

**STATE OF RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
REQUIREMENTS AND STANDARDS FOR VESSELS AND  
ASSOCIATED EQUIPMENT**

Pursuant to the provisions of Chapter 42-17.1 and §§ 46-6-10.1, 46-6-10.2, and 46-6-10.3 of the General Laws of Rhode Island as amended, and in accordance with the Administrative Procedures Act Chapter 42-35 of the General Laws as amended, and in accordance with the Administrative Procedures Act Chapter 42-35 of the General Laws, the Director of the Department of Environmental Management (DEM) proposes the amendment of the “*REQUIREMENTS AND STANDARDS FOR VESSELS AND ASSOCIATED EQUIPMENT*” and give notice of intent to hold a public workshop to afford interested parties the opportunity for public comment.

Public comment will be solicited on the proposed rule making that is intended to amend the subject regulations in order to bring the State’s safety requirements into compliance with recent amendments being imposed by the United States Coast Guard. The bulk of the proposed amendments govern the requirements for personal flotation devices and lights, but also increase the minimum amount of property damage required in order to impose a reporting requirement upon the owner/operator of a vessel which is involved in an accident.

The public meeting to receive comments concerning the proposed rulemaking will commence at **10:00 AM on Monday, May 12, 2014**, in Room 300 at the Department of Environmental Management Offices, [235 Promenade Street](#), Providence, RI 02908. The room is accessible to the disabled. Interpreter services for the hearing impaired will be provided if such services are requested at least (3) business days prior to the hearing. Requests for such services may be made in writing or by calling TTY (711) or (401) 222-5300. A recording of the hearing will be made by DEM staff. Written comments concerning the regulations proposed for promulgation by the DEM may be submitted to the Division of Law Enforcement, 235 Promenade Street, Providence, RI 02908 or via e-mail to Lt. Steven Criscione at [Steven.Criscione@dem.ri.gov](mailto:Steven.Criscione@dem.ri.gov) **no later than 12:00 PM on May 12, 2014**.

The Department has determined that small businesses will not be adversely impacted by the proposed regulations referenced above. However, the public hearing is being conducted to solicit comment on the proposals and to allow public input from small businesses or any cities or towns, which may believe that that may be adversely affected.

A copy of the proposed regulations will be available for examination from April 10, 2014, through May 12, 2014, by mail or at the offices of the Division of Law Enforcement located at [235 Promenade Street](#), Providence, RI 02908. Electronic copies of the proposed regulations will also be available on the DEM website at the following web addresses:  
<http://www.dem.ri.gov/programs/bnatres/enforce/pdfs/boatsafeqn.pdf>

Janet L. Coit,  
Director  
April 8, 2014

*State of Rhode Island and Providence Plantations  
Department of Environmental Management*

**REQUIREMENTS AND STANDARDS FOR VESSELS AND ASSOCIATED  
EQUIPMENT**

**Summary**

The proposed rule would amend the ***REQUIREMENTS AND STANDARDS FOR VESSELS AND ASSOCIATED EQUIPMENT*** (the “Regulations”). These Regulations govern the safety equipment required to be upon those vessels operated upon the waters within the jurisdiction of the State. The proposed amendments are required to bring the State’s safety requirements into compliance with recent amendments being imposed by the United States Coast Guard. The bulk of the proposed amendments govern the requirements for personal flotation devices and lights, but also increase the minimum amount of property damage required in order to impose a reporting requirement upon the owner/operator of a vessel which is involved in an accident.

*State of Rhode Island and Providence Plantations*  
*Department of Environmental Management*  
**REQUIREMENTS AND STANDARDS FOR VESSELS AND ASSOCIATED**  
**EQUIPMENT**

**Date of Notice:** April 10, 2014      **Date of Hearing:** May 12, 2104

RIGL: These rules and regulations are promulgated pursuant to R.I. General Laws Chapters 42-17.1 and 46-22-in accordance with chapter 42-35, Administrative Procedures Act, of the Rhode Island General Laws of 1956, as amended.

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**FISCAL IMPACT**

<i>Revenues</i>		<i>State Expenditures</i>		<i>City/Town Expenditures</i>	
FY 2014	\$ 0	FY 2014	\$ 0	FY 2014	\$ 0
FY 2015	\$ 0	FY 2015	\$ 0	FY 2015	\$ 0
FY 2016	\$ 0	FY 2016	\$ 0	FY 2016	\$ 0

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**Summary of Policy Change**

The proposed rule would amend the ***REQUIREMENTS AND STANDARDS FOR VESSELS AND ASSOCIATED EQUIPMENT*** (the “Regulations”). These Regulations govern the safety equipment required to be upon those vessels operated upon the waters within the jurisdiction of the State. The proposed amendments are required to bring the State’s safety requirements into compliance with recent amendments being imposed by the United States Coast Guard. The bulk of the proposed amendments govern the requirements for personal flotation devices and lights, but also increase the minimum amount of property damage required in order to impose a reporting requirement upon the owner/operator of a vessel which is involved in an accident.

**Summary of Fiscal Impact:** The Commission does not anticipate any substantial, adverse fiscal impacts at the state level due to the amendment of these regulations.

**City or Town Impact:** There should be no impact at the municipal level.

Approved:

\_\_\_\_\_  
 Thomas Mullaney  
 Executive Director/State Budget Officer

**SMALL BUSINESS IMPACT STATEMENT (For Review of Existing Regulations)**

*In order to accurately predict the impact the adoption, amendment, or repeal of a regulation will have on small businesses, the promulgating authority must conduct a thorough analysis that not only considers the potential effects of the action but also quantifies the costs, if any, associated with each. The questions below are designed to aid promulgating authorities in conducting their analysis.*

**Subject Regulations: REQUIREMENTS AND STANDARDS FOR VESSELS AND ASSOCIATED EQUIPMENT**

**Agency Submitting Regulation:** RI Department of Environmental Management (RIDEM) – Division of Law Enforcement

**Subject Matter of Regulation:** The proposed rule would amend the *REQUIREMENTS AND STANDARDS FOR VESSELS AND ASSOCIATED EQUIPMENT* (the “Regulations”). These Regulations govern the requirements for safety equipment upon those vessels operated upon the waters of the State. The proposed amendments are required to bring the state’s requirements into compliance with the amendments being imposed by the United States Coast Guard. The bulk of these amendments deal with personal flotation devices and lights, but also increase the minimum amount of property damage required to impose a reporting requirement upon the owner/operator of a vessel which is involved in an accident.

**ERLID Number:** TO BE ASSIGNED BY THE SECRETARY OF STATE

**Statutory Authority:** These rules and regulations are promulgated pursuant to R.I. General Laws Chapters 42-17.1 and 46-22-in accordance with chapter 42-35, Administrative Procedures Act, of the Rhode Island General Laws of 1956, as amended.

**Other Agencies Affected:** None

**Other Regulations That May Duplicate or Conflict with the Regulation:** None

**Describe the Scope and Objectives of the Regulation** See Subject Matter of Regulation above.

**What was the rationale for establishing this regulation?** See Subject Matter of Regulation above.

**Does the rationale still exist?** YES

**Is the rationale still relevant?** YES

**Business Industries Affected by the Regulation:** NAICS [336612](#) Pleasure boats manufacturing; [423830](#) Commercial fishing equipment and supplies (except boats, ships)

merchant wholesalers; and [423910](#) Boats, pleasure (e.g., canoes, motorboats, sailboats), merchant wholesalers.

**Types of Businesses Included in the Industry:** The above referenced businesses that may offer required boat safety equipment for sale or in the case of lights, equipment installation.

**Total Number of Small Businesses included in the Regulated Industries** *Please see the attached guidance documents for assistance determining the total number of small businesses:*

See above.

**Number of Small Businesses Potentially Subject to the Proposed Regulation:** See above.

**How often do small businesses contact your agency for assistance with clarification of the regulation and/or receive assistance with compliance issues?** We are unaware of any contacts from small businesses concerning these regulations.

**What is the cost to your agency of establishing and enforcing this regulation?** The total budget for the Division of Laws Enforcement for 2014 FY is approximately \$3 million.

**What would the consequences be if the regulation did not exist?** Without the subject rules, the Department of Environmental Management would not be in compliance with *R.I. Gen. Laws Chapters 46-22* or the amendments being imposed by the United States Coast Guard.

**Effective Date Used In Cost Estimate:** Spring 2014.

	Yes	No	<i>*Note: For each question, please answer “yes” or “no” and offer a brief explanation. Please describe any facts, data, views, arguments, or other input from small businesses, organizations or any other sources that were used to quantify the impacts outlined below.</i>
1.	Yes	No X	<b>Do small businesses have to create, file, or issue additional reports?</b>  No. These regulations do not require additional reports by small businesses.
2.	Yes	No	<b>Do small businesses have to implement additional recordkeeping</b>

		X	<p><b>procedures?</b></p> <p>No the subject regulations do not require additional recordkeeping by small businesses.</p>
3.	Yes	No X	<p><b>Do small businesses have to provide additional administrative oversight?</b></p> <p>No. These regulations do not require additional administrative oversight by small businesses.</p>
4.	Yes	No X	<p><b>Do small businesses have to hire additional employees in order to comply with the proposed regulation?</b></p> <p>No. These regulations do not require small businesses to hire additional employees.</p>
5.	Yes	No X	<p><b>Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?</b></p> <p>No. These regulations do not require small businesses to hire professionals.</p>
6.	Yes	No X	<p><b>Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?</b></p> <p>No. These regulations do not require capital investments by small businesses.</p>
7.	Yes	No X	<p><b>Are performance standards more appropriate than design standards?</b></p> <p>No. This question is not applicable to this type of regulation.</p>
8.	Yes	No X	<p><b>Does the regulation require small businesses to cooperate with audits, inspections, or other regulatory enforcement activities?</b></p> <p>No. These regulations do not require cooperation in such audits by small businesses.</p>

9.	Yes	No X	<b>Does the regulation have the effect of creating additional taxes and/or fees for small businesses?</b>  No. These regulations do not create additional taxes and/or fees.
10.	Yes	No X	<b>Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?</b>  No. These regulations do not require the provision of educational services by small businesses.
11.	Yes	No X	<b>Is the regulation likely to <i>deter</i> the formation of small businesses in Rhode Island?</b>  No. These regulations are not likely to deter the formation of small businesses in Rhode Island.
12.	Yes X	No	<b>Is the regulation likely to <i>encourage</i> the formation of small businesses in Rhode Island?</b>  Yes. These regulations are likely to directly encourage the formation of small businesses in Rhode Island by providing for safer tourism via water in this State.
13.	Yes	No X	<b>Can the regulation provide for less stringent compliance or reporting requirements for small businesses?</b>  No. These regulations can not provide for less stringent compliance reporting requirements by small businesses.
14.	Yes	No X	<b>Can the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?</b>  No. These regulations can not provide for less stringent schedules for compliance by small businesses.
15.	Yes	No X	<b>Can the compliance or reporting requirements be consolidated or simplified for small businesses?</b>  No. These regulations can not provide for consolidation in order to obtain compliance by small businesses.

16.	Yes	No X	<p><b>Can performance standards for small businesses replace design or operational standards?</b></p> <p>No. This question is not applicable to this type of regulation.</p>
17.	Yes	No X	<p><b>Are there alternative regulatory methods that would minimize the adverse impact on small businesses?</b></p> <p>No. Given that there does not appear to be any adverse impact upon small businesses caused by these regulations, alternative methods would not be available to minimize adverse impact upon small businesses.</p>
18.	Yes X	No	<p><b>Were any small businesses or small business organizations contacted during the preparation of this document? If so, please describe.</b></p> <p>Although no organization participated in the preparation of this document, all interested parties will be afforded the opportunity to comment and participate in adoption of the subject regulations pursuant to R.I. Gen. Laws Gen. Chapter 42-35.</p>

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
Division of **Law** Enforcement

REQUIREMENTS AND STANDARDS FOR **BOATS VESSELS** AND  
ASSOCIATED EQUIPMENT



**December 6, 1998 January 1, 2014**

AUTHORITY: These regulations are adopted pursuant to Chapters ~~42-35~~ 42-17.1 and 46-22 of the Rhode Island General Laws of 1956, as amended, **in accordance with R.I. General Laws 42-35, the *Administrative Procedures Act*.**

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
Division of Enforcement**

RULES AND REGULATIONS FOR  
REQUIREMENTS AND STANDARDS FOR BOATS AND ASSOCIATED EQUIPMENT

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## REQUIREMENTS AND STANDARDS FOR BOATS AND ASSOCIATED EQUIPMENT

### **RULE 1. PURPOSE:**

These rules and regulations are promulgated in accordance with R.I. General Laws Section 46-22-5(k) to adopt regulations consistent with the Federal Boat Safety Act of 1971 as amended.

### **RULE 2. AUTHORITY:**

These rules and regulations are promulgated pursuant to R.I. General Laws Chapter 42-17.1 Environmental Management, and general laws section 46-22-5(k) in accordance with chapter 42-35, Administrative Procedures, of the Rhode Island General Laws of 1956, as amended.

### **FEDERAL PREEMPTION ACT:**

State statutes and regulations concerning boats and associated equipment standards and requirements must conform to the Federal Boat Safety Act of 1971, as amended which provides:

"Unless permitted by the Secretary under section 1 of this act, no State or political subdivision thereof may establish, continue in effect, or enforce any provision of law or regulation which establishes any boat or associated equipment performance or other safety standard, or which imposes any requirement for associated equipment, except, unless disapproved by the Secretary, the carrying or using of marine safety articles to meet uniquely hazardous conditions or circumstances within the State, which is not identical to a Federal regulation issued under Section 6 of this Act."

### **RULE 3. APPLICATION**

The terms and provisions of these rules and regulations shall be liberally construed to permit the Department to effectuate the purposes of state law, goals, and policies.

### **RULE 4. DEFINITIONS**

For the purposes of these regulations, the following terms shall have the following meanings:

- (a) **"Aids to Navigation"** means any device designed or intended to assist the navigator to determine his position or safe course or to warn him/her of danger or obstructions to navigation.
- (b) **"All-round light"** means a light showing an unbroken light over an arc of 360 degrees.
- (c) **"Canoe"** means a narrow vessel or shallow draft, typically pointed at both ends and propelled by human power, and includes kayaks.
- (d) **"Kiteboard"** means a vessel similar in appearance to a surfboard, with or without foot-straps or bindings, combined with a large controllable kite to propel the rider and board across the water.
- (e) **"Masthead light"** means a white light placed over the fore and aft centerline of the vessel showing an unbroken light over an arc of the horizon of 225 degrees and so fixed as to show the light from right ahead to 22.5 degrees abaft the beam on its respective side. On a vessel of less than 39.37 ft (12 meters) in length the sidelights when combined in one lantern shall be placed as nearly as practicable to the fore and aft centerline of the vessel.
- (f) **"Motorboat"** ~~as defined by R.I. General Laws 46-22-2(b), means any vessel whether or not the vessel is propelled by machinery-~~ as defined by 46 CFR 24.10, means any vessel 65 feet (19.8 meters) in length or less which is propelled by machinery. The word "motorboat" includes a boat temporarily or permanently equipped with a detachable motor. For purposes of this chapter, motorboat shall not include houseboats as defined in Rhode Island General Laws section 44-5-25.1.

- (g) **“Motor vessel”** as defined by 46 CFR 24.10(b) means any vessel more than 65 feet (19.8 meters) in length, which is propelled by machinery.
- (h) **“Paddleboard”** means a vessel consisting of a large board which is stable enough to support a person standing while it is paddled in a manner similar to operating a canoe and is “practically capable” and intended to be used as a water sport activity beyond the narrow limits of swimming, surfing, or bathing area. A paddleboard being used within the limits of a swimming, surfing or bathing area is not considered a vessel at that time and not subject to the safety equipment carriage requirements of these regulations.
- (e) (i) **“Personal flotation device (PFD)”** means a life saving floatation device approved by the Commandant, United States Coast Guard, pursuant to Title 46 Code of Federal Regulations Part 160.
- (d) **“PFD”** means personal flotation device.
- (e) (j) **“Personal watercraft”** as defined in Rhode Island General Laws ~~§ 46-22-2(f)~~, means a ~~small class A~~ vessel, less than 16 feet (4.9 meters) in length, ~~which uses an outboard motor or an inboard motor powering a water jet pump as its primary source of motive power~~ that is propelled by machinery and is designed to be operated by a person sitting, standing, or kneeling on the vessel, ~~or being towed behind the vessel~~, rather than the conventional manner of sitting or standing inside of the vessel.
- (f) (k) **“Racing shell, rowing scull, and racing kayak”** ~~as defined by federal law~~, means a manually propelled vessel that is recognized by national or international racing association(s) for use in competitive racing and one in which all occupants row, scull, or paddle with the exception of a coxswain, if one is provided, and is not designed to carry ~~and does not carry any~~ equipment ~~not solely for competitive racing~~.
- (g) (l) **“Readily available”** when used to describe the accessibility of personal floatation device(s) (PFDs) ~~life jackets or~~, fire extinguisher(s), and visual distress device(s) means that the equipment described is visible to the operator and passengers and easy to gain access to in the event of an emergency. ~~and not locked in a container, closet or compartment~~.
- (h) **“Recreational Boat”** ~~as defined by federal law, means any vessel manufactured or used primarily for non-commercial use; or leased, rented, or chartered to another for the latter's noncommercial use. It does not include a vessel engaged in the carrying of six or fewer passengers for hire.~~
- (f) (m) **“Regulatory markers”** means any device which indicates to a vessel operator the existence of dangerous areas as well as those which are intended to restrict or control, such as speed zones and areas indicated to a particular use or to provide general information and directions. This includes, but is not limited to, bathing markers, speed zone markers, information markers, danger zone markers, boat keep-out area, and mooring buoys.
- (n) **“Rowboat”** means any vessel, except a canoe, that is designed to be rowed by human power by oars or paddles and upon which there is no mechanical propulsion device or sail used for the operation of the vessel.
- (o) **“Sailboat”** means any vessel equipped with masts and sails, dependent upon the wind to propel it in the normal course of operation.
- (p) **“Sailboard”** means a vessel, similar in appearance to a surfboard, equipped with a swivel mounted mast and sail not secured to a hull by guys or stays.
- (j) (q) **“Serviceable condition”** when used to describe the condition of ~~life jackets~~ personal floatation device(s) (PFDs), ~~and~~ fire extinguisher(s), ~~or and~~ visual distress device(s) means that the ~~life jacket, fire extinguisher, or visual distress device~~ equipment device is in working condition and ~~that the device~~ is as manufactured without modification or missing, broken or torn parts, and any expiration date on the device is still valid.
- (r) **“Sidelights”** mean a green light on the starboard side and a red light on the port side each showing an unbroken light over an arc of the horizon of 112.5 degrees and so fixed as to show the light from right ahead to 22.5 degrees abaft the beam on its respective

side. On a vessel of less than 39.37 feet (12 meters) in length, the sidelights when combined in one lantern shall be placed as nearly as practicable to the fore and aft centerline of the vessel.

- (s) **“Sternlight”** means a white light placed as nearly practicable at the stern showing an unbroken light over an arc of the horizon of 135 degrees and so fixed as to show the light 67.5 degrees from the right aft on each side of the vessel.
- (t) **“Throwable PFD Device”** means a personal floatation device that is intended to be thrown to a person in the water and used in accordance with any limitations specified on the approved label and with the manufacturer’s instructions. A specifically marked “wearable” PFD, is not a throwable PFD.
- (u) **“Underway”** means that a vessel is not at anchor, or made fast to the shore, or aground.
- (k) (v) **“Vessel”** as defined by R.I. General Law ~~§46-22-2(g)~~ means every description of watercraft or other artificial contrivance ~~other than a seaplane on the water,~~ used or capable of being used as a means of transportation on water.
- (w) **“Wearable PFD”** means a PFD that is intended to be worn or otherwise attached to the body and used in accordance with any limitations specified on the approved label and with the manufacturer’s instructions.
- (x) **“Whistle”** means any sound signaling appliance which complies with the specifications of Title 33 Code of Federal Regulations 86, Annex III-Technical Details of Sound Signaling Appliances.

#### **RULE 5. ENFORCEMENT.**

Pursuant to R.I. General Laws section 46-22-17, the Department of Environmental Management ~~Conservation Officers~~ Environmental Police Officers, harbor masters, and police officers have the authority to enforce state laws and regulations on all tidal and non-tidal waters of the state. In his/her jurisdiction an enforcement officer has the authority to stop and board any vessel to check for compliance with state law.

#### **RULE 6. PERSONAL FLOTATION DEVICES**

##### (1) APPLICABILITY

These regulations shall apply to all ~~recreational boats that are propelled or controlled by machinery, sails, oars, paddles, poles, and all other~~ vessels on waters subject to the jurisdiction of this state, except:

- (a) Racing shells, rowing skulls, racing kayaks and any vessel engaged in a sanctioned regatta, race or a practice held within 48 hours of the sanctioned event.

~~(a) Foreign boats temporarily using waters subject to State jurisdiction~~

~~(b) Military or public boats of the United States, except recreational public vessels.~~

~~(c) A boat whose owner is a state, other than this state, or sub-division thereof, which is used principally for governmental purposes, and which is clearly identifiable as~~

such:

~~(d) ship=s lifeboats.~~

##### (2) PERSONAL FLOTATION DEVICES REQUIRED.

- (a) No person may use a vessel, less than ~~sixteen (16) feet~~ 16 feet (4.9 meters) in length, ~~or any canoe or kayak unless at least one PFD of the following types or their equivalents listed in Table I is on board for each person including canoes, kayaks,~~

sailboards, kiteboards, and paddleboards unless:

- (1) ~~Type I PFD (Off Shore Life Jacket)~~
- (2) ~~Type II PFD (Near Shore Buoyant Vest)~~
- (3) ~~Type III PFD (Floatation Aid)~~

person

(1) at least one wearable U.S. Coast Guard approved PFD is on a vessel for each on board.

(2) each wearable PFD is used in accordance with any requirements on the approved label and used in accordance with the manufacturer's recommendations for its intended use.

(b) No person may use a vessel, sixteen (16) feet or more in length unless ~~at least one PFD of the following types or their equivalents listed in Table I is on board for each person:~~

- (1) ~~Type I PFD (Off Shore Life Jacket)~~ at least one wearable U.S. Coast Guard approved PFD is on a vessel for each person on board.
- (2) ~~Type II PFD (Near Shore Buoyant Vest)~~ each wearable PFD is used in accordance with any requirements on the approved label and used in accordance with the manufacturer's recommendations for its intended use.
- (3) ~~Type III PFD (Floatation Aid)~~ one throwable U.S Coast Guard Approved PFD is on a vessel in addition to the number of wearable PFD's required.

~~(c) In addition, no person may use a vessel, sixteen (16) feet or more in length, except a canoe or kayak, unless at least one Type IV PFD (Throwable Device) or its equivalent listed in Table I is on board in addition to the PFD's required in paragraph (b) of this section. (c).~~

(3) EXCEPTIONS-EXEMPTIONS

~~(a) A Type V PFD (Special Use Device) may be carried in lieu of any PFD required in subsection (2) if that Type V PFD is approved by the U.S. Coast Guard for the activity in which the vessel is being used.~~

~~(b) A Type V Hybrid Inflatable PFD may be carried in lieu of any PFD required in subsection (2) if that Type V PFD is approved by the U.S. Coast Guard for the activity in which the vessel is being used.~~

length  
PFD on

(a) Canoes, kayaks, sailboards, kiteboards and paddleboards 16 feet (4.9 meters) in length and greater are exempted from the carriage requirements of having one throwable PFD on board the vessel.

(4) STOWAGE

- (a) No person may use a vessel unless each ~~wearable PFD Type I, Type II, Type III, or Type V PFD required by subsection (3)~~ is readily accessible.

- (b) No person may use a vessel unless each ~~throwable PFD is Type IV PFD required by subsection (3)(c) is immediately available.~~ readily accessible.

(5) CONDITIONS: APPROVAL: MARKING.

- No person may use a vessel unless each ~~device PFD required by subsection (2), or each device allowed by subsection (3)~~ is:

(a) In serviceable condition IE, all straps, hardware, cover, floatation material in undamaged condition;

(b) Legibly marked with the approval number ~~from the U.S. Coast Guard~~ as specified in

46 CFR Part 160 for items subject to approval; and  
(c) Of an appropriate size for the person for whom it is intended.

~~(6) PERSONAL FLOTATION DEVICE EQUIVALENTS.-FLOTATION DEVICES-CHILDREN~~

~~Table I lists devices that are equivalent to personal flotation devices.~~

~~Pursuant to Rhode Island General Law section 46-22-9.2, any person transporting a child under thirteen (13) years of age in a recreational vessel less than sixty-five (65) feet in length on the waters of this state shall require that the child wear a wearable PFD approved by the U. S. Coast Guard while underway, unless below deck in a closed cabin.~~

**RULE 7. FIRE EXTINGUISHING EQUIPMENT.**

~~(1) Applicability.~~

~~—This section applies to all boats, to which this Act applies, that are equipped with propulsion machinery.—~~

~~(2) CLASSIFICATION OF MOTORBOATS~~

~~—Motorboats subject to the provisions of this section shall be divided into the following—  
—four classes:~~

~~Class A. Less than sixteen (16) feet in length.~~

~~Class 1. Sixteen (16) feet or over and less than Twenty six (26) feet in length.~~

~~—Class 2. Twenty six (26) feet or over and less than forty (40) feet in length.~~

~~Class 3. Forty (40) feet or over and not more than sixty five (65) feet in length.~~

~~(3) Prohibition.~~

~~—No person may use a boat unless it meets the requirements of subsection (4) through (8).~~

~~(4) Classification of fire extinguisher.~~

~~—Hand portable and semi-portable fire extinguisher must meet the requirements set out in  
— 46 CFR 76.50-5.~~

~~(5) Fire Extinguishing Equipment required~~

~~(a) Except as provided in subsection (5), all boats which are 65 feet in length or less must carry the minimum number on hand portable fire extinguisher as set forth in Table H(a).~~

~~(b) All boats greater than 65 feet in length must carry the following fire extinguishing equipment:—~~

~~(1) The minimum number of hand portable fire extinguisher as set forth in Table II (b); and~~

~~(2) The following fire extinguishing equipment fitted in each machine space:~~

~~(a) One Type B-II hand portable fire extinguisher for each one thousand break horsepower (1,000 BHP) of the main engine, or fraction thereof. However, not more than six such extinguishers~~

need be carried; and

~~(b) On vessels over 300 gross tons, either one type B-II semi-portable fire extinguisher, or a fixed fire extinguishing system.~~

~~(5) Boats less than 26 feet in length:~~

~~A person using a boat equipped with an outboard motor, less than 26 feet in length, need not comply with Table II (a) if the construction of such boat will not permit the entrapment of explosive or flammable gasses or vapors.~~

~~(6) Stowage:~~

~~(a) Each item of fire extinguishing equipment required by subsection (4) must be:~~

~~(1) Stowed away from the potential hazard area; and~~

~~(2) Readily accessible.~~

~~(b) Each dry chemical type fire extinguisher carried must be stowed in a horizontal position.~~

~~(7) Approval; marking; condition:~~

~~Each item of hand portable or semi-portable fire extinguishing equipment and each fixed fire extinguishing system required by subsection (4) must be:~~

~~(a) Approved by the Commandant, U. S. Coast Guard, under 46 CFR 162.028, 162.029 or 162.039 as applicable; and~~

~~(b) In good serviceable condition.~~

~~(8) Fire Extinguishing equipment prohibited:~~

~~The carriage of the following types of fire extinguisher is prohibited:~~

~~(a) Dry chemical stored pressure type, not fitted with pressure gauges or indicating devices; and~~

~~(b) Vaporizing liquid type containing carbon tetrachloride, chlorobromomethane, or other toxic vaporizing liquids.~~

**(1) APPLICABILITY**

This section applies to all motorboats and motor vessels used on waters subject to the jurisdiction of this State.

**(2) PROHIBITION**

No person may use a motorboat or motor vessel unless it meets the requirements of subsection (3) through (8).

**(3) CLASSIFICATION OF FIRE EXTINGUISHING EQUIPMENT**

(a) Hand portable fire extinguishers and semiportable fire extinguishing systems are classified by a combination letter and number symbol. The letter indicating the type of fire which the unit could be expected to extinguish, and the number indicating the relative size of the unit.

(b) For the purpose of this section, all required hand portable extinguishers and semiportable fire extinguishing systems are of the "B" type; i.e., suitable for extinguishing fires involving flammable liquids, greases, etc.

(c) The number designations for size will start with "I" for the smallest to "V" for the largest. For the purpose of this section, only sizes I through III will be considered. Sizes I and II are considered hand portable fire extinguishers and sizes III, IV, and V are considered semiportable fire extinguishing systems which shall be fitted with suitable hose and nozzle or other practicable means so that all portions of the space concerned

may be covered.

**(4) FIRE EXTINGUISHING EQUIPMENT REQUIRED**

(a) All motorboats shall carry at least the minimum number of hand held portable fire extinguishers set forth in Table 7-1, except motorboats under 26 feet (7.9 meters) in length, propelled by outboard motors and not carrying passengers for hire, need not carry such portable fire extinguishers if the construction of such motorboats will not permit the entrapment of explosive or flammable gases or vapors see subsection (5).

**Table 7-1 Minimum number of B-I hand portable fire extinguishers required.**

<b>LENGTH OF VESSEL</b>	<b>WITHOUT AN APPROVED FIXED FIRE EXTINGUISHING SYSTEM</b>	<b>WITH AN APPROVED FIXED FIRE EXTINGUISHING SYSTEM</b>
Less than 26 feet (7.9 meters) in length	1	0
26 feet (7.9 meters) to less than 40 (12.2 meters)	2	1
40 feet (12.2 meters) to 65 feet (19.8 meters)	3	2
<b>NOTE: One B-11 hand portable fire extinguisher may be substituted for two B-1 hand portable fire extinguishers.</b>		

(b) All motor vessels shall carry at least the minimum number of hand portable fire extinguishers set forth in Table 7-2 and the following fire extinguishing equipment fitted in each machine space:

(1) One Type B-II hand portable fire extinguisher shall be carried for each 1,000B.H.P. of the main engines or fraction thereof. However, not more than 6 such extinguisher needs be carried.

(2) On motor vessels over 300 gross tons, either one Type B-III Semiportable fire-extinguishing system shall be fitted, or alternatively, a fixed fire extinguishing system shall be fitted in the machinery space. The frame or support of each Type B-III fire extinguisher required must be welded or otherwise permanently attached to a bulkhead or deck.

**Table 7-2 Minimum number of B-II hand portable fire extinguishers required.**

<b>GROSS TONNAGE</b>	<b>NUMBER OF B-II FIRE EXTINGUISHERS</b>
0-50 TONS	1
50-100 TONS	2
100-500 TONS	3
500-1000 TONS	6
OVER 1000 TONS	8

**(5) EXEMPTIONS**

(a) A person using a motorboat equipped with an outboard motor, less than 26 feet (7.9 meters) in length, need not comply with Table 7-1 if the construction of such motorboat will not permit the entrapment of explosive or flammable gases or vapors.

**The motorboat must comply with Table 7-1 if one or more of the following conditions exist:**

- (1) Closed compartment under thwarts and seats wherein portable fuel tanks may be stored.
- (2) Double bottoms not sealed to the hull or which are not completely filled with flotation material.
- (3) Closed living spaces.
- (4) Closed stowage compartments in which combustible or flammable materials are stowed.
- (5) Permanently installed fuel tanks (A tank is considered permanently installed if it is secured so that it cannot be moved in case of a fire or other emergency or if it is such a weight that it cannot be moved by persons on board).

**(6) STOWAGE**

- (a) Each item of fire extinguishing equipment required by subsection (4) and (5) must be:
- (1) Stowed away from the potential hazard area.
  - (2) Readily assessable.

**(7) APPROVAL: MARKING: CONDITION**

- (a) Each item of hand portable or semi-portable fire extinguishing equipment and each fixed fire extinguishing system required by subsection (4) and (5) must be:
- (1) Approved by the Commandant, U.S. Coast Guard, under 46 CFR 162.028, 162.029 or 162.039 as applicable.
  - (2) In serviceable condition.

**(8) FIRE EXTINGUISHING EQUIPMENT PROHIBITED**

- (a) The carriage of the following types of fire extinguishers is prohibited:
- (1) Dry chemical stored pressure type, not fitted with pressure gauges or indicating devices.
  - (2) Vaporizing liquid type containing tetrachloride, chlorobromomethane, or other toxic vaporizing liquids.

**RULE 8. BACKFIRE FLAME CONTROL.**

(1) Applicability.

This section applies to all motorboats and motor vessels, used on waters subject to the jurisdiction of the State, and to which these ~~this Act applies~~ these regulations apply, in which gasoline engines are installed, except ~~boats~~ vessels equipped with outboard motors.

(2) Backfire flame control requirements.

No person may use a motorboat or motor vessel to which this section applies, unless each engine is provided with at least one of the following means of backfire flame control:

- (a) A backfire flame arrestor;
- (b) An engine air and fuel induction system;
- (c) An attachment to the carburetor or a location of the engine air induction

system by means of which flames caused by engine backfire will be dispersed to the atmosphere outside the boat in such a manner that the flames will not endanger the boat, persons on board, or nearby vessels and structures; or  
(d) On boats having an integrated engine-boat design, an engine air induction system.

(3) Approval; Marking; Condition

With the exception of subsections (4) and (5), no person may use a motorboat or motor vessel to which this section applies, unless each backfire flame control installation required by subsection (2) is:

- (a) Approved by the Commandant, U. S. Coast Guard under 46 CFR 162;
- (b) Marked according to the requirements in 46 CFR 162; and
- (c) Maintained in ~~good and~~ serviceable condition.

(4) Installation not requiring approval.

Any attachment designed, constructed, and installed under the provisions of subsection (2)(c) does not require approval and labeling. However, all attachments shall be of metallic construction with flame-tight connections, firmly secured to withstand vibrations, shock and engine backfire, and maintained in ~~good~~ serviceable condition.

(5) Installation with prior approval.

Installation consisting of backfire flame arresters or engine air and fuel induction systems bearing approval No.162.015, need not meet the detailed requirements of subsection (4) and may be continued in use as long as they are maintained in ~~good and~~ serviceable condition. Replacements shall meet the applicable conditions in this section.

**RULE 9. VENTILATION.**

(1) Applicability

This section applies to all motorboats and motor vessels used on waters subject to the jurisdiction of this State. ~~, except as provided for in subsection (3) of this rule.~~

(2) Prohibition.

No person may use a motorboat or motor vessel ~~propelled by machinery and is not more than 65 feet in length~~ unless it meets the requirements of subsection (3). ~~This section does not apply to tugboats and towboats propelled by steam.~~

(3) Tanks and Engine Spaces.

- (a) All motorboats or motor vessels to which this section applies, except open boats, the construction or decking over of which is commenced after April 25, 1940, and which use fuel having a flash-point of 110 degrees Fahrenheit, or less, shall have at least 2 ventilator ducts fitted with cowls or their equivalent, for the efficient removal of explosive or flammable gasses from the bilges of every engine and fuel tank compartment. There shall be at least one exhaust duct installed so as to extend from the open atmosphere to the lower portion of the bilge and at least one intake duct installed so as to extend to a point at least midway to the bilge or at least below the level of the carburetor air intake. The cowls shall be located and trimmed for maximum effectiveness and in such a manner so as to prevent displaced fumes from being re-circulated.

(b) As used in this section, the term “Open Boats” means those motorboats or motor vessels with all engine and fuel tank compartments and other spaces to which explosive or flammable gasses and vapors from these compartments may flow, open to the atmosphere and so arranged as to prevent the entrapment of such gasses and vapors within the vessel.

## **RULE 10. NAVIGATION LIGHTS AND DAY SHAPES**

### ~~(1) Applicability~~

~~Every vessel subject to these regulations in all weather, from sunset to sunrise, and other periods of reduced visibility, shall carry and exhibit the following lights when underway, and during such time no other lights which maybe mistaken for those prescribed shall be exhibited.~~

### ~~(2) Power Driven Vessels~~

~~(a.) A power driven vessel less than 20 meters (65.6 ft) shall exhibit navigation lights as shown in Table V. If the vessel is less than 12 meters (39.4 ft) in length, it shall exhibit the lights shown in Table V, figure 1, or figure 2.~~

~~(b.) On a vessel less than 12 meters (39.4 ft) in length, the masthead light must be 1 meter (3.3 ft) higher than the sidelights. If the vessel is 12 meters or more in length and less than 20 meters (65.6 ft) the masthead light must be not less than 2.5 meters (8.2 ft) above the gunwale.~~

~~(c.) A power driven vessel less than 50 meters (164 ft) in length may, but is not obligated to be equipped with, a second masthead light abaft and higher than the forward one.~~

### ~~(3) Sailing Vessels and Vessels under oars~~

~~(a.) A sailing vessel less than 20 meters (65.6 ft) in length shall exhibit navigation lights shown in Table V, figure 3. The lights may be combined in a single lantern and carried at the top of the mast as shown in figure 3.~~

~~(b.) A sailing vessel less than 7 meters (23 ft.) in length shall if practicable, exhibit the lights shown in Table VII or VIII, if not, shall have ready at hand a white light exhibited in sufficient time to prevent collision (see Table V, figure 4).~~

~~(c.) A vessel under oars may display those lights prescribed for sailing vessels shown in Table VII or VIII. If not so equipped, shall have ready at hand an electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision (see Figure 1).~~

### **(1) APPLICABILITY**

Every vessel, used on the waters subject to the jurisdiction of this State, and subject to these regulations, in all weather, from sunset to sunrise, and other periods of reduced visibility, shall carry and exhibit the following lights while underway or at anchor, and during such time no other lights which maybe mistaken for those prescribed shall be exhibited. The rules concerning shapes shall be complied with by day, sunrise to sunset.

## **(2) VISIBILITY**

The lights prescribed in these rules shall be visible at the following minimum ranges:

- (a) Vessels of 164.04 feet (50 meters) or more in length;
  - (1) A masthead light, 6 miles;
  - (2) A sidelight, 3 miles;
  - (3) A sternlight, 3 miles;
  - (4) A white, red, or green all-round light, 2 miles.
- (b) Vessels of 39.4 feet (12 meters) or more but less than 164.04 feet (50 meters) in length:
  - (1) A masthead light, 5 miles; except that where the length of the vessel is less than 65.6 feet (20 meters), 3 miles;
  - (2) A sidelight, 2 miles;
  - (3) A sternlight, 2 miles;
  - (4) A white, red, or green all-round light, 2 miles.
- (c) Vessels of less than (39.4 feet) 12 meters in length:
  - (1) A masthead light, 2 miles;
  - (2) A sidelight, 1 mile;
  - (3) A sternlight, 2 miles;
  - (4) A white, red or green all-round light, 2 miles.

## **(3) POWER DRIVEN VESSEL WHILE UNDERWAY**

- (a) A power driven vessel underway shall exhibit a masthead light forward, a second masthead light abaft of and higher than the forward one: except that a vessel of less than 164.04 feet (50 meters) in length shall not be obliged to exhibit a second masthead light abaft of and higher than the forward one but may do so. Sidelights and a sternlight shall also be exhibited.
- (b) A power driven vessel of less than 39.4 feet (12 meters) in length may, in lieu of the lights prescribed in subsection 3(a) of this Rule, exhibit an all-round white light and sidelights.

## **(4) SAILING VESSELS UNDERWAY AND MANUALLY PROPELLED VESSELS**

- (a) A sailing vessel underway shall exhibit sidelights and a sternlight.
- (b) A sailing vessel of less than 65.62 feet (20 meters) in length may, in lieu of the lights prescribed in subsection 4(a) of this Rule, may combine the lights in subsection 4(a) in one lantern carried at or near the top of the mast where it can best be seen.
- (c) Additional lights. A sailing vessel underway may, in addition to the lights prescribed in subsection 4(a) of this Rule, exhibit at or the near the top of the mast, where they can best be seen, two all-round lights in a vertical line, the upper being red and the lower green, but these lights shall not be exhibited in conjunction with the combined lantern permitted by subsection 4(b) of this Rule.
- (d) A sailing vessel of less than seven meters in length shall, if practicable exhibit the lights prescribed in subsection 4(a) or 4(b) of this Rule, but if she does not, she shall have

ready at hand an electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision.

(e) A manually propelled vessel may exhibit the lights prescribed in this Rule for sailing vessels, but if she does not, she shall have ready at hand an electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision.

(f) A vessel proceeding under sail when also being propelled by machinery shall exhibit forward a conical shape, apex downward, where it can best be seen. A vessel less than 39.4 feet (12 meters) in length is not required to exhibit this shape, but may do so.

(g) Sailing vessels using machinery, or sail and machinery, must display lights required for power driven vessels in section (3).

#### **(5) ANCHORED VESSELS AND VESSELS AGROUND**

(a) Vessels at anchor shall exhibit where it can best be seen in the fore part, an all-round white light or one ball; and at or near the stern an all-round white light at a lower level than the all-round white light or one ball in the fore part where it can best be seen.

(b) Vessels of less than 164.04 feet (50 meters) in length may exhibit an all-round white light where it can best be seen instead of the lights prescribed in subsection 5(a) of this Rule.

(c) Illumination of decks. A vessel at anchor may, and a vessel of 328.1 feet (100 meters) or more in length shall, also use the available working or equivalent lights to illuminate her decks.

(d) Vessels aground. A vessel aground shall exhibit the lights prescribed in subsection 5(a) or 5(b) of this Rule and in addition, if practicable, where they can best be seen two all-round red lights in a vertical line or three balls in a vertical line.

(e) Vessels of less than 22.97 feet (7 meters) in length when at anchor, not in or near a narrow channel, fairway, anchorage, or where other vessels normally navigate, shall not be required to exhibit the lights or shapes prescribed in subsections 5(a) and 5(b) of this Rule.

(f) Vessels of less than 39.4 feet (12 meters) in length when aground shall not be required to exhibit two all-round red lights in a vertical line or three balls in a vertical line as prescribed in subsection 5(d) of this Rule.

#### **RULE 11. ~~WHISTLES AND BELLS. SOUND PRODUCING DEVICES~~**

##### ~~(1) Applicability.~~

- ~~This section applies to all motorboats used on waters subject to the jurisdiction of this state. As~~
- ~~- used in this section "Motorboat" means every vessel propelled by machinery and not more~~
  - ~~- than 65 feet in length except tugboats and towboats propelled by steam.~~

~~(2) Prohibition.~~

~~No person may use a motorboat to which this section applies unless it meets the requirements of subsection (3) and Table III.~~

~~(3) Requirements.~~

~~All motorboats using the waters subject to the jurisdiction of this state shall be equipped with the following:~~

- ~~(a) An efficient whistle or other sound producing mechanical device as set forth in Table III, except:
  - ~~(1) Motorboats engaged in a race which has been previously arranged or announced, or while engaged in such navigation as is incidental to the tuning up of a boat and engines for the race, need not carry the devices required by Table III.~~
  - ~~(2) Motorboats engaged in a race previously arranged or announced, or while engaged in such navigation as is incidental to the tuning up of the motorboat and engines for the race.~~~~
- ~~(b) An efficient fog bell, except that the following motorboats need not carry such a bell:
  - ~~(1) Motorboats of less than 26 feet in length (Classes A and 1).~~
  - ~~(2) Motorboats engaged in a race previously arranged or announced, or while engaged in such navigation as is incidental to the tuning up of the motorboat and engines for the race.~~~~

**(1) APPLICABILITY**

This section applies to all vessels used on waters subject to the jurisdiction of this State, except:

- (a) Racing shells, rowing skulls, racing kayaks, and any vessel engaged in a sanctioned regatta, race or a practice held within 48 hours of the sanctioned event.

**(2) PROHIBITION**

No person may use a vessel to which this section applies unless it meets the requirements of Title 33 Code of federal Regulations 86, Annex III- Technical Details of Sound Signal Appliances.

**(3) REQUIREMENTS**

- (a) Vessels of 39.4 feet (12 meters) but less than 65.6 feet (20 meters) in length shall be provided with a whistle and a bell audible for 1/2 nautical mile; a vessel 65.6 feet (20 meters) but less than 328.1 feet (100 meters) in length shall be provided with a whistle and a bell audible for 1 nautical mile; a vessel 328.1 (100 meters) in length or more shall be provided with a whistle, bell and a gong, the tone of which cannot be confused with that of a bell. For all vessels, the bell or gong or both may be replaced by other equipment having the same respective sound characteristics, provided that manual sounding of the prescribed signals shall always be possible.
- (b) Vessels of less than 39.4 feet (12 meters) including canoes, kayaks, sailboards, kiteboards, and paddleboards shall carry some means of making an efficient sound signal capable of a 4 second blast and audible for 1/2 nautical mile.

**RULE 12. VISUAL DISTRESS SIGNALS**

**(1) Applicability.**

This section applies to all ~~boats~~ vessels used on the coastal waters of this State.

(2) Classification of visual distress signals.

A visual distress signal is a device approved by the Commandant, United States Coast Guard under Title 46 Code of Federal Regulations part 160 or certified by the manufacturer in accordance with 46 Code of Federal Regulations parts 160 and 161. The Federal requirements for visual distress signals are located in 33 CFR part 175.

(3) Visual distress signals required.

(a) No person shall use a vessel 16 feet (4.9 meters) or more in length unless visual distress signals selected from Table ~~IV~~ 12-1 in the number required, are on board. Devices suitable for day use and for night use, or combination devices designed for both day and night use, must be carried.

(b) ~~Between sunset and sunrise,~~ No person may use a ~~boat~~ vessel less than 16 feet (4.9 meters) in length ~~between sunset and sunrise~~ unless visual distress signals suitable for night use, selected from Table ~~III~~ 12-1 in the number required, are on board.

(c) When a visual distress signal carried to meet these regulations requires a launcher, a launcher approved under Title 46 Code of Federal Regulations 160.28 is required.

(4) ~~Exceptions-Exemptions.~~

(a) The following ~~persons-vessels~~ need not comply with ~~subsection 7~~ (3) of this Rule; however, each must carry on board visual distress signals suitable for night use, selected from Table ~~IV~~ 12-1, of these regulations in the number required, between sunset and sunrise.

(1) ~~A person competing in an organized marine parade, regatta, race or similar event;~~  
Racing shells, rowing skulls, racing kayaks and any vessel engaged in a sanctioned regatta, race or a practice held within 48 hours of the sanctioned event;

~~(2) A person using a manually propelled boat; or,~~

(3) (2) A ~~person using a~~ sailboat of completely open construction not equipped with propulsion machinery, under 26~~-~~feet (7.9 meters) in length.

(5) Stowage.

(a) No person may use a ~~boat~~ vessel unless the ~~required~~ visual distress signals are readily accessible.

(6) Serviceability.

(a) No person may use a ~~boat~~ vessel unless each ~~required~~ signal is in serviceable condition and the service life, indicated by a date marked on the signal, has not expired. ~~Expired signals may be carried as extra equipment, but can not be counted toward the visual distress requirement.~~

(7) Marking.

(a) No person may use a ~~boat~~ vessel unless each signal required is legible marked with the approval number or certification statement as specified in Title 46 Code of Federal Regulations Parts 160 and 161.

(8) Prohibited use.

- (a) No person in a ~~boat~~ vessel shall display a visual distress signal on waters to which these regulations apply under any circumstance except a situation where assistance is needed because of immediate or potential danger to the persons on board.

**TABLE 12-1 - VISUAL DISTRESS SIGNALS REQUIRED**

<b>Approval Number</b>	<b>Device Description</b>	<b>Requirements</b>	<b>Required</b>
46 CFR 160.021	HAND-HELD RED FLARE DISTRESS SIGNAL	DAY/NIGHT	3
46 CFR 160.022	FLOATING ORANGE SMOKE DISTRESS SIGNAL	DAY ONLY	3
46 CFR 160.024	PARACHUTE RED FLARE DISTRESS SIGNAL *	DAY/NIGHT	3
46 CFR 160.036	HAND-HELD ROCKET-PROPELLED PARACHUTE RED FLARE DISTRESS SIGNAL	DAY/NIGHT	3
46 CFR 160.037	HAND-HELD ORANGE SMOKE DISTRESS SIGNAL	DAY ONLY	3
46 CFR 160.057	FLOATING ORANGE SMOKE DISTRESS SIGNAL	DAY ONLY	3
46 CFR 160.066	DISTRESS SIGNAL FOR BOATS, RED AERIAL PYROTECHNIC FLARE **	DAY NIGHT	3

\* These signals require use in combination with a suitable launching device approved under 46 CFR 160.028.

\*\* These devices may be either meteor or parachute assisted type. Some of these signals may require use in combination with a suitable launching device approved under 46 CFR 160.280.

**RULE 13. IDENTIFICATION OF HULLS**

(1) Applicability.

~~This section applies to all boats which are used on waters subject to the jurisdiction of this state—~~ except:

- ~~(a) Foreign vessels temporarily using waters subject to the jurisdiction of this state;~~
- ~~(b) Military or public vessels of the United States, except recreational type public—  
vessels;~~
- ~~(c) A vessel whose owner is a state, other than this state, or subdivision thereof, which is used principally for governmental purposes, and which is clearly identifiable as such;—~~
- ~~and;~~
- ~~(d) Ship's lifeboats.~~

(2) Hull Identification Numbers Required.

~~Except as provided in Subsection (1) of this rule:~~

- (a) Each manufacturer of a boat hull shall identify that hull with a hull identification number that meets the requirements of this section;
- (b) Each person who imports a boat or boat hull shall identify that hull with a hull identification number that meets the requirements of this section, unless the manufacturer of that hull or boat has already identified the hull with a hull identification that meets the requirements of this section; and
- (c) No person may assign the same first eight characters of a hull identification number to more than one boat hull.

(3) Hull Identification Number Format.

Each hull identification number required by subsection (2) of this rule must consist of 12 characters as follows:

- (a) The first three characters must consist of a manufacturer identification assigned under subsection (6) of this rule.
- (b) Characters 4 through 8 must be assigned by the manufacturer and must be letters of the English alphabet or Arabic numerals or both, except the letters I, O, and Q.
- (c) Characters 9 through 12 must indicate the date of certification. The characters must be either:
  - (1) Arabic numerals with characters 9 and 12 indicating the month and characters 11 and 12 indicating the last two numerals of the year; or
  - (2) A combination of Arabic numerals and letters of the English alphabet with character 9 indicated as "M", characters required by subsection (3) of this rule if they are separated from the hull identification number by a hyphen.

(4) Additional Characters in Hull Identification Number.

A manufacturer may display additional characters after the 12 characters required by subsection (3) of this rule if they are separated from the hull identification number by a hyphen.

(5) Hull Identification Number Display.

- (a) The hull identification number must be carved, burned, stamped, embossed, or otherwise permanently affixed to the outboard side of the transom, or if there is no transom, to the outermost starboard side at the end of the hull that bears the rudder or other steering mechanism, above the waterline of the boat in such a way that alteration, removal or replacement would be obvious and evident.
- (b) The character of the hull identification number must be no less than one fourth of an inch (1/4") in height.

(6) Manufacturer Identification Assigned.

- (a) Each person required by subsection (2) of this rule to affix a hull identification number may request a manufacturer identification from the U. S. Coast Guard (GBBC), 400 Seventh Street, SW, Washington, D.C. 20590. There is no charge for the assignment.

**RULE (14)13. UNIFORM STATE WATERWAY MARKER SYSTEM.**

(1) State Agency May Make Regulations.

The Department of Environmental Management may make rules for the uniform marking of the water areas in this state through the placement of aids to navigation and regulatory markers prescribed by the United States Coast Guard. No city, county, or

person shall  
the operation of  
Department of

mark or obstruct the waters of this state in any manner so as to endanger  
watercraft or conflict with the marking system prescribed by the  
Environmental Management.

~~(2) Prima Facie Evidence of Reckless Operation- DISOBEDIENCE TO AIDS TO NAVIGATION OR REGULATORY MARKERS~~

~~It shall be unlawful for a person to operate a vessel on the waters of this state in a manner other than that prescribed or permitted by the aid to navigation and /or the regulatory marker as referenced in section (1).~~

~~The operation of any vessel within prohibited areas that are marked as swimming areas, shall be Prima Facie evidence of reckless operation in a judicial or administrative enforcement proceeding.~~

~~(3) Violation of Regulatory Type Markers- INTERFERENCE WITH AIDS TO NAVIGATION OR REGULATORY MARKERS~~

~~No person shall moor or fasten a vessel to or willfully damage, tamper, remove, obstruct, or interfere with any aid to navigation or regulatory marker prescribed or permitted pursuant to subsection (1).~~

~~It shall be unlawful for a person to operate a vessel on the waters of this state in a manner other than that prescribed or permitted by regulatory markers as defined in subsection one— of this rule.~~

~~(4) Interference with Aids or Markers.~~

~~No person shall moor or fasten a vessel to or willfully damage, tamper, remove, obstruct, or interfere with any aid to navigation or regulatory marker established pursuant to this Act.~~

**RULE ~~(15)-14. ACCIDENTS AND CASUALTIES CASUALTY, VANDALISM, AND THEFTS.—~~**

**(1) Reporting of accidents and casualties. ~~casualty, vandalism, and thefts.~~**

(a) The owner or operator of any vessel on the waters of this state, involved, or whose vessel is involved, in an accident ~~and/or casualty, vandalism, or theft~~ where the value of the damage is in excess of ~~five hundred dollars (\$500) two thousand dollars (\$2000.00)~~, or other casualty which results in death or injury to a person, shall report the same, and immediately give notice of the incident to the Department of Environmental Management or to a nearby office of local or state police.

(b) Examples of casualties that are required to be reported ~~under this Rule~~ are: A collision between two vessels where the total property damage to either or both vessels is estimated to be more than ~~five hundred dollars (\$500) two thousand dollars (\$2000.00)~~. A grounding of a vessel that results in property damage in excess of ~~\$500-\$2000.00~~. A collision with a fixed object (dock, pier, buoy, etc.) that results in property damage in excess of ~~\$500~~ ~~————~~ ~~\$2000.00~~. Any injury to a person e.g. struck by a vessel, falls overboard, falls caused by wake, as a result of a collision, collision, being towed by a vessel, riding on a vessel, etc. A person becoming seriously ill or dying from medical causes not related to boating is not a reportable accident ~~under this Rule~~. ~~Any theft or act of vandalism that causes damage or loss of equipment to or from a vessel shall be reported.—~~

**(2) Owner Required To Make Written Report**

The owner of a vessel involved in an accident or casualty in excess of two thousand dollars (\$2000.00), shall within five (5) days after the incident, forward a written report of the incident to the Department of Environmental Management /Division of Law Enforcement 235 Promenade Street, Room 250 Providence, RI 02908, on forms provided by the Department.

**RULE (16) 15. RULES OF NAVIGATION.**

These rules and regulations adopt the following:

~~(a)~~(1) The International Navigation Rules Act of 1977, P.L. 95-75, 91 Stat. 311, 33 U.S.C. §§1601-1608, 33 CFR Part 80 through 82, and the amendments to the 72 COLREGS effective June 1, 1983 48 FR 28634, for the operation of vessels ~~greater than sixty-five (65') in length;~~ on the waters of this state south of the COLREG's Demarcation line.

~~(b)~~(2) The Inland Navigation Rules Act of 1980, P.L. 96-591, 94 Stat. 3415, 33 U.S.C.

§§2001-2038 33CFR 84 through 90 for the operation of vessels on the waters of this state north of the COLREG's Demarcation Line.

**RULE 16. WARNING FLAGS FOR SCUBA DIVERS, SKIN DIVING OR SNORKLING**

(1) APPLICABILITY

This section applies to any person scuba diving, skin diving, or snorkeling in an area where motor boats or motor vessels are operated on the waters subject to the jurisdiction of this State.

(2) REQUIREMENTS AND RESTRICTIONS FOR THE USE OF WARNING FLAGS

(a) A warning flag shall be placed on a buoy at a place of the diver's submergence. The flag shall be red in color and at least twelve by twelve inches (12" x 12") with a white stripe running from the diagonal corners and the stripe one quarter (1/4) as wide as the flag.

(b) If not placed on a buoy, a warning flag shall be conspicuously flown upon a vessel which the diver is then using in the area. This flag shall meet the description of subsection (a), however, it shall be at least eighteen by eighteen inches (18" x 18").

(c) A warning flag shall be in place only while diving operations are in progress.

(d) A warning flag shall be illuminated by a light shining on the flag during the hours between sunset and sunrise.

(e) No person shall use a warning flag in an area that obstructs navigation.

(f) Motorboats shall not be operated within fifty feet (50') of any flag as above described. No person shall be in violation of this section if he or she travels within fifty feet (50') of a scuba diver, skin diver or snorkeler who is in fact obstructing navigation

**RULE 17. REQUIREMENTS FOR TOWING SKIERS**

(1) APPLICABILITY

This section applies to all vessels on waters subject to the jurisdiction of the state towing a person(s) on water skis, surfboard, tube or similar device.

(2) REQUIREMENTS AND RESTRICTIONS FOR TOWING SKIERS

(a) No person shall operate a vessel on any waters of this state for towing a person(s) on water skis, surfboard, tube, or similar device unless there is a person in the vessel at least twelve (12) years of age in addition to the operator who is in a position to observe the progress of the person(s) being towed.

- (b) Any person on water skis, surf board, tube or similar device being towed behind a vessel, must wear a personal floatation device approved by the U.S Coast Guard and approved for this towing activity.
- (c) No person shall operate a vessel on any waters of this state towing a person(s) on water skis, surfboard, tube or similar device, nor shall any person engage in water skiing, surfboarding, tubing or a similar activity at any time between the hours from one hour after sunset to one hour before sunrise.
- (d) No person shall operate or manipulate any vessel, tow rope, or other device by which the direction or location of water skis, a surfboard, or similar device may be affected or controlled in such a way as to cause the water skis, surfboard, or similar device, or any person thereon to collide with or strike against any object or person.

(3) EXEMPTIONS

The provisions of section (a), (b), and (c) do not apply to a performer engaged in a professional exhibition or an person(s) engaged in an activity authorized under RI General Law Section 46-22-13.

**RULE 18. VESSEL REGISTRATION NUMBERING AND DISPLAY OF NUMBERS**

(1)APPLICABILITY

This section applies to all vessels required to be registered numbered under R.I General Law Chapter 46-22 used on the waters subject to the jurisdiction of this State.

(2)PROHIBITION

No Person may operate a vessel unless it meets the requirements of section (3) and section (4) unless exempted from numbering and registration under R.I General Law Chapter 46-22.

(3)POSITION OF VESSEL NUMBERS AND REGISTRATION DECAL

The registration numbers assigned to a vessel must be placed on said vessel. These numbers must be at least three inches high; must be of a contrasting color to the background upon which they are placed; must be painted or attached to each side of the forward half of the vessel and so positioned to read from left to right and be distinctly visible and legible except as allowed by section (4). In addition to the registration number, each registered vessel must display the assigned registration decal to be affixed within three inches to the right of the registration number. No other numbers and only current decals shall be displayed. The numbers and decal must be displayed so that there is a space between the prefix (State abbreviation), four numerals, the suffix (letter or letters) and the decal. The width of the space between each must be at least the width of a numeral or letter other than 1 or I.

**EXAMPLE: RI 1234 X**



(4)EXEMPTIONS

(a)When a vessel is used by a manufacturer or by a dealer for testing or demonstrating, the registration number may be painted on or attached to removable plates that aretemporarily but firmly attached to each side of the forward half of the vessel.

(b)When a vessel is so configured that a registration number on the hull or superstructure would not be easily visible, the registration number must be painted on a backing plate that is attached to the forward half of the vessel so that the number is visible from each side of the vessel.

(c)When a vessel has been documented by the U.S. Coast Guard, the vessel must follow federal laws and regulations with regards to the display of documentation numbers, and the assigned registration decal must be placed on one side of the forward half of the vessel where it is distinctly visible. It is acceptable for a documented vessel to place the registration decal in an area other than the hull of the vessel. For example, a window or the windshield may be used.

**(5) CERTIFICATE OF NUMBER (REGISTRATION) REQUIRED ON BOARD**

A valid certificate of number (registration) or temporary registration must be on board the vessel whenever the owner or any person authorized by the owner is aboard, except that a rental boat may carry a rental agreement in lieu of the certificate. Each person using a vessel to which this Rule applies shall present the certificate of numbers (registration) to any Federal, State or local enforcement officer for inspection at his or her request.

**RULE ~~(17)~~19. PENALTIES.**

Any person who violates any provision of these regulations promulgated under R.I. General Laws **Chapter** 46-22 shall be subject to the imposition of a penalty for each and every violation as provided in R. I. General Law **Section** 46-22-19.

**RULE ~~(18)~~20. SEVERABILITY.**

If any provision of these Rules and Regulations, of the application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, the validity of the remainder of the Rules and Regulations shall not be affected thereby.

**RULE ~~(19)~~21. SUPERSEDED RULES AND REGULATIONS.**

On the effective date of these Rules and Regulations, all previous Rules and Regulations, and any policies regarding the administration and enforcement of THE REGULATION OF BOATS ~~Title~~ Chapter 46-22 of ~~RIGL~~ **R.I. General Law** shall be superseded.

However, any enforcement action taken by or application submitted to, the Department prior to the effective date of these Rules and Regulations shall be governed by the Rules and Regulations in effect at the time the enforcement action was taken, or application filed.

**RULE ~~(20)~~22. EFFECTIVE DATE.**

The foregoing Rules and Regulations “REQUIREMENTS AND STANDARDS FOR BOATS AND ASSOCIATED EQUIPMENT”, after due notice, are hereby adopted and filed with the secretary of State this     day of     , 2014 to become effective twenty (20) days thereafter, in accordance with the provisions of Chapters 46-22, 42-35,42-17.1, 42-17.6 of the General Laws of Rhode Island of 1956, as amended.

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**Janet L. Coit** , Director

Notice Given on:

Public Hearing held:

Filing Date:

Effective Date:

**TABLE I  
PERSONAL FLOTATION DEVICE EQUIVALENTS**

46 CFR 160.002	LIFE PRESERVER	Performance Type I personal flotation device
46 CFR 160.003	LIFE PRESERVER	Performance Type I personal flotation device
46 CFR 160.004	LIFE PRESERVER	Performance Type I personal flotation device
46 CFR 160.005	LIFE PRESERVER	Performance Type I personal flotation device
46 CFR 160.009	RING LIFE BUOY	Performance Type IV personal flotation device
46 CFR 160.047	BUOYANT VEST	Performance Type II personal flotation device
46 CFR 160.048	BUOYANT CUSHION	Performance Type IV personal flotation device
46 CFR 160.049	BUOYANT CUSHION	Performance Type IV personal flotation device
46 CFR 160.050	RING LIFE BUOY	Performance Type IV personal flotation device
46 CFR 160.052	BUOYANT VEST	Performance Type II personal flotation device
46 CFR 160.053	WORK VEST	Performance Type V personal flotation device
46 CFR 160.055	LIFE PRESERVER	Performance Type I personal flotation device
46 CFR 160.066	BUOYANT VEST	Performance Type II personal flotation device
46 CFR 160.064	SPECIAL PURPOSE WATER SAFETY DEVICE	A device intended to be worn, may be equivalent to other types of devices. A Type III device is marked "may not turn an unconscious wearer." A device intended to be grasped is equivalent to a Type IV device.

**TABLE II (a)  
FIRE EXTINGUISHER REQUIREMENTS FOR VESSELS LESS THAN 65' IN LENGTH**

LENGTH OF VESSEL	WITHOUT AN APPROVED FIXED FIRE EXTINGUISHING SYSTEM	WITH AN APPROVED FIXED FIRE EXTINGUISHING SYSTEM
Less than 26' in length	1 B-I	0

26' to less than 40'	2 B-I or 1 B-II	1 B-I
40' to 65'	3 B-I or 1 B-I and 1 B-II	2 B-I or 1 B-II

**TABLE II(b)  
FIRE EXTINGUISHER REQUIREMENTS FOR MOTOR VESSELS**

<b>GROSS TONNAGE (OVER)</b>	<b>GROSS TONNAGE (NOT OVER)</b>	<b>NUMBER OF EXTINGUISHERS</b>
	<b>-50 GT</b>	<b>-01 B-II</b>
<b>-50 GT</b>	<b>-100 GT</b>	<b>-02 B-II</b>
<b>-100 GT</b>	<b>-500 GT</b>	<b>-03 B-II</b>
<b>-500 GT</b>	<b>-1000 GT</b>	<b>-06 B-II</b>
<b>-1000 GT</b>		<b>-08 B-II</b>

In addition to the hand portable fire extinguishers required above, the following fire extinguishing equipment shall be fitted in the machinery space:

- (1) One type BII hand portable fire extinguisher shall be carried for each 1,000 H.P. of the main engines or fraction thereof. However, not more than 6 such extinguishers need be carried.
- (2) On motor vessels of over 300 gross tons, either one Type BIII semi-portable fire extinguishing system or a fixed fire extinguishing system shall be fitted in the machinery space.

**TABLE III  
SOUND PRODUCING DEVICE REQUIREMENTS FOR RECREATIONAL VESSELS**

<b>LENGTH OF VESSEL</b>	<b>TYPE OF DEVICE REQUIRED</b>
Less than 12 meters (39.4')	Some means of making an efficient sound signal
12 meters to less than 20 meters (39.4' to 65.6')	whistle audible for 2 mile (a police whistle or equivalent is not acceptable) A Bell is required

**TABLE IV**

This table was moved in its entirety to the end of Rule 12. Visual Distress Signals

**TABLE V**

**FIGURE 1**

~~Power-driven vessel less than 20 meters in length~~

~~FIGURE 2~~

~~Power-driven vessel less than 12 meters~~

~~FIGURE 3~~

~~Sailing vessel less than 20 meters~~

~~FIGURE 4~~

~~Sailing vessel less than 7 meters or a vessel under oars~~

