

STATE OF VERMONT
State-Specific Boating Safety Requirements

SL 1. Law Enforcement Authority

The boating laws of Vermont are enforced by the officers of the Vermont State Police, game wardens, U.S. Coast Guard (USCG) officers, and all other authorized peace officers or law enforcement officers. The USCG also has enforcement authority on all federally controlled waters.

The Vermont State Police Recreational Enforcement and Education Unit is primarily responsible for ensuring the safety of the recreating public on Vermont waterways. The unit is often called upon to support the State Police Dive Team and the Search and Rescue Team.

In addition to enforcing marine laws, the unit provides many educational programs designed to make the waterways safer for everyone. This unit works closely with the U.S. Coast Guard. An operator must stop his or her vessel when signaled to do so by an officer wearing an identifying insignia or by a law enforcement vessel sounding a siren or flashing a blue light. It is unlawful to fail to stop or to try to elude the officer. The officer has the authority to stop and board vessels to check for compliance with state and federal laws.

SL 2. Age Restrictions

No one under 12 years of age may legally operate a vessel powered by a motor of more than 6 horsepower, including Personal Watercraft (PWC), even if the youth has successfully completed a boating safety education course. Education courses are suggested for anyone 12 years of age and over. No one under 10 years old may take a boating education course. You must be at least 16 years of age to operate a PWC.

SL 3. Boater Safety Education Requirements

Those born after January 1, 1974, must have successfully completed an approved boating safety education course to legally operate any motorized vessel, including a PWC.

The Vermont Department of Public Safety must approve the boating safety education course. Those successfully completing a course earn a certificate from the Vermont Department of Public Safety. The certificate is valid for the lifetime of the person to whom it was issued. No one under 10 years old may receive a certificate.

Those who must take the course must have their course certificate onboard when operating a motorized vessel.

Those born after January 1, 1974, are exempted from these requirements if they:

- Are licensed by the U.S. Coast Guard to operate a commercial vessel, or
- Operate the vessel only on a private lake or pond, or
- Are not a Vermont resident and have proof that they have passed an approved boater education course in another state.

SL 4. Vessel Registration

To legally operate a vessel propelled by a motor on the public waters of Vermont, the boat must have a Vermont Certificate of Registration and validation sticker. Exemptions include:

- Non-motorized vessels, including ship's lifeboats.
- Vessels registered in other states using Vermont waters for 90 consecutive days or less.
- USCG-documented vessels.

The Certificate of Registration and validation stickers are obtained by submitting the proper application and fee to the Vermont Department of Motor Vehicles.

This Certificate of Registration (registration card) must be onboard and available for inspection by an enforcement officer whenever the vessel is being operated.

The registration number and validation sticker must be displayed as follows:

- The number must be painted, applied as a sticker or otherwise affixed to both sides of the bow.
- The number must read from left to right on both sides of the bow.
- The number must be in at least 3-inch-high block letters in a color that contrasts with its background.
- The letters should be separated from the numbers by spaces or hyphens. For example: "VT 3717 ZW " or "VT-3717-ZW."
- No other number may be displayed on either side of the bow.
- The validation sticker must be displayed on both sides, on the forward half of the vessel.

SL 5. Maximum Loading and Horsepower

The State of Vermont 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.

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 Vermont 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.

The State of Vermont adheres to all equipment requirements prescribed by the U.S. Coast Guard.

Mandatory PFD Usage

All children under the age of 12 must wear a Type I, II, or III USCG-approved PFD while underway on the open deck of any vessel.

A person under 16 years of age must wear a Type I, II, or III USCG-approved PFD at all times while onboard a sailboard.

Vessels under 39.4 ft. (12 meters) in length, which includes PWCs, must be equipped with a whistle or horn or some other way to make an efficient sound signal to signal intentions or positions.

SL 7. Marine Sanitation Devices

Vermont law prohibits the discharge of any sewage, treated or untreated, into the state's waters.

Vessels equipped with a marine toilet must have a wastewater holding system to prevent the discharge of waste products into surrounding waters.

A holding tank designed to allow discharge into the water (such as a those with a "Y " valve) must have the openings sealed shut. All discharge lines, pipes or hoses associated with the holding tank must be disconnected and stored while the vessel is on Vermont waters.

Residential use of vessels with overnight sleeping facilities is prohibited on waters without sanitary waste pump-out facilities.

SL 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 can prevent a vessel operator from hearing signals and voices.

The noise level of a motorized vessel measured at a distance of 50 feet or more from the vessel must not exceed 82 decibels in normal operating environments.

The use of cutouts is prohibited.

SL 9. Boating Accidents

If a boat is involved in an accident, the operator must give necessary assistance to the other vessel and passengers, as long as it will not personally endanger the operator, his or her passengers, crew or the vessel. The operator must also give his or her name, address, and the identifying number of his or her vessel to anyone injured in the accident and to the owner of any damaged property.

The operator must also file an accident report with the Vermont Department of Motor Vehicles within 36 hours of the accident if:

- A person dies or disappears, or
- A person is injured requiring treatment beyond first aid, or
- Damage to the vessel and other property exceeds \$100.

Accident report forms are available from offices of the Vermont Department of Motor Vehicles or the Vermont State Police.

SL 10. Vessel Speed Restrictions

Improper Speed or Distance is not maintaining a proper speed or distance while operating a vessel or while towing a person on water skis or any similar device. Specifically, it is unlawful to:

- Operate a vessel (sailboards excepted) at greater than no wake speed within 200 feet of:
 - The shoreline.
 - A person in the water.
 - A canoe, rowboat, or other vessel.
 - An anchored or moored vessel with a person onboard.
 - An anchorage or dock.
- Operate a vessel at speeds of 5 miles per hour or more within 200 feet of a marked swimming area.
- Operate a vessel at speeds that may cause danger, injury or damage.

Be aware of and obey all regulatory markers, including those marked as "no wake."

"No Wake Speed" means operate your vessel at a speed at which the vessel does not produce a wake, or not to exceed 5 miles per hour.

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 and Reckless Operation of a vessel or the reckless manipulation of water skis, a surfboard or similar device is operating in a way that causes danger to the life, limb, or property of any person.

Examples include:

- 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.
- Failing to follow the navigational rules.
- Weaving through congested waterway traffic.
- Swerving at the last possible moment in order to avoid collision.
- Causing danger or damage from the wake of your vessel.
- Chasing, harassing or disturbing wildlife with your vessel.

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

SL 14. Boating Under the Influence

Vermont law prohibits anyone from boating while intoxicated (BWI) due to alcohol, drugs or any combination of both.

In Vermont, a person is considered intoxicated if he or she has a concentration of alcohol of 0.08% or more (based on a chemical analysis of breath or blood), or if under the influence of alcohol or any other drug to a degree that he or she is incapable of operating safely.

The following penalties are set:

- Upon a first conviction, offenders lose the privilege to operate a vessel (except for a non-motorized canoe or rowboat) for up to one year, must successfully complete an alcohol program at their own expense, and are fined up to \$750.
- Upon subsequent convictions, the fine is increased up to \$1,000.
- A person boating while intoxicated who causes the death of someone will, upon conviction, be imprisoned for up to 5 years, fined up to \$2,000, or both.

Vermont law for operators under 21 years of age:

- It is unlawful for those under 21 years old to operate with a blood alcohol concentration of 0.02% or more.
- For a first violation, the offender loses the privilege to operate a vessel (except for a non-motorized canoe or rowboat) for at least 6 months and must successfully complete an alcohol program at his or her own expense. For subsequent violations, the privilege to operate is lost for one year or until the person reaches 21 years old, whichever is longer.
- A person under 21 years old who refuses to submit to a breath test is subject to the same penalties as a BWI offence.

By operating a vessel on Vermont waters, you have given "implied consent" to be tested for alcohol or drugs if requested by a law enforcement officer.

SL 15. Mandatory Violator Education

While BWI convictions may require alcohol education classes, the State of Vermont has no specific regulations requiring a boating education class for boating law offenders at this time.

SL 16. PWC Regulations

Everyone onboard a PWC must wear a USCG-approved Type I, II, or III PFD (life jacket). An operator of a PWC equipped with lanyard-type ignition safety switch must attach the lanyard to his or her person, clothing or PFD.

PWCs may be operated only during the hours between one-half hour before sunrise to one-half hour after sunset.

You must be at least 16 years of age to operate a PWC.

SL 17. Water Ski Regulations

Those being towed behind a vessel on water skis or any other device must wear a USCG-approved Type I, II or III PFD (life jacket). Ski belts are not approved PFDs.

Every vessel towing a person(s) on water skis or any other device must have a person who is at least 12 years old onboard, in addition to the vessel operator, in a position to observe the towed person(s).

If towing a skier with a personal watercraft, the PWC should be rated for at least 3 people – the operator, the observer and the skier.

A reasonable distance from other vessels, people and property must be maintained to avoid endangering life or property. Unless necessary for landing or leaving shore, it is unlawful to cause the towed device or person being towed to approach within 100 feet of:

- A person swimming
- A canoe, rowboat or other small vessel with a person onboard.

Some areas less than 200 feet from the shoreline of a waterbody may be designated for water skiing. These areas may have special rules governing their use.

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 or snorkelers must display a "divers-down" flag to mark their diving area.

Vessels are prohibited from operating within 200 feet of a displayed "divers-down" flag.

SL 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 a vessel that is designed or permitted by him or her to be operated as a motorboat, together with the vessel identification number and the date and time of rental.

SL 20. Other State-Specific Regulations

Marine Events

To hold a marine parade, regatta, race, tournament, exhibition or any other event on Vermont waters, you must obtain authorization from the Department of Public Safety. The person in charge of the event must apply to the Department of Public Safety for a permit at least 15 days prior to the event.

Local Regulations

Local areas and specific lakes, ponds, and reservoirs have their own rules, regulations, and possibly restrictions. Check with local authorities about waterways in your area before you operate a vessel.

SL 21. Environmental Awareness

Types of Aquatic Nuisance Species

Introducing non-native species into Vermont waters can upset the balance of the ecosystem, therefore hurting the environment. Common nuisance species are:

- Eurasian Watermilfoil - A common aquatic plant found in Lake Champlain and many inland lakes in Vermont. It interferes with boating and displaces native plants. It is easily spread when plant fragments are caught and moved on boat trailers, propellers, anchors, or in wet wells. Plant fragments can initiate new plants and become well established.
- Zebra Mussel - A tiny D-shaped mollusk, which is now well established in Lake Champlain. It can clog water intake pipes, damage vessel engines, obscure historic shipwrecks, and alter native species populations. Adult zebra mussels can attach and be moved on vessel hulls, engines, and other equipment. Microscopic larvae can get trapped and moved in water of vessel engines, bilges, bait buckets, and live wells.
- Water Chestnut - A common annual plant found in southern Lake Champlain, Lake Bomoseen, and a few inland lakes. It interferes with boating, hunting and fishing, and displaces native plants. It is spread by seeds or rosettes caught in vessels and equipment.
- Alewife - A small bait fish recently found in Lake St. Catherine. Alewife may displace smelt and other native forage fish. It can be introduced to new bodies of water if accidentally or intentionally caught and used for bait, or dumped from bait buckets or live wells.

All boaters should make every effort to prevent the spread of Aquatic Nuisance Species. This includes inspecting your boat before leaving a body of water and NOT moving species from one body of water to another.

Hypothermia

Hypothermia is a condition in which the body loses heat faster than it can produce it. This causes a dangerous reduction of the body's inner temperature.

Hypothermia results from exposure to wind and wetness. A victim of hypothermia may become blue gray in color. Violent shivering develops which may give way to muscle spasms and even loss of the use of arms and legs. Confusion and "drunken" behavior also indicates that a person may be hypothermic.

To protect yourself from hypothermia, avoid the conditions that cause it. Dress warmly and stay dry. Put on raingear before it rains and wear a wool jacket. Wool traps body heat even when wet. Know the effects which wind has on cold weather. It may be 40 degrees F (7 degrees C) outside with the sun shining, but a 10 mph wind lowers the wind-chill temperature to 28 degrees F (-2 degrees C).

Additional Information

For more information on Vermont boating law refer to the Recreational Enforcement and Education Unit of the Vermont State Police at <http://www.vtsp.org>. Also refer to Vermont Statutes Annotated (VSA) Title 23 - Motor Vehicles, Chapter 29 - Snowmobiles, Motorboats and Water Sports, cited as 23 VSA §§ 3301 *et seq.*, at <http://www.leg.state.vt.us/statutes/statutes2.htm> or <http://www.leg.state.vt.us/statutes/sections.cfm?Title=23&Chapter=029>.