

PART FIVE: Boating Regulations



Boating laws and regulations are enacted primarily to protect today's boater. Stay abreast of new rules and regulations; they may change yearly.

Enforcement

Several law enforcement agencies enforce Connecticut's state statutes and regulations and federal navigational laws. The United States Coast Guard patrols federal waters and enforces federal laws. Municipal police officers, state conservation police officers, town marine officers, lake patrolmen and POST-certified harbor masters are empowered to enforce state boating regulations. In their jurisdiction, enforcement officers have authority to stop and board boats to check for compliance with federal or state law or to search without warrant, upon probable cause that other laws have been violated.

Law enforcement vessels engaged in enforcement activities may display a flashing blue light or audible signal. No flashing lights, except flashing yellow lights on high speed ferries, submarines and air cushion vessels and alternating flashing, yellow and red lights on vessels used for public safety activities, may be displayed by vessels other than law enforcement vessels. No sirens shall be used on vessels other than law enforcement vessels, except that any vessel may be equipped with a theft alarm if it is designed so that it cannot be used as an ordinary warning signal.

If approached by a law enforcement or fire rescue vessel using its lights and audible signal, a vessel operator is required to (1) immediately slow to a speed just sufficient to maintain steerage only; (2) alter course within its ability to not inhibit or interfere with the law enforcement or fire rescue vessel; and (3) unless otherwise directed by an officer onboard such vessels, proceed at a reduced speed until beyond the area of operation of the law enforcement or fire rescue vessel. If someone willfully or negligently obstructs or retards a law enforcement or fire rescue vessel answering an emergency call or pursuing a fleeing law violator, the offender shall be fined up to \$200 or imprisoned for up to seven days, or both.

If a vessel operator passes within 200 feet of a stationary law enforcement vessel using its lights and audible signal or a fire rescue vessel using its lights, the vessel operator is required to slow the operator's vessel to "slow-no-wake" speed until it is more than 200 feet away from the law enforcement or fire rescue vessel. If someone fails to slow as required, the offender shall be subject to a fine of between \$50 to \$200.

Definitions of Terms

The following definitions will prove useful in understanding the rules and regulations related to boating.

Regulated Navigational Area. Water area within a defined boundary

for which regulations for vessels navigating within the area have been established under 33 CFR Part 165.

Restricted Visibility. Conditions in which visibility is restricted by fog, mist, falling snow, heavy rainstorms, sandstorms or any other similar causes.

Safety Zone. A water area, shore area, or water and shore area to which, for safety or environmental purposes, access is limited to authorized persons, vehicles or vessels. The Commissioner of the Department of Energy & Environmental Protection is authorized to create temporary safety zones for a period not to exceed 72 consecutive hours, unless an emergency warrants otherwise.

Security Zone. An area of land, water, or land and water, which is designated under 33 CFR Part 165 by the United States Coast Guard for such time as is necessary to prevent injury or damage to the area or to secure the observance of the rights and obligations of the United States.

Slow-No-Wake. A vessel shall not produce more than a minimum wake and shall not attain speeds greater than 6 miles per hour over the ground unless a higher minimum speed is necessary to maintain steerageway when traveling with a strong current. In no case shall the wake produced by the vessel be such that it creates a danger or injury to persons, or will damage vessels or structures of any kind.

State and Federal Waters

- **Federal Waters** Navigable waters of the United States, as defined by 33 CFR 2.36(a), within the territorial limits of the state.
- **State Waters** All waters within the territorial limits of the state except federal waters.
- **Waters of state** All waters, including federal waters, within the territorial limits of the state.

Underway. When a vessel is not moored, anchored, made fast to the shore, or aground.

Restricted Safety and Security Zones

No person shall operate, allow the operation of a vessel, or anchor any vessel on the waters of the state within a safety or security zone or a regulated navigational area.

Restricted Operating Distances and Speed Areas

No person shall operate a vessel or cause a water-skier to pass within one hundred feet of a flag, buoy or other device, marking the location of an underwater swimmer or diver.

No person shall operate a motorboat, excluding a personal watercraft, at a speed in excess of Slow-No-Wake within 100 feet of shore, or a dock,

pier, float or anchored or moored vessel, unless taking off or landing a water-skier.

No person shall operate a personal watercraft, at a speed in excess of Slow-No-Wake within 200 feet of shore, or a dock, pier, float or anchored or moored vessel, unless taking off or landing a water-skier.

When within 100 feet of buoys marking a restricted swimming area or boat access area, vessels shall be operated at Slow-No-Wake.

Speed Regulations

When no limits are posted, operate the boat so it will not endanger others. The boat must be able to stop safely within the clear distance ahead. When passing near marinas, fishing areas, swimming areas, a vessel at anchor, or similar places, reduce speed. Operators are responsible for damage caused by their wakes.

In Connecticut, speed is limited by law for certain conditions and areas. Comply with posted regulatory signs and the regulations printed within this chapter.

Every vessel must, under crowded conditions or in reduced visibility, go at a moderate speed with careful regard for existing circumstances and conditions. Actions such as speeding in confined or restricted areas or skiing at prohibited times or in restricted areas can also be construed as reckless or negligent operation.

Reckless Operation

Reckless operation is the failure to exercise the degree of care necessary to prevent endangering another person or their property.

Age Restrictions

No person under age 16, issued a Certificate of Personal Watercraft Operation (CPWO) after 3/9/04 or a certificate approved by the Commissioner, shall operate a personal watercraft without the onboard supervision of a person at least age 18 who has a CPWO. Operators between ages 12-16, issued a Connecticut CPWO on or before 3/9/04, may operate a personal watercraft by themselves, although the DEEP recommends that a person 18 years or older who has a certificate accompany them.

A child under the age of 16 may be permitted to operate a vessel, other than a personal watercraft, without obtaining a SBC or CPWO, if the youth is under the direct supervision of a person at least age 18 who has had a boating certificate for at least 2 years.

A child under the age of 12 who has obtained a SBC or CPWO may not operate a vessel with greater than 10 hp, unless the youth is accompanied on board by a person at least age 18 who has been issued a

safe boating certificate.

Owners who knowingly permit a child under the age of 16 to operate their vessel without a SBC or CPWO when one is required will be held accountable for the actions of the child.

Hazardous Conditions

Enforcement officers can terminate a voyage and require the operator to return to the nearest mooring if they discover a hazardous condition. The operator must then correct this condition before proceeding on his way.

Mooring to Buoys

The only buoys you are permitted to moor to are mooring buoys. Mooring to a navigation buoy or other aid to navigation or regulatory marker is illegal.

Overloading

Never overload your boat with passengers or cargo beyond its safe carrying capacity. Capacity labels are required on all vessels less than 20 feet manufactured after 1972, and are affixed by the manufacturer. Connecticut law forbids altering, defacing or removing the plate.

Riding on Decks or Gunwales

While underway in a vessel under power, do not ride on the bow, gunwale, transom, or in any position which is obviously dangerous. Riding on or hanging over the bow can interfere with stability and may restrict the operator's visibility. No operator of a vessel under power shall allow any person to be on a decked-over bow of such vessel while underway unless the bow of the vessel is equipped with a handrail that encompasses the bow, and all persons on the bow are inward of such handrail. On vessels under power with open bows not decked-over, no operator shall allow any person to sit or stand on the gunwale at the bow of the vessel while underway. These provisions shall not apply to persons in or on the bow of vessels engaged in anchoring, mooring, or docking activities, and when the vessel is proceeding at a dead slow speed.

Diving and Underwater Operations

In Connecticut, anyone involved in underwater swimming or diving is required to display a clearly visible red flag with a white diagonal stripe. The flag must be two-sided, not less than 13 inches high and 15 inches long. The white diagonal stripe must be reflectorized if the flag is to be used at night. It is extremely dangerous and a violation of the law for a diver to surface or swim more than 50 feet from this flag. No more than four divers may use the

same diver flag unless it is displayed from a boat, in which case the number of divers must be limited to the legal capacity of the boat.

The blue/white ALPHA flag is also used to show underwater operations from a vessel in federal waters. It may be used in addition to the state's diver down flag. It is illegal to snorkel or SCUBA dive from a state boat launch. Boaters must not come within 100 ft. of the dive flag.

Water-skiing, Parasailing and Wing-In-Ground (WIG) Vessel

Water-skiing includes the towing of any person behind a vessel under power, such as water-skiing, tubing, wakeboarding, wakesurfing, etc.

In Connecticut, water-skiers are required by law to wear a U.S. Coast Guard approved personal flotation device (life jacket) while engaged in water-skiing, except for those skiers who are engaged in barefoot water-skiing and are wearing a specifically designed "barefoot wetsuit" and those skiers who are engaged in trick water-skiing and are wearing standard double trick skis at least 8 inches wide and not over 46 inches long, and being towed at not more than 20 mph using a tow rope longer than 50 feet long.

A life jacket must be made readily available aboard the tow vessel for each skier electing not to wear one under the above exceptions, in addition to those life jackets normally required to be aboard. Ski belts and inflatable life jackets are not permitted.

The operator of the boat is required to have a responsible observer at least 12 years of age facing the skier to assist the operator and monitor the progress of the water-skier. The water-skier, the observer, and the boat operator shall use hand signals for communication. The maximum length of a towline measured from the tow post to the water-skier's tow handle is 100 feet. No elastic component may be part of the towline. Except when the vessel is engaged in towing a water-skier and at least one person onboard the vessel is using it for training purposes, the rigid metal tow pole, often used for barefoot skiing, may either be removed from the boat or must be dismantled or folded and placed inside of the gunwale and parallel to the center line of the boat.

The operator of the vessel and the water-skier are responsible for operating in a manner which does not harm or strike another person or vessel. Water-skiing is forbidden between $\frac{1}{2}$ hour after sunset until sunrise or when visibility is restricted to less than 100 yards.

Operation of a vessel at a speed in excess of Slow-No-Wake within 100 feet of shore, or 200 feet for personal watercraft, is illegal. Therefore, water-skiing in a narrow channel or river less than 200 feet wide or 400 feet for personal watercraft is a violation.

Towing of a person or persons on an inner tube without handholds is prohibited.

Kite-skiing and parasailing are prohibited anywhere water-skiing is prohibited or subject to special regulations. Kite-skiers and parasailers shall not fly over or under obstructions such as utility lines and bridges; nor shall they fly over dams, locks, docks, launching ramps, swim areas, marinas or congested areas.

All water-ski jumps and slalom courses require a permit. Contact the Boating Division or visit our website for information.

Self-propelled water-skis and surfboards, and remote control devices which tow water-skiers, are prohibited in Connecticut.

A wing-in-ground (WIG) effect vessel must be approved by the DEEP before operating recreationally and by the U.S. Coast Guard before operating for commercial or for research purposes.

Personal Watercraft Restrictions

Personal Watercraft are subject to the following operation restrictions (for age restrictions, see page 36):

- No person shall operate a personal watercraft between sunset and sunrise or during periods of reduced visibility.
- No passenger shall ride in front of the operator on a personal watercraft.
- No passenger shall ride upon a personal watercraft unless the passenger is able to securely hold onto the person in front of them or to the handholds on the personal watercraft, and is able to keep both feet on the deck of the personal watercraft so as to maintain balance while the personal watercraft is in operation.
- All persons aboard a personal watercraft shall wear a United States Coast Guard approved Type I, II, III or V personal flotation device, and no operator of a personal watercraft shall allow any person to be aboard who is not wearing such a device. Inflatable life jackets are not allowed.
- No person shall operate a personal watercraft at a speed in excess of Slow-No-Wake within two hundred feet of shore or of a dock, pier, float or anchored or moored vessel, unless said personal watercraft is approaching such float, dock or shore for the purpose of enabling a person engaged in water-skiing to take off or land.
- No person shall operate a personal watercraft towing a water-skier and no person shall water-ski while being towed by a personal watercraft unless: (1) a capacity label affixed by the manufacturer indicates a carrying capacity of at least three persons: the operator, the observer

and the skier, (2) minimum overall length of 119 inches, minimum overall width of 46 inches, minimum horizontal seat length of 39 inches [at least 13 inches additional seat length per person for greater than three person capacity], (3) handholds at or near the rear of the seat suitable for use by a rearward-facing observer, and (4) an observer age 12 or older facing the skier at all times. The boat operator, observer and water-skier must obey all other water-ski rules.

- No person operating a personal watercraft shall cross or jump the wake of another vessel, when within one hundred feet of the vessel creating such wake, in such a manner that the hull of the personal watercraft jumping the wake completely leaves the water.
- A “shut-off lanyard,” if so equipped, must be attached to the operator, his clothing, or his personal floatation device in a manner which will shut off the engine in the event the operator is ejected from the personal watercraft while underway.

Marine Event Permits

Onstate waters; all marine parades, regattas, races, tournaments, fireworks over water, exhibitions, or other activities requiring exclusive use of a portion of a water body, use of a state boat launch, or modification or suspension of any laws or regulations require a permit issued by the DEEP. Applications must be received by the DEEP Boating Division at least 45 days prior to the event. Go to the DEEP website at www.ct.gov/deep/boating for details. NOTE: If your event is on tidal waters, contact the U.S.C.G. website at <http://www.uscg.mil/D1/sectLIS/public/MarineEvent.asp> for details.

Marker (Buoy or Beacon) Permits

All markers (buoys or beacons) other than a diver’s flag require a permit from the DEEP. This includes markers placed for swim areas, speed zones, navigation, information, and water ski courses or jumps. Go to the DEEP website at www.ct.gov/deep/boating for details.

Boating Under the Influence (BUI)

No person may operate a boat while under the influence of alcohol or drugs.

A person shall be considered to be under the influence of intoxicating liquor if the ratio of alcohol in the blood is 8-hundredths (.08) of one percent or more of alcohol, by weight, or if the person is under 21 years of age, the level is .02. The penalty for a first violation may be: a fine between \$500 and \$1,000; one year suspension of boating privileges, 6 months (at least 48 hours of which cannot be suspended or reduced) in jail or suspended plus

probation requiring 100 hours community service.

The penalty for a second violation within ten years may be: a fine between \$1,000 and \$4,000; three years suspension of boating privileges, two years (at least 120 days of which cannot be suspended or reduced) in jail and probation requiring 100 hours of community service.

The penalty for a third violation and subsequent violations within ten years may be: a fine between \$2,000 and \$8,000, suspension of boating privileges for life, three years (at least 1 year of which cannot be suspended or reduced) in jail and probation requiring 100 hours of community service. Penalties for refusal to submit to a chemical test are more substantial than failing the test.

Boating Accidents and Reporting

All operators of vessels involved in an accident must remain at the scene and assist any other vessel or person involved, if possible, without endangering their own vessel or the people aboard. The operator must also give his/her name, address and vessel identification number to the other operator(s) or owner of the damaged property.

Operators involved in a boating accident which results in any of the circumstances noted below shall IMMEDIATELY notify the nearest law enforcement agency with jurisdiction in the area and, not later than 48 hours after the accident, report the matter on a form provided by the Department of Energy & Environmental Protection, (DEEP) Boating Division.

1. The death of any person from whatever cause.
2. The disappearance of any person from on board.
3. The injury of any person sufficient to require medical attention beyond simple first aid.

Any accident in which the total damages to all property affected is in excess of \$500 must be reported by the operator not later than 5 days after the accident on forms provided by the DEEP. The form can be downloaded by visiting the DEEP website: www.ct.gov/deep/boating.

The operator of the vessel must make out the report, if they cannot do so, the owner or a survivor of the accident must initiate the report.

Boat Disposal

If you are the registered owner and have documentation to show this, then you can simply dispose of the boat. CGS Sec. 15-147 requires that you notify the DMV within 15 days of transfer, destruction, theft, loss or abandonment.

Below are some organizations that accept donated boats. You are encouraged to look online for additional organizations

- Boats with Causes: 1-888-228-7320
www.boatswithcauses.org/ct-boat-donation.htm
- Teddy Bear Cops: 1-877-327-1229
www.givecars.com/charity-boat-donation.html
- Boat Angel: 1-800-227-2643
www.boatangel.org
- Boats4Causes: 1-888-444-2392
www.cars4causes.net/boat-donation-new
- BOATS for Veterans: 1-800-409-3274
www.donate-your-boat.org
- American Lung Association: 1-800-LUNGUSA
www.lungusa.org/associations/charters/new-england/donate

If you wish to dispose of your vessel at your local transfer station, contact them first to see if they accept vessels. Some require that the vessels be cut into pieces and have all liquids removed. Please properly dispose of all liquids.

If you encounter an abandoned boat, see the guidance on the DEEP - Boating Division website.

A vessel under contract left on commercial property cannot be transferred or disposed of directly unless a lien has been filed with the Secretary of the State. If you have any questions, call the Boating Division or the Secretary of the State's office.

Violation of other statutes not listed here may require a court appearance.

Consult the statutes or applicable penalties.

STATUTE NO.	INFRACTION	TOTAL AMOUNT DUE
15-9(a)	Failure to obey order of harbor master	174.00
15-129(a)(1)	Failure to comply with federal requirements regarding personal flotation devices	75.00
15-129(a)(1)	Failure to comply with federal requirements for personal flotation devices and children	75.00
15-129(a)(3)	Failure to comply with federal requirements regarding backfire flame controls	75.00
15-129(a)(4)	Defective muffling device	75.00
15-129(a)(5)	Failure to comply with federal requirements regarding fire extinguishers	75.00
15-129(a)(6)	Failure to comply with federal requirements regarding sound signals devices	75.00
15-129(a)(7)	Failure to comply with federal requirements regarding visual distress signals	75.00
15-129(c)	Exceeding permitted noise level	220.00
15-129(e)	Failure to comply with order re noise test (1st offense)	435.00
15-129(e)	Failure to comply with order re noise test (subsequent offense)	535.00
15-129(h)	Altered or removed muffler	120.00
15-129(a)	Failure to comply with federal requirements regarding the use of navigation lights	75.00
15-129(a)d)	Failure to comply with federal requirements regarding anchor lights	75.00
15-131	Violation of rules from preventing collisions	120.00
15-132	Failure to help collision victim	120.00
15-133(b)	Interference with navigation	220.00
15-133(c)	Alteration of boat capacity label	75.00
15-133(f)	Violation of boating regulations	220.00
15-133(g)	Improper mooring to navigational aid	80.00
15-134(a)	Failure to have an observer while towing skier	80.00
15-134(b)	Skiing in prohibited area	80.00
15-134(c)	Illegal skiing in darkness	80.00
15-134(d)	Reckless skiing	75.00
15-135(a)	Failure to use SCUBA flag, buoy or other device	75.00
15-135(c)	Operating a vessel within one hundred feet of SCUBA flag	80.00
15-139(b)	Violation of boating safety regulations	80.00
15-140b	Illegal marine parade, regattas, races	80.00
15-140d	Illegal obstruction to navigation or public use of waters	120.00
15-140e	Illegal operation of boat without a certificate or operators license	120.00
15-140g	Failure to carry boating operation certificate	80.00
15-140h	Illegal operation of a boat by a person less than 12 years old	120.00
15-140j	Permitting person less than 16 years old to operate a personal watercraft without a certificate	80.00
15-140(j)	Failure to have certificate of personal watercraft operation on board while operating such watercraft	80.00
15-140(h)	Permitting passenger to ride in front of operator of personal watercraft	120.00
15-140m	Reckless boating, second degree	75.00
15-144(a)	Failure to display registration decals	75.00
15-144(a)	Failure to carry vessel registration	75.00
15-144(c)	Failure to display vessel registration	120.00
15-144(h)	Illegal operation of vessel without number/registration (1st offense)	75.00
15-146	Failure to report change of address	75.00
15-147	Failure to report transfer, loss or theft of vessel	136.00
15-149(a)	Failure to make written report to DEP of boating accident involving death, serious injury or disappearance	75.00
15-149(a)	Failure to make written report to DEP of boating accident involving property damage in excess of \$500	75.00
15-153	Altering or defacing registration or certificate of number	75.00
15-154(b)	Failure to stop vessel or take to designated area upon command	70.00
15-154(e)	Failure to reduce speed when passing stationary law enforcement or fire rescue vessel	75.00
15-171	Discharging sewage in No Discharge Zone	up to 25,000.00
15-175(a)	Discharge of untreated sewage	up to 2,000.00
15-175(b)	Owning/Operating vessel without marine sanitation device or with device in nonoperable condition	75.00
15-180	Transporting vessel or trailer without inspecting for and properly removing and disposing of vegetation	90.00
26-16-1	Prohibited acts at boat launches	75.00
26-19	Operation of motorboat in Bantam River	50.00
26-21	Defacing, obliterating or destroying posted notice	87.00