

**STATE OF RHODE ISLAND**  
***State-Specific Boating Safety Requirements***

**1. Law Enforcement Authority**

Officers of the Rhode Island Department of Environmental Management's Division of Law Enforcement, harbor masters, and police officers have the authority to enforce the boating laws of Rhode Island. This includes the right to stop and board vessels to check for compliance with federal and state laws.

The U.S. Coast Guard (USCG) also has enforcement authority on federally controlled waters. Refusing to stop or move when commanded to do so by a person with enforcement authority is prohibited.

**2. Age Restrictions**

All persons born on or after January 1, 1986, must pass a boater education course approved by the Rhode Island Department of Environmental Management before they may legally operate a vessel powered by a motor of more than 10 horsepower.

**3. Boater Safety Education Requirements**

Those born on or after January 1, 1986, are legally required to pass a boater safety education course approved by the Rhode Island Department of Environmental Management before they may legally operate a vessel powered by a motor of more than 10 horsepower. Anyone operating a personal watercraft (PWC), regardless of age, must have passed an approved boater safety education course.

Operators who are required to pass a course must carry onboard their certificate of completion. The Rhode Island Department of Environmental Management will issue certificates of completion to boaters passing approved courses.

Operators are exempt from the above requirements if they:

- Are supervised onboard by a person 18 years of age or older who has passed an approved boater safety education course
- Hold a valid commercial vessel operator's license
- Are not a resident of Rhode Island and meet the requirements of their state of residence
- Have been a resident of Rhode Island for 60 days or less
- Are operating a rented vessel and have successfully completed the requirements for renters (renters of vessels powered by a motor of more than 10 horsepower must watch an instructional video and pass a written examination prior to operation).

**4. Vessel Registration**

To legally operate a vessel on Rhode Island's public waters, a Rhode Island Certificate of Number (registration) and a validation decal are required. Exemptions include:

- A vessel properly registered in another state when using Rhode Island waters for 90 days or fewer, or vessels from another country temporarily using Rhode Island waters
- A ship's lifeboat
- A motorboat used only for racing
- A rowboat 12 feet or less in length
- A ferry
- A canoe

The Certificate of Number and validation decal may be obtained by submitting via mail or in person the proper application, forms, and fee. This certificate (pocket-sized card) must be onboard and available for inspection by an enforcement officer whenever the vessel is being operated.

The registration numbers and validation decal must be displayed on the vessel as follows:

- The number must be painted, decal or otherwise affixed to the forward half of each side of the vessel, as high above the waterline as possible.
- The number must read from left to right on both sides of the bow.
- The number must be in at least 3-inch-high, bold, BLOCK letters.
- The number's color must contrast with its background.
- The letters must be separated from the numbers by a space or hyphen, as in "RI 3717 ZW" or "RI-3717-ZW."
- No other numbers may be displayed on the forward half of the vessel.
- The decal must be affixed to the right of and in-line with the number on each side of the vessel.

Operating or allowing others to operate a vessel not properly registered and numbered is prohibited.

Federally documented vessels used primarily in Rhode Island must be registered in Rhode Island. The documentation number will be used as the registration number. The vessel must display the validation decal issued by the state on each side of the vessel.

#### Hull Identification Numbers

All vessels operated on the Rhode Island waters must have a Hull Identification Number permanently affixed to its hull by the boat manufacturer as required by federal law. The following vessels are exempt from this requirement:

- Foreign boats temporarily using the waters of the state
- Military or public boats of the U.S., except recreational public vessels
- A boat that is clearly identified as a boat owned by a state government (other than the state of Rhode Island) or one of its subdivisions that is primarily used for governmental purposes.
- Ship's lifeboats

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

The State of Rhode Island requires that boaters adhere to all federal regulations pertaining to maximum loading and horsepower requirements. To review federal regulations, refer to the section on Capacity Plates included in Chapter 3 of this course. Since PWCs do not have a capacity plate you should always follow the recommended capacity in the owner's manual and on the manufacturer's warning decal.

*The following information was approved by NASBLA and is included in Chapter 3 of the Boater101 Course:*

*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 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.

For vessels that are not equipped with a capacity plate, the following formula can be used to calculate the number of persons (averaging 150 lbs each) the vessel can carry safely in good weather:

$$\text{Number of people} = \text{vessel length (feet)} \times \text{vessel width (feet)} \div 15$$

## 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.

### Personal Flotation Devices

All recreational boats operating on Rhode Island waters must carry and have in operation personal flotation devices (PFDs) as required by federal regulations. PFDs must be readily available, of the appropriate size for its intended wearer and in serviceable condition. The following boats are exempt from these requirements:

- Racing shells
- Rowing sculls
- Racing kayaks
- Foreign boats temporarily using the waters of the state
- Military or public boats of the U.S., except recreational public vessels
- A boat that is clearly identified as a boat owned by a state government (other than the state of Rhode Island) or one of its subdivisions that is primarily used for governmental purposes.
- Ship's lifeboats

Canoes and kayaks greater than 16 feet are also exempt from having to carry a Type IV PFD.

Rhode Island also recognizes some devices as the equivalent to a PFD. The following table describes these devices:

<b>Type of Devices</b>	<b>PFD Equivalent</b>
Life Preserver	Type I PFD
Ring Life Buoy	Type IV PFD
Buoyant Vest	Type II PFD
Buoyant Cushion	Type IV PFD
Work Vest	Type V PFD

If any of the devices are carried onboard a vessel as a substitute for a PFD, they must be approved by the U.S. Coast Guard and clearly marked with the approval number.

### Mandatory PFD Usage

In Rhode Island, all children under 11 years old must wear a USCG-approved PFD while underway in any vessel under 26 feet in length.

### Fire Extinguishers

All motorboats must carry the type and number of fire extinguishers (based on the boat's length and type of engine) as required by federal regulations. It is prohibited for any boat to carry the following types of fire extinguishing equipment:

- A dry chemical storage type that isn't fitted with pressure gauges or other indicating device.
- A vaporizing chemical type that contains toxic vaporizing liquids.

### Backfire Flame Control

All motorboats must have an effective means of backfire flame control as required by federal regulations.

### Ventilation System

All motorboats must have an effective ventilation system as required by federal regulations.

### Navigation Lights

All boats operated on Rhode Island waters must be equipped with navigation lights and use them as required by federal regulations.

### Sound Producing Devices

All motorboats operated on Rhode Island waters that are less than 65 feet. The following vessels are exempt from these requirements:

- Tugboats and towboats propelled by steam
- Motorboats either engaged in or preparing for a scheduled race.

### Visual Distress Signals

All boats operated on Rhode Island waters must carry visual distress signals as required by federal regulations. It is illegal to discharge a visual distress signal unless assistance is immediately necessary because of danger to the persons onboard a vessel.

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.

## **7. Marine Sanitation Devices**

Rhode Island law prohibits the discharge of sewage, treated or untreated, into the state's waters. All waters of Rhode Island have been declared "No Discharge" zones.

A recreational vessel with installed toilet facilities must have a marine sanitation device (MSD) onboard and be sealed to prevent discharge into the water. All installed devices must be USCG-certified and working properly. A Type III MSD and "porta-potties" are the only sanitary equipment that can be used in a No Discharge Area. Type I and II MSDs with "Y" valves, which direct waste overboard, must be secured so that the valve cannot be opened for discharge into the water. This can be

done by placing a lock or non-usable seal on the "Y" valve or by taking the handle off the "Y" valve.

### **8. Muffling Devices**

To reduce noise, motorboat engines must be equipped with factory-installed mufflers, exhaust water manifolds or other effective muffling system. Excessive noise could prevent a vessel operator from hearing signals and voices.

The use of cutouts is prohibited, except for vessels participating in permitted marine events.

### **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.

Vessel operators or owners whose vessel is involved in an accident, casualty, vandalism or theft must report the incident immediately to the Rhode Island Department of Environmental Management or to a nearby office of state or local police if the incident results in:

- Death or disappearance of a person
- Injury of a person
- Property damage or loss greater than \$500.

Vessel owners whose vessel is involved in an accident, casualty, vandalism or theft exceeding \$500 must make written reports of damages or losses in excess of \$500 within five days of the incident. Report forms are available from Department of Environmental Management offices and on the Internet.

Vessel operators who cause serious bodily injury to another person due to reckless operation will be charged with "operating so as to endanger, resulting in personal injury" and, if convicted, be imprisoned for up to 5 years.

Vessel operators who cause the death of another person due to reckless operation will be charged with "operating so as to endanger, resulting in death" and, if convicted, be imprisoned for up to 10 years.

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

It is unlawful to operate a vessel in any harbor, inlet, pond or any other confined body of water in Rhode Island at a speed greater than:

- 45 miles per hour from sunrise to sunset
- 25 miles per hour from sunset to sunrise or during other periods of restricted visibility, such as fog.

### **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. No motorboat, vessel, or seaplane may be docked or made fast to any pier, wharf, or other shore structure without the consent of the owner thereof, except in the case of an emergency.

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

The failure to exercise the care necessary to prevent the endangerment of life, limb, or property of any other person is prohibited. As noted above, when the death of any person ensues as a result of an injury received by a vessel being operated in reckless disregard of the safety of others, the vessel operator will be guilty of "operating so as to endanger, resulting in death." A person charged with the foregoing shall upon conviction be imprisoned for not more than 10 years.

When the serious bodily injury of any person ensues as a result of a vessel being operated in reckless disregard of the safety of others, the vessel operator will be guilty of "operating so as to endanger, resulting in personal injury." "Serious bodily injury" means physical injury that creates a substantial risk of death or causes serious permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ. A person charged with a violation of this section shall upon conviction be imprisoned for not more than 5 years and must take a boating safety education course.

It is unlawful to operate a vessel within any marked restricted areas, such as swimming areas.

It is unlawful to exceed any posted speed zones. For example, harbors may be marked as "maximum speed 5 miles per hour -no wake" zones.

Entering posted exclusionary zones is prohibited.

It is unlawful to dock or secure a vessel to a pier, wharf or any other shore structure without the consent of the owner of the structure, except in the event of an emergency.

Some waterways in Rhode Island may have special regulations such as horsepower restrictions, speed limits, or limits on when certain watercraft may be used. Be sure to check for special restrictions on a waterway before going boating.

## **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 Rhode Island in a way that may endanger the operation of watercraft or conflict with the marking system prescribed by the State of Rhode Island.
- 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.

No person may operate a motorboat, vessel, or seaplane in a way that unreasonably or unnecessarily interferes with any other motorboat, vessel, or seaplane, or with the free and proper navigation of the waterways of the state. Anchoring under bridges or in heavily traveled channels constitutes interference, if unreasonable under the prevailing circumstances.

Anyone using a scuba diving, snorkel diving, or skin diving flag with the intention of obstructing navigation will be guilty of a misdemeanor and will also be subject to a fine of not more than \$50.00.

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

Rhode Island law prohibits anyone from boating while intoxicated (BWI). This includes the operation of any powerboat, sailboat, PWC, water skis, sailboard, or similar device. Intoxicated means a person is under the influence of alcohol, controlled substance, or drugs such that his or her thoughts or actions are impaired causing a danger to others.

A blood alcohol content (BAC) of 0.08 percent or greater by weight of alcohol is considered "prima facie" evidence of intoxication. A blood alcohol content of 0.05 percent or greater, but less than 0.08 percent, by weight of alcohol is considered "relevant" evidence of intoxication.

Rhode Island law establishes the following penalties for boating while intoxicated:

- First conviction for offenders with a BAC less than 0.10 percent carries a fine up to \$250, required community service up to 60 days, loss of operating privileges for up to 45 days, and required attendance at a special course on BWI.
- Convictions for offenders with a BAC of 0.10 percent or greater carry more severe penalties, including imprisonment.
- Subsequent convictions within a 5-year period carry much more severe penalties, including imprisonment up to 5 years and seizure of the offender's vessel.

By operating a vessel on Rhode Island's waters, the operator has given "implied" consent to be tested for alcohol and/or drugs if requested by a law enforcement officer. Refusal to submit to testing carries a fine of \$300 or more and loss of operating privileges for at least one year.

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

Rhode island requires all persons convicted of boating under the influence to attend a boating and alcohol safety class before their boating privileges are renewed (and after serving the sentence/penalty).

Any person charged with a violation of "operating so as to endanger, resulting in personal injury" must, upon conviction, take a boating safety course.

Anyone who violates the Boating Safety Education requirements stated in the General Laws of Rhode Island under § 46-22-9.8 (available online at <http://www.rilin.state.ri.us/Statutes/TITLE46/46-22/46-22-9.8.HTM>) must also take an approved boating safety education course.

#### **16. PWC Regulations**

Personal watercraft are those vessels (boats) under 16 feet in length 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.

Each person riding on a PWC must wear a USCG-approved Type I, II, III or V PFD.

If the PWC is equipped with a lanyard-type engine cut-off switch, the lanyard must be attached to the operator, his or her clothing or PFD.

PWCs may not be operated between the hours of one-half hour after sunset to one-half hour before sunrise.

PWCs must be operated in a reasonable and prudent manner at all time. For example, it is unlawful to:

- Jump the wake of another vessel unnecessarily close to the other vessel
- Weave your PWC through congested traffic
- Swerve at the last moment to avoid collision.

No one may operate a PWC faster than headway speed within 200 feet of swimmers, divers, shore, or moored vessels.

When launched from shore, PWCs must proceed at headway speed in the most direct path to the area where PWC operation is allowed.

Anyone operating a PWC, regardless of age, must have passed an approved boater safety education course. It is unlawful for the owner of a PWC to knowingly permit the operation of his or her PWC in violation of this provision.

Some waters may have local regulations limiting or prohibiting the operation of personal watercraft. Be sure to check local regulations before going boating.

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

It is unlawful for vessels to tow persons on water skis, surfboards, or any device of this type between one hour after sunset and one hour before sunrise.

Every vessel towing a person(s) on water skis, surfboard or a similar device must have an observer, in addition to the vessel operator, 12 years of age or older and in position to observe the skier(s).

Vessels towing person(s) on skis or similar devices in Rhode Island must have onboard at least one PFD, life belt or ring buoy for the person(s) being towed. This is addition to the PFDs required for those onboard the vessel. However, it is strongly recommended that all persons being towed behind a vessel on water skis or any other device wear a USCG-approved PFD.

A reasonable distance from other vessels, people and property must be maintained while towing so as not to endanger life or property. It is unlawful to cause the towed device or person being towed to collide with any object or person.

### **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.

Those who are engaged in scuba diving, skin diving and snorkeling in Rhode Island waters where vessels are used must display a divers flag to mark their diving area. If the flag is displayed on the water, it must be at least 12 inches x 12 inches. Flags being flown from a vessel must be at least 18 inches x 18 inches. Divers-down flags must be in place only while diving operations are in progress. If diving between sunset and sunrise, the flag must be illuminated. Diving areas must not be chosen in a location that will obstruct safe navigation. Vessels propelled by engines must remain at least 50 feet away from the divers-down flag, unless doing so would prevent safe navigation.

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

The owner of a boat livery must keep a record for a 6-month period of: the name and address of the person(s) hiring any vessel designed or permitted by him or her to be operated as a motorboat; the identification number thereof; the departure date and time; and the expected time of return.

Neither the owner of a boat livery nor his or her agent or employee may allow a motorboat or vessel designed or permitted by him or her to be operated as a motorboat to leave his or her premises unless it has been provided, either by owner or renter, with the equipment required by federal and state laws and regulations.

Boat liveries that rent out boats or vessels fitted with propulsion machinery greater than 10 horsepower must require that all renters, who do not have a boating safety certificate, watch a short instructional video (approved by the Director of the Rhode Island Department of Environmental Management) on boating safety for the type of craft rented, and pass a written examination.

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

#### **Marine Events**

Whenever a regatta, motorboat or other boat race, marine parade, tournament, or exhibition is proposed to be held, the person in charge thereof, must, at least 15 days in advance, file an application with the Rhode Island Department of Environmental Management for permission. The application must give details on the date, time, and location where it is proposed to hold the regatta, motorboat or other boat race, marine parade, tournament, or exhibition, and it must not be conducted without authorization of the Department of Environmental Management in writing. The applicant must show proof of regatta liability insurance. For permits or information on these or other marine events, call the Department of Environmental Management's Division of Law Enforcement at (401) 222-6800.

### **21. Environmental Awareness**

#### **PREVENT THE SPREAD OF NUISANCE SPECIES**

Introducing non-native species, such as zebra mussels, milfoil and hydrilla, into Rhode Island waters can upset the balance of the ecosystem and hurt the environment. Taking the following precautions will help prevent the spread of nuisance species:

- Inspect your vessel and trailer and remove any plants and animals before leaving the waterbody.
- Drain your motor, live well, and bilge on land before transferring your vessel to a different waterbody.
- Never release live bait into a waterbody or release aquatic animals from one waterbody into another.

- Rinse your vessel's hull, propeller, trailer and equipment. Apply approved antifoulants to the hull.
- Air-dry your vessel and equipment for as long as possible.

## **HYPOTHERMIA**

Hypothermia, which can cause death, occurs when the body loses heat faster than it is produced. Hypothermia poses the greatest danger when boaters are immersed in water during an emergency. Cold water robs the body of heat 25 times faster than does cold air.

Learn to recognize the symptoms of hypothermia. Symptoms begin with shivering and bluish lips and nails, and progress to a coma and, ultimately, death.

To prevent hypothermia, dress in several layers of clothing under your PFD or wear a wetsuit or dry suit when boating in cold weather.

To reduce the effects of hypothermia:

- Get as much of your body out of the water as possible.
- Don't take your clothes off unless necessary. Remember, clothes trap heat and can help you float.
- Don't thrash or move about. Excess motion consumes energy and increases loss of body heat.
- Always wear a PFD. It helps you float without excessive movement and insulates your body.
- Draw your knees to your chest and your arms to your sides protecting the major areas of heat loss. If in a group, huddle with arms around each other's shoulders.

## **MARINE MAMMAL RESCUE**

Large whales - The Disentanglement Network's first response teams are located at strategic sites, such as feeding and calving grounds and/or areas historically known to have entanglements, along the east coast of the United States and Canadian Maritimes. Members have extensive field experience with whales and small boat handling. This includes individuals and organizations that frequent the waters where entanglements might occur, have knowledge of the gear these animals become entangled in and/or have capabilities to report monitor, and document entangled whales, as well as, assist in their rescue. When a whale is reported entangled, "First Responders" quickly get to the site, monitor and standby the animal until the primary rescue team arrives or if possible, free the animal. However, if the weather is not conducive to disentanglement, resources are not available or the disentanglement is a difficult one, then the First Responders may attach a satellite/VHF tag beacon to the entangled gear.

This allows us to track the animal until the conditions change, or the primary team based at CCS is able to assist in the effort.

Seals and Small whales - Mystic Aquarium & Institute for Exploration has been rescuing stranded marine mammals for over 25 years, and is a founding member of the Northeast Regional Stranding Network. The network consists of independent organizations dedicated to caring for sick and injured animals, and to learning more about the reasons that they come ashore.

These activities are supported almost entirely by funds raised by the organizations that undertake them. Only groups and facilities authorized by the National Marine Fisheries Service are permitted to handle these animals, which are protected under federal law.

Mystic Aquarium & Institute for Exploration's rescue efforts are centered on the coasts of Connecticut and Rhode Island, but have also supported network members from Maine to New Jersey, and even Texas, when other institutions have needed support for their operations.

Marine mammals come ashore for many reasons. For some, the behavior is normal. Seals haul-out as part of their daily routine, to rest or bask in the sun, to molt or care for their young. Recognizing which animals are compromised and which are not is an important part of making responsible decisions about whether or not to intervene. Many times, a marine mammal on the shore is a sign that something is wrong with the animal.

### **Additional Information**

For more information on Rhode Island boating laws and environmental concerns, refer to the Rhode Island Department of Environmental Management at <http://www.dem.ri.gov/>. Also refer to the General Laws of Rhode Island Title 46 - Waters and Navigation, Chapter 46-22 - Regulation of Boats at <http://www.rilin.state.ri.us/Statutes/TITLE46/46-22/INDEX.HTM>. The Rhode Island Uniform Boat Titling Act is at <http://www.rilin.state.ri.us/Statutes/TITLE46/46-22.1/INDEX.HTM>, and the Rhode Island Alcohol Boating Safety Act is found online at <http://www.rilin.state.ri.us/Statutes/TITLE46/46-22.2/INDEX.HTM>.

