

STATE OF SOUTH CAROLINA
State-Specific Boating Safety Requirements

1. Law Enforcement Authority

The boating laws of South Carolina are enforced by the Law Enforcement Division of the South Carolina Department of Natural Resources (SCDNR), U.S. Coast Guard (USCG), and any other authorized law enforcement officer. Enforcement personnel have the authority to stop and board vessels to check for compliance with state and federal laws. The USCG also has enforcement authority on all federally controlled waters.

2. Age Restrictions

In South Carolina, people 16 years or older may operate any boat or personal watercraft (PWC) without restrictions. Boat operators under the age of 16 may operate a boat or PWC powered by 15 hp or more only if they have passed a boating safety course approved by the SCDNR, or if they are accompanied by an adult at least 18 years of age. It is unlawful for a person to cause or allow a child over whom they have permanent or temporary responsibility to operate a boat or PWC if they are prohibited by these restrictions from doing so.

3. Boater Safety Education Requirements

It is required in the State of South Carolina that any person under the age of 16 must complete a boating course approved by the South Carolina Department of Natural Resources to operate a boat or PWC propelled by a 15 hp motor or greater, unless accompanied by an adult age 18 years or older.

4. Vessel Registration

All watercraft propelled by any mechanized power must be registered in the owner's name. The registration card must be on board while boat is in operation. The registration decal must be affixed on both sides of the boat within 6" following the registration number.

You must have a South Carolina Certificate of Number (registration) and a validation decal to legally operate your boat on public waters in South Carolina.

Exceptions include:

- Non-motorized boats
- Boats documented with the USCG
- Boats with valid registration in another state or country, temporarily used in South Carolina for less than 60 days.

A separate title must be obtained for all outboard motors of 5 horsepower or more, except for battery-operated trolling motors. A Certificate of Number is valid for three years. Failure to renew within 30 days of the expiration date will result in the imposition of a penalty. For a change of address, write the South Carolina Department of Natural Resources (SCDNR) within 15 days. Boats or motors that have been abandoned or destroyed must be reported to the SCDNR within 10 days, in writing, with a description. If a Certificate of Number, title or decal is lost or destroyed, apply to the SCDNR for a duplicate and submit a processing fee. Boats currently registered in another state may operate on South Carolina waters for 60 days before a South Carolina registration and numbering is required.

The Certificate of Number and validation decals are obtained by submitting the proper application and fee to Department of Natural Resources, Boat Registration and Titling Office, P.O. Box 167, Columbia, SC 29202.

5. Maximum Loading and Horsepower

The State of South Carolina 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.

On boats with no capacity information label, use the following formula to determine the number of persons your vessel can safely carry in good weather conditions:

PERSONS (average 150 lbs. each) = Length (ft) x width (ft) divided by 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. All boats operating on South Carolina 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 and outlined below. 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.

Mandatory PFD Usage

All children under the age of 12 wear a USCG-approved PFD while on a boat under 16 feet long.

Navigation Lights

The required navigation lights differ depending on the type and size of boat.

Power-Driven Boats When Underway

If less than 39.4 feet long, all power-driven boats including sailboats operating under power, must display the following required lights:

- Red and green sidelights visible at least one mile on a dark clear night
- An all-round white light or both a masthead light and a stern light.

These lights must be visible from at least two miles on a dark clear night. The all-round white light (or the masthead light) must be at least 3.3 feet taller than the sidelights.

Manually Driven Boats When Underway

Manually driven boats include sailboats or those that are paddled, poled and rowed.

If less than 65.6 feet long, these boats must exhibit the following lights:

- Red and green sidelights visible from at least two miles (or if less than 39.4 feet long, at least one mile) and
- A stern light visible from at least two miles.

If less than 23.0 feet long, these boats should:

- If practical, exhibit the same lights as required for manually driven boats listed above.
- If not practical, they must have on hand at least one lantern or flashlight shining a white light onto the sail or into the surrounding area.

All Boats When Not Underway

All boats are required to use a white light visible from all directions whenever they are anchored or moored away from dock between sunset and sunrise.

Fire Extinguishers

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

- Closed compartments under seats where portable fuel tanks may be stored
- Closed storage compartments in which flammable or combustible materials may be stored
- Closed living spaces
- Permanently installed fuel tanks (any tank where the removal of the tank is hampered by the installation of tie-down straps or clamps).

Approved types of fire extinguishers are identified by the following marking on the label "Marine Type USCG-approved," followed by the size and type symbols and the approval number. All fire extinguishers must be mounted in an accessible area and checked annually to make sure they are charged. Before leaving the dock, be sure you familiarize yourself with the fire extinguishers on your boat, knowing how to operate them and where they are located. All boats should carry the proper fire extinguisher according to Federal guidelines. To review the Federal guidelines for fire extinguishers, refer to Chapter 2 of this course.

Proper Ventilation Systems

The purpose of ventilation systems is to avoid explosions by removing flammable gases. Properly installed ventilation systems greatly reduce the chance of a life-threatening explosion. All gas-powered boats, constructed in a way that would entrap fumes, must have at least two ventilation ducts fitted with cowls to remove the fumes. If a boat has a power ventilation system, it should be turned on for at least four minutes after fueling, prior to starting the engine.

Flame Arrestors

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

Sound Producing Devices

Boats less than 65.6 feet in length, including PWCs, are required to carry a whistle or horn or some other means to make an efficient sound signal to announce intentions or positions. Boats 65.6 feet or more in length are required to carry onboard a whistle or horn and a bell.

Visual Distress Signals (VDSs)

Boats used on federally controlled waters, must be equipped with USCG-approved (day and night) VDSs.

If pyrotechnic VDSs are used, a minimum of three must be carried in the boat.

All boats are required to carry night signals when operating between sunset and sunrise.

The following boats must also carry day signals:

- Recreational boats 16 feet or longer
- Non-motorized, open sailboats 26 feet or longer.

7. Marine Sanitation Devices

South Carolina law prohibits 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.

8. Muffling Devices

To reduce noise, motorboat engines must be equipped with factory-installed mufflers, exhaust water manifolds or other effective muffling system. Many South Carolina lakes have specific rules prohibiting boats or PWCs from emitting excessive or disturbing levels of noise.

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, or the vessel.

Boating accidents must be reported to the SCDNR, as follows:

- If it involves death, or the disappearance of a person, the boat operator must make immediate verbal notification to SCDNR (1-800-922-5431) that is followed up by a written report to SCDNR within 48 hours.
- If it results in the loss of consciousness of a person, the boat operator must make a written report to SCDNR within 48 hours.
- If it involves injury requiring medical treatment beyond 24 hours of the initial injury, the operator must make written report to SCDNR within 48 hours.
- If it results in property damage to all involved boats, docks, etc., in excess of \$500, the boat operator must make written report to SCDNR within 10 days.

The written Boating Accident Report form should be mailed to the SCDNR Division of Law Enforcement, Investigation and Education, P. O. Box 12559, Charleston, SC, 29422-2559. The operator involved in a boating accident must also give his or her name, address and Certificate of Number in writing to any injured person and to the owner of any damaged property. Accident reports are not admissible as evidence in criminal court.

10. Vessel Speed Restrictions

Failure to regulate speed is defined as operating a boat or PWC at speeds that may cause danger, injury, damage, or unnecessary inconvenience to others. A boat or PWC must not be operated in excess of idle speed within 50 feet of:

- A moored or anchored boat
- A wharf, pier or dock
- A person in the water.

In addition, operating in excess of idle speed within 100 yards of the Atlantic coastline is prohibited. Idle speed must be maintained when in the vicinity of a boat flashing a blue light.

11. Mooring to Markers or Buoys

It is unlawful to moor or attach a vessel to a beacon, light, buoy or any other navigational aid installed on public waters by proper authorities. It is also unlawful to tamper with, move, displace, damage or destroy any navigational aid.

12. Reckless and Careless Operation

Reckless operation of a vessel, water skis or similar device is a serious offense. Reckless operation of a vessel or the reckless use of water skis, a surfboard or similar device is defined as the failure to exercise care needed to prevent the endangerment of life, limb, or property of any person.

Examples of negligent, reckless and other illegal operation in South Carolina are:

- Boating in restricted areas without regard for other boaters or persons, posted speeds and wake restrictions, diver-down flags, etc.
- Boating while under the influence of alcohol or drugs.
- Disturbing, harassing or chasing wildlife with a vessel.
- Operating a vessel in swimming areas.
- Allowing passengers to swim within 50 feet of a public boat landing or ramp
- Riding on seatbacks, gunwales, transoms or pedestal seats while operating above idle speed.
- Excessive speed in crowded areas, dangerous areas or during periods of limited visibility.
- Operating an overloaded vessel.
- Towing a skier in a crowded area where a fallen skier may be hit by other vessels, or towing in areas where the skier may hit an obstacle.
- Causing a boat or PWC to leave the water while crossing the wake within 200 feet of the other boat.

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 South Carolina in a way that may endanger the operation of watercraft or conflict with the marking system prescribed by the State of South Carolina.
- 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

Under South Carolina law, it is unlawful for anyone to operate a moving motorized water device or water device under sail on state waters while intoxicated; i.e., operating a vessel while intoxicated due to alcohol or any combination of alcohol, controlled substance or drugs. A person who operates a water device is considered to have given implied consent to chemical test or analysis of his or her breath, blood or urine.

Penalties for boating under the influence include a fine up to \$6,000 and up to 3 years imprisonment. A person's privilege to operate any water device may be suspended for up to two years. Enrollment in and successful completion of an Alcohol and Drug Safety Action course and a South Carolina Boating Safety course are also required at the person's expense. Felony boating under the influence convictions carry penalties up to a \$25,000 fine and 25 years imprisonment.

15. Mandatory Violator Education (Sections 50-21-110, 50-21-111, and 50-21-112)

In addition to other penalties, the SCDNR requires that a person convicted under Section 50-21-110 (Negligent Operation) three times within a five-year period must attend and complete a boating safety education program approved by the Department. The person required to attend the class must reimburse the Department for the expense of the class. A person's

privilege to operate a water device in South Carolina will be suspended until the required class has been successfully completed. Mandatory education is also required for those convicted of Reckless Operation under Section 50-21-111.

Boaters convicted of boating under the influence are required to successfully complete an Alcohol and Drug Safety Action course and a South Carolina Boating Safety course.

16. PWC Regulations

Each person riding on a PWC must wear a USCG approved Type I, II, III, or V personal flotation device (excluding inflatable PFDs).

PWCs must be equipped with fully operational self-circling devices or a lanyard type ignition safety switch. If the ignition safety switch is used, the lanyard must be attached to the person or PFD of the operator.

The following acts are prohibited:

- Operating a PWC between sunset and sunrise.
- Operating a PWC at greater than idle speed if within 50 feet of a non-moving boat, a dock or pier, bridge or a person in the water.
- Jumping the wake of another boat within 200 feet or when visibility around the other boat is restricted.
- Operating a PWC in excess of idle speed within 100 yards of the Atlantic coastline.
- Chasing, harassing or disturbing wildlife.

As an owner of a PWC, it is unlawful to allow anyone else to operate the PWC in such a way that it violates South Carolina laws.

17. Water Ski Regulations

Towing skiers, surfboards, or any device of this type is prohibited between sunset and sunrise. Boats and PWCs towing water skiers or participating in a similar activity must operate in a careful and prudent way. A reasonable distance from other boats, people and property must be maintained so as not to endanger life or property. Buzzing or spraying another boat or swimmer is prohibited. Those being towed must wear a USCG-approved Type I, II, III or Type V PFD.

Every boat or PWC towing a person(s) on water skis, a surfboard or a similar device must have:

- A person, in addition to the boat operator, observing the towed person(s) or...
- A wide-angle rearview mirror mounted such that the operator can observe the towed person(s) at all times.

If an observer is used when towing a person behind a PWC, the PWC must be rated for three people — the driver, the observer and the retrieved skier.

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 or snorkelers must display a Divers-Down flag to mark their diving area. All boats must remain at least 50 feet away from any displayed Divers-Down flag. If a boat operator must approach the diving area, he or she must have permission from the person who placed the flag or the boat displaying the flag.

19. Liveries (Rental Agencies)

The owner of a boat livery must keep a record of the name and address of the person or persons hiring a vessel; the identification number thereof, and the departure date and time, and the expected time of return. The record must be kept for at least six months.

The owner of a boat livery or his agent or employee must not allow any motorboat, or any vessel designed or permitted by the livery to be operated as a motorboat, to leave the premises unless it has been provided, either by owner or renter, with the required safety equipment.

20. Other State-Specific Regulations

Races, Regattas And Tournaments

A state permit must be obtained at least 30 days in advance in order to hold a race, regatta or tournament on South Carolina waters. For permits or information on these or other marine events, contact:

SCDNR Boating Safety and Education

P.O. Box 12559

Charleston, SC 29422

(843) 953-9302

Events held on federally controlled waters are granted through the USCG by applying at least 30 days in advance.

Additional Information

For more information on South Carolina boating law refer to the South Carolina Department of Natural Resources at <http://www.dnr.sc.gov/boating/index.html>, South Carolina Code of Laws, Title 50 – Fish, Game and Watercraft, Chapter 21 - South Carolina Boating and Safety Act of 1999 at <http://www.scstatehouse.net/code/t50c021.htm>, Chapter 23 – Watercraft and Outboard Motors at <http://www.scstatehouse.net/code/t50c023.htm>, and South Carolina Code of Regulations at <http://www.scstatehouse.net/coderegs/statmast.htm>, Chapter 123 Department of Natural Resources, Article 1 Boating Division at <http://www.scstatehouse.net/coderegs/c123.htm#123-2>).