied by at least two competent people. It is unlawful to water ski from the period of one-half hour after sunset to one-half hour prior to sunrise.

When assisting a person on waterskis, aquaplane or similar device, there must be one USCG-approved PFD on board the watercraft for each person being assisted or towed or worn by the person being assisted or towed.

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.

Watercraft are prohibited from operating within 150 feet of a diving flag, except for watercraft directly associated with the diving activity.

SL 19. Liveries (Rental Agencies)

Neither the owner of a boat livery, nor his agent or employee may permit any watercraft to depart from his premises unless it has been provided, either by owner or renter, with the equipment required by law and any rules and regulations made pursuant thereto.

Unlawful rental of PWC or specialty prop-craft:

- A livery must not lease, hire or rent a PWC or a specialty prop-craft to, or for operation by, any person who is under 16 years of age.
- Any person convicted of violating this Section is guilty of a Class A misdemeanor.

SL 20. Other State-Specific Regulations

The Illinois Boat Registration and Safety Act provides that local ordinances and local laws relating to operation and equipment of vessels may be adopted by political subdivisions in Illinois if the provisions are not inconsistent with the provisions of the Act.

Effective September 1, 2004, tax is owed when a watercraft is acquired by gift, donation, transfer or non-retail purchase if the watercraft will be used in Illinois. See the Illinois Department of Revenue Tax on Watercraft Informational Bulletin, available for download at <http://www.revenue.state.il.us/publications/bulletins/2005/Fy200504.pdf>.

SL 21. Environmental Awareness

The Illinois Department of Natural Resources has numerous programs available to assist with recreational, educational and environmental improvements and projects. For more information, go to <http://www.dnr.state.il.us/getin/index.htm>.

Additional Information

For more information on Illinois boating law and environmental concerns, refer to the Illinois DNR at: <http://dnr.state.il.us/admin/systems/boats.htm>. Click below for Illinois state legislation regarding boating, see Illinois Compiled Statutes, 625 ILCS 45/1-1 *et seq.*, the Boat Registration and Safety Act at <http://dnr.state.il.us/watercraft/watercraftdigest.htm>.