

STATE OF RHODE ISLAND

State-Specific Education Requirements Course Supplement

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State of Rhode Island Boating Law Summary

State boating laws and regulations may differ from federal regulations. This state-specific supplement summarizes most of Rhode Island's laws at the time it was prepared. Rhode Island's boating laws are contained in its Title 46 – Waters and Navigation at <http://webserver.rilin.state.ri.us/Statutes/TITLE46/INDEX.HTM>. For additional information, contact the Department of Environmental Management (DEM) at 401-222-3070 or visit <https://dem.ri.gov/>.

Certain bodies of water in Rhode Island may have local restrictions as to type and size of watercraft or horsepower, restricted use areas, boat speed, and times for use. Check with the local authorities for these additional restrictions.

It is the responsibility of the operator to stay informed of changes in state and local regulations as well as boat safety or operation requirements.

"Operator" means a person who operates or who has charge of the navigation or use of a motorboat or vessel.

"Motorboat" as defined by federal regulations (CFR 24.10) means any vessel 65 feet in length or less that is propelled by machinery, and it includes a boat temporarily or permanently equipped with a detachable motor. Under Rhode Island statute 46-22-2, the definition of "motorboat" means any vessel whether or not the vessel is propelled by machinery. However, it shall not include houseboats as defined in statute 44-5-25.1, canoes and rowboats 12 feet in length or less.

"Vessel" means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

"Waters of the state" means any waters within the territorial limits of this state, and the marginal sea adjacent to this state and the high seas when navigated as a part of a journey or ride to or from the shore of this state.

AGE & CERTIFICATE OF BOATING SAFETY EDUCATION REQUIREMENTS

Powered Vessels – Any person born on or after January 1, 1986 operating a vessel fitted with propulsion machinery of more than 10 horsepower shall have successfully completed a state-approved boating safety education course. The Boating Safety Education Certificate shall be carried on board and presented upon the request of any authorized law enforcement officer. New residents of the state will be given 60 days to comply with this requirement. Exemptions to this requirement include:

- A person who operates a vessel under training, directly supervised by a person on board who is at least 18 years old and has successfully completed an approved course (if applicable).
- A person who holds a valid U.S. Coast Guard commercial vessel operator's license.
- Non-residents who are temporarily using Rhode Island waters and meet the requirements of their state. This does not apply to non-residents operating a personal watercraft where in this case they must have passed an approved boating safety course.
- A person who has been a resident of Rhode Island for 60 days or less.
- A person who rents a boat or vessel fitted with propulsion machinery greater than 10 horsepower that has watched an instructional video and passed a written exam given by the boat livery.

Personal Watercraft (PWC) – Any person, regardless of age, operating a personal watercraft (PWC) shall have successfully completed a state-approved boating safety education course and must carry the certificate of completion.

PWC Rental – Any person who does not have a Boating Safety Education Certificate and wants to rent a PWC are required to:

- Watch a brief instructional video on the safety equipment provided with the PWC and how to operate a PWC.
- Pass a 10-question test administered by the livery.
- Sign a safety checklist that the livery will review with you prior to using the PWC.

REGISTRATION/TITLING

Vessel Registration & Numbering – All vessels on Rhode Island waters must have a Rhode Island Certificate of Number (Registration), which is in full force and effect. Exceptions to this requirement include:

- Vessels registered in another state using Rhode Island waters for less than 90 days (including days that are not consecutive). If a vessel is in Rhode Island waters more than 90 days, the owner shall record the number with the DEM and pay the required fee.
- Vessels from another country that are temporarily using Rhode Island waters.
- Non-motorized canoes, kayaks, or rowboats less than 12 feet in length
- Houseboats
- Ship's lifeboats
- Vessels used exclusively for racing.

The Number assigned to a vessel remains with the vessel and is non-transferable while the vessel remains registered in Rhode Island. The Certificate of Number must be kept on board the vessel and presented at the request of any law enforcement officer. A vessel's registration is valid for two years and expires on the last day of February.

If the owner of a vessel or the owner's address is changed, the Department of Environmental Management shall be notified within 15 days.

To Register a Vessel – For new vessels, a dealer's Bill of Sale and manufacturer's Certificate of Origin are required, while used vessels require a notarized Bill of Sale or gift statement and Title notarized by the seller. For more information contact the DEM Boat Licensing & Registration at 401-222-6647.

Display of Registration Number and Validation Decal – The Number issued to a boat appears on the certificate and must be clearly visible on each side of the bow, reading left to right. The validation decal indicates whether the Number's registration is current, and the current decal must be displayed to the right of and in line with the Number on each side of the boat.

Documented Vessels – Federally documented vessels used primarily in Rhode Island must be registered with the State. The documentation number will be used as the Registration Number, and a RI validation decal must be displayed on each side of the vessel. The decal may be displayed on windows/windshield of the documented vessel as long as the decal is visible.

Outboard Motor Registration – Outboard motors need to be registered with the DEM within 10 days after ownership is acquired. To download the DEM Outboard Motor Registration Application, go to:

<http://www.dem.ri.gov/programs/bpoladm/manserv/hfb/boating/pdfs/outbdapp.pdf>

Certificate of Title – All vessels greater than 14 feet in length must have a Certificate of Title. Exemptions to this requirement include a:

- Non-motorized inflatable vessel, surfboard, racing shell, rowing scull, or tender used for transportation between a vessel and the shore.
- Documented vessel
- Ship's lifeboat

Change of Residence or Ownership; or Vessel Destroyed or Stolen – Whenever the owner of a vessel registered and numbered with the State of Rhode Island changes their address from that shown on the vessel's certificate of number or transfers interest in the vessel, they must notify the DEM within 15 days. If the vessel is abandoned, destroyed or stolen, the owner must notify the DEM within 15 days.

EQUIPMENT & LIGHTING REQUIREMENTS

The federal equipment requirements apply as well as the following state requirements.

Personal Flotation Devices (PFDs) Requirements – State requirements require the following for all vessels operating on Rhode Island waters:

- All vessels must have at least one (1) wearable PFD for each person on board and be readily accessible. Readily accessible is defined as being visible to the operator and passengers and/or easy to gain access.
- Vessels 16 feet or longer must have at least one (1) throwable PFD. Canoes, kayaks, kiteboards, sailboards and paddleboards are exempted.
- All children under the age of 13 years must wear a U.S. Coast Guard-approved PFD while underway in vessels less than 65 feet unless below deck or in an enclosed cabin.
- All operators and passengers of canoes, kayaks, kiteboards, sailboards, paddleboards and any other paddle craft **must always wear** a U.S. Coast Guard-approved PFD while underway regardless of age.
- All persons riding on a personal watercraft (PWC) must wear a U.S. Coast Guard-approved PFD.

Fire Extinguishers – In addition to the federal requirements for fire extinguishers, the state requires that all fire extinguishers on board abide by their age expiration date.

Engine Cut-Off Switch (ECOS) – All operators of recreational vessels less than 26 feet in length that are equipped with an engine cut-off switch are required to use the cut-off switch while the vessel is on plane or above displacement speed. *Displacement speed* is defined as the speed at which the wavelength of a vessel's bow wave is equal to the waterline length of a vessel.

VESSEL ENGINE NOISE

Muffling Device – The exhaust of an internal combustion engine (e.g., inboard engines, outboard motors) on any motorboat must be effectively muffled by a muffler or underwater exhaust. Additionally,

- The use of cutouts is prohibited.
- It is illegal to remove or modify the exhaust or muffler system.

Vessels involved in a marine event, trial-runs, or official trials for speed records approved by the DEM are exempt from the requirements above.

SPEED REGULATIONS

Speed Limits – No person shall operate any motorboat or vessel in any harbor or inlet or any pond or other confined body of water in Rhode Island in excess of:

- 45 miles per hour during the hours from sunrise to sunset;
- 25 miles per hour during periods of darkness or restricted visibility.

State and local authorities may establish lesser speed limits where deemed necessary.

The Department of Environmental Management is authorized to establish maximum speeds for boats in public harbors at 5 miles per hour for no-wake zones.

Violations of Speed Limits – If the first violation is not greater than 10 miles per hour over the speed limit, it shall be a civil offense, requiring payment of a \$25 assessment fee and may require attendance at a boating safety course. Any violation in excess of 10 miles per hour over the speed limit is a misdemeanor and will require payment of increasing fines related to the excess speed and attendance at a boating safety course.

SLOW DOWN & MOVE OVER REGULATION

When emergency vessels such as the U. S. Coast Guard, firefighting, law enforcement, and harbor master have their emergency lights activated and are within 300 feet of your boat, you are required to slow down and move over.

PROHIBITED OPERATIONS

Rhode Island laws include the following as prohibited operations.

Operating in a Reckless Manner – No person shall operate any vessel, or manipulate any water skis, surfboard, or similar device in a reckless manner so as to endanger the life, limb, or property of another.

Penalties – If a person is convicted for operating a vessel in reckless disregard of the safety of others, resulting in death of any person, he shall be imprisoned for not more than 10 years.

If a person is convicted for operating a vessel in reckless disregard of the safety of others, resulting in serious bodily injury of any person, he shall be imprisoned for not more than 5 years and shall be required to take a boating safety course. "Serious bodily injury" means physical injury that creates a substantial risk of death or causes serious permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

Operating While Intoxicated – No person shall operate any vessel, or manipulate any water skis, surfboard, or similar device while intoxicated or under the influence of any narcotic drug, barbiturate, or marijuana. A person with a blood or breath alcohol content of 0.08% or more is presumed to be under the influence of alcohol (BUI).

By operating on Rhode Island waters, a person is deemed to have given consent to be tested for alcohol and/or drugs if requested by a law enforcement official. Refusal to submit to testing carries an automatic fine of \$200. Other penalties include an additional fine of \$300 or more, loss of operating privileges for up to three years, imprisonment for up to one year, and community service or attendance at an alcohol/drug treatment class.

BUI Penalties – Penalties depend on the number of convictions within a 5-year period, blood alcohol content, and whether death or serious bodily injury resulted. Penalties include fines ranging from \$250 to \$5,000, performing public community restitution, imprisonment up to 5 years, and up to a 3-year suspension to operate a vessel.

Operating in Restricted Areas – No person shall operate a vessel within a water area which is clearly marked by buoys or some other distinguishing device as bathing, swimming, no-wake zones.

Exceeding Speed Limits – refer to section titled, Speed Regulations.

Interfering with Other Vessels – No person shall operate a vessel which unreasonably or unnecessarily interferes with another vessel, or with the proper navigation of the waterways. This includes anchoring under bridges or in heavily traveled channels.

Docking without Consent – No motorboat, vessel, or seaplane shall be docked or made fast to any pier, wharf, or other shore structure without the consent of the owner, except in an emergency.

Bow and Gunwale Riding – No person shall ride on the bow of a motorboat unless it is equipped with bow seats designed to accommodate passengers or hang their feet and legs over the top of the gunwale anywhere on the boat while underway.

Entering Exclusionary or Security Zones – It is illegal to enter any posted exclusionary zones, or security zones. Observe requirements of the U.S. Naval Vessel Protection Zone, and avoid commercial port operation areas, especially those that involve military, cruise-line, or petroleum facilities. Observe and avoid other restricted areas near dams, power plants, etc.

DIVING & UNDERWATER OPERATIONS

Diver's Flag – Anyone scuba diving, skin diving, or snorkeling must display a diver's flag (red with a white diagonal strip) on a buoy or boat only when diving operations are in progress. The size of the flag displayed on a buoy must be at least 12 inches by 12 inches, and if displayed on a boat, it must be at least 18 inches by 18 inches. During the hours from sunset to sunrise, the flag must be illuminated by a light shining on it.

Motorboats not engaged in the diving operation are required to stay at least 50 feet away from the flag. If the diver or snorkeler is obstructing navigation, an operator is not in violation if they need to travel within the 50 feet.

WATER SKIING REGULATIONS

Life Jacket (PFD) Requirement – Any person or persons on water skis, a surfboard, a tube or similar device that is being towed behind a vessel on any waters of Rhode Island is required to wear a U.S. Coast Guard-approved life jacket.

Towing a person(s) on water skis, surfboards, or similar devices is not allowed between the hours from one hour after sunset to one hour before sunrise.

When towing a person(s) on water skis, surfboards, or similar devices, there must be a person at least 12 years of age in addition to the operator to observe the person(s) being towed. The operator must not operate the vessel to cause the person(s) or device(s) being towed to collide with any object or person.

PERSONAL WATERCRAFT (PWC) REGULATIONS

Age & Education Requirements – A Rhode Island Boating Safety Education Certificate is required for operators of any age and from any state. A person under the age of 16 years is not allowed to operate a PWC unless an adult accompanies them or has passed a state-approved safety course. For information on education requirements for renting a PWC, go to “PWC Rental” on page 2 of this document.

Numbering Requirements – All PWCs must have a valid Rhode Island Certificate of Number and the number must be clearly visible on either side of the bow reading left to right.

Equipment Requirements – Each person on a PWC must wear a U.S. Coast Guard-approved PFD. The operator must attach a lanyard-type engine cut-off switch provided by the manufacturer, which shuts off the PWC should the operator fall off.

Operating a PWC – A PWC cannot be operated between the hours from ½ hour after sunset to ½ hour before sunrise.

A PWC cannot be operated within 200 feet of swimmers, divers, the shoreline, or moored vessels, except at its *headway speed* which is defined as the slowest speed to operate and maintain steerage. When launched from or returning to shore, a PWC must proceed directly to the area where operation is allowed in a direction as perpendicular as possible to the shore and at the slowest speed to maintain steerage.

A PWC must be operated in a reasonable and prudent manner. Maneuvers that endanger life, limb, or property are prohibited. These include:

- weaving through congested vessel traffic;
- circling a larger vessel unreasonably;
- jumping the wake of another vessel unnecessarily close to it.

There may be additional local regulations that operators are expected to observe.

OBSTRUCTING NAVIGATION AIDS

It is illegal to moor to any aid to navigation, or to move, remove, deface or destroy any aid to navigation,

POLLUTION

Discharge of Oil and Other Hazardous Substances – It is illegal to discharge oil or hazardous substances into the waters. If your boat discharges oil or hazardous substances in Rhode Island waters, you must contact the Department of Environmental Management in a timely fashion.

Discharge of Trash – Dumping of garbage and plastics into the waters is prohibited.

Sewage – All Rhode Island waters are a no-discharge zone (NDZ). It is prohibited to discharge treated and untreated sewage into the waters of Rhode Island, which include Narragansett Bay and territorial seas within 3 miles of shore.

Marine Sanitation Device (MSD) – Any vessel equipped with an installed toilet, must have a holding tank (Type III MSD) to hold the sewage until it can be pumped out at a pumpout facility or discharged outside the territorial seas boundary. Any installed toilet must be U.S. Coast Guard-approved Type I, II, or III MSD and not be able to discharge directly into the water. Types I and II with a through-hull fitting that can discharge sewage overboard must be secured and/or modified to prevent discharge. Type III transfers sewage directly to the holding tank. Failure to comply with the no-discharge of sewage will result in a fine of not more than \$500 and/or be imprisoned for not more than one (1) year for the first offense.

All vessels with permanently installed marine toilets are subject to the No-Discharge Compliance Program that requires all vessels with these toilets to be inspected and certified as being in compliance. The display of a decal issued by an authorized Certification Agent after inspection verifies that it is in compliance. Vessels that have a holding tank (Type III) with no-through hull fitting for overboard discharge are issued a green decal. Vessels with a Type I, II, or a III MSD with a through-hull fitting that would allow overboard discharge are issued a yellow decal. Decals are valid for a period of four years. Three categories of boats are exempt from the inspection program:

- 1) boats with self-contained "porta-potties," or no toilet at all;
- 2) boats already subject to mandatory U.S. Coast Guard inspection as evidenced by a U.S. Coast Guard-issued certificate of inspection;
- 3) transient boats that are operated or moored in Rhode Island waters for less than 30 days.

Failure to display a decal will result in a fine up to \$100. A list of Certification Agents is available at <https://www.ri.gov/DEM/marinesepptic/finder/>.

Pumpout Facilities – Certification cards are required to record pumpout history for vessels with holding tanks. For information about sewage pumpout facilities in Rhode Island and the mandatory vessel inspection program, go to:

<https://dem.ri.gov/environmental-protection-bureau/water-resources/waters-wetlands/bay-and-coastal-waters/boat>

Enforcement – The water pollution laws of Rhode Island are enforced by officers of the Department of Environmental Management's Environmental Police, harbor masters, and police officers. They have the authority to stop and board any vessel subject to Rhode Island water pollution regulations.

ACCIDENTS, VANDALISM, AND THEFT: RESPONSIBILITY & REPORTING

Duty to Stop and Render Assistance -- Any operator involved in a collision, accident, or other casualty must stop and render assistance to other persons affected by the incident provided he can do so without serious danger to his own vessel. Name, address and vessel identification must be given in writing to injured persons and to the owner of any property damaged in the incident.

Accident Reporting – The operator or owner of a vessel involved in an accident, a casualty resulting in death, disappearance of a person, or injury, vandalism, property damage or theft in excess of \$2,000 must immediately report the incident to the Department of Environmental Management (DEM) or a nearby office of local or state police. The owner of a vessel involved in an accident, casualty, vandalism or theft in excess of \$2,000 must submit a written report on forms provided by the Department of Environmental Management / Environmental Police (EP) within 5 days of the incident. DEM/EP Boating Accident Report Form (<https://dem.ri.gov/ri-boat-accident-form>) can be downloaded and mailed or submitted online.

LAW ENFORCEMENT

The boating laws of Rhode Island are enforced by officers of the Department of Environmental Management's Environmental Police, harbor masters, and police officers. They have the authority to stop and board any vessel subject to Rhode Island boating regulations, and to command boaters to move or stop. Refusal to stop is a misdemeanor punishable by a fine of up to \$500 and/or 30 days in jail.