

STATE OF MAINE

State-Specific Boating Safety Requirements

1. Law Enforcement Authority

The Maine Department of Inland Fisheries & Wildlife enforces the boating rules and regulations on the waterbodies in Maine. The Commissioner of Inland Fisheries and Wildlife, acting jointly with the Commissioner of Marine Resources, may adopt and amend rules regarding the operation of watercraft in Maine. The U.S. Coast Guard (USCG) also has enforcement authority on all federally controlled waters.

2. Age Restrictions

Youth under 12 years of age are prohibited from operating a motorboat with power in excess of 10 HP, unless he or she is under the immediate supervision of a person in the boat who is at least 16 years old. No person under 16 years old may operate a personal watercraft (PWC), including jet-skis, in the State of Maine. However, a person between 16 and 18 years of age may operate a personal watercraft if they have successfully completed an approved education course, or if they are accompanied by a person 18 years of age or older. Proof of age and course completion must be possessed while operating a PWC.

3. Boater Safety Education Requirements

Maine does not currently have any laws requiring mandatory boating safety education for boaters. Those ages 16 to 18 years old, however, may only operate a personal watercraft (PWC) if they have successfully completed an approved education course.

4. Vessel Registration

All motorboats, regardless of length, including airmobiles, PWCs and USCG-documented vessels, must be registered to be used on Maine waters.

Exemptions include:

- Watercraft with valid registration in another state or country and being used in Maine for not more than 60 consecutive days.
- Military watercraft or watercraft owned by the government, except recreational type watercraft.
- A ship's lifeboat.
- Motorboats used exclusively for racing purposes and displaying a valid boat number issued by a recognized racing association.

Upon registration, you will be issued a certificate of number and a validation decal. The certificate must be on board whenever the boat is being operated. Registrations expire on the last day of the 12th month after the month of issuance.

The vessel number must be displayed on both sides of the bow of the boat in a position that provides easy identification. The number must read from left to right, in BLOCK characters of good proportion not less than 3 inches in height, in a color that contrasts with the background. The numerals must be separated from the prefix and the suffix by hyphens or equivalent spaces as

in: ME 0123 AB and ME-0123-AB. Federal and state law prohibit any other number from being displayed on either side of the bow of your vessel.

5. Maximum Loading and Horsepower

The State of Maine 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 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.

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 Maine waters must carry and, if required, have in operation, acceptable personal flotation devices (PFDs), visual distress signals, fire extinguishers (whose number and type depend on boat size), 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.

Personal Flotation Devices

In Maine everyone 10 years of age or under must wear a USCG-approved PFD at all times when onboard any watercraft. PWC operators and passengers must wear an approved Type I, II, or III PFD. Watercraft under 16 feet in length (including canoes & kayaks regardless of length) must have a Type I, II, or III (wearable) PFD for each person on board in coastal or tidal waters within U.S. Coast Guard jurisdiction and upon the inland waters of Maine.

Flame Arrestors

Internal combustion engines may backfire. To protect against fire, all motorboats, except outboards and diesels, must have a USCG-approved backfire flame-arresting device on each carburetor.

Fire Extinguishers

A motorboat of Class A and Class 1 must have one Type B-1 fire extinguisher onboard. A Class 2 motorboat must have two B-1 fire extinguishers and a Class 3 motorboat must have three type B-1 fire extinguishers.

Motorboats of Classes A and 1, which are propelled by outboard motors and are not carrying passengers for hire, need not be equipped with fire extinguishers if the construction of such motorboats will not permit the entrapment of explosive or flammable gases or vapors. Bait wells, glove compartments, ice chests, open slatted floors and sealed compartments completely filled with buoyant flotation material are not considered to be a closed compartment. Whether or not your motorboat must have a fire extinguisher, it is always a good idea to have one on board in the event of an emergency.

Ventilation

Ventilation of all enclosed engine and fuel tank compartments is required on gasoline-powered boats. Ventilation systems can be either active or passive in design. Active systems include powered exhaust blowers installed in engine compartments by boat manufacturers to remove gasoline fumes before the engine is started. Passive ventilation systems include ventilation ducts that connect engine compartments to the open air either directly or indirectly through other compartments. These ducts must be at least two inches in diameter. To ensure proper and safe operation, intake ducting must extend midway to the bilge, or at least below carburetor air intake level, while exhaust ducting must extend from the lower bilge to cowls in the open air. An adequate ventilation system can greatly reduce the chance of explosion or fire resulting from gasoline fume ignition.

Navigational Lights

Watercraft operating on inland waters from sunset to sunrise must be equipped with and exhibit the following lights when underway in any weather. During the time that navigation lights are displayed, no other lights may be exhibited. All required white lights must be visible at a distance of at least two (2) miles, and every colored light must be visible at a distance of at least one (1) mile.

The State of Maine requires the following display of navigation lights:

- Motorboats of Classes A and 1:
 - A bright white light aft to show all around the horizon.
 - A combined light in the fore part of the vessel and lower than the white light aft, showing green to starboard and red to port.
- Motorboats of Classes 2 and 3:
 - A bright white light aft to show all around the horizon and higher than the white light forward.
 - A bright white light in the fore part of the vessel as near the stem.
 - On the starboard side a green light; on the port side a red light. The said sidelights must be fitted with inboard screens of sufficient height so set as to prevent these lights from being seen across the bow.
- Watercraft Under Sail: Each motorboat and any other type of watercraft, when propelled by sail alone, need have only the combined

light or separate side lights as appropriate to its class, and in addition, one white light at the stern.

- Watercraft Under Sail and Motor: When propelled by sail and machinery any motorboat must be equipped with the lights required by this section for a motorboat propelled by machinery only.
- Watercraft Manually Propelled: All other watercraft, not propelled by machinery, such as rowboats, canoes and rafts, and which are only operated by hand power, rowed, paddled or navigated by the current must have ready at hand a lantern or flashlight showing a white light which shall be exhibited in sufficient time to prevent collision.
- Watercraft At Anchor: Any motorboat anchored on solely internal waters from sunset to sunrise, while occupied by a person or persons, may display a single white light showing all around the horizon (32 points).
- Enforcement Lights: Only those watercraft used by any law enforcement officer authorized to enforce state boating regulations are allowed to use or display a distinctive blue colored, pulsating or revolving light for the purposes of enforcing these laws on the waters of this state in addition to any other navigation lights required.
- Towboats: Towboats, when towing booms or rafts of wood products on solely internal waters of this state, must display, in addition to the required lights for said watercraft, a flashing or pulsating amber light on either or both the towboat and the towed raft.

Sound Producing Device

Every motorboat must be provided with an efficient whistle, horn or other sound-producing device. Motorboats propelled by outboard motors while competing in authorized races or use, as is incidental to tuning up of such boats for a race need not comply with these requirements. Sirens are only permitted to be used by emergency or enforcement motorboats or to give fog signals.

A vessel less than 39'4" must be equipped with a device capable of making efficient sound signals, no bell is required. A vessel from 39'4" to 65'7" must have a bell and a whistle audible for ½ mile, and vessels from 65'7" to 245'11" must have a bell and a whistle audible form 1 mile.

Visual Distress Signals

A boat 16 feet or more in length or any boat carrying six or less passengers for hire on coastal waters must have USCG-approved visual distress signals (which must be readily available and in good serviceable condition). Between sunset and sunrise, no person may use a boat less than 16 feet in length on coastal waters unless USCG-approved visual distress signals suitable for night uses are on board.

Additional Requirements

In addition to the federal safety equipment requirements, boats under 16 feet in length operated in the State of Maine must be equipped with an oar or paddle. All vessels should also have an anchor and anchor line.

7. Marine Sanitation Devices

It is unlawful to discharge, spill or permit to be discharged sewage, garbage, or other waste material from a watercraft or houseboat, into inland waters of Maine.

A watercraft or houseboat, operated upon the inland waters of Maine and having a permanently installed sanitary waste disposal system must have securely affixed to the interior discharge opening of said sanitary waste disposal system a holding tank or suitable container for holding sanitary waste material so as to prevent its discharge or drainage into the inland waters of the State. The holding tank for sanitary water waste must not in any way be connected to any through-hull fitting.

Marinas serving coastal waters must provide, or provide through contractual agreements, facilities to remove sanitary waste from the holding tanks of watercraft.

8. Muffling Devices

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

It is unlawful to tamper with a motorboat muffler system in any way that increases the sound decibels. A person who tampers with a motorboat muffler system is subject to a civil penalty of up to \$100. Excessive noise from a poorly muffled or an unmuffled motor not only disturbs others, but also may prevent you from hearing voices, signals or sounds warning you of danger. A watercraft that exceeds a noise level of 90 decibels when subjected to a stationary sound level test or a noise level of 75 decibels when subjected to an operational test may not be operated on the waters of Maine.

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.

A "*boating accident*" includes, but is not limited to, capsizing, collision, foundering, flooding, fire, explosion and the disappearance of a vessel other than by theft. A written report must be submitted on forms provided by the commissioner:

- within 24 hours of the occurrence if a person dies, disappears, loses consciousness, receives medical treatment, or is disabled for more than 24 hours; **OR**
- within 72 hours of the occurrence if the accident involved damage only to watercraft or other property to the estimated amount of \$1,000.00 on accident report forms provided by the department.

10. Vessel Speed Restrictions

Vessel operators must proceed at a reasonable and prudent speed for existing conditions, and regulate the speed of a watercraft so as to avoid danger, injury or unnecessary inconvenience in any manner to other watercraft and their occupants, whether anchored or under way. The operator must also consider the effect of the wash or wave created by their watercraft to waterfront piers, floats or other property or shorelines. If you operate a vessel within water safety zones (200 feet of any shoreline), around marinas, approved anchorages, swimmers, rafts, shore, docks, or mooring fields, you must maintain only headway speed. (That speed at which you can maintain steerage and control of the watercraft.)

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. A person who moors a watercraft to any buoy (other than a mooring buoy), beacon or permanent structure placed by the State of Maine will be guilty of a Class E crime.

12. Reckless and Careless Operation

No vessel shall be operated within Maine in such a way as to recklessly create a substantial risk of serious bodily injury to another person. Examples of reckless or careless operation include:

- Excessive speed in regulated or congested areas
- Operating in a manner that may cause an accident
- Operating in a swimming area with bathers present
- Bow riding or riding on the gunwale or transom where no seating is provided
- Operation of a PWC in a way that endangers life or property

It is unlawful in the State of Maine to pursue, molest, harass, drive or herd any wild animal or wild bird, except as may be permitted during the open season on that animal.

A person is guilty of imprudent operation of a watercraft if that person, while operating a watercraft on the inland or coastal waters of the State, engages in prolonged circling, informal racing, wake jumping or other types of continued and repeated activities that harass another person.

13. Interference with Navigation

It is unlawful to:

- Anchor a vessel under a bridge or 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 Maine in a way that may endanger the operation of watercraft or conflict with the marking system prescribed by the State of Maine.
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.

14. Boating Under the Influence

It is prohibited in the State of Maine for a person under the influence of alcohol or drugs to operate a boat or be towed behind a boat on water skis or a similar device. The operator of a watercraft must submit to a blood alcohol test when requested to do so by a law enforcement officer. A person is considered intoxicated when his or her blood alcohol level is 0.08 or greater. If convicted of boating under the influence, a person may be subject to a fine, imprisonment or both.

15. Mandatory Violator Education

Maine currently does not have any laws requiring mandatory boating safety education for boating law violators.

16. PWC Regulations

In the State of Maine, "personal watercraft" is defined as any motorized watercraft that is 14 feet or less in hull length as manufactured, has as its primary source of propulsion an inboard motor powering a jet pump and is capable of carrying one or more persons in a sitting, standing or kneeling position. "Personal watercraft" includes, but is not limited to, a jet ski, wet bike, surf jet, miniature speedboat and hovercraft. Personal watercraft also includes motorized watercraft whose operation is controlled by a water skier.

In Maine, the following rules apply to PWC operation:

- Those under 16 years old are prohibited from operating a PWC.
- The parent or guardian of a minor under 18 years old is responsible for the minor's actions while operating a personal watercraft.
- Each person on a PWC must wear a USCG-approved Type I, II or III PFD.
- PWCs may only be operated between sunrise and sunset. PWCs have been prohibited in more than 250 waterbodies in the State of Maine. Check with local authorities to make sure you are legally operating your PWC, or refer to Maine Revised Statutes, Title 12, Chapter 935, §13071-A(4) at <http://janus.state.me.us/legis/statutes/12/title12sec13071-A.html>.
- A PWC operator should proceed in a reasonable and prudent manner. This includes being aware of other boats in the operating area, awareness of environmental concerns, and respecting the rights of shoreline property owners. A PWC operator should not follow other boats closely and should not jump the wake of other boats.

17. Water Ski Regulations

In Maine, the following rules apply to towing a person(s) on water skis, aquaplane or similar device:

- It is unlawful to tow a person on water skis, aquaplane or similar device without an observer aboard who is at least 12 years of age onboard the towing vessel. This does not apply to devices actually operated by the person being towed and incapable of carrying the operator in or on the devices.
- In addition, each person engaged in water skiing or aquaplaning should wear a USCG-approved PFD.
- The towboat operator and skier must ensure that they operate in a manner that does not threaten, harm or strike another person or vessel.
- Watercraft towing a person or persons on water-skis, surfboards, aquaplanes or similar devices must not operate within the water safety zone (i.e., within 200 feet of any shoreline) except to pick up or drop off a skier. In doing so, it is the watercraft operator's responsibility not to endanger any persons, other boats or property.
- Water skiing is prohibited between the hours of 1/2 hour after sunset until 1/2 hour before sunrise.

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.

The divers-down flag when displayed on the water, either from a float or watercraft, indicates the presence of diving activities in the immediate water area, and must be displayed only when diving activities are actually in progress.

Vessel operators must keep a distance of at least one hundred (100) feet away from any diver's flag or sign and exercise every precaution while in the area.

19. Liveries (Rental Agencies)

A person may not operate a motorboat carrying passengers for hire without an operator's license to carry passengers for hire.

A person or business may not rent or lease a PWC unless that person or business:

- Registers with the department as a personal watercraft rental agent and is issued a personal watercraft rental and leasing agent certificate from the commissioner
- Obtains a Maine certificate of number for each personal watercraft being offered for rent or lease in the name of the person or business holding a personal watercraft rental and leasing agent certificate; and
- Provides each person who rents or leases a personal watercraft with written instructions on how to operate the personal watercraft

Before any motorboat is rented or leased, the owner of the motorboat must obtain a certificate of number from the commissioner.

20. Other State-Specific Regulations

Maine Revised Statutes, Title 12 – Conservation, Chapter 935 §13068-A(16) lists areas that are restricted to motorboats. To review these restricted or prohibited areas online, go to <http://janus.state.me.us/legis/statutes/12/title12sec13068-A.html> and scroll down to paragraph 16.

Marine Events - The person in charge of a regatta, race, boat exhibition or water-ski exhibition must request a permit at least 15 days prior to the event. The request must be in writing to the Commissioner of Inland Fisheries and Wildlife and must include the date, time, and location of the event. The person in charge of a proposed motorboat race must send a letter of intent 60 days prior to the event to municipal officers of the municipality or municipalities in which the race will occur. A copy of the letter of intent must be forwarded to the Commissioner with the request for a permit to hold any motorboat race.

21. Environmental Awareness Aquatic Nuisance Species

Invasive aquatic plants are a real and serious threat to Maine's lakes, ponds, rivers, and streams. These alien plants are not native to Maine waters. When introduced, they out-compete beneficial native plants, spread rapidly, and interfere with navigation. These invasive aquatic plants:

- Damage Fisheries
- Are Unsightly

- Ruin Swimming Areas
- Replace Useful Native Plants
- Spread From Very Small Pieces
- Foul Motors and Propellers

A small piece of just one plant can infest an entire lake. Species include:

- Eurasian water milfoil (*Myriophyllum spicatum*)
- Variable-leaf water milfoil (*Myriophyllum heterophyllum*)
- Parrot feather (*Myriophyllum aquaticum*)
- Water Chestnut (*Trapa natans*)
- Hydrilla (*Hydrilla verticillata*)
- Fanwort (*Cabomba caroliniana*)
- Curly-leaf pondweed (*Potamogeton crispus*)
- European naiad (*Najas minor*)
- Brazilian elodea (*Egeria densa*)
- Frogbit (*Hydrocharis morsus-ranae*)
- Yellow floating heart (*Nymphoides peltata*)

Boating activity is the primary way in which plants spread from one waterbody to another. Introducing non-native species to un-infested waters by carrying plant parts on boats, motors, trailers, and fishing gear can lead to disaster. Plants can survive out of the water for several days. Once introduced to a water body they can spread rapidly and become a major nuisance. There is NO known method of eradicating invasive aquatic plants once they have become established. Maine is now the only state where most of these plants have not been identified.

To prevent the spread of aquatic nuisance species:

- CHECK and REMOVE all plants and plant parts from boats, motors, trailers, and fishing equipment before and after launching.
- DISPOSE of plants in a trash receptacle or away from the water on high, dry land.
- AVOID driving, paddling or swimming through any plants.
- Distribute warning flyers and educational materials to purchasers of fishing and boat licenses at your town office.
- Help inform and educate boaters at public boat landings.
- Become trained to recognize invasive plants through the Maine Volunteer Lake Monitoring Program.

Additional Information

For more information on Maine boating law refer to the Maine Department of Inland Fisheries and Wildlife at:

http://www.maine.gov/ifw/laws_rules/boatlaws.htm. Also refer to Maine Revised Statutes, Title 38 – Waters and Navigation, Chapter 1 – Operation of Vessels at <http://janus.state.me.us/legis/statutes/38/title38ch1sec0.html>; Title 12 – Conservation, Chapter 935 – Watercraft and Airmobiles at <http://janus.state.me.us/legis/statutes/12/title12ch935sec0.html>.