ARTICLE 5. BOATING ON PUBLIC WATERS OF INDIANA

Rule 1. Applicability and Administration

312 IAC 5-1-1 Applicability of boating article

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 1. This article governs the use of any boat on a *[sic]* public waters of Indiana. *(Natural Resources Commission; 312 IAC 5-1-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2364, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-1-2 Licensing functions; administrative review; addresses

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 4-21.5-1-15; IC 14

Sec. 2. (a) Unless otherwise specified, the division director (or a delegate of the division director) makes the initial determination for any license issued under this article.

(b) The address of the central office for the division is as follows:

Division of Law Enforcement
Department of Natural Resources
Indiana Government Center-South
402 West Washington Street, Room W255-D
Indianapolis, Indiana 46204

(c) The commission is the ultimate authority for the department under this article. A request to the commission for administrative review of an initial determination by the division of law enforcement must be addressed as follows:

Division of Hearings
Natural Resources Commission
Indiana Government Center-North
100 North Senate Avenue, Room N501
Indianapolis, Indiana 46204

(Natural Resources Commission; 312 IAC 5-1-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2364, eff Jan 1, 2002; filed Mar 4, 2008, 12:31 p.m.: 20080402-IR-312070486FRA; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

Rule 2. Definitions

312 IAC 5-2-1 Applicability

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 1. The definitions in this rule are in addition to those in 312 IAC 1-1 and apply throughout this article. *(Natural Resources Commission; 312 IAC 5-2-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2364, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-2 "B-1" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 2. "B-1" means a hand portable fire extinguisher suitable for extinguishing fires involving flammable liquids and greases

containing one and three-fourths (1¾) gallons of foam, four (4) pounds of carbon dioxide, and two (2) pounds of dry chemicals. *(Natural Resources Commission; 312 IAC 5-2-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2364, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-3 "B-2" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 3. "B-2" means a hand portable fire extinguisher suitable for extinguishing fires involving flammable liquids and greases containing two and one-half (2½) gallons of foam, fifteen (15) pounds of carbon dioxide, and ten (10) pounds of dry chemicals. *(Natural Resources Commission; 312 IAC 5-2-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2364, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-4 "Bell" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 4. "Bell" means a sound signaling device made of corrosion-resistant material and designed to give a clear tone not less than one hundred ten (110) decibels at a distance of one (1) meter. The diameter of the mouth of a bell shall be not less than thirty (30) centimeters for a boat at least twenty (20) meters long and not less than twenty (20) centimeters for a boat at least twelve (12) meters but less than twenty (20) meters long. *(Natural Resources Commission; 312 IAC 5-2-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2364, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-5 "Boat race" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 5. "Boat race" means a contest of speed, skill, or efficiency involving one (1) or more boats. The term includes:
(1) practice sessions;
(2) qualifications; and
(3) parades;
on a public water preparatory to a contest. *(Natural Resources Commission; 312 IAC 5-2-5; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2364, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-6 "Carry passengers for hire" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 6. "Carry passengers for hire" means to carry or transport passengers for a passage or trip in consideration of a fare or charge. The phrase does not mean to carry or transport passengers or guests without charge or to lease or rent a boat to a lessee to be operated by the lessee as the lessee's for an hour, a day, a week, or other fixed period of time. *(Natural Resources Commission; 312 IAC 5-2-6; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-7 "Daytime" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 7. "Daytime" means sunrise to sunset, where the times of sunrise and sunset are determined by the United States Weather Bureau. *(Natural Resources Commission; 312 IAC 5-2-7; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-8 "Deck rail" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 8. "Deck rail" means a guard structure along the outer edge of a boat deck consisting of vertical solid or tubular posts and horizontal courses made of metal tubing, wood, cable, rope, or another suitable material. *(Natural Resources Commission; 312 IAC 5-2-8; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-9 "Division" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14-9-4-1

Sec. 9. "Division", notwithstanding 312 IAC 1-1-13, means the division of law enforcement created under IC 14-9-4-1. *(Natural Resources Commission; 312 IAC 5-2-9; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-10 "Division director" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14-9-8-6

Sec. 10. "Division director", notwithstanding 312 IAC 1-1-14, refers to the director of the division appointed under IC 14-9-8-6. *(Natural Resources Commission; 312 IAC 5-2-10; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-11 "Dockside inspection" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 11. "Dockside inspection" means an examination of a boat while moored alongside a dock and afloat in the water so that all of the exterior above the waterline and the interior of the boat may be examined. *(Natural Resources Commission; 312 IAC 5-2-11; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-12 "Drydock inspection" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 12. "Drydock inspection" means an examination of a boat outside the water and supported so all the exterior and interior of the boat may be examined. *(Natural Resources Commission; 312 IAC 5-2-12; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-12.5 "Fishing tournament" defined

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14

Sec. 12.5. "Fishing tournament" means an activity involving fifteen (15) or more boats used for taking fish where:
(1) persons compete for a trophy, citation, cash, or prize; or
(2) a fee is charged to participants.
(Natural Resources Commission; 312 IAC 5-2-12.5; filed Aug 27, 2015, 10:40 a.m.: 20150923-IR-312140515FRA)

312 IAC 5-2-13 "Flexible vibration hose" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 13. "Flexible vibration hose" means nonrigid tubing that is:
(1) noncombustible or self-extinguishing; and
(2) not affected by the motion of the boat or machinery to which it is connected or attached.
(Natural Resources Commission; 312 IAC 5-2-13; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-2-14 "General maintenance" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 14. "General maintenance" means drydocking or hauling out of a boat for painting or cleaning the hull and rudder or the changing of a propeller shaft and associated bearing. *(Natural Resources Commission; 312 IAC 5-2-14; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-15 "Good marine practice and standards" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 15. "Good marine practice and standards" means methods and ways of maintaining, operating, equipping, repairing, and restructuring a boat as determined by a marine inspector. In making the determination, a marine inspector shall use commonly accepted standards, including the following:
(1) 46 CFR 1.01 through 46 CFR 552.5.
(2) The standards of the American Boat and Yacht Council.
(3) The standards of the Boating Industry Association.
(Natural Resources Commission; 312 IAC 5-2-15; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-2-16 "Graywater" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 16. "Graywater" means galley, bath, and shower water, as well as wastewater from laboratory sinks, laundry, interior deck drains, water fountains, and shop sinks. *(Natural Resources Commission; 312 IAC 5-2-16; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-17 "Idle speed" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 17. "Idle speed" means the slowest possible speed, not exceeding five (5) miles per hour, so as to maintain steerage whereby the wake or wash created by a boat is minimal. *(Natural Resources Commission; 312 IAC 5-2-17; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-18 "Inland waterway" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 18. "Inland waterway" means a public water that is not a navigable waterway. *(Natural Resources Commission; 312 IAC 5-2-18; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-18.5 "Major organized boating activity" defined

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14

Sec. 18.5. "Major organized boating activity" means an activity other than a boat race, fishing tournament, or water ski event that:

(1) involves fifteen (15) or more boats as participants;
(2) involves fifty (50) or more boats as spectators;
(3) is conducted according to a prearranged schedule for a limited duration; or
(4) is reasonably expected to significantly disrupt boat traffic.

(Natural Resources Commission; 312 IAC 5-2-18.5; filed Aug 27, 2015, 10:40 a.m.: 20150923-IR-312140515FRA)

312 IAC 5-2-19 "Marine inspector" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 19. "Marine inspector" means a department marine safety officer, a conservation officer, or another person employed by the department and trained in boat inspection and operator testing procedures. *(Natural Resources Commission; 312 IAC 5-2-19; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-20 "Marine sanitation device" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 20. "Marine sanitation device" includes any equipment for installation onboard a boat that is designed to receive, retain, treat, or discharge sewage, and any process to treat the sewage. *(Natural Resources Commission; 312 IAC 5-2-20; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-21 "Motorboat" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 21. "Motorboat" means a boat propelled by an internal combustion, steam, or electrical inboard or outboard motor or engine or by any mechanical means, including sailboats that are equipped with any such motor or engine when in operation (whether or not the sails are hoisted). *(Natural Resources Commission; 312 IAC 5-2-21; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-22 "Navigation aid" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 22. "Navigation aid" means a device external to a boat intended to assist in determining a position or safe course or in warning of danger or obstructions to navigation. *(Natural Resources Commission; 312 IAC 5-2-22; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-23 "Navigation aid or water recreation structure" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 23. "Navigation aid or water recreation structure" means any of the following:
(1) A buoy.
(2) A marker.
(3) A flag.
(4) A device which is used for the purpose of swimming or extending the use of water skis, water sleds, or aquaplanes.
(Natural Resources Commission; 312 IAC 5-2-23; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-2-24 "Nighttime" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 24. "Nighttime" means sunset to sunrise where times of sunrise and sunset are determined by the United States Weather Bureau. *(Natural Resources Commission; 312 IAC 5-2-24; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-25 "Open boat" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 25. "Open boat" means a boat that has engine areas, fuel tank compartments, and other spaces (other than weather enclosures) open to the atmosphere and arranged to prevent the entrapment of flammable gases in the boat. *(Natural Resources Commission; 312 IAC 5-2-25; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-26 "Permanent structure" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 26. "Permanent structure" means a structure that reasonably requires the use of machinery for installation and removal. Generally included is any structure in or over a public water that uses poured concrete, steel sheet piling, timber piling, or fill material for support. *(Natural Resources Commission; 312 IAC 5-2-26; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-27 "Personal flotation device" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 27. "Personal flotation device" means a device that is approved by the United States Coast Guard under 46 CFR 160. *(Natural Resources Commission; 312 IAC 5-2-27; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-28 "Public freshwater lake" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 28. "Public freshwater lake" has the meaning set forth in 312 IAC 11-2-17. *(Natural Resources Commission; 312 IAC 5-2-28; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-29 "Public water" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 29. "Public water" means every lake, river, stream, canal, ditch, and body of water that is subject to the jurisdiction of Indiana or owned or controlled by a public utility. *(Natural Resources Commission; 312 IAC 5-2-29; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-30 "Recreational boat" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 30. "Recreational boat" means a boat not used for carrying passengers for hire that is either:
(1) manufactured or used primarily for noncommercial use; or
(2) leased, rented, or chartered to another person for noncommercial use.
(Natural Resources Commission; 312 IAC 5-2-30; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-2-31 "Ring life buoy" defined
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 31. "Ring life buoy" is a Type IV personal flotation device that is shaped round or as a horse collar. *(Natural Resources Commission; 312 IAC 5-2-31; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-32 "Sailboat" defined
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 32. "Sailboat" means a boat propelled primarily by sail. *(Natural Resources Commission; 312 IAC 5-2-32; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-33 "Small lake" defined
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 33. "Small lake" means a body of public water having a surface area that does not exceed three hundred (300) acres. An adjoining channel shall not be considered in determining the surface area. Small lakes connected by a natural or manmade channel less than five hundred (500) feet wide at its narrowest point shall be considered separately in determining the surface area. *(Natural Resources Commission; 312 IAC 5-2-33; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-34 "State boating law administrator" defined
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 34. "State boating law administrator" means a conservation officer assigned to administer boating statutes, rules, and education programs for boating safety. *(Natural Resources Commission; 312 IAC 5-2-34; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-35 "Suitable material" defined
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 35. "Suitable material" means the marine inspector has determined an item is in keeping with good marine practice and standards. *(Natural Resources Commission; 312 IAC 5-2-35; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002; readopted*

filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-2-36 "Type I personal flotation device" defined
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 36. "Type I personal flotation device" means a wearable personal flotation device designed to turn most unconscious persons in the water from a face down position to a vertical or slightly backward position. The adult size device provides minimum buoyancy of twenty-two (22) pounds, and the child size provides a minimum buoyancy of eleven (11) pounds. *(Natural Resources Commission; 312 IAC 5-2-36; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-37 "Type II personal flotation device" defined
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 37. "Type II personal flotation device" means a wearable personal flotation device designed to turn a person in a vertical or slightly backward position in the water, although the turning action is not as pronounced as with a Type I personal flotation device. An adult size device provides a minimum buoyancy of fifteen and one-half (15½) pounds, the medium child size provides a minimum buoyancy of eleven (11) pounds, and the infant and small child sizes provide a minimum buoyancy of seven (7) pounds. *(Natural Resources Commission; 312 IAC 5-2-37; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-38 "Type III personal flotation device" defined
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 38. "Type III personal flotation device" means a wearable personal flotation device designed so the wearer can place himself or herself in a vertical or slightly backward position. A Type III personal flotation device has the same buoyancy as a Type II personal flotation device but has little or no turning ability. *(Natural Resources Commission; 312 IAC 5-2-38; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-39 "Type IV personal flotation device" defined
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 39. "Type IV personal flotation device" means a personal flotation device designed to be thrown to a person in the water and grasped and held by the person until rescued. A Type IV personal flotation device is not designed to be worn. *(Natural Resources Commission; 312 IAC 5-2-39; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-40 "Type V personal flotation device" defined
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 40. "Type V personal flotation device" means a personal flotation device approved by the United States Coast Guard for a restricted use. *(Natural Resources Commission; 312 IAC 5-2-40; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002;*

readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-2-41 "Visible" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 41. "Visible" means capable of being seen, by a person of normal vision, on a dark and clear night. *(Natural Resources Commission; 312 IAC 5-2-41; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-42 "Wake or wash" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 42. "Wake or wash" means a track left by a boat causing waves that:
(1) disrupt other water sport activities; or
(2) may cause injury or damage to persons, boats, or property.
(Natural Resources Commission; 312 IAC 5-2-42; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-2-43 "Water recreation structure" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 43. "Water recreation structure" means a device that is used for the purpose of swimming or extending the use of water skis, water sleds, or aquaplanes. The term includes slalom courses and ski jumps. *(Natural Resources Commission; 312 IAC 5-2-43; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-44 "Water ski event" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 44. "Water ski event" means a contest or exhibition among water skiers. The term includes practice sessions, qualifications, and parades on a public water preparatory to the event. The term also includes a water ballet. *(Natural Resources Commission; 312 IAC 5-2-44; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-45 "Watercraft" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 45. "Watercraft" means any instrumentality or device in or by means of which a person may be transported upon the public waters of this state, and includes every motorboat, sailboat, rowboat, skiff, dinghy, or canoe of whatever length or size whether or not it is used to carry passengers for hire. *(Natural Resources Commission; 312 IAC 5-2-45; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-46 "Waterline or shoreline" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 46. "Waterline or shoreline" refers to the waterline or shoreline of a public freshwater lake as defined in 312 IAC 11-2-28. *(Natural Resources Commission; 312 IAC 5-2-46; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-47 "Waters of concurrent jurisdiction" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 47. "Waters of concurrent jurisdiction" refers to the following waters within Indiana:
(1) Lake Michigan.
(2) Ohio River.
(3) Wabash River where it forms the boundary between Indiana and Illinois.
(4) Great Miami River.
(Natural Resources Commission; 312 IAC 5-2-47; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002; filed Jul 23, 2003, 10:15 a.m.: 26 IR 3868; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-2-48 "Weather deck" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 48. "Weather deck" means those portions of the foredeck and afterdeck of a boat that are open and exposed to the weather. *(Natural Resources Commission; 312 IAC 5-2-48; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2369, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-2-49 "Whistle" defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 49. "Whistle" means a sound signaling appliance capable of producing frequencies between the following limits:
(1) One hundred thirty (130) to three hundred fifty (350) hertz for a boat seventy-five (75) meters long, but less than two hundred (200) meters long.
(2) Two hundred fifty (250) to five thousand two hundred forty-five (5,245) hertz for a boat less than seventy-five (75) meters long.
(Natural Resources Commission; 312 IAC 5-2-49; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2369, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

Rule 3. Boat Races, Water Ski Events, and Major Organized Boating Activities

312 IAC 5-3-1 Boat races, water ski events, and major organized boating activities; applicability

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14

Sec. 1. (a) This rule governs the conduct of any boat race, water ski event, and major organized boating activity.

(b) No person shall sponsor, conduct, participate, or compete in a boat race, water ski event, or major organized boating activity upon the public waters of this state, including ice, unless a license for a boat race, water ski event, or major organized boating activity is issued by the division under this rule.

(c) A license application must be made on a department form and delivered to the central office for the division. The application shall include a description of the proposed boat race or water ski event course, capable of being marked and fixed. An application that is not filed with the division at least sixty (60) days before the proposed race or event will be denied unless the requirements of this rule are satisfied pertaining to permit review by the division and notice to interested persons. *(Natural Resources Commission; 312 IAC 5-3-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2369, eff Jan 1, 2002; filed May 27, 2003, 12:35 p.m.: 26 IR 3321, eff Oct 1, 2003; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-3-2 Site inspection by a conservation officer before issuance of a license for a boat race, water ski event, or major organized boating activity

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14

Sec. 2. (a) Upon the receipt of a license application, a conservation officer shall inspect the areas that would be affected by the event.

(b) The conservation officer shall consider the following factors in reviewing the permit application:

(1) The density of water traffic on the public water.

(2) The physical characteristics of the public water.

(3) The proximity of the proposed event to land owned by a person other than the license applicant.

(4) The kinds of boats that would be involved or affected.

(5) Any other factors that are appropriate to at least one (1) of the following:

(A) Preventing the existence of unusual conditions or hazards.

(B) Promoting scientific fish, wildlife, or botanical resource management.

(C) Assisting in the protection of users.

(c) A written report of the inspection shall be submitted by the conservation officer to the division director, together with recommendations for approval, disapproval, or the placement of conditions on the license. *(Natural Resources Commission; 312 IAC 5-3-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2369, eff Jan 1, 2002; filed May 27, 2003, 12:35 p.m.: 26 IR 3322, eff Oct 1, 2003; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA; filed Aug 27, 2015, 10:40 a.m.: 20150923-IR-312140515FRA)*

312 IAC 5-3-3 Public notice before the issuance of a license for a boat race, water ski event, or major organized boating activity

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 4-21.5; IC 14

Sec. 3. (a) This section establishes notification requirements before a license is issued under this rule. Subsequent to the issuance of a license by the division, IC 4-21.5 applies.

(b) At least thirty (30) days before the division can issue a license, an applicant shall provide, at its expense, notice of the license application as follows:

(1) Once in one (1) newspaper of general circulation in the county or counties where the boat race, water ski event, or major organized boating activity will occur.

(2) In person, by certified mail with return receipt requested, or by first class mail with proof of mailing, to the following:

(A) Any person who provides the division with a written request to be notified if a boat race, water ski event, or major organized boating activity permit is requested. A request under this clause is valid during the year in which it is

received for the waterway named in the request.

(B) If the affected area for the boat race, water ski event, or major organized boating activity is located on a public freshwater lake or Lake Michigan, to at least one (1) of the owners of each parcel of property reasonably known to be located within two hundred (200) feet of the course.

(C) If the affected area for the boat race, water ski event, or major organized boating activity is located within a municipality, to the municipality.

(c) A notice under this section shall do the following:

(1) Provide the name and address of the applicant.

(2) Specify that the license is sought under this rule and whether the license will authorize a boat race, water ski event, or major organized boating activity.

(3) Describe or illustrate the area affected by the event and when the event will occur.

(4) Include an explanation of the options available to the persons served. These options are as follows:

(A) File a petition with the central office of the division requesting an informal hearing that is signed by at least twenty-five (25) individuals who are at least eighteen (18) years old and who reside in the county where the event will occur. A hearing under this clause is governed by 312 IAC 2-3.

(B) Request the division to notify the person in writing when an initial determination is made to issue or deny the license. Following the receipt of notice under this clause, a person may request administrative review of the determination under 312 IAC 3-1.

(Natural Resources Commission; 312 IAC 5-3-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2369, eff Jan 1, 2002; filed May 27, 2003, 12:35 p.m.: 26 IR 3322, eff Oct 1, 2003; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-3-4 General conditions on a license issued for a boat race or water ski event

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14

Sec. 4. (a) A license issued under this rule is subject to immediate suspension by a conservation officer if severe weather or other hazardous conditions threaten public safety.

(b) A license issued under this rule terminates on the earlier of the following:

(1) The termination date set forth in the license.

(2) One hundred eighty (180) days after issuance of the license.

(Natural Resources Commission; 312 IAC 5-3-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2370, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

Rule 3.5. Organized Activities and Tournaments on Designated Public Waters; Administration

312 IAC 5-3.5-1 Applicability

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14

Sec. 1. (a) This rule applies to both of the following:

(1) The process for designating any public water where organized activities and tournaments are regulated.

(2) The administration of organized activities and tournaments on waters designated under subdivision (1).

(b) Exempted from this rule are each of the following:

(1) A boat race.

(2) A water ski event.

(3) A major organized boating activity.

(c) A person must not conduct or participate in a fishing tournament or other organized activity on a public water designated in this rule except under a license issued under this rule.

(d) The department's division of law enforcement shall administer this rule. *(Natural Resources Commission; 312 IAC 5-3.5-1; filed Aug 27, 2015, 10:40 a.m.: 20150923-IR-312140515FRA)*

312 IAC 5-3.5-2 Petition to regulate the conduct of fishing tournaments or other organized activities on designated public waters

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14-33-1-1

Sec. 2. (a) The following persons may petition the commission to designate, by rule, a particular public water for regulation:
(1) The county executive for the county where the public water is located. A petition under this subsection applies only to the portion of the public water located in that county. The county executives for adjoining counties may enter a joint petition.
(2) If a portion of a public water is located within a municipality, the executive for the municipality. A petition under this subsection applies only to the portion of the public water located in the municipality.
(3) A deputy director of the department.
(b) A petition filed under subsection (a) must include the following:
(1) The name and location of the public water to be regulated.
(2) The name, address, and telephone number of the petitioner.
(3) The periods when the public water would be regulated. These periods may be expressed in terms of months or beginning and ending days. Restrictions on activities regulated under this rule may be seasonally adjusted.
(4) Whether regulation would apply to fishing tournaments, other organized activities, or both fishing tournaments and other organized activities. If the regulation would apply to other organized activities, a description of the type of activities that would be regulated.
(Natural Resources Commission; 312 IAC 5-3.5-2; filed Aug 27, 2015, 10:40 a.m.: 20150923-IR-312140515FRA)

312 IAC 5-3.5-3 Notice of and response to petition

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14

Sec. 3. (a) Upon receipt of a completed petition under section 2 of this rule, the division of hearings of the commission shall cause:
(1) a copy of the petition to be delivered to each deputy director of the department; and
(2) notice of the petition and a brief summary of its contents to be delivered to the legislative services agency for publication in the Indiana Register.
(b) Within ninety (90) days after the receipt of a petition under subsection (a), the department shall review and tender written recommendations to the commission regarding preliminary adoption of a rule to implement the petition. A copy of the recommendations shall also be served upon the petitioner and any other person who requests in writing that the department provide a copy.
(c) In preparing the recommendations described in subsection (b), the department shall consult with the petitioner and any other interested person. The recommendations shall consider each of the following:
(1) Fish, wildlife, or botanical resource management.
(2) The protection of users, including the following:
(A) Limitations of the public water to safely accommodate boats.
(B) Limitations of facilities relative to vehicular access, pedestrian safety, parking, and the launching of boats.
(3) The protection of private and public property.
(4) Cultural resources.
(d) For an application to establish a license requirement on a public freshwater lake, the department shall consider limiting the total number of boats in an activity conducted between April 1 and September 30 and licensed under this rule or under 312 IAC 5-3.
(e) The maximum number established under subsection (d) governs any date on which the activity or a portion of the activity

is conducted.

(f) If the department does not tender its written recommendations to the commission in a timely fashion as provided in subsection (b), the petitioner may move the commission to place the petition on its agenda at the next regular meeting. *(Natural Resources Commission; 312 IAC 5-3.5-3; filed Aug 27, 2015, 10:40 a.m.: 20150923-IR-312140515FRA)*

312 IAC 5-3.5-4 Designation of regulated public water by rule

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 4-22; IC 14

Sec. 4. (a) The commission may approve the recommendations of the department under section 3(b) of this rule or may modify or reject those recommendations.

(b) If a petition results in preliminary adoption of a rule, the proposal shall be reviewed under IC 4-22. A public hearing on the proposal shall be conducted in the county where the public water to be regulated is located.

(c) The regulation of a fishing tournament or other organized activity becomes effective for a particular public water when a section under this rule designating that public water becomes effective under IC 4-22. *(Natural Resources Commission; 312 IAC 5-3.5-4; filed Aug 27, 2015, 10:40 a.m.: 20150923-IR-312140515FRA)*

312 IAC 5-3.5-5 Advance date approval

Authority: IC 14-10-2-1; IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14

Sec. 5. (a) The department shall conduct an organizational meeting or meetings between October 1 and November 15 to establish dates for the following year on which fishing tournaments or other organized activities can be conducted. The department may apply any reasonable process in an organizational meeting, including holding a drawing, to reserve a date or dates for a scheduled event and to minimize user conflict. As a condition for participation in a drawing, an individual may be required to identify the organization that the individual represents. The department shall not approve more than one (1) scheduled event for an individual on the same waterway, if the events would be separated by fewer than fourteen (14) days.

(b) In addition to the establishment of dates under subsection (a), the department may establish a date for a tournament beyond the following year if an individual presents satisfactory evidence that a tournament would have national significance.

(c) An individual who receives a reserved date must submit a completed license application within thirty (30) days of notification and at least sixty (60) days before the scheduled event, whichever is earlier. Failure to submit a timely completed application releases the reservation.

(d) An individual is disqualified from participating in an organizational meeting unless the individual and the organization that the individual represents have paid any outstanding fee or cost established in section 10 of this rule. *(Natural Resources Commission; 312 IAC 5-3.5-5; filed Aug 27, 2015, 10:40 a.m.: 20150923-IR-312140515FRA)*

312 IAC 5-3.5-6 License application

Authority: IC 14-10-2-1; IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14

Sec. 6. (a) An application for a license to conduct a fishing tournament or other organized activity must be completed on a department form at least sixty (60) days before the date of the proposed tournament.

(b) An applicant must be an individual who is:

(1) at least eighteen (18) years of age; and

(2) a resident of Indiana.

(c) The applicant must state one (1) of the following:

(1) The terms of a reserved date obtained under section 5 of this rule.

(2) If a reserved date was not obtained under subdivision (1), the activity location and number of boats for which approval is sought. An application under this subdivision is subject to an application previously:

(A) reserved under subdivision (1); or

(B) delivered to the department under this subsection.

(3) If an applicant seeks approval for additional boats to participate in a scheduled event approved under subdivision (1) or (2), the number of boats to be added. An application under this subdivision is subject to an application previously submitted under this subsection.

(d) The applicant must attach a copy of proposed standards that would govern the organized activity.

(e) The department shall not approve any license or amended license under this section that would authorize an organized activity to exceed the maximum limits applicable to a lake under sections 10 through 12 of this rule.

(f) The department shall condition any license to achieve at least one (1) of the following:

(1) Prevention of unusual conditions or hazards.

(2) Promotion of scientific fish, wildlife, or botanical resource management.

(3) Assistance in the protection of users.

(g) To accomplish the purposes described in subsection (f), the department may do the following:

(1) Designate the following:

(A) The starting time or ending time for an activity.

(B) The time and location for the use of any public facilities.

(2) Spread starting times among license holders if more than one (1) license is approved for a particular waterway.

(3) Restrict portions of the waterway from use by the participants.

(h) The department may require a nonrefundable application fee with the application. The director shall establish the amount of the fee within a range approved by the commission. *(Natural Resources Commission; 312 IAC 5-3.5-6; filed Aug 27, 2015, 10:40 a.m.: 20150923-IR-312140515FRA)*

312 IAC 5-3.5-7 General duties of license holder

Authority: IC 14-10-2-4; IC 14-11-2-1

Affected: IC 14

Sec. 7. In addition to the terms of the license and the requirements otherwise set forth in this rule, a license holder must do the following:

(1) At least fourteen (14) days before the scheduled event, deliver a list of officials who will be present during the event.

(2) Obtain permission from the department to use a zone or zones in the public water for:

(A) mooring;

(B) judging;

(C) weigh-in;

(D) starting; or

(E) any other activities using public facilities.

(3) Upon the request of the department, meet with a designated authorized representative or representatives before a tournament or other organized activity begins.

(4) Remove equipment and refuse and otherwise restore zones used in connection with a fishing tournament or other organized activity to the condition that existed before the event as directed by the department.

(5) Provide officials needed to supervise participants and spectators.

(6) Require each participating boat to clearly display a logo, banner, or other visible item approved by the department to identify the tournament or other organized activity.

(7) Establish a starting location for the tournament or other organized activity within an idle speed zone.

(8) Refrain from and prohibit the sale of food, beverages, or supplies within the area of the activity unless approved in writing by the department and the owner of the area.

(9) Refrain from obstructing ingress, egress, or regress from private property.

(10) Ensure reasonable access to all persons to public use facilities, including swimming areas, mooring areas, navigational channels, and similar facilities. Limitations on the usage of facilities must include the following:

(A) Except as provided in clause (B), vehicles and trailers of contestants must use not more than seventy-five percent

(75%) of the ramp and parking facilities in the staging area of the tournament.

(B) The owner of the staging area may, in writing, authorize more than the maximum allowed usage under clause (A). This clause does not apply to a fishing tournament that is subject to section 10 of this rule.

(11) Apply in a drawing held under section 5 of this rule for not more than one (1) scheduled event on the same waterway with starting dates separated by fewer than fourteen (14) days. A tournament scheduled for two (2) consecutive days is a single event. For a tournament administered by the division of law enforcement, an individual may apply for more than one (1) event on the same waterway, with starting dates separated by fewer than fourteen (14) days, if the individual is the agent for different organizations.

(12) Act in good faith to fully perform the event. An individual or organization that demonstrates a pattern of violations of this subdivision may be denied another license.

(Natural Resources Commission; 312 IAC 5-3.5-7; filed Aug 27, 2015, 10:40 a.m.: 20150923-IR-312140515FRA)

312 IAC 5-3.5-8 Reporting

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14

Sec. 8. (a) A license holder must report the results of the event on a form provided by the department within thirty (30) days of the completion of the event, including the following:

(1) The number of boats and participants.

(2) The starting and ending times.

(3) The actual use of public facilities.

(b) In addition to the terms of the license and the requirements otherwise set forth in this rule, the department may require a fishing tournament license holder to keep and report by a specified date, on a department form, legible and accurate records of the following:

(1) The tournament name.

(2) The name, address, and telephone number of the license holder.

(3) The tournament date or dates, including starting time and ending time.

(4) The target fish species.

(5) The name of any waterway fished.

(6) The number of boats and number of participants.

(7) Individual or team catch statistics for each species of fish taken, including the following:

(A) The numbers and lengths of fish weighed-in.

(B) The numbers and lengths of fish caught and released.

(Natural Resources Commission; 312 IAC 5-3.5-8; filed Aug 27, 2015, 10:40 a.m.: 20150923-IR-312140515FRA)

312 IAC 5-3.5-9 Sanctions and emergency relief

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 4-21.5-3-8; IC 4-21.5-4; IC 14

Sec. 9. (a) The department may file a complaint under IC 4-21.5-3-8, or seek emergency relief under IC 4-21.5-4, to condition, suspend, or revoke the license of a person who violates a term of the license, this article, or another law. In addition, the department may seek an order in the complaint to disqualify the person from receiving another license under this rule, for a period not to exceed three (3) years, if the person:

(1) conducts an activity, for which a license is required under this rule, without having such a license in effect; or

(2) violates a term of a license issued under this rule.

(b) The department may file a complaint under IC 4-21.5-3-8, or seek emergency relief under IC 4-21.5-4, to condition, suspend, or revoke a license if warranted by changed circumstances at the staging area or on the public water that might reasonably be anticipated to endanger public health, safety, or the environment.

(c) In addition to the penalties prescribed by subsections (a) and (b), a person who violates this rule commits a Class C

infraction. *(Natural Resources Commission; 312 IAC 5-3.5-9; filed Aug 27, 2015, 10:40 a.m.: 20150923-IR-312140515FRA)*

312 IAC 5-3.5-10 Limitations on fishing tournaments at lakes administered by the division of state parks and reservoirs

Authority: IC 14-10-2-1; IC 14-10-2-4; IC 14-15-7-3
Affected: IC 5-14-3; IC 14

Sec. 10. (a) This section governs fishing tournaments at lakes administered by the division of state parks and reservoirs.

(b) The number of boats that may participate in a fishing tournament must not, on any date, exceed the following:

	Monroe	Salamonie	Mississinewa	Brookville	Hardy	Patoka	Lieber	Raccoon
March	100	75	75	100	30	178	50	100
April	175	75	75	100	30	178	50	60
May	175	75	75	100	20	178	28	50
June	175	30	30	75	20	125	28	50
July	175	30	30	75	20	125	28	50
August	175	30	30	75	20	125	28	50
September	175	75	75	100	20	178	28	60
October	175	75	75	100	30	178	50	100
November	100	75	75	100	30	178	50	100

(c) A boat used to administer a tournament is excluded in determining the number of participating boats.

(d) The director may authorize a license for a fishing tournament under this section where the participants are not provided with the name of the lake at least ten (10) days before the tournament. A license issued under this subsection does not authorize a fishing tournament that conflicts with another license issued under this section. Subject to IC 5-14-3, the department will not publish the location of a fishing tournament issued under this subsection.

(e) Notwithstanding subsection (b), a fishing tournament on Monroe Lake, from October 15 through the end of February, is restricted to a maximum of one hundred (100) participating boats.

(f) At least thirty (30) days before the scheduled event, a license holder must file a certificate of insurance or an insurance binder with the department. The certificate of insurance or insurance binder shall name the license holder and the department as insureds and shall demonstrate the license holder has obtained an irrevocable general liability insurance policy with a limitation for each of the following of not less than:

(1) One hundred thousand dollars ($100,000) for all damages to property for a single occurrence.

(2) One hundred thousand dollars ($100,000) for injury or death of one (1) person in a single occurrence.

(3) Three hundred thousand dollars ($300,000) for injury to or death of multiple persons in a single occurrence.

(g) Attached to the application for each property, the applicant must deliver a cash bond or other security approved by the department in the amount of one hundred fifty dollars ($150). Bond may be forfeited for any of the following reasons:

(1) Failure to:

(A) pay the user fee within the prescribed time frame;

(B) cancel the event within thirty (30) days from the date the application was submitted; or

(C) comply with section 8 of this rule.

(2) Restoration of the mooring judge's or spectators' area.

(3) Reimburse the department for costs of supervision, maintenance, and labor.

(4) To collect any other unpaid fees or costs that are due, including expenses incurred in the collection of the unpaid fees.

(h) Within fourteen (14) days after a tournament, the license holder must provide to the department a user fee equal to the greater of:

(1) eighty percent (80%) of the number of boats listed on the license; or

(2) the number of boats participating in the tournament.

If the user fee under this subsection is greater than the amount of the bond, the organization is also responsible for the difference.

(i) The amount of the fee shall be established by the director within a range of fees for this purpose approved by the

commission. The director may waive the user fee if the:

(1) tournament is held for charity where all of the profits are given to that charity; and

(2) waiver request is:

(A) made in writing; and

(B) submitted with the application.

(j) The director may require insurance in addition to what is set forth in subsection (f) if the director determines a fishing tournament poses an unusual risk of liability to the department.

(k) A license holder shall:

(1) indemnify;

(2) defend;

(3) exculpate; and

(4) hold harmless;

the department and its officials, employees, and agents from liability due to loss, damage, injury, or other casualty to the person or property of anyone arising directly or indirectly from the activity.

(l) The department may deny a license application or may revoke a license issued under this section if any fee or cost provided under this section is delinquent. Upon the satisfaction of any delinquencies, an individual may apply for a new license. *(Natural Resources Commission; 312 IAC 5-3.5-10; filed Aug 27, 2015, 10:40 a.m.: 20150923-IR-312140515FRA)*

312 IAC 5-3.5-11 Limitations on organized boating activities at Lake Wawasee and Syracuse Lake, Kosciusko County

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14

Sec. 11. (a) This section governs organized boating activities on Lake Wawasee and Syracuse Lake in Kosciusko County.

(b) On the combined waters of Lake Wawasee and Syracuse Lake, the maximum number of boats that can lawfully participate in a fishing tournament on a Saturday or a Sunday is as follows:

(1) One hundred twenty-five (125) for the following periods:

(A) From April 1 until the weekend including Memorial Day.

(B) After the weekend including Labor Day until September 15.

(2) One hundred (100) from the weekend including Memorial Day through the weekend including Labor Day.

(c) For a tournament subject to subsection (b) that is scheduled to continue past midnight, the number of participating boats may be attributed either to Saturday or to Sunday so as to facilitate the ability of an organized boating activity to use the lake. *(Natural Resources Commission; 312 IAC 5-3.5-11; filed Aug 27, 2015, 10:40 a.m.: 20150923-IR-312140515FRA)*

312 IAC 5-3.5-12 Limitations on organized boating activities at Sylvan Lake, Noble County

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14

Sec. 12. (a) This section governs organized boating activities on Sylvan Lake, Noble County.

(b) On the waters of Sylvan Lake, the maximum number of boats that can lawfully participate in a fishing tournament is as follows:

(1) One (1) tournament each day, consisting of no more than sixty-five (65) boats, for the period of April 1 through April 30.

(2) One (1) tournament each day, consisting of no more than fifty (50) boats, for the period of May 1 through September 30.

(c) For a tournament subject to subsection (b) that is scheduled to continue past midnight, the number of participating boats may be attributed to either day so as to facilitate the ability of an organized boating activity to use the lake. *(Natural Resources Commission; 312 IAC 5-3.5-12; filed Aug 27, 2015, 10:40 a.m.: 20150923-IR-312140515FRA)*

Rule 4. Navigation Aids and Water Recreation Structures

312 IAC 5-4-1 Navigation aids and water recreation structures; applicability

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14-15-3-17

Sec. 1. (a) This rule governs the placement of any navigation aid or water recreation structure.

(b) A person must comply with this rule before placing a navigation aid or water recreation structure on or along public waters. Except as provided in subsections (d) and (e), a license from the division is required for the placement of a navigation aid or water recreation structure.

(c) Except as provided in subsections (d) and (e), each navigation aid must be colored white with international orange geometric shapes. If placed on the water, a navigation aid must be a buoy.

(d) A buoy that identifies a point two hundred (200) feet from the shoreline of any lake or channel under IC 14-15-3-17 is exempted from subsection (c). This exemption does not apply to Lake Michigan or where the division determines the exemption will be contrary to safe and lawful boat usage.

(e) This rule does not apply to a navigation aid or water recreation structure located within one hundred fifty (150) feet from the waterline or shoreline of a public freshwater lake or to a mooring buoy. The placement of a navigation aid or water recreation structure under this subsection is governed by 312 IAC 11. A mooring buoy located on a navigable waterway is governed by 312 IAC 6. *(Natural Resources Commission; 312 IAC 5-4-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2370, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-4-2 Application for a license for a navigation aid or water recreation structure; general requirements

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 2. An application for a license under this rule must be completed on a department form and contain information sufficient to describe the purpose for which the license is sought. The application shall include the following information:

(1) The name and address of the applicant.

(2) The name, address, and telephone number of an individual who can be contacted concerning placement, maintenance, and removal of the navigation aid or water recreation structure.

(3) A description of any navigation aid or water recreation structure to be placed under the license.

(4) The date, location, and duration of placement.

(Natural Resources Commission; 312 IAC 5-4-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2370, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-4-3 License application; additional information; notice to affected persons; consolidated applications

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 3. (a) In addition to the information required under section 2 of this rule, the department may require the following information to be included in an application:

(1) The name and address of any adjacent property owner, municipality, or other interested person who may be affected by placement of the navigation aid or water recreation structure.

(2) Information that will assist in determining whether issuance of the permit is likely to result in any hazard to persons, property, or the environment.

(3) Any other information deemed appropriate by the director.

(b) The department shall require an applicant to provide notice to any person that will be affected by issuance of a license.

(c) A consolidated application may be made for a license to govern all navigation aids or water recreation structures (or all navigation aids or water recreation structures of a particular type) on a specified public freshwater lake, navigable waterway, or segment of a public freshwater lake or navigable waterway. *(Natural Resources Commission; 312 IAC 5-4-3; filed Mar 23, 2001,*

2:50 p.m.: 24 IR 2370, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-4-4 Buoys used as navigation aids; general requirements

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 4. (a) Except as provided in subsection (b), a buoy used as a navigation aid must be white with horizontal bands of international orange placed completely around the buoy circumference. One (1) band must be at the top of the buoy body, with a second band just above the waterline of the buoy so that both international orange bands are clearly visible to approaching vessels. The bands must be at least two (2) inches wide. The area of the buoy, which is visible between the two (2) bands, must be white and provide adequate space for the placement of geometric shapes. The buoy must be constructed of materials that are shatter-resistant and unsinkable within anticipated usage. The buoy must be anchored adequately to prevent movement by wind, current, and wave action.

(b) Lateral marks, safe water marks, isolated danger marks, and special marks shall, to the extent practicable, conform with 33 CFR 62.25 through 33 CFR 62.31. Sections 6 and 7 of this rule do not apply to this subsection. *(Natural Resources Commission; 312 IAC 5-4-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2371, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-4-5 Buoys used as navigation aids on Lake Michigan; construction standards

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 5. A buoy used as a navigation aid on Lake Michigan must conform to the following construction standards:

(1) The exterior diameter of the buoy is at least eight (8) inches.
(2) The buoy is constructed of materials that are shatter-resistant and unsinkable within anticipated usage.
(3) The buoy is anchored in a manner that is suitable for use on the waters of Lake Michigan.
(4) Letters and numbers are placed on the regulatory marker as follows:
    (A) Solid black.
    (B) To enable them to be clearly visible to an approaching or passing boat, but not less than three (3) inches high.
    (C) In block style and well-proportioned.

(Natural Resources Commission; 312 IAC 5-4-5; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2371, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-4-6 Buoys used as navigation aids; geometric shapes and designations

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 6. (a) Geometric shapes must be placed on the white portion of the body of a buoy. The geometric shapes must be colored international orange. The authorized geometric shapes and meanings associated with them are as follows:

(1) A vertical, open-faced diamond shape means danger. This shape is illustrated as follows:

(2) A vertical, open-faced diamond shape with a cross centered in the diamond designates a zone which is excluded from usage by a boat or from some other designated purpose. This shape is illustrated as follows:

(3) A circular shape designates a zone where a boat may be operated only if the operation complies with certain restrictions. This shape is illustrated as follows:

(4) A square or rectangular shape means information or directions are provided. This shape is illustrated as follows:

(b) If a diamond or circular geometric shape associated with the meaning of the marker is included, the meaning must be centered on the sign. If a regulatory marker consists of a square or rectangular shaped sign displayed from a structure, the sign shall be white with an international orange border. *(Natural Resources Commission; 312 IAC 5-4-6; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2371, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-4-7 Restricted use zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 7. A buoy may be placed under section 6(a)(2) or 6(a)(3) of this rule only as provided as follows:
(1) The commission adopts a rule to establish and delineate a restricted use zone.
(2) The restricted use zone designates one (1) of the following:
(A) Boats are excluded from the zone.
(B) Swimming is excluded from the zone.
(C) Scuba is excluded from the zone.
(D) Boats and swimming are excluded from the zone.
(E) Boats are prohibited from towing water skis or similar objects in the zone.
(F) Boats are prohibited from operating in excess of idle speed in the zone.
(G) Boats are prohibited from operating in excess of a designated speed limit in the zone.
(Natural Resources Commission; 312 IAC 5-4-7; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2372, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-4-8 Tampering with a navigation aid

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 8. A person must not move, remove, deface, destroy, obscure, or otherwise interfere with a navigation aid placed under this rule, except at the direction of the division or the United States Coast Guard. *(Natural Resources Commission; 312 IAC 5-4-8; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2372, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

Rule 5. Waste Disposal

312 IAC 5-5-1 Application

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 1. This rule governs the disposal or discharge of sewage, graywater, and other wastes from a boat that is located upon public waters. *(Natural Resources Commission; 312 IAC 5-5-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2372, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-5-2 Sewage disposal from a boat

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 2. (a) Except as provided in subsection (c), a person must not keep, maintain, or operate upon public water a boat that is equipped with a water closet or toilet unless the water closet or toilet is equipped with a Type III marine sanitation device with the capacity to store wastes for subsequent disposal at:

(1) an approved shoreside facility or incinerator; or

(2) a treatment system approved by the Indiana department of environmental management according to rules adopted by the:

(A) solid waste management board; or

(B) water pollution control board.

(b) Except as provided in subsection (c), a person may not dispose of sewage accumulated in a Type III marine sanitation device or any other container on a boat in a manner that the sewage reaches or may reach public waters, except through a sewage disposal facility approved by the Indiana department of environmental management according to rules adopted by the:

(1) solid waste management board; or

(2) water pollution control board.

(c) A person who maintains or operates a boat, upon Lake Michigan or another waterway described in 40 CFR 140.3, that is equipped with a Type I marine sanitation device or a Type II marine sanitation, must comply with 33 CFR 159 and 40 CFR 140.

(d) The following definitions apply throughout this section:

(1) "Sewage" means human bodily wastes.

(2) "Type I marine sanitation device" has the meaning set forth at 40 CFR 140.3.

(3) "Type II marine sanitation device" has the meaning set forth at 40 CFR 140.3.

(4) "Type III marine sanitation device" has the meaning set forth at 40 CFR 140.3.

(Natural Resources Commission; 312 IAC 5-5-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2372, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-5-3 Litter and other waste disposal from a boat

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 3. (a) Except as provided in subsection (b), a person must not dispose of litter or other waste from a boat maintained or operated upon public water.

(b) A person who maintains or operates a boat upon Lake Michigan or another waterway described in 40 CFR 1700 must not violate 40 CFR 1700 in treatment or disposal of litter or other waste from a boat.

(c) As used in this section, "other waste" includes the following:

(1) Filth.

(2) A putrid substance.

(3) An unwholesome substance.

(4) Contents of a catch basin.

(5) Contents of a grease trap.
(6) Any other graywater.
(Natural Resources Commission; 312 IAC 5-5-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2372, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA; filed Aug 27, 2015, 10:40 a.m.: 20150923-IR-312140515FRA)

Rule 6. Specified Public Freshwater Lakes; Restrictions

312 IAC 5-6-1 Boating restrictions on specified public freshwater lakes; applicability
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 1. (a) This rule establishes zones on specified public freshwater lakes to govern the operation of boats for any of the following purposes:
(1) Addressing unusual conditions or hazards.
(2) Fish, wildlife, or botanical resource management.
(3) The protection of users.
(b) This rule may modify or supplement 312 IAC 11.
(c) In order to be effective, a zone established under this rule must be identified on-site by buoys placed under 312 IAC 5-4.
(Natural Resources Commission; 312 IAC 5-6-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2373, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-6-2 Barbee Chain of Lakes; special boating zones
Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14

Sec. 2. (a) This section establishes special boating zones on the Barbee Chain of Lakes in Kosciusko County. The Barbee Chain of Lakes includes the following:
(1) Bantam Lake (also known as Banning Lake).
(2) Big Barbee Lake.
(3) Irish Lake.
(4) Kuhn Lake.
(5) Little Barbee Lake.
(6) Sawmill Lake.
(7) Sechrist Lake.
(b) Except on Big Barbee Lake, a person must not operate a boat in excess of ten (10) miles per hour on the Barbee Chain of Lakes. *(Natural Resources Commission; 312 IAC 5-6-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2373, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-6-3 Bass Lake; special boating zones and temporary structure standards
Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-26-2-23
Affected: IC 14-15; IC 14-26-2-4

Sec. 3. (a) Notwithstanding 312 IAC 11-3-1(b)(5), a temporary pier or boat lift is authorized on Bass Lake in Starke County by a general license under IC 14-26-2 if the structure conforms with both of the following:
(1) Satisfies 312 IAC 11-3-1(b)(1) through 312 IAC 11-3-1(b)(4), 312 IAC 11-3-1(b)(7), and 312 IAC 11-3-1(b)(8).
(2) Extends not more than:

(A) one hundred fifty (150) feet from the shoreline or water line and satisfies 312 IAC 11-3-1(b)(6); or
(B) three hundred (300) feet from the shoreline or water line and does not extend over water that is continuously more than three (3) feet deep.

(b) A person must not operate a boat in excess of idle speed within three hundred fifty (350) feet of the shoreline or water line.

(c) A person must not operate a boat at a site within the swimming area adjacent to Bass Lake Beach and Campground with the:

(1) southwestern boundary beginning at a point on the shoreline and one hundred forty-eight (148) feet southwest of the southwestern corner of the bath house and running perpendicular to the shoreline or water line for three hundred forty-five (345) feet;
(2) northeastern boundary beginning at a point on the shoreline and two hundred fifteen (215) feet northeast of the northwest corner of the bath house and running perpendicular to the shoreline or water line for three hundred forty-five (345) feet; and
(3) northwestern boundary formed by a line, approximately four hundred thirty-five (435) feet long, running parallel to the shoreline or water line and terminating at the lakeward-most points of the southwestern boundary and the northeastern boundary.

(d) As used in this section, "shoreline or water line" means the line formed under IC 14-26-2-4(1) at seven hundred thirteen and sixty-five hundredths (713.65) feet, National Geodetic Vertical Datum of 1929 (NGVD-29). *(Natural Resources Commission; 312 IAC 5-6-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2373, eff Jan 1, 2002; filed Sep 6, 2007, 12:12 p.m.: 20071003-IR-312060558FRA; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-6-4 Indian Lakes Chain of Lakes; special boating zones

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14

Sec. 4. (a) This section establishes special boating zones on the Indian Lakes Chain of Lakes in LaGrange County. The Indian Lakes Chain of Lakes includes the following:

(1) Dallas Lake.
(2) Hackenburg Lake.
(3) Messick Lake.
(4) Westler Lake.
(5) Whitmer Lake.

(b) Except on Dallas Lake and Whitmer Lake, a person must not operate a boat in excess of ten (10) miles per hour on the Indian Lakes Chain of Lakes. *(Natural Resources Commission; 312 IAC 5-6-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2373, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-6-5 Lake James Chain of Lakes; special boating zones

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14; IC 32-19-1-1

Sec. 5. (a) This section establishes special boating zones on the Lake James Chain of Lakes in Steuben County. For the purposes of this section, the Lake James Chain of Lakes includes the following:

(1) Big Otter Lake.
(2) Jimmerson Lake.
(3) Lake James.
(4) Little Otter Lake.
(5) Marsh Lake.
(6) Snow Lake.

(7) The streams connecting the lakes.

(b) A person must not operate a boat at either of the following sites located within Lake James:

(1) Adjacent to the Pokagon Beach in Pokagon State Park with:

(A) the southern boundary beginning at a point on the shoreline at the southern edge of the Pokagon Beach, the point being located north fifty (50) degrees west, a distance of one hundred twenty-four (124) feet from the northwest corner of the concession building;

(B) the northern boundary beginning at a point on the shoreline five hundred (500) feet north of the point on the shoreline described in clause (A) and running perpendicular to the shoreline for one hundred fifty (150) feet; and

(C) the western boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the southern boundary and the northern boundary.

(2) Adjacent to the Potawatomi Inn Beach in Pokagon State Park with:

(A) the western boundary beginning at a point on the shoreline at the western edge of the Potawatomi Inn Beach and running perpendicular to the shoreline for one hundred fifty (150) feet;

(B) the eastern boundary beginning at a point on the west end of a concrete seawall in front of the boat rental and running perpendicular to the shoreline for one hundred fifty (150) feet; and

(C) the southern boundary formed by a line running parallel to the shoreline, approximately three hundred (300) feet long, and terminating at the lakeward-most points of the western boundary and the northern boundary.

(c) A person must not operate a boat in excess of idle speed at any of the following locations:

(1) In the area separating Lake James from Snow Lake and more particularly described as follows:

(A) Northerly of buoys placed along a line formed by these points:

(i) SPC 2358640.00 (UTM 4620748.34) north and SPC 498640.00 (UTM 662873.32) east; and

(ii) SPC 2358014.99 (UTM 4620568.46) north and SPC 500882.81 (UTM 663559.75) east.

(B) Southerly of buoys placed along a line formed by these points:

(i) SPC 2357538.77 (UTM 4620415.28) north and SPC 499176.13 (UTM 663041.90) east; and

(ii) SPC 2357538.77 (UTM 4620422.16) north and SPC 500632.12 (UTM 663485.61) east.

(2) Along Follett Creek between Big Otter Lake and Snow Lake and more particularly described as follows:

(A) Westerly of buoys placed along a line formed by these points:

(i) SPC 2360938.47 (UTM 4621470.13) north and SPC 503160.06 (UTM 664239.92) east; and

(ii) SPC 2360451.35 (UTM 4621322.18) north and SPC 503265.57 (UTM 664274.38) east.

(B) Easterly of buoys placed along a line formed by these points:

(i) SPC 2359972.56 (UTM 4621187.97) north and SPC 505744.48 (UTM 665032.07) east; and

(ii) SPC 2359897.33 (UTM 4621165.50) north and SPC 505840.23 (UTM 665061.60) east.

(d) The coordinates used in subsection (c) have the meaning set forth in IC 32-19-1-1, 312 IAC 1-1-27.5, and 312 IAC 1-1-29.3 and referenced as "SPC" and "UTM". *(Natural Resources Commission; 312 IAC 5-6-5; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2374, eff Jan 1, 2002; filed Jan 7, 2005, 2:05 p.m.: 28 IR 1680; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; errata filed Jun 18, 2012, 8:51 a.m.: 20120718-IR-312120376ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-6-5.5 Lake Manitou; special watercraft zones

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14; IC 32-19-1-1

Sec. 5.5. (a) This section establishes restrictions on the operation of watercraft on Lake Manitou in Fulton County.

(b) Except as provided in subsection (c), a person must not operate a watercraft in an area, commonly known as the Prairie, which is enclosed by a line of buoys placed as follows:

(1) SPC 2114199 (UTM 4544799) north and SPC 185587 (UTM 568631) east.

(2) SPC 2114362 (UTM 4544844) north and SPC 184604 (UTM 568331) east.

(3) SPC 2114620 (UTM 4544921) north and SPC 184241 (UTM 568219) east.

(4) SPC 2115391 (UTM 4545156) north and SPC 184259 (UTM 568221) east.

(5) SPC 2115871 (UTM 4545305) north and SPC 184900 (UTM 568414) east.
(6) SPC 2115720 (UTM 4545262) north and SPC 185534 (UTM 568608) east.
(7) SPC 2114303 (UTM 4544831) north and SPC 185670 (UTM 568656) east.
(c) A person is exempted from subsection (b) if each of the following requirements is satisfied:
(1) The watercraft is not a motorboat or is a motorboat that has the motor turned off.
(2) The watercraft is not operated in excess of idle speed.
(3) The watercraft is not anchored.
(d) This section expires on April 30, 2008. *(Natural Resources Commission; 312 IAC 5-6-5.5; filed May 25, 2005, 10:20 a.m.: 28 IR 2944, eff Oct 1, 2005; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-6-5.6 Lake Manitou; special boating zones
Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14; IC 32-19-1-1

Sec. 5.6. (a) This section establishes restrictions on the operation of boats on Lake Manitou in Fulton County.
(b) Except as provided in subsection (c), a person must not operate a boat in an area commonly known as the Prairie, which is enclosed by a line of buoys placed as follows:
(1) SPC 2114199 (UTM 4544799) north and SPC 185587 (UTM 568631) east.
(2) SPC 2114362 (UTM 4544844) north and SPC 184604 (UTM 568331) east.
(3) SPC 2114620 (UTM 4544921) north and SPC 184241 (UTM 568219) east.
(4) SPC 2115391 (UTM 4545156) north and SPC 184259 (UTM 568221) east.
(5) SPC 2115871 (UTM 4545305) north and SPC 184900 (UTM 568414) east.
(6) SPC 2115720 (UTM 4545262) north and SPC 185534 (UTM 568608) east.
(7) SPC 2114303 (UTM 4544831) north and SPC 185670 (UTM 568656) east.
(c) A person is exempted from subsection (b) if each of the following requirements is satisfied:
(1) The boat is not a motorboat or is a motorboat that has the motor turned off.
(2) The boat is not operated in excess of idle speed.
(3) The boat is not anchored.
(Natural Resources Commission, 312 IAC 5-6-5.6; filed Jun 16, 2009, 2:40 p.m.: 20090715-IR-312080756FRA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-6-6 Lake Wawasee and Syracuse Lake; special boating zones
Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14; IC 32-19-1-1

Sec. 6. (a) This section establishes restrictions on the operation of boats on and between Lake Wawasee and Syracuse Lake in Kosciusko County. The coordinates used in this section are on the Indiana coordinate system of 1983, east zone, in United States Survey feet as defined in IC 32-19-1-1, hereinafter referred to as SPC.
(b) A person must not operate a boat in excess of idle speed in any of the following locations:
(1) In an area known as Johnson Bay on Lake Wawasee and more particularly described as east and north of buoys placed along a boundary in the northeastern portion of the bay. The boundary:
(A) begins at its southernmost point with a buoy placed at SPC 2244173.23 (UTM 4585045.15) north and SPC 323786.03 (UTM 610130.52) east;
(B) continues in a northwesterly direction, including, but not limited to, buoys placed at:
(i) SPC 2244348.87 (UTM 4585097.04) north and SPC 323439.20 (UTM 610024.02) east;
(ii) SPC 2244959.54 (UTM 4585282.60) north and SPC 323331.64 (UTM 609988.38) east; and
(iii) SPC 2245188.84 (UTM 4585350.69) north and SPC 322952.76 (UTM 609871.86) east; and
(C) concludes with the northernmost buoy placed at SPC 2245460.99 (UTM 4585431.22) north and SPC 322442.69

(UTM 609715.17) east.

(2) In an area known as Johnson Bay on Lake Wawasee and more particularly described as west of buoys forming a boundary in the western portion of the bay. The boundary:

(A) begins at its southernmost point with a buoy placed at SPC 2242916.32 (UTM 4584652.79) north and SPC 321786.06 (UTM 609527.03) east;

(B) continues north, including, but not limited to, buoys placed at:

(i) SPC 2243201.20 (UTM 4584740.07) north and SPC 321889.40 (UTM 609557.18) east; and

(ii) SPC 2243594.17 (UTM 4584859.59) north and SPC 321842.69 (UTM 609541.11) east; and

(C) concludes with the northernmost buoy placed at SPC 2243903.36 (UTM 4584954.47) north and SPC 321985.50 (UTM 609583.17) east.

(3) In the area known as Conklin Bay on Lake Wawasee and more particularly described as southeasterly, southerly, and southwesterly of buoys placed along a boundary in the central portion of the bay. The boundary:

(A) begins at its westerly end with a buoy placed at SPC 2242788.82 (UTM 4584545.75) north and SPC 307249.00 (UTM 605098.25) east;

(B) continues in a southeasterly, easterly, and northeasterly direction, including, but not limited to, buoys placed at:

(i) SPC 2242718.09 (UTM 4584524.69) north and SPC 307352.68 (UTM 605130.17) east;

(ii) SPC 2242565.10 (UTM 4584478.30) north and SPC 307401.91 (UTM 605145.89) east;

(iii) SPC 2242497.48 (UTM 4584458.00) north and SPC 307465.11 (UTM 605165.46) east;

(iv) SPC 2242521.75 (UTM 4584465.68) north and SPC 307526.81 (UTM 605184.15) east;

(v) SPC 2242525.13 (UTM 4584466.99) north and SPC 307585.84 (UTM 605202.12) east;

(vi) SPC 2242474.80 (UTM 4584452.16) north and SPC 307694.90 (UTM 605235.58) east;

(vii) SPC 2242498.23 (UTM 4584459.61) north and SPC 307759.98 (UTM 605255.30) east;

(viii) SPC 2242567.77 (UTM 4584481.05) north and SPC 307813.45 (UTM 605271.27) east;

(ix) SPC 2242659.47 (UTM 4584509.22) north and SPC 307862.22 (UTM 605285.70) east;

(x) SPC 2242742.59 (UTM 4584534.73) north and SPC 307901.47 (UTM 605297.27) east;

(xi) SPC 2242822.16 (UTM 4584559.27) north and SPC 307964.83 (UTM 605316.20) east;

(xii) SPC 2242840.80 (UTM 4584565.12) north and SPC 308000.91 (UTM 605327.11) east;

(xiii) SPC 2242834.77 (UTM 4584563.55) north and SPC 308059.05 (UTM 605344.85) east;

(xiv) SPC 2242805.66 (UTM 4584554.98) north and SPC 308123.49 (UTM 605364.62) east;

(xv) SPC 2242814.46 (UTM 4584558.09) north and SPC 308213.15 (UTM 605391.90) east;

(xvi) SPC 2242828.98 (UTM 4584562.98) north and SPC 308312.37 (UTM 605422.06) east;

(xvii) SPC 2242887.79 (UTM 4584581.21) north and SPC 308379.96 (UTM 605442.38) east;

(xviii) SPC 2242958.99 (UTM 4584602.94) north and SPC 308387.17 (UTM 605444.24) east;

(xix) SPC 2243095.28 (UTM 4584644.80) north and SPC 308458.38 (UTM 605465.30) east;

(xx) SPC 2243116.97 (UTM 4584651.58) north and SPC 308495.63 (UTM 605476.55) east;

(xxi) SPC 2243128.91 (UTM 4584655.80) north and SPC 308619.23 (UTM 605514.15) east;

(xxii) SPC 2243071.61 (UTM 4584638.69) north and SPC 308693.71 (UTM 605537.12) east;

(xxiii) SPC 2243045.71 (UTM 4584631.56) north and SPC 308854.70 (UTM 605586.29) east;

(xxiv) SPC 2243044.62 (UTM 4584631.50) north and SPC 308912.74 (UTM 605603.98) east;

(xxv) SPC 2243022.03 (UTM 4584624.84) north and SPC 308961.85 (UTM 605619.05) east;

(xxvi) SPC 2243024.71 (UTM 4584625.98) north and SPC 309030.45 (UTM 605639.94) east;

(xxvii) SPC 2242991.47 (UTM 4584616.19) north and SPC 309101.67 (UTM 605661.79) east;

(xxviii) SPC 2242960.27 (UTM 4584607.03) north and SPC 309176.01 (UTM 605684.59) east;

(xxix) SPC 2242952.81 (UTM 4584605.10) north and SPC 309248.88 (UTM 605706.83) east;

(xxx) SPC 2242922.97 (UTM 4584596.21) north and SPC 309291.55 (UTM 605719.97) east;

(xxxi) SPC 2242842.09 (UTM 4584571.77) north and SPC 309335.57 (UTM 605733.76) east;

(xxxii) SPC 2242744.94 (UTM 4584542.60) north and SPC 309426.58 (UTM 605761.95) east;

(xxxiii) SPC 2242709.93 (UTM 4584532.22) north and SPC 309487.98 (UTM 605780.82) east;

(xxxiv) SPC 2242717.16 (UTM 4584534.90) north and SPC 309590.62 (UTM 605812.06) east;

(xxxv) SPC 2242677.69 (UTM 4584523.74) north and SPC 309775.22 (UTM 605868.49) east;
(xxxvi) SPC 2242666.43 (UTM 4584520.55) north and SPC 309826.05 (UTM 605884.03) east; and
(xxxvii) SPC 2242691.59 (UTM 4584528.88) north and SPC 309969.02 (UTM 605927.48) east; and
(C) concludes with the easterly most buoy placed at SPC 2242703.63 (UTM 4584532.75) north and SPC 310011.72 (UTM 605940.43) east.

(4) In the area of Lake Wawasee, commonly referred to as the channel area and Mud Lake, that lies between the main body of Lake Wawasee and Syracuse Lake.

(5) In the southeastern portion of Syracuse Lake, more particularly described as east and south of buoys forming a boundary that:

(A) begins at its northernmost point with a buoy placed at SPC 2249799.53 (UTM 4586701.18) north and SPC 311364.04 (UTM 606319.19) east;
(B) continues in a southwesterly direction to include buoys placed at:
(i) SPC 2249436.77 (UTM 4586585.73) north and SPC 310315.97 (UTM 606001.55) east; and
(ii) SPC 2249156.14 (UTM 4586498.97) north and SPC 310047.98 (UTM 605921.21) east; and
(C) concludes at its southernmost point with a buoy placed at SPC 2248558.17 (UTM 4586316.32) north and SPC 309952.51 (UTM 605894.93) east.

(6) In an area commonly referred to as the north bay on Lake Wawasee, more particularly described as north of the boundary between buoys placed at:

(A) SPC 2246336.50 (UTM 4585656.83) north and SPC 313670.41 (UTM 607038.18) east; and
(B) SPC 2246294.91 (UTM 4585640.40) north and SPC 312868.18 (UTM 606793.94) east.

(c) In addition to subsection (b)(6), a person must not operate, anchor, or moor a boat in either of the following restricted zones located in the area commonly referred to as the north bay on Lake Wawasee:

(1) Within the rectangular shaped area bounded by buoys designating the:

(A) southwestern corner of the area at SPC 2246372.00 (UTM 4585665.57) north and SPC 313226.16 (UTM 606902.65) east;
(B) northwestern corner at SPC 2246561.00 (UTM 4585723.15) north and SPC 313224.59 (UTM 606901.28) east;
(C) northeastern corner at SPC 2246576.75 (UTM 4585729.42) north and SPC 313538.09 (UTM 606996.73) east; and
(D) southeastern corner at SPC 2246382.25 (UTM 4585670.21) north and SPC 313549.53 (UTM 607001.13) east.

(2) Within the rectangular shaped area bounded by buoys designating the southwestern corner of the:

(A) area at SPC 2246371.25 (UTM 4585664.08) north and SPC 312958.88 (UTM 606821.21) east;
(B) northwestern corner at SPC 2246558.25 (UTM 4585721.04) north and SPC 312954.19 (UTM 606818.91) east;
(C) northeastern corner at SPC 2246558.50 (UTM 4585721.75) north and SPC 313090.28 (UTM 606860.37) east; and
(D) southeastern corner at 2246374.50 (UTM 4585665.70) north and SPC 313091.94 (UTM 606861.74) east.

(d) The coordinates used in this section apply the Indiana coordinate system of 1983, east zone, in United States Survey feet as defined in IC 32-19-1-1 and here referenced as "SPC". *(Natural Resources Commission; 312 IAC 5-6-6; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2374, eff Jan 1, 2002; filed Jan 16, 2003, 10:55 a.m.: 26 IR 1900; filed Sep 9, 2003, 9:30 a.m.: 27 IR 59; errata filed May 3, 2004, 5:30 p.m.: 27 IR 2742; errata filed Jun 9, 2004, 3:40 p.m.: 27 IR 3078; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-6-6.5 Lake of the Woods; special boating zones and temporary structure standards

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-26-2-23
Affected: IC 14-15; IC 14-26-2-4

Sec. 6.5. (a) Notwithstanding 312 IAC 11-3-1(b)(5), a temporary pier or boat lift is authorized on Lake of the Woods in Marshall County by a general license under IC 14-26-2 if the structure conforms with both of the following:

(1) Satisfies 312 IAC 11-3-1(b)(1) through 312 IAC 11-3-1(b)(4), 312 IAC 11-3-1(b)(7), and 312 IAC 11-3-1(b)(8).

(2) Extends not more than either of the following:

(A) One hundred fifty (150) feet from the shoreline or water line and satisfies 312 IAC 11-3-1(b)(6).

(B) Three hundred (300) feet from the shoreline or water line and does not extend over water that is continuously more than three (3) feet deep at either of the following locations:

(i) From a point at the shoreline or water line at 16 T 0564236 UTM 4587255 clockwise to a point at the shoreline or water line at 16 T 0564816 UTM 4585984.

(ii) From a point at the shoreline or water line at 16 T 0565073 UTM 4585166 clockwise to a point at the shoreline or water line at 16 T 0564606 UTM 4585044.

(b) A person must not operate a boat in excess of idle speed within three hundred fifty (350) feet of the shoreline or water line for the areas identified in subsection (a)(2)(B).

(c) As used in this section, "shoreline or water line" means the line formed under IC 14-26-2-4(1) at eight hundred three and eighty-five hundredths (803.85) feet, National Geodetic Vertical Datum of 1929 (NGVD-29). *(Natural Resources Commission; 312 IAC 5-6-6.5; filed Nov 16, 2007, 1:43 p.m.: 20071212-IR-312070029FRA; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-6-7 Lime Lake; special boating zones

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14

Sec. 7. A person must not operate a boat in excess of ten (10) miles per hour on Lime Lake in Steuben County. *(Natural Resources Commission; 312 IAC 5-6-7; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2374, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-6-8 Oliver Chain of Lakes; special boating zones

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14

Sec. 8. (a) This section establishes special boating zones on the Oliver Chain of Lakes in LaGrange County. The Oliver Chain of Lakes includes the following:

(1) Martin Lake.

(2) Olin Lake.

(3) Oliver Lake.

(b) A person must not operate a boat in excess of ten (10) miles per hour on Martin Lake.

(c) A person must not operate a boat in excess of idle speed on Olin Lake. *(Natural Resources Commission; 312 IAC 5-6-8; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2374, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-6-9 Tippecanoe Lake and James Lake; special boating zones

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14

Sec. 9. (a) This section establishes special boating zones in Kosciusko County on Tippecanoe Lake, James Lake, and channels connected to these lakes. Oswego Lake is:

(1) exempted from this section; and

(2) controlled by 312 IAC 5-11-12.

(b) Except as provided in subsection (a), a person must not operate a boat in excess of ten (10) miles per hour on Tippecanoe

Lake west of the east entrance to Bellrohr Channel. Bellrohr Channel connects to a basin of Tippecanoe Lake that is sometimes referred to as Oswego Lake.

(c) A person must not operate a boat with other than an electric trolling motor or paddle in the Flats on the west side of the Ball Wetlands in Tippecanoe Lake. The boundary of the restricted zone:

(1) begins on shore at SPC 2210825 (UTM 4574804) north and SPC 306682 (UTM 605075) east at the mouth of the Grassy Creek Channel;

(2) continues in a northerly direction to the points:

(A) SPC 2211084 (UTM 4574883) north and SPC 306694 (UTM 605078) east;

(B) SPC 2211419 (UTM 4574985) north and SPC 306710 (UTM 605081) east;

(C) SPC 2211796 (UTM 4575102) north and SPC 307236 (UTM 605239) east;

(D) SPC 2212451 (UTM 4575304) north and SPC 307630 (UTM 605356) east; and

(E) SPC 2212483 (UTM 4575315) north and SPC 307897 (UTM 605438) east; and

(3) concludes on shore at the mouth of the channel to James Lake at SPC 2212515 (UTM 4575326) north and SPC 308232 (UTM 605540) east.

(d) A person must not operate a boat in excess of idle speed in the following areas:

(1) In Grassy Creek Channel south of the entrance to Tippecanoe Lake from a point at SPC 2211098 (UTM 4574886) north and SPC 306467 (UTM 605008) east.

(2) In the channel between Tippecanoe Lake and James Lake beginning with a point in eastern Tippecanoe Lake at SPC 2212677 (UTM 4575375) north and SPC 308135 (UTM 605509) east and ending with a point in western James Lake at SPC 2212481 (UTM 4575322) north and SPC 309636 (UTM 605968) east.

(3) In James Lake bordering the Ball Wetlands. The boundary of the restricted zone:

(A) begins at a point north of the channel to Tippecanoe Lake at SPC 2212864 (UTM 4575437) north and SPC 309179 (UTM 605826) east;

(B) continues in a southerly direction to the points:

(i) SPC 2212481 (UTM 4575322) north and SPC 309636 (UTM 605968) east;

(ii) SPC 2212626 (UTM 4575369) north and SPC 310139 (UTM 606120) east;

(iii) SPC 2212045 (UTM 4575194) north and SPC 310717 (UTM 606299) east;

(iv) SPC 2211233 (UTM 4574947) north and SPC 310629 (UTM 606276) east;

(v) SPC 2210783 (UTM 4574811) north and SPC 310971 (UTM 606382) east;

(vi) SPC 2209873 (UTM 4574533) north and SPC 310724 (UTM 606311) east;

(vii) SPC 2209521 (UTM 4574426) north and SPC 310856 (UTM 606353) east; and

(viii) SPC 2209302 (UTM 4574357) north and SPC 310387 (UTM 606211) east; and

(C) concludes with the southernmost point placed at SPC 2208961 (UTM 4574255) north and SPC 310797 (UTM 606338) east.

(e) In order to be effective, a zone established under this section must include buoys placed on site under 312 IAC 5-4. *(Natural Resources Commission; 312 IAC 5-6-9; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2374, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; filed Mar 2, 2009, 1:22 p.m.: 20090401-IR-312080295FRA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; filed Oct 11, 2013, 3:15 p.m.: 20131106-IR-312130213FRA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-6-10 West Chain of Lakes; special boating zones

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14

Sec. 10. (a) This section establishes special boating zones on the West Chain of Lakes in Noble County. The West Chain of Lakes includes each of the following:

(1) Jones Lake.

(2) Steinbarger Lake.

(3) Tamarack Lake.

(4) Waldron Lake.

(b) Except as provided in subsection (c), a person must not operate a boat in excess of ten (10) miles per hour on the West Chain of Lakes.

(c) Subsection (b) does not apply between 10 a.m. and 5 p.m. to the large basin of Waldron Lake. The large basin is bounded on the northeast by a channel to Steinbarger Lake and on the southwest by an opening into a smaller basin of Waldron Lake (defined by a line formed where the opening narrows to six hundred fifty (650) feet between opposite waterlines or shorelines). *(Natural Resources Commission; 312 IAC 5-6-10; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2374, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-6-11 Simonton Lake; special boating zones

Authority: IC 14-10-2-4; IC 14-15-7-3
Affected: IC 14; IC 32-19-1-1

Sec. 11. (a) This section establishes a special boating zone in Elkhart County on Simonton Lake.

(b) A person must not operate a boat with other than an electric trolling motor or paddle in an area in the southeast corner of the east basin of the lake bounded by buoys designating the boundary of the restricted zone:

(1) beginning on shore at SPC 2367635.632 (UTM 4622323) north and SPC 251603.940 (UTM 587556) east which is immediately south of Lot #12 of the Dawns Edge Subdivision;

(2) continuing in a northwest direction to the point at SPC 2367945.962 (UTM 4622414) north and SPC 250981.110 (UTM 587365) east;

(3) continuing in a westerly direction to the point at SPC 2367511.934 (UTM 4622280) north and SPC 250586.145 (UTM 587246) east; and

(4) then following the southern shoreline in an easterly direction to the point of beginning identified in subdivision (1).

(c) Boats may not anchor within this zone.

(d) In order to be effective, a zone established under this section must include buoys placed on site under 312 IAC 5-4.

(e) The coordinates used in subsection (b) have the meaning set forth in IC 32-19-1-1, 312 IAC 1-1-27.5, and 312 IAC 1-1-29.3 and referenced as "SPC" and "UTM".

(f) This section expires January 1, 2021. *(Natural Resources Commission; 312 IAC 5-6-11; filed Jan 23, 2015, 10:10 a.m.: 20150218-IR-312140296FRA)*

Rule 7. Specified Navigable Waterways Other Than Lake Michigan; Restrictions

312 IAC 5-7-1 Boating restrictions on specified navigable waterways, other than Lake Michigan; applicability

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 1. (a) This rule establishes boating zones on specified navigable waterways, other than Lake Michigan and its tributaries in Lake, Porter, and LaPorte Counties, to govern the operation of boats for any of the following purposes:

(1) Addressing unusual conditions or hazards.

(2) Fish, wildlife, or botanical resource management.

(3) The protection of users.

(b) This rule may modify or supplement 312 IAC 6.

(c) In order to be effective, a zone established under this rule must be identified on-site by buoys placed under 312 IAC 5-4. *(Natural Resources Commission; 312 IAC 5-7-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2375, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-7-2 Kankakee River; boating speed zones

Authority: IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 2. A person must not operate a boat in excess of idle speed in Lake County and Newton County on the Kankakee River from the U.S. 41 bridge upstream for two (2) miles. *(Natural Resources Commission; 312 IAC 5-7-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2375, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-7-3 Ohio River embayments and tributaries; Arnolds Creek in Ohio County; boating speed zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 3. A person must not operate a boat in excess of idle speed on Arnolds Creek in Ohio County for two thousand four hundred fifty (2,450) feet upstream from the confluence of the Ohio River and Arnolds Creek. *(Natural Resources Commission; 312 IAC 5-7-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2375, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-7-4 Big Oil Creek, Perry County

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 4. A person must not operate a boat in excess of idle speed on Big Oil Creek in Perry County from buoys placed three hundred (300) feet downstream from the boat ramp for Bayou Ridge Campground to buoys placed three hundred (300) feet upstream from the boat ramp for Bayou Ridge Campground. *(Natural Resources Commission; 312 IAC 5-7-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2375, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-7-5 Ohio River embayments and tributaries; Bryant Creek and Turtle Creek in Switzerland County; boating speed zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 5. A person must not operate a boat in excess of idle speed for the following embayments and tributaries of the Ohio River located in Switzerland County:

(1) On Bryant Creek within two hundred (200) feet of a boat launching ramp located in the northeast quarter of the northwest quarter of the northwest quarter of section 34, township 2 north, range 1 west as designated by buoys placed by the department.

(2) On Turtle Creek Bay upstream from the confluence of the Ohio River and Turtle Creek.

(Natural Resources Commission; 312 IAC 5-7-5; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2375, eff Jan 1, 2002; filed May 9, 2006, 2:25 p.m.: 29 IR 2945; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-7-6 Deer Creek and its tributaries, Perry County

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 6. (a) A person must not operate a boat on Deer Creek or its tributaries in Perry County in excess of twenty (20) miles

per hour.

(b) In addition to the restrictions established under subsection (a), a person must not operate a boat in excess of idle speed:

(1) on Deer Creek:

(A) from its mouth on the Ohio River to buoys placed two thousand five hundred (2,500) feet upstream from the confluence of Deer Creek with Little Deer Creek, UTM 4197262.1 North (SPC 974300.7 North) and UTM 529318.5 East (SPC 3073012.8 East); or

(B) between buoys placed three hundred (300) feet downstream, UTM 4198026.3 North (SPC 937498.0 North) and UTM 530160.7 East (SPC 297732.7 East), and three hundred (300) feet upstream, UTM 4198200.8 North (SPC 937531.6 North) and UTM 530194.5 East (SPC 297907.3 East), of the State Road 66 bridge in section 5, township 7 south, range 2 west; and

(2) on Little Deer Creek to buoys placed three thousand two hundred (3,200) feet upstream from the confluence of Deer Creek with Little Deer Creek, UTM 4197310.5 North (SPC 974433.4 North) and UTM 528218.8 East (SPC 3069394.3 East). *(Natural Resources Commission; 312 IAC 5-7-6; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2375, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; filed Dec 17, 2009, 1:52 p.m.: 20100113-IR-312090210FRA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-7-7 Ohio River embayments and tributaries; Fourteenmile Creek in Clark County; boating zone

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 7. (a) Except as provided in subsection (b), a person must not operate a boat that is being propelled by an engine or motor on Fourteenmile Creek upstream from the confluence of the Ohio River to the Charlestown-Bethlehem Road (Old Highway 62) bridge.

(b) A person is exempted from subsection (a) if the person operates a boat that is being propelled by an electric motor. *(Natural Resources Commission; 312 IAC 5-7-7; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2376, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-7-8 Ohio River embayments and tributaries; Grants Creek in Ohio County and Switzerland County; boating speed zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 8. A person must not operate a boat in excess of idle speed on Grants Creek in Ohio County and Switzerland County for four thousand five hundred seventy-five (4,575) feet upstream from buoys placed by the department within the northeast quarter of the southeast quarter of the northeast quarter in section 28, township 3 north, range 1 west. *(Natural Resources Commission; 312 IAC 5-7-8; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2376, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-7-9 Ohio River embayments and tributaries; Indian-Kentuck Creek in Jefferson County; boating speed zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 9. A person must not operate a boat in excess of idle speed on Indian-Kentuck Creek in Jefferson County from the State Road 56 bridge upstream for three thousand two hundred (3,200) feet. *(Natural Resources Commission; 312 IAC 5-7-9; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2376, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-7-10 Ohio River embayments and tributaries; Laughery Creek in Dearborn County and Ohio County; boating speed zones

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 10. A person must not operate a boat in excess of idle speed on Laughery Creek in Dearborn County and Ohio County within the zone beginning at the confluence of the Ohio River and Laughery Creek and continuing upstream for a distance of sixteen thousand five hundred (16,500) feet to a point at UTM Northing 43203227 and UTM Easting 680037. *(Natural Resources Commission; 312 IAC 5-7-10; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2376, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; filed Jun 16, 2009, 2:38 p.m.: 20090715-IR-312080775FRA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-7-11 Millstone Creek and Kelly Hollow, Perry County

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 11. A person must not operate a boat in excess of idle speed on Millstone Creek or on the waters of Kelly Hollow in Perry County. *(Natural Resources Commission; 312 IAC 5-7-11; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2376, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-7-12 Ohio River embayments and tributaries; Tanners, Wilson, North Hogan, and South Hogan Creeks in Dearborn County; boating speed zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 12. A person must not operate a boat in excess of idle speed for the following embayments and tributaries of the Ohio River located in Dearborn County:

(1) On Tanners Creek for one thousand four hundred (1,400) feet upstream from buoys placed by the department in the southeast quarter of the northwest quarter of the southwest quarter of section 16, township 5 north, range 1 west.

(2) On Wilson Creek for two thousand two hundred (2,200) feet upstream from the confluence of the Ohio River and Wilson Creek.

(3) On North Hogan Creek for eight hundred (800) feet upstream from buoys placed by the department in the northwest quarter of the northwest quarter of the northeast quarter of section 32, township 5 north, range 1 west.

(4) On South Hogan Creek for one thousand nine hundred (1,900) feet upstream from buoys placed by the department in the northwest quarter of the northwest quarter of the northeast quarter of section 32, township 5 north, range 1 west.

(Natural Resources Commission; 312 IAC 5-7-12; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2376, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-7-13 St. Joseph River in St. Joseph County; boating speed restrictions

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 13. (a) This section establishes special boating restrictions on the St. Joseph River in St. Joseph County.

(b) No person may operate a boat upon the St. Joseph River in St. Joseph County within a zone that lies between the Twin Branch Hydroelectric Dam and the western boundary of the zone. More particularly, the western boundary zone begins at the point that is located on the northern shore of the St. Joseph River that lies three hundred (300) feet from the nearest point of the Twin Branch Hydroelectric Dam. The line then runs parallel to the northern spillway and tainter gates of the dam for two hundred sixty

(260) feet. The boundary line then turns one hundred twenty (120) degrees to the southeast and runs in a straight line for approximately two hundred sixty (260) feet to a point that is no closer than fifty (50) feet from the nearest point of the powerhouse of the dam. The boundary line then runs parallel to the powerhouse and ends at the south shore of the St. Joseph River. *(Natural Resources Commission; 312 IAC 5-7-13; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2377, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-7-14 Tippecanoe River in White County and Carroll County; boating speed restrictions

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 14. (a) This section governs the operation of boats on the Tippecanoe River in White County and Carroll County. Included are Lake Shafer, Lake Freeman, the navigable portions of Big Monon Creek, and their embayments.

(b) A person must not operate a boat at greater than idle speed on any of the following:

(1) The Tippecanoe River beginning at the Washington Street Bridge (U.S. Highway 24) located in Monticello and extending north to a water control structure known as the Norway Dam.

(2) The Tippecanoe River beginning at the Washington Street Bridge and extending south for ten thousand (10,000) feet. However, within a channel marked with buoys (placed by the department), a person may operate a boat at a speed not to exceed thirty (30) miles per hour, if the person does not tow a water ski, a water sled, a similar object, or a person.

(3) On an embayment of Lake Shafer formed by Timmon's Ditch (and sometimes referred to as Kean's Bay). The idle speed zone begins immediately east of a line running north and south at the mouth of Kean's Bay on the main body of Lake Shafer.

(4) On Big Monon Creek west of the bridge for Lake Shafer Drive.

(c) A person must not operate a boat in excess of twenty (20) miles per hour on an embayment of Lake Freeman formed by Snow Ditch and located northwest of the Oakdale Dam. The restricted zone shall be west of markers placed as follows:

(1) A monument shall be placed on the southeasterly most point of Clark Island in the mouth of the Snow Ditch Embayment and used as a turning point for the zone.

(2) The zone shall be marked with buoys in the water and a terrestrial marker on the island and on the western shore.

(3) North of Clark Island, the line shall be placed in a due northerly direction.

(4) South of Clark Island, the line shall angle southwesterly to the west shore where it will be marked by a monument placed at a thirty (30) degree angle from the monument on Clark Island.

(Natural Resources Commission; 312 IAC 5-7-14; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2377, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-7-15 White River (West Fork); boating speed restrictions

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 15. Boating restrictions are established on the west fork of the White River and its embayments in Marion County as follows:

(1) A person must not operate a boat in excess of idle speed within the channel that connects the embayment at the Landings Apartments to the White River.

(2) A person must not operate a motorboat from the Indianapolis Water Company's low-head dam upstream to the 82nd Street Bridge, if the electronic measuring device of the United States Geological Survey (located at the 82nd Street Bridge) registers at least eleven (11) feet. This elevation is seven hundred twenty-one and ninety-four hundredths (721.94) feet above mean sea level.

(Natural Resources Commission; 312 IAC 5-7-15; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2377, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

Rule 8. Lake Michigan; Restrictions

312 IAC 5-8-1 Boating restrictions on Lake Michigan and its navigable tributaries in Lake, Porter, and LaPorte Counties; applicability

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 1. (a) This rule establishes zones on Lake Michigan and its tributaries in Lake, Porter, and LaPorte Counties to govern the operation of boats for any of the following purposes:

(1) Addressing unusual conditions or hazards.

(2) Fish, wildlife, or botanical resource management.

(3) The protection of users.

(b) This rule may modify or supplement 312 IAC 6.

(c) In order to be effective, a zone established under this rule must be identified on-site by buoys placed under 312 IAC 5-4.

(Natural Resources Commission; 312 IAC 5-8-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2377, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-8-2 Lake County waters of Lake Michigan; boating restrictions

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 2. A person must not operate a boat in the following Lake County zones on Lake Michigan:

(1) Near Hammond, adjacent to lands managed by the Hammond Department of Parks and Recreation, at the following locations:

(A) The site known as the Lake Front Beach with:

(i) the western boundary beginning at the Southern Electric Company breakwall and the Lake Michigan shoreline extending lakeward and perpendicular to the shoreline for two hundred (200) feet;

(ii) the eastern boundary beginning at a point one thousand two hundred (1,200) feet from the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(iii) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.

(B) The site known as the Hammond Marina Beach with:

(i) the western boundary beginning at a point two thousand four hundred (2,400) feet east of the Southern Electric breakwall and the Lake Michigan shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet;

(ii) the eastern boundary at the Hammond Marina breakwall and the Lake Michigan shoreline extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(iii) the northern boundary formed by a line running parallel to the shoreline terminating at the lakeward-most points of the eastern boundary and the western boundary.

(2) Near Whiting, adjacent to the Whihala Beach County Park at the following locations:

(A) The site known as the West Swimming Beach with:

(i) the western boundary beginning at the intersection of the Whihala Beach County Park fishing pier and the Lake Michigan shoreline and extending lakeward and parallel to the fishing pier for two hundred (200) feet;

(ii) the eastern boundary beginning at a point three hundred eighty (380) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(iii) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.

(B) The site known as the Pocket Beach with:

(i) the western boundary beginning at a point one thousand (1,000) feet east of the Whihala Beach County Park fishing pier and extending lakeward and perpendicular to the shoreline for two hundred (200) feet;

(ii) the eastern boundary beginning at a point five hundred ten (510) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(iii) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.

(C) The site known as the East Swimming Beach with:

(i) the eastern boundary beginning at the intersection of the western breakwater of the boat launch facility at Whihala Beach County Park and the Lake Michigan shoreline and extending lakeward and parallel to the breakwater for two hundred (200) feet;

(ii) the western boundary beginning at a point one thousand six hundred (1,600) feet west of the eastern boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(iii) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.

(3) Adjacent to East Chicago, at a site known as the Jeorse Park Beach Swimming Area with the eastern boundary beginning at a point on the Lake Michigan shoreline formed by extending the eastern boundary of the Jeorse Park parking lot in a straight line; then in a straight line perpendicular to the shoreline for two hundred (200) feet; and then in a straight line in a generally northerly or northwesterly direction to the breakwater southeast of the Ameristar Casino.

(4) Adjacent to Gary, as follows:

(A) At a site known as the Lake Street Swimming Area with:

(i) the western boundary beginning at the intersection of a line parallel to the eastern edge of the Lake Street parking lot and the Lake Michigan shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet;

(ii) the eastern boundary beginning at a point seven hundred ninety-eight (798) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(iii) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the western boundary and the eastern boundary.

(B) At a site known as the Marquette Park Swimming Area with:

(i) the western boundary beginning at the intersection of a line parallel to the western edge of the Marquette Park main parking lot and the Lake Michigan shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet;

(ii) the eastern boundary beginning at the intersection of the centerline of Montgomery Street and the Lake Michigan shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(iii) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the western boundary and the eastern boundary.

(Natural Resources Commission; 312 IAC 5-8-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2378, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; filed Jul 9, 2014, 11:13 a.m.: 20140806-IR-312140025FRA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-8-3 Porter County waters of Lake Michigan; boating restrictions

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 3. A person must not operate a boat in the following Porter County zones on Lake Michigan:

(1) Near Gary and Ogden Dunes, at a site adjacent to the Indiana Dunes National Lakeshore known as the West Beach Swimming Area, with:

(A) the western boundary beginning at the intersection of the Lake-Porter County line and the shoreline and extending two hundred (200) feet lakeward along the county line;

(B) the eastern boundary beginning at the intersection of the Ogden Dunes pump house and the shoreline and

extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the western boundary and the eastern boundary.

(2) Adjacent to Porter, at a site known as the Porter Beach Association Swimming Area, with:

(A) the western boundary beginning at the intersection of the centerline of Dearborn Street and the shoreline and extending lakeward and perpendicular to the shoreline for a distance of two hundred (200) feet;

(B) the eastern boundary beginning at the intersection of the western edge of State Street and the shoreline and extending perpendicular to the shoreline for two hundred (200) feet; and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the western boundary and the eastern boundary.

(3) Adjacent to Porter, at a site known as the Porter Beach Swimming Area, with:

(A) the western boundary beginning at the intersection of the western edge of State Street and the shoreline and extending lakeward and perpendicular to the shoreline for a distance of two hundred (200) feet;

(B) the eastern boundary coextensive with the western boundary of the zone established in subdivision (4); and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the western boundary and the eastern boundary.

However, excluded from this zone is a boat channel, with its western boundary beginning at the intersection of the western edge of Wabash Street and the shoreline and extending entirely through the zone lakeward and perpendicular to the shoreline, and with its eastern boundary beginning at the intersection of the eastern edge of Wabash Street and the shoreline and extending lakeward and parallel to the western boundary of the boat channel.

(4) Adjacent to the Indiana Dunes State Park, at a site known as Indiana Dunes State Park Swimming Area, with:

(A) the western boundary beginning at the intersection of the western park boundary and the shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet;

(B) the eastern boundary beginning at a point one thousand eight hundred (1,800) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the western boundary and the eastern boundary.

However, a nonmotorized kayak or canoe may used for ingress into or egress from Indiana Dunes State Park through a channel that is delineated by buoys.

(5) Near Beverly Shores, at a site adjacent to the Indiana Dunes National Lakeshore and known as the Kemil Beach Swimming Area, with:

(A) the western boundary at the eastern boundary of the Indiana Dunes State Park;

(B) the eastern boundary six hundred (600) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.

(6) Near Beverly Shores, at a site adjacent to the Indiana Dunes National Lakeshore and known as the Central Avenue Beach Swimming Area, with:

(A) the western boundary beginning on the shoreline four hundred (400) feet west of the intersection of the centerline of Central Avenue and the shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet;

(B) the eastern boundary eight hundred (800) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.

(Natural Resources Commission; 312 IAC 5-8-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2379, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; filed Jul 9, 2014, 11:13 a.m.: 20140806-IR-312140025FRA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-8-4 LaPorte County waters of Lake Michigan and Trail Creek; boating restrictions

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 4. (a) A person must not operate a boat in the following LaPorte County zones on Lake Michigan:

(1) Adjacent to the Indiana Dunes National Lakeshore at a site known as the Mt. Baldy Beach Swimming Area, with:

(A) the western boundary beginning where the centerline of the north dune staircase would intersect the shoreline, if the staircase were extended due north, and extending lakeward from that point and perpendicular to the shoreline for two hundred (200) feet;

(B) the eastern boundary three hundred (300) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.

(2) Adjacent to Michigan City, at a site known as the Washington Park Swimming Area, with:

(A) the western boundary beginning where the eastern edge of the Washington Park parking lot would intersect the shoreline, if the parking lot were extended due north, and extending lakeward from that point and perpendicular to the shoreline for two hundred (200) feet;

(B) the eastern boundary beginning at a point four hundred forty (440) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.

(b) A person shall not operate a boat at greater than idle speed in an unnamed channel that enters the east bank of Trail Creek approximately five hundred (500) feet upstream from the U.S. 12 bridge over Trail Creek in Michigan City. *(Natural Resources Commission; 312 IAC 5-8-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2380, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

Rule 9. Specified Waters Owned by Public Utilities; Restrictions

312 IAC 5-9-1 Boating restrictions on specified waters owned or controlled by public utilities; applicability

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 1. (a) This rule establishes zones on specified waters owned or controlled by public utilities to govern the operation of boats for any of the following purposes:

(1) Addressing unusual conditions or hazards.

(2) Fish, wildlife, or botanical resource management.

(3) The protection of users.

(b) In order to be effective, a zone established under this rule must be identified on-site by buoys placed under 312 IAC 5-4. *(Natural Resources Commission; 312 IAC 5-9-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2380, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-9-2 Geist Reservoir

Authority: IC 14-15-7-3
Affected: IC 14-15

Sec. 2. (a) This section establishes restrictions on the operation of boats in Geist Reservoir in Hamilton County, Marion County, and Hancock County.

(b) A person must not operate a boat at greater than idle speed in any of the following locations:
(1) East of a line seven hundred (700) feet west and parallel to the Olio Road causeway.
(2) South of the Fall Creek Road bridge and causeway to a line one hundred (100) feet south and parallel to the western prolongation of the center line of 96th Street.
(3) In an area known as Devil's Elbow and more particularly described as east, south, and upstream from a line extended shoreline to shoreline beginning at a point described as latitude 39° 54′ 42.0021756″ north and longitude 85° 58′ 12.826398″ west; extending east northeasterly to a point described as latitude 39° 54′ 43.20567″ north and 85° 58′ 5.5123356″ west; and extending north northeasterly to a point described as latitude 39° 54′ 47.1218976″ north and 85° 58′ 2.3784852″ west.
(4) In an area known as the Indianapolis Yacht Club Harbor and located east and southeast of a line within the southeast quarter of section 10 and part of the southwest quarter of section 11 in township 17 north, range 5 east, being more particularly described as beginning at a point which lies one hundred eighty (180) feet southeast from the east corner of the southeast abutment of the most westerly bridge over the reservoir, which point lies nineteen (19) feet northeast of the centerline of the pavement (assumed bearing of north fifty-four (54) degrees, ten (10) minutes west) of Fall Creek Road, thence across a bay of the reservoir north fifty-three (53) degrees, seventeen (17) minutes east one thousand one hundred eighty-six (1,186) feet, to the shoreline of the reservoir.
(5) In an area known as the Indianapolis Sailing Club Harbor, within the southeast quarter of section 10, township 17 north, range 5 east, and being more particularly described as commencing at the southeast corner of section 10, thence west along the south line of the section a distance of three thousand five hundred (3,500) feet, thence north at right angles to the south section line a distance of three hundred eighty (380) feet to the point of beginning of the description in this subdivision (assumed bearing of north twenty-three (23) degrees, thirty-seven (37) minutes west), thence a distance of seven hundred forty-six and four-tenths (746.4) feet to the north end of a retaining wall along the shoreline of the reservoir, thence following the meanders of the shoreline of the reservoir northeasterly, southerly, and southwesterly to the point of beginning.
(6) In an area known as Mast Head Bay, within the southeast quarter and part of the northeast quarter of section 9, township 17 north, range 5 east, and more particularly described as upstream and north of Fall Creek Road and east of Geist Road.
(7) In an area known as Cocktail Cove.
(8) North of 96th Street and west of Olio Road in Fall Creek Township, Hamilton County. The zone is the area east of an arc formed commencing at the point where the idle zone described in subdivision (4) intersects the east shoreline, then extending northward and connecting with the chain of islands and including the embayments east of the chain of islands, to a point four thousand (4,000) feet from the point of beginning.

(c) A person must not operate a boat within a rectangular area within the reservoir three hundred (300) feet and parallel to the concrete crest of the dam spillway and extending one hundred (100) feet along the dam from the east and west abutments of the dam spillway. The overall dimensions of the zone created by this subsection are three hundred (300) feet by seven hundred (700) feet.

(d) No person shall anchor a boat or tie a boat to another boat (except to tow a boat from one (1) point to another) in a traveled portion of the reservoir so as to do either of the following:
(1) Interfere with the safe passage of another boat.
(2) Create a safety hazard to any person.

(Natural Resources Commission; 312 IAC 5-9-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2380, eff Jan 1, 2002; filed May 16, 2002, 10:03 a.m.: 25 IR 3044; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-9-3 Morse Reservoir

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 3. (a) This section establishes restrictions on the operation of boats on Morse Reservoir in Hamilton County.
(b) A person must not operate a boat at greater than idle speed in any of the following locations:
(1) North of a line eight hundred (800) feet south and parallel to 236th Street.

(2) Between Carrigan Road and a line four hundred (400) feet south and parallel to Carrigan Road.

(3) East of a line extended shoreline to shoreline defined by the following points:

(A) Commencing at the northeast corner of section 23, township 19 north, range 4 east, thence one thousand five hundred (1,500) feet west along the north line of the section, thence one thousand one hundred (1,100) feet south to point 1.

(B) Again commencing at the northeast corner of section 23, township 19 north, range 4 east, thence one thousand seven hundred (1,700) feet west along the north line of the section, thence one thousand six hundred (1,600) feet south to point 2.

(4) West of Little Chicago Road.

(5) North, west, and upstream from a line extended shoreline to shoreline defined by the following points:

(A) Commencing at the southeast corner of section 22, township 19 north, range 4 east, thence west eight hundred (800) feet along the south line of the section, thence north one thousand one hundred fifty (1,150) feet to point 1.

(B) Again commencing at the southeast corner of section 22, township 19 north, range 4 east, thence west one thousand one hundred (1,100) feet along the south line of the section, thence north eight hundred fifty (850) feet to point 2.

(6) Within part of the east half of section 14, township 19 of range 4 east and part of the west half of section 13, township 19, commencing at the southeast corner of the northeast quarter of the southeast quarter of section 14 (which point is the intersection of 209th Street and Stringtown Pike); thence north zero (0) degrees, forty-eight (48) minutes, and thirty-three (33) seconds one thousand thirty-eight and ninety-hundredths (1,038.90) feet along the east line of section 14; thence north eighty-nine (89) degrees, eleven (11) minutes, and twenty-seven (27) seconds west one thousand forty-five and three-hundredths (1,045.03) feet to the point of beginning on the shoreline of Morse Reservoir on the northerly side of East Harbor section 3 addition; thence across the Morse Reservoir north twenty (20) degrees, twenty (20) minutes, and nineteen (19) seconds east two thousand one hundred twenty-nine (2,129) feet to a point on the shoreline; thence south, southeasterly, south, southwesterly, and westerly along the shoreline to the place of beginning, containing approximately thirty-nine (39) acres.

(c) A person must not operate a boat in the following locations:

(1) Within three hundred (300) feet and parallel to the concrete crest of the dam spillway for the reservoir.

(2) Within two hundred (200) feet from the shoreline of South Harbor beach.

(3) Within two hundred (200) feet from the shoreline of Morse Park beach.

(Natural Resources Commission; 312 IAC 5-9-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2381, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-9-4 Boating restrictions on Prairie Creek Reservoir in Delaware County

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 4. (a) This section establishes special boating restrictions on Prairie Creek Reservoir in Delaware County.

(b) A person must not operate a boat in excess of twenty (20) miles per hour.

(c) A person operating a motorboat must not tow a water ski, a water sled, an aquaplane, or a similar object north of a line extending westerly from the bridge over Huffman Creek on County Road 560 East (also known as Gates Road). *(Natural Resources Commission; 312 IAC 5-9-4; filed May 16, 2002, 12:23 p.m.: 25 IR 3044; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-9-5 Boating operation restrictions on Sullivan Lake in Sullivan County

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14; IC 32-19-1-1

Sec. 5. (a) This section establishes special boating restrictions on Sullivan Lake in Sullivan County.

(b) A person must not operate a boat in excess of thirty (30) miles per hour.

(c) The following zones are established where a person must not operate a boat in excess of idle speed:

(1) Begins at a point with a buoy placed at the following:

(A) SPC 428092.46 (UTM 4328395.51) north and SPC 874146.32 (UTM 466950.38) east.

(B) SPC 427980.98 (UTM 4328283.79) north and SPC 874447.69 (UTM 467251.54) east.

(2) At a point with a buoy placed at the following:

(A) SPC 428702.73 (UTM 4329005.95) north and SPC 873717.08 (UTM 466521.85) east.

(B) SPC 428578.03 (UTM 4328881.34) north and SPC 873674.27 (UTM 466478.95) east.

(3) At a point with a buoy placed at the following:

(A) SPC 429732.56 (UTM 4330035.03) north and SPC 874125.04 (UTM 466930.60) east.

(B) SPC 429889.99 (UTM 4330192.41) north and SPC 874128.56 (UTM 466934.27) east.

(4) In the northern portion of the lake from a line extended shoreline to shoreline just south of the area known as the old railroad bed and more particularly described with a buoy placed at the following:

(A) SPC 430360.34 (UTM 4330662.94) north and SPC 873746.63 (UTM 466552.91) east.

(B) SPC 430375.49 (UTM 4330677.83) north and SPC 874013.26 (UTM 466819.46) east.

(d) The following zones are established where a person must not enter and operate any boat when marked by navigational buoys, and at all other times a person must not operate in excess of idle speed:

(1) Begins at a point with a buoy placed at the following:

(A) SPC 428513.44 (UTM 4328816.69) north and SPC 873767.44 (UTM 466572.02) east.

(B) SPC 428486.10 (UTM 4328789.25) north and SPC 873885.10 (UTM 466689.61) east.

(2) At a point with a buoy placed at the following:

(A) SPC 428387.53 (UTM 4328690.63) north and SPC 873977.69 (UTM 466782.08) east.

(B) SPC 428284.70 (UTM 4328587.80) north and SPC 874022.02 (UTM 466826.30) east.

(e) The coordinates used in this section have the meanings set forth in IC 32-19-1-1, 312 IAC 1-1-27.5, and 312 IAC 1-1-29.3 and referenced as "SPC" and "UTM". *(Natural Resources Commission; 312 IAC 5-9-5; filed Jul 14, 2006, 1:24 p.m.: 20060809-IR-312050324FRA; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

Rule 10. Specified Lakes and Reservoirs with State or Federal Funding; Restrictions

312 IAC 5-10-1 Boating restrictions on specified lakes and reservoirs with state or federal funding; applicability

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3

Affected: IC 14

Sec. 1. (a) This rule establishes special boating zones on lakes and reservoirs financed either wholly or in part with state or federal funds.

(b) The zones established under this rule may do any of the following:

(1) Provide for the safe operation of boats where unusual conditions or hazards exist.

(2) Provide for the protection of any person who uses the lake or reservoir.

(3) Establish quiet areas where the use of boats is limited or prohibited in order to aid fish and wildlife management.

(c) A zone established under this rule is identified on-site by buoys placed under 312 IAC 5-4.

(d) A person or boat doing business for the department is exempt from a provision which prohibits a person or boat from entering a zone. *(Natural Resources Commission; 312 IAC 5-10-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2382, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-10-2 Brookville Lake; special boating zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3
Affected: IC 14

Sec. 2. The following zones are established for Brookville Lake:

(1) A person must not operate a boat in excess of idle speed in any of the following locations:

(A) Within three hundred (300) feet from the dam.

(B) Within two hundred (200) feet from any shoreline.

(C) In any area where the distance between opposite shorelines is not more than one thousand two hundred (1,200) feet.

(D) Upstream from the east-west section line separating sections 4 and 9, township 10 north, range 2 west in Union County.

(2) From October 1 through March 1, a person must not (unless a license is issued by the department under this subdivision) operate a boat or enter the lake upstream from the Dunlapsville Causeway to the State Road 44 bridge and within the bounds of elevation seven hundred forty-eight (748) feet mean sea level.

(Natural Resources Commission; 312 IAC 5-10-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2382, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-10-3 Cagles Mill Lake; special boating zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3
Affected: IC 14

Sec. 3. The following zones are established for Cagles Mill Lake:

(1) A person must not operate a boat in excess of idle speed in any of the following locations:

(A) Within the west fork embayment, north of the south line of the north half of the northeast quarter of section 13, township 12 north, range 5 west.

(B) Within the east fork embayment, north of the south line of the north half of the northeast quarter of section 18, township 12 north, range 4 west.

(C) Upstream from the south line of the north half of the northwest quarter of section 28, township 12 north, range 4 west to the Lower Cataract Falls.

(2) A person must not operate a boat from the base of the Lower Cataract Falls to the boundary of the Lieber State Recreation Area (where Mill Creek is crossed by the Old Covered Bridge).

(Natural Resources Commission; 312 IAC 5-10-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2382, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-10-4 Cecil M. Harden Lake; special boating zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3
Affected: IC 14

Sec. 4. The following zones are established for Cecil M. Harden Lake where a person must not operate a boat in excess of idle speed:

(1) Upstream on Troutman's Branch north of the section lines between sections 16, 17, 20, and 21, township 15 north, range 6 west.

(2) On Raccoon Creek, upstream or north of a line commencing at a point eight hundred (800) feet north, seven hundred fifty (750) feet west of the southeast corner of section 10, township 15 north and range 6 west thence in a westerly direction to a point thirty (30) feet south of the Hollandsburg ramp.

(Natural Resources Commission; 312 IAC 5-10-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2383, eff Jan 1, 2002; readopted filed May

29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-10-5 Hardy Lake; special boating zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3
Affected: IC 14

Sec. 5. The following zones are established for Hardy Lake in Scott and Jefferson Counties where a person must not operate a boat in excess of idle speed:

(1) On an embayment.

(2) Within two hundred (200) feet of a shoreline.

(3) South of the east-west center line of section 14, township 4 north, range 7 east beginning at the spillway and extending east to the closest point of land.

(4) Upstream from a northeast-southwest line across the lake. The northerly end of the line is approximately one thousand four hundred eighty (1,480) feet west and approximately three thousand sixty (3,060) feet south of the northeast corner of the southeast quarter of the northeast quarter of section 13, township 4 north, range 7 east. The southerly end of the line is approximately six hundred twenty-five (625) feet east and approximately one thousand fifty (1,050) feet north of the southwest corner of the northwest quarter of the northeast quarter of section 24, township 4 north, range 7 east.

(Natural Resources Commission; 312 IAC 5-10-5; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2383, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-10-6 Huntington Lake (also known as J. Edward Roush Lake); special boating zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3
Affected: IC 14

Sec. 6. The following zones are established for Huntington Lake (also known as J. Edward Roush Lake) where a person must not operate a boat in excess of idle speed:

(1) On an embayment.

(2) Within two hundred (200) feet of a shoreline.

(3) Within the timbered area:

(A) on the north side of the lake; and

(B) downstream from County Road 200E.

(4) Upstream from County Road 200E.

(Natural Resources Commission; 312 IAC 5-10-6; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2383, eff Jan 1, 2002; filed Mar 4, 2008, 12:31 p.m.: 20080402-IR-312070486FRA; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-10-7 Mississinewa Lake; special boating zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3
Affected: IC 14

Sec. 7. The following zones are established for Mississinewa Lake:

(1) A person must not operate a boat in excess of idle speed in any of the following locations:

(A) On any embayment.

(B) Within two hundred (200) feet of a shoreline.

(C) Upstream from State Road 13.

(2) From October 1 through January 15, a person must not (unless a license is issued by the department under this subdivision) either operate a boat or otherwise enter land or water administered by the department east of Red Bridge Road

and above elevation seven hundred thirty-seven (737) feet mean sea level in sections 19 and 20, township 26 north, range 6 east, Wabash County.

(Natural Resources Commission; 312 IAC 5-10-7; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2383, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-10-8 Monroe Lake; special boating zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3
Affected: IC 14

Sec. 8. The following zones are established for Monroe Lake:

(1) A person must not operate a boat in excess of idle speed in any of the following locations:

(A) On any embayment less than one thousand five hundred (1,500) feet wide at its mouth.

(B) On the Moore Creek embayment north of the south section lines of sections 31 and 32, township 8 north, range 1 east.

(C) Northwest of a line between the most southeasterly point of the Fairfax Beach peninsula and the most southeasterly point of the Fairfax peninsula.

(D) East of the State Road 446 causeway.

(2) A person must not, without a license issued by the department under this subdivision, either operate a boat or otherwise enter the following:

(A) Within the Middle Fork Waterfowl Resting Area from October 1 through April 1. This area extends upstream from the line between Brown County and Monroe County to the south side of the north half of the northwest quarter of section 5, township 7 north, range 2 east.

(B) Within the North Fork Waterfowl Resting Area from October 1 through April 15. This area extends from the west side of the southeast quarter of the southeast quarter, section 22, township 8 north, range 1 east, to the south side of the southeast quarter of section 16, township 8 north, range 1 east.

(Natural Resources Commission; 312 IAC 5-10-8; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2383, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-10-9 Patoka Lake; special boating zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3
Affected: IC 14

Sec. 9. The following boating zones are established for Patoka Lake in Dubois County, Orange County, and Crawford County:

(1) A person must not operate a boat that tows a water ski, water sled, aquaplane, a similar object, or another person in any of the following locations:

(A) South of a line commencing at a point on the south section line of section 14, township 1 south, range 3 west. The point is one thousand one hundred (1,100) feet west of the southeast corner of the section. The line continues west along the south line of section 14 to the nearest shoreline.

(B) East of a line commencing at a point on the east section line of section 16, township 1 south, range 2 west. The point is three thousand three hundred (3,300) feet north of the southeast corner of section 16, township 1 south, range 2 west. The point is three thousand three hundred (3,300) feet north of the southeast corner of section 16. The line continues north along the east lines of sections 16 and 9 to the nearest shoreline.

(C) South and east of a line commencing at a point which is three thousand eight hundred (3,800) feet north and four thousand five hundred (4,500) feet west of the southeast corner of section 35, township 1 south, range 2 west. The line continues north forty-seven (47) degrees east one thousand seven hundred (1,700) feet, then four (4) degrees west to a point on the north section line of section 35.

(D) South of a line commencing at a point which is four thousand four hundred (4,400) feet north and two thousand six hundred (2,600) feet west of the southeast corner of section 34, township 1 south, range 2 west. The line continues west and parallel to the south line of section 34 to the nearest shoreline.

(2) A person must not operate a boat in excess of idle speed in any of the following locations:

(A) South of a line commencing at a point on the east section line of section 26, township 1 south, range 3 west. The point is three thousand (3,000) feet north of the southeast corner of section 26. The line is parallel to the south line of section 26 and continues west from the point until it intersects with the nearest shoreline.

(B) South and east of a line commencing at a point on the east section line of section 26, township 1 south, range 3 west. The point is three thousand (3,000) feet north of the southeast corner of section 26. The line continues north from the point until it intersects with the nearest shoreline.

(C) West of a line commencing at a point which is one thousand two hundred (1,200) feet north and one thousand nine hundred (1,900) feet west of the southeast corner of section 14, township 1 south, range 3 west. The line continues north from the point and parallel to the east line of section 14 until it intersects with the nearest shoreline.

(D) North of a line commencing at a point on the east section line of section 14, township 1 south, and range 3 west. The point is three thousand one hundred (3,100) feet north of the southeast corner of section 14. The line continues from the point south seventy-three (73) degrees west to the nearest shoreline.

(E) North of a line commencing at a point on the south section line of section 12, township 1 south, range 3 west. The point is five hundred (500) feet east of the southwest corner of section 12. The line continues east along the south line of section 12 to the nearest shoreline.

(F) North of a line commencing at a point located in section 18, township 1 south, range 2 west. The point is three thousand two hundred (3,200) feet north and three thousand four hundred (3,400) feet west of the southeast corner of section 18. The line continues north eighty-seven (87) degrees east for five thousand seven hundred (5,7000) feet, then south seventy-five (75) degrees east to the nearest shoreline.

(G) North of a line commencing at a point located in section 16, township 1 south, range 2 west. The point is three thousand seven hundred (3,700) feet west of the southeast corner of section 16. The line continues north thirty-two (32) degrees east to the nearest shoreline.

(H) North of a line commencing at a point located in section 16, township 1 south, range 2 west. The point is four thousand nine hundred (4,900) feet north and two thousand two hundred (2,200) feet west of the southeast corner of section 16. The line continues north seventy (70) degrees east to the nearest shoreline.

(I) North of a line commencing at a point located in section 10, township 1 south, range 2 west. The point is five hundred (500) feet north and four thousand two hundred (4,200) feet west of the southeast corner of section 10. The line continues south eighty (80) degrees east to the nearest shoreline.

(J) East of the State Road 145 causeway over Patoka Lake. The causeway is located in section 14, township 1 south, range 2 west.

(K) East of a line commencing at a point which is three thousand two hundred (3,200) feet north and two thousand six hundred (2,600) feet west of the southeast corner of section 21, township 1 south, range 2 west. The line continues north and parallel to the east line of section 21 to the nearest shoreline.

(L) North and east of a line commencing at a point on the south section line of section 26, township 1 south, range 2 west. The point is three thousand two hundred (3,200) feet west of the southeast corner of section 26. The line continues north thirty (30) degrees west to the nearest shoreline.

(M) South and east of a line commencing at a point on the west section line of section 1, township 2 south, range 2 west. The point is two thousand five hundred (2,500) feet north of the southwest corner of section 1. The line continues north eighty (80) degrees east five hundred (500) feet, then north forty-eight (48) degrees east to the nearest shoreline.

(N) South of a line commencing at a point on the east section line of section 2, township 2 south, range 2 west. The point is two thousand five hundred (2,500) feet north of the southeast corner of section 2. The line continues west and parallel to the south line of section 2 to the nearest shoreline.

(O) South of the State Road 45 causeway over Patoka Lake. The causeway is located in section 3, township 2 south, range 2 west.

(P) West of a line commencing at a point which is four thousand five hundred (4,500) feet north and two thousand

seven hundred (2,700) feet west of the southeast corner of section 33, township 1 south, range 2 west. The line continues north and parallel to the east line of section 33 to the nearest shoreline.

(Q) South of a line commencing at a point located in section 21, township 1 south, range 2 west. The point is five hundred (500) feet north and five thousand two hundred (5,200) feet west of the southeast corner of section 21. The line continues north sixty-nine (69) degrees west to the nearest shoreline.

(R) South of a line commencing at a point located in section 20, township 1 south, range 2 west. The point is one thousand seven hundred (1,700) feet north and two thousand four hundred (2,400) feet west of the southeast corner of section 20. The line continues north fifty-five (55) degrees west to the nearest shoreline.

(S) South and east of a line commencing at a point on the east line of section 19, township 1 south, range 2 west. The point is three thousand six hundred (3,600) feet north of the southeast corner of section 19. The line continues south forty-six (46) degrees west for three thousand one hundred (3,100) feet, then north sixty-eight (68) degrees west to the nearest shoreline.

(T) Any embayment where the distance between shorelines is not more than one thousand two hundred (1,200) feet.

(3) A person must not, without a license issued by the department under this subdivision, either operate a boat or otherwise enter from October 1 through March 1 into the areas set forth in this subdivision. From March 2 through September 30, a person must not operate a boat in the following areas in excess of idle speed:

(A) South of the State Road 164 causeway over Patoka Lake. The causeway is located in section 1, township 2 south, range 3 west.

(B) East of a line commencing at a point on the east section line of section 25, township 1 south, range 2 west. The point is two thousand three hundred (2,300) feet north of the southeast corner of section 25. The line continues north along the east line of section 25 to the nearest shoreline.

(C) South and east of a line commencing at a point on the west section line of section 1, township 2 south, range 2 west. The point is two thousand five hundred (2,500) feet north of the southwest corner of section 1. The line continues north eighty (80) degrees east five hundred (500) feet, then north forty-eight (48) degrees east to the nearest shoreline.

(D) South of a line commencing at a point on the east section line of section 2, township 2 south, range 2 west. The point is two thousand five hundred (2,500) feet north of the southeast corner of section 2. The line continues west and parallel to the south line of section 2 to the nearest shoreline.

(4) Notwithstanding subdivisions (2) and (3), the department may establish running channels for the safe and orderly flow of boats. A running channel established under this subdivision shall be designated by buoys. A person must not operate a boat in a running channel in excess of ten (10) miles per hour unless otherwise designated by buoys. A running channel does not authorize entry into a zone where boats and persons are excluded, under subdivision (3), from October 1 through March 1.

(Natural Resources Commission; 312 IAC 5-10-9; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2384, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-10-10 Salamonie Lake; special boating zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3
Affected: IC 14

Sec. 10. The following zones are established for Salamonie Lake:

(1) A person must not operate a boat in excess of idle speed in any of the following locations:

(A) Within two hundred (200) feet of a shoreline.

(B) Within an embayment.

(C) Upstream from State Road 9.

(2) A person must not, without a license issued under this subdivision, either operate a boat or otherwise enter the following:

(A) From October 1 through January 15 within sections 23 or 30 of township 27 north, range 8 east (Huntington County).

(B) On or within three hundred (300) feet of the shoreline of Monument Island. The shoreline is determined when

Salamonie Lake is at the seasonal pool level of seven hundred fifty-five (755) feet. The island is located in sections 23 and 30 of township 27 north, range 8 east (Huntington County).

(Natural Resources Commission; 312 IAC 5-10-10; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2385, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-10-11 Summit Lake; special boating zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3
Affected: IC 14

Sec. 11. A person on Summit Lake must not do either of the following:
(1) Operate a boat in excess of idle speed.
(2) Operate a boat within the following zones:
(A) The embayment which contains the public swimming beach.
(B) Within two hundred (200) feet and parallel to the earthen embankment and spillway which form the lake.
(C) East of County Road 500E.

(Natural Resources Commission; 312 IAC 5-10-11; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2386, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

Rule 11. Prohibition Against High Speed Boating on Specified Small Lakes; Exemptions

312 IAC 5-11-1 Exemptions from the prohibition against high speed boating on specified small lakes; applicability

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-10

Sec. 1. This rule exempts specified small lakes that contain more than seventy (70) acres from the prohibition under IC 14-15-3-10 against the operation of a motorboat at a rate of speed greater than ten (10) miles per hour. *(Natural Resources Commission; 312 IAC 5-11-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2386, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-11-2 Beaver Dam Lake, Dubois County; small lake boating exemption

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-10; IC 36-1-2-13

Sec. 2. (a) Beaver Dam Lake in Dubois County is a small lake that is owned, leased, or operated by the city of Jasper, a political subdivision as defined in IC 36-1-2-13.

(b) Beaver Dam Lake is exempt from the prohibition established under IC 14-15-3-10 against the operation of a motorboat in excess of ten (10) miles per hour each day of the week (Sunday through Saturday) from sunrise to sunset. *(Natural Resources Commission; 312 IAC 5-11-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2386, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-11-3 Big Cedar Lake, Whitley County; small lake boating exemption

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-10

Sec. 3. Big Cedar Lake in Whitley County is exempt from the prohibition established under IC 14-15-3-10 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2386, eff Jan 1, 2002; readopted*

filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Feb 10, 2009, 10:07 a.m.: 20090218-IR-312090138ACA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-11-4 Big Lake, Noble County

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-10

Sec. 4. Big Lake in Noble County is exempt from the prohibition established under IC 14-15-3-10 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2386, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Feb 10, 2009, 10:07 a.m.: 20090218-IR-312090138ACA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-11-5 Blue Lake, Whitley County

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-10

Sec. 5. Blue Lake in Whitley County is exempt from the prohibition established under IC 14-15-3-10 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-5; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2386, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Feb 10, 2009, 10:07 a.m.: 20090218-IR-312090138ACA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-11-6 Fox Lake, Steuben County; small lake boating exemption

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-10

Sec. 6. Fox Lake in Steuben County is exempt from the prohibition established under IC 14-15-3-10 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-6; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2386, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Feb 10, 2009, 10:07 a.m.: 20090218-IR-312090138ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-11-7 Heaton Lake, Elkhart County; small lake boating exemption

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-10

Sec. 7. Heaton Lake in Elkhart County is exempt from the prohibition established under IC 14-15-3-10 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-7; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2386, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Feb 10, 2009, 10:07 a.m.: 20090218-IR-312090138ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-11-8 Little Long Lake, Steuben County; small lake boating exemption

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-10

Sec. 8. Little Long Lake in Steuben County is exempt from the prohibition established under IC 14-15-3-10 against the

operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-8; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2387, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Feb 10, 2009, 10:07 a.m.: 20090218-IR-312090138ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-11-9 Lake Beaver Dam, Kosciusko County; small lake boating exemption

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-10

Sec. 9. Lake Beaver Dam in Kosciusko County is exempt from the prohibition established under IC 14-15-3-10 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-9; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2387, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Feb 10, 2009, 10:07 a.m.: 20090218-IR-312090138ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-11-10 Lake of the Woods, LaGrange County and Steuben County; small lake boating exemption

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-10

Sec. 10. Lake of the Woods in LaGrange County and Steuben County is exempt from the prohibition established under IC 14-15-3-10 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-10; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2387, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Feb 10, 2009, 10:07 a.m.: 20090218-IR-312090138ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-11-11 Loon Lake, Whitley County and Noble County; small lake boating exemption

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-10

Sec. 11. Loon Lake in Whitley County and Noble County is exempt from the prohibition established under IC 14-15-3-10 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-11; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2387, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Feb 10, 2009, 10:07 a.m.: 20090218-IR-312090138ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-11-12 Oswego Lake, Kosciusko County; small lake boating exemption

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-10

Sec. 12. (a) Oswego Lake in Kosciusko County is a small lake connected by a natural channel to Tippecanoe Lake (a lake that has a surface area of more than three hundred (300) acres).

(b) Oswego Lake is exempt each day of the week (Sunday through Saturday) from sunrise to sunset from the prohibition established by IC 14-15-3-10 against the operation of a motorboat in excess of ten (10) miles per hour. *(Natural Resources Commission; 312 IAC 5-11-12; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2387, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Feb 10, 2009, 10:07 a.m.: 20090218-IR-312090138ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-11-13 Pretty Lake, Marshall County; small lake boating exemption
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-10

Sec. 13. Pretty Lake in Marshall County is exempt from the prohibition established under IC 14-15-3-10 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-13; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2387, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Feb 10, 2009, 10:07 a.m.: 20090218-IR-312090138ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-11-14 Shriner Lake, Whitley County; small lake boating exemption
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-10

Sec. 14. Shriner Lake in Whitley County is exempt from the prohibition established under IC 14-15-3-10 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-14; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2387, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Feb 10, 2009, 10:07 a.m.: 20090218-IR-312090138ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-11-15 Skinner Lake, Noble County; small lake boating exemption
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-10

Sec. 15. Skinner Lake in Noble County is exempt from the prohibition established under IC 14-15-3-10 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-15; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2387, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Feb 10, 2009, 10:07 a.m.: 20090218-IR-312090138ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-11-16 Yellow Creek Lake, Kosciusko County; small lake boating exemption
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-10

Sec. 16. Yellow Creek Lake in Kosciusko County is exempt from the prohibition established under IC 14-15-3-10 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-16; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2387, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Feb 10, 2009, 10:07 a.m.: 20090218-IR-312090138ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

Rule 12. Temporary Modification or Closure of Public Waters to Boating

312 IAC 5-12-1 Authorization of the director to modify or close public waters to boating; applicability
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 4-21.5-4; IC 14

Sec. 1. (a) This rule controls the issuance by the director of a temporary order to modify, restrict, or close any public waters of this state to boating.

(b) A temporary order under this rule is subject to IC 4-21.5-4. *(Natural Resources Commission; 312 IAC 5-12-1; filed Mar*

23, 2001, 2:50 p.m.: 24 IR 2388, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-12-2 Notification of hazard; inspection

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 2. (a) As soon as practicable after receiving notice of an unusual condition and hazard upon any public waters of this state, a conservation officer shall inspect the site to determine the severity of the condition or hazard.

(b) A report of the inspection shall be made promptly to the director together with any recommendation for action. *(Natural Resources Commission; 312 IAC 5-12-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2388, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-12-3 Temporary order by director

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14-15

Sec. 3. (a) The director may, by temporary order, modify or close public waters to boating if unusual conditions and hazards exist.

(b) A temporary order under subsection (a) may be issued to do any of the following:

(1) Close public waters to boating.
(2) Restrict boats to daytime operations.
(3) Prohibit the operation of motorboats.
(4) Limit boating to idle speed.
(5) Impose any other restriction appropriate under IC 14-15.

(Natural Resources Commission; 312 IAC 5-12-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2388, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-12-4 Public notification of temporary order

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 4-21.5-4; IC 14

Sec. 4. The division shall make a reasonable and conscientious effort to inform the public of a temporary order made under section 3 of this rule. Notice shall include posting at places of entry to the public waters affected, by notification to the media, and as is otherwise practicable to persons who are required to comply with the order. *(Natural Resources Commission; 312 IAC 5-12-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2388, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

Rule 12.5. Boat Excise Tax

312 IAC 5-12.5-1 Excise tax decals

Authority: IC 6-6-11-24
Affected: IC 6-6-11

Sec. 1. If both excise tax decals that are required by IC 6-6-11-24(2) would not be clearly visible when a sailboat is underway, the taxpayer may display the decals on the mast or boom if the decals are clearly visible in both directions. *(Natural Resources Commission; 312 IAC 5-12.5-1; filed Jul 22, 2004, 10:10 a.m.: 27 IR 3885; readopted filed May 29, 2008, 1:53 p.m.: 20080625-*

IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

Rule 13. Equipment and Operational Standards on Waters of Concurrent Jurisdiction

312 IAC 5-13-1 Modification of equipment and operational standards on waters of concurrent jurisdiction; applicability

Authority: IC 14-10-2-4; IC 14-15-7-5
Affected: IC 14-15

Sec. 1. This rule varies the equipment and operational standards specified in IC 14-15 for waters of concurrent jurisdiction. *(Natural Resources Commission; 312 IAC 5-13-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2388, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-13-2 Children wearing personal flotation devices on waters of concurrent jurisdiction

Authority: IC 14-10-2-4; IC 14-15-7-5
Affected: IC 14-15

Sec. 2. A person must not use a recreational boat on waters of concurrent jurisdiction unless each child onboard under thirteen (13) years of age is wearing an appropriate personal flotation device approved by the United States Coast Guard except where:

(1) the child is below deck;
(2) the child is in an enclosed cabin; or
(3) the boat is docked or at anchor.

(Natural Resources Commission; 312 IAC 5-13-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2388, eff Jan 1, 2002; filed Jul 23, 2003, 10:15 a.m.: 26 IR 3869; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-13-3 Firefighting equipment used on waters of concurrent jurisdiction

Authority: IC 14-10-2-4; IC 14-15-7-5
Affected: IC 14

Sec. 3. (a) A person must not use a motorboat less than twenty-six (26) feet long unless at least one (1) B-1 hand portable fire extinguisher (no fixed system) is maintained in the machinery space. This subsection does not apply if the motorboat is as follows:

(1) Propelled by outboard motors.
(2) Not carrying passengers for hire.
(3) Constructed so explosive or flammable gases or vapors cannot be entrapped.

(b) A person must not use a motorboat at least twenty-six (26) feet long, but less than forty (40) feet long, unless at least two (2) B-1 hand portable fire extinguishers (no fixed system) and one (1) B-1 hand portable fire extinguisher (fixed system) are maintained in the machinery space.

(c) A person must not use a motorboat at least forty (40) feet long, but less than sixty-five (65) feet long, unless at least three (3) B-1 hand portable fire extinguishers (no fixed system) and two (2) B-1 hand portable fire extinguishers (fixed system) are maintained in the machinery space.

(d) Where two (2) B-1 hand portable fire extinguishers are required under subsection (b) or (c), one (1) B-2 hand portable fire extinguisher may be substituted. *(Natural Resources Commission; 312 IAC 5-13-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2388, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-13-4 Whistles, bells, and gongs on waters of concurrent jurisdiction

Authority: IC 14-10-2-4; IC 14-15-7-5
Affected: IC 14-15-3-21

Sec. 4. (a) A boat less than twelve (12) meters long must be provided with a means for making an efficient sound signal.

(b) A boat at least twelve (12) meters long shall be provided with a whistle and a bell.

(c) A bell required under this section may be substituted by other equipment with the same sound characteristics if manual sounding is impracticable. *(Natural Resources Commission; 312 IAC 5-13-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2389, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-13-5 Water skiing on the Ohio River

Authority: IC 14-11-2-1; IC 14-15-7-5
Affected: IC 14-15-3-8; IC 14-15-3-20

Sec. 5. (a) The following requirements apply to the portions of the Ohio River on which Indiana and Kentucky have concurrent jurisdiction:

(1) A person must not operate a boat while towing or otherwise assisting the propulsion of a person on water skis, a water sled, a surfboard, a kite, or a similar device during the period from one (1) hour after sunset to one (1) hour before sunrise. A person must not manipulate any of the devices described in this subdivision on the water from one (1) hour after sunset to one (1) hour before sunrise.

(2) A person being towed on water skis, a surfboard, a kite, or a similar device must wear a Type I personal flotation device, a Type II personal flotation device, or a Type III personal flotation device.

(3) A person operating a boat which is towing a person on water skis, a surfboard, or a similar device must have on-board either of the following:

(A) In addition to the operator, a person at least twelve (12) years of age to act as an observer.

(B) A rear view mirror with at least a one hundred sixty (160) degree wide angle field of vision mounted to enable the operator to observe any person being towed.

(4) A person operating a boat which is towing a kite or a similar airborne device must have on-board, in addition to the operator, a person at least twelve (12) years of age to act as an observer.

(b) This section does not apply to a lawful race, regatta, or similar activity. *(Natural Resources Commission; 312 IAC 5-13-5; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2389, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

Rule 14. Boats Carrying Passengers for Hire

312 IAC 5-14-1 Boats carrying passengers for hire; application; delegation; exemptions; maintenance of equipment in a good and serviceable condition

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14-15

Sec. 1. (a) This rule governs the inspection, maintenance, and operation of boats carrying passengers for hire upon public water.

(b) Except as provided in subsection (c), a person must not operate a boat carrying passengers for hire unless the person complies with IC 14-15 and this rule. These requirements apply to the operator and the owner, regardless of whether an operator or owner is onboard.

(c) A person who presents valid and current documentation to evidence a boat is regulated and inspected by the United States Coast Guard, and who is in conformance with the regulation and inspection, is exempted from this rule.

(d) The division director may authorize a qualified person, other than an employee of the department, to conduct an inspection or other function of the department under this rule.

(e) An owner must maintain all equipment associated with a boat carrying passengers for hire in a good and serviceable condition as determined by a marine inspector.

(f) Operations relating to a boat carrying passengers for hire must be performed by or on behalf of the owner according to good marine practice and standards. *(Natural Resources Commission; 312 IAC 5-14-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2389, eff Jan 1, 2002; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1461; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-14-2 Inspections of boats carrying passengers for hire

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14-15-6-3

Sec. 2. (a) An owner must annually apply to the department for an inspection of any boat carrying passengers for hire. The application must be accompanied by a nonrefundable fee according to the schedule established by IC 14-15-6-3.

(b) Upon receipt of the application, the department shall inspect the boat (and its equipment) to determine whether the boat conforms to good marine practice and standards, IC 14-15-6, and this rule. An inspection shall be conducted at least as frequently as follows:

(1) One (1) dockside inspection every year.

(2) One (1) drydock inspection every sixty (60) months.

(c) A boat must not be operated until an owner receives approval of the application.

(d) The department may inspect a boat carrying passengers for hire at any other reasonable time. *(Natural Resources Commission; 312 IAC 5-14-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2389, eff Jan 1, 2002; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1461; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-14-3 Drydock inspections; shutoff valves for through-hull fittings

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 3. (a) A boat must satisfy a drydock inspection conducted by a marine inspector before carrying passengers for hire. The department shall subsequently require successful completion of a drydock inspection at intervals not to exceed sixty (60) months.

(b) Before an inspection, the owner must remove or store each of the following:

(1) Fishing gear.

(2) Coolers.

(3) Personal belongings.

(4) Any other equipment that may impede the inspection process.

(c) Before or during an inspection, the owner must do both of the following:

(1) Open or remove all hatches or inspection ports.

(2) Cause the boat to be clean and orderly.

(d) During an inspection, the owner must make available for inspection all of the following:

(1) The hull and appendages.

(2) Propellers.

(3) Shafting.

(4) Stern bearings.

(5) Rudders.

(6) Through-hull fittings.

(7) Sea valves.

(8) Strainers.
(9) Outdrive units.
(10) Outboard power units.
(11) Entire interior and exterior of the boat.
(e) To assure that a boat conforms to good marine practice and standards, a marine inspector may require the owner of the boat to remove portions of the following:
(1) Lining.
(2) Decking.
(3) Ceiling.
(4) Any other obstructions to a complete inspection.
(f) An owner must fit any through-hull fittings located below the waterline of a boat with a readily accessible shutoff valve. The shutoff valve shall be located as closely as practicable to the through-hull fitting. *(Natural Resources Commission; 312 IAC 5-14-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2390, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-14-4 Main and auxiliary engines

Authority: IC 14-11-2-1; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 4. (a) A boat designed for inboard or inboard/outboard (stern drive) main engines must be fitted with the appropriate number of engines.
(b) The main engines must be an appropriate type and designed for the propulsion requirements of the hull in which the engines are installed and must be capable of operating at a constant marine load without exceeding design limitations.
(c) If a pump is used to supply raw water for cooling an engine and its systems, a self-priming pump that operates whenever the engine is running shall be used.
(d) If a main engine is fitted with an updraft or sidedraft carburetor, the carburetor must have integral or properly connected drip collectors of adequate capacity for the return of all drip and overflow to the engine intake manifold.
(e) The exhaust pipe system of a main engine must be as follows:
(1) Gastight to the hull interior.
(2) Designed and installed to prevent water from returning to an engine.
(3) Accessible for complete inspection and repair.
(4) Supported to prevent undue stress.
A hanger, bracket, or other support must be made of fireproof material and installed to prevent heat from being transmitted to a combustible material. A water jacket, lag, shield, or another suitable guard must be provided to protect an individual or a combustible material from contact with any hot surface.
(f) After consulting with the state boating law administrator, a boating inspector may establish special requirements that conform to good marine practice and standards to inspect and evaluate a main engine that uses any of the following:
(1) Steam.
(2) Electricity.
(3) A gas turbine.
(4) An air screw.
(5) A hydraulic jet.
(6) Another unusual mechanism.
(g) Any auxiliary engine must be installed on a boat according to good marine practice and standards. *(Natural Resources Commission; 312 IAC 5-14-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2390, eff Jan 1, 2002; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1462; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-14-5 Gasoline engines; ventilation (Repealed)

Sec. 5. *(Repealed by Natural Resources Commission; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1470)*

312 IAC 5-14-5.1 Gasoline engines; ventilation

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 5.1. (a) A boat that uses gasoline for electrical generation, mechanical power, or propulsion must be equipped with a ventilation system. Each system must meet the standards of 33 CFR Part 183, Subpart K (Ventilation), and as follows:

(1) A natural ventilation system must provide for a supply opening (duct or cowl) that is located:
(A) on the exterior surface of the boat;
(B) in a ventilated compartment; or
(C) in a compartment that is open to the atmosphere.

(2) A natural ventilation system must be provided for each compartment in a boat that:
(A) contains a permanently installed gasoline engine;
(B) has openings between it and a compartment that requires ventilation;
(C) contains a permanently installed fuel tank and an electrical component that is not ignition-protected;
(D) contains a fuel tank that vents into that compartment (including a portable tank); or
(E) contains a nonmetallic fuel tank.

(3) An exhaust opening or exhaust duct must originate in the lower one-third (a) of the compartment. Each supply opening or supply duct and each exhaust opening or duct in a compartment must be above the normal accumulation of bilge water.

(4) A powered ventilation system, as follows, must be provided for each compartment in a boat that has a permanently installed gasoline engine with a cranking motor for remote starting:
(A) A powered ventilation system consists of one (1) or more exhaust blowers.
(B) Each intake duct for an exhaust blower must be in the lower one-third (a) of the compartment and above the normal accumulation of bilge water.

(b) A boat that is required to have an exhaust blower must have a label that is located as close as practicable to each ignition switch, is in plain view of the operator, and has at least the following information: WARNING—GASOLINE VAPORS CAN EXPLODE. BEFORE STARTING ENGINE, OPERATE BLOWER FOR 4 MINUTES AND CHECK ENGINE COMPARTMENT BILGE FOR GASOLINE VAPORS.

(c) The ventilation system must be kept in good operating condition. Openings must be free of obstructions. Ducts must not be blocked or torn. Blowers must operate properly. Worn components must be replaced with equivalent marine-type equipment. *(Natural Resources Commission; 312 IAC 5-14-5.1; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1462; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-14-6 Diesel engines; ventilation (Repealed)

Sec. 6. *(Repealed by Natural Resources Commission; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1470)*

312 IAC 5-14-6.1 Diesel engines; ventilation

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 6.1. Power or natural ventilation is not required for a boat equipped with diesel engines but may be used to control compartment temperature. Power ventilation may be used in the machinery space for odor control or for personnel comfort while servicing equipment. *(Natural Resources Commission; 312 IAC 5-14-6.1; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1463; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA;*

readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-14-7 Fixed fuel tanks

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 7. (a) A fixed fuel tank on a boat must be installed as follows:

(1) To permit examination with a minimum disturbance to the hull structure.

(2) With adequate support and bracing to prevent movement. The support and braces shall be insulated from contact with the tank surfaces with a nonabrasive and nonabsorbent material.

(3) With openings for fill and vent pipes and for fuel level gauges, where used, on the topmost surfaces of the tank.

Fuel supply lines shall have suitable support, a readily accessible manually operated, in-line shutoff valve installed as close to the fuel tank as practicable, and suitable protection from mechanical injury at supports and where passing through bulkheads and structural members.

(b) Each metallic fuel line connecting the fuel tank with the fuel inlet connection on the engine must be as follows:

(1) Be made of seamless annealed copper, nickel copper, or copper-nickel.

(2) Except for corrugated flexible fuel line, have a wall thickness of at least twenty-nine thousandths (0.029) inch.

(c) A filling pipe must be fitted to the highest point of the fuel tank.

(d) A fuel tank must be fitted with a marine-type fuel gauge or a sounding pipe if sounding cannot be accomplished through the filling pipe. A filling or sounding pipe must not permit overflow of liquid or vapor to escape to the inside of a boat.

(e) A vent pipe must be connected to the top of the fuel tank as follows:

(1) Installed to prevent accidental water contamination of the fuel with a flame arrester that can be cleaned unless the vent is itself a flame arrester.

(2) Have an inside diameter of at least seven-sixteenths ($^{7}/_{16}$) inch.

(3) Terminate on the hull exterior as far as practicable from hull openings and below the deck spaces.

(f) A device must not allow fuel to be drawn below the decks.

(g) Accessories in a fuel line must be properly supported.

(h) A boat equipped with a fixed fuel system must not be used to transport fuel onboard the boat outside the fixed fuel system unless the fuel is transported in conjunction with an auxiliary outboard engine. Fuel may be transported only in portable fuel tanks provided by a manufacturer of outboard engines and shall be safely secured outside the engine or living compartment.

(i) During a fueling operation, a person must not smoke onboard and no passenger may be allowed onboard.

(j) A fixed fuel system must be grounded by an electrical connection to a common ground, by welding or bolting to a metal bulkhead of a metal hull vessel or by electrical connection to the rudder, struts, or metal grounding plate. If flexible vibration hose is installed, metal grounding straps or wires must maintain ground continuity. *(Natural Resources Commission; 312 IAC 5-14-7; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2391, eff Jan 1, 2002; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1463; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-14-8 Portable fuel tanks

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 8. (a) A boat with a portable fuel tank system must not carry fuel onboard unless the fuel is carried in an approved fuel tank.

(b) A portable fuel tank must be secured to prevent shifting while under way. *(Natural Resources Commission; 312 IAC 5-14-8; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2392, eff Jan 1, 2002; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1464; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-14-9 Electrical systems

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 9. (a) An electrical system must:
(1) be properly grounded and safe for any anticipated usage; and
(2) satisfy 33 CFR 183, Subpart I.
(b) Electrical wiring must be placed as follows:
(1) As high as practicable above the bilge water level and other areas where water may accumulate. If wiring must be routed in the bilge or other areas where water may accumulate, the connections shall be watertight.
(2) Supported with fasteners that will not damage the wiring or structural members of the boat. Supported by wiring throughout its length or secured at least every eighteen (18) inches.
(3) Protected against chafing where passing through bulkheads or other structural members.
(4) Have wiring routed as far away as practicable from exhaust pipes and other heat sources.
(5) Connected with crimp-type or another appropriate set-screw pressure type. Twist-on (wire nut) type connectors must not be used.
(6) Have the proper size of stranded copper with insulation having an appropriate size and color.
(c) An electrical storage battery must be as follows:
(1) Compatible with the electrical system.
(2) Located so gas generated in charging the battery is properly ventilated.
(3) Easily accessible.
(4) Suitably supported and secured against shifting with the motion of the boat.
(5) Located in a tray or box that is liquid tight and large enough to retain normal spillage or boilover of the electrolyte. The tray or box shall be protected by noncorrosive material.
(6) Covered or otherwise suitably protected against an accidental short-circuiting of battery terminals.
(Natural Resources Commission; 312 IAC 5-14-9; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2392, eff Jan 1, 2002; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1464; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-14-10 Electrical equipment

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 10. (a) Electrical equipment, appliances, and fixtures installed on a boat must be insulated from exposed metal parts by an electrical insulating material suitable for use in damp locations and must be properly connected to the electrical ground system of the boat. Electrical equipment, appliances, and fixtures installed or used in machinery spaces or where flammable vapors may be present shall be designed, enclosed, or protected to prevent ignition of the flammable vapors.
(b) Switches, circuit breakers, and fuse boxes or blocks on a boat must be either:
(1) approved by Underwriters Laboratories for marine use; or
(2) a type commonly manufactured for use on a boat.
The devices described in this subsection shall have suitable protection against accidental shorting. *(Natural Resources Commission; 312 IAC 5-14-10; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2392, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-14-11 Bilge pumps and bailout devices

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 11. (a) A boat constructed with bilges or enclosed spaces below the decks must be fitted with an adequate number and proper size of bilge pumps so that excess bilge water can be removed from the bilges at static floating position, and at maximum conditions created by the boat's motion, heel, and trim. Bilge areas must be accessible by a bilge pump.

(b) A bilge pump with automatic controls must be provided with a readily accessible manual switch to activate the pump.

(c) A pump with automatic controls must be provided with a visual indication that power is being supplied to the pump.

(d) A boat must be equipped with a bailing device that is manually operated. A bucket is not a manually operated bailing device for purposes of this section. *(Natural Resources Commission; 312 IAC 5-14-11; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2393, eff Jan 1, 2002; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1464; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-14-12 Passenger capacity

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 12. (a) The maximum passenger capacity on a boat is the greatest number that results from application of the following alternative formulae:

(1) For a boat that does not have a boat capacity plate, the following:

(A) One (1) passenger per thirty (30) inches of rail space available to passengers at the sides and across the transom of the boat.

(B) One (1) passenger for ten (10) square feet of deck available for passenger use. In computing deck area, the areas occupied by concession stands, toilets and washrooms, companionways, and stairways are excluded.

(C) One (1) passenger per eighteen (18) inches of width of fixed seating.

(2) For a boat that has or is required to have a boat capacity plate, the following:

(A) (Weight capacity minus maximum motor and gear weight) 150 = number of passengers.

(B) (Boat length multiplied by boat beam) 15 = number of passengers.

(b) The marine inspector shall calculate the number of passengers that may safely be transported on a boat carrying passengers for hire. The number shall be set forth on the certificate of inspection. *(Natural Resources Commission; 312 IAC 5-14-12; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2393, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-14-13 Repairs and alterations; reinspections

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 13. (a) If a boat is involved in an accident resulting in damage, including grounding, or is to be hauled out and drydocked for major repairs or alterations affecting the seaworthiness of the boat, the owner must immediately report to the department the nature of the damage repairs or alterations. Damage does not include breakage of glass, lights, or decorative items.

(b) All repairs and alterations shall be approved in advance by the marine inspector. A marine inspector may require drawings, sketches, or written specifications.

(c) A boat must not be returned to service or returned to the water until all repairs or alterations are completed and the boat is reinspected and approved by a marine inspector. A marine inspector shall reinspect the boat as soon as practicable after being notified alterations are completed.

(d) If corrections or repairs to a boat or associated equipment result from an inspection by a marine inspector, the owner must notify the marine inspector before returning the boat to service or to the water. A marine inspector shall reinspect the boat as soon as practicable after being notified repairs are completed.

(e) A marine inspector shall require an owner to remove a boat from the water or to correct any equipment or condition that poses a safety hazard.

(f) The department shall deny the issuance of a certificate of inspection if a boat is determined to be unsafe to carry passengers for hire.

(g) Notification to the department is not required for general maintenance drydocking or hauling out. *(Natural Resources Commission; 312 IAC 5-14-13; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2393, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-14-14 Dockside inspections

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 14. During a dockside inspection, the owner of a boat must do both of the following:

(1) Submit all required safety apparatus for dockside inspection.

(2) Operate all machinery, steerage, and bilge pumps as needed to determine if they are in satisfactory condition and fit for safe and constant operation.

(Natural Resources Commission; 312 IAC 5-14-14; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2394, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-14-15 Main engine gauges

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 15. (a) On a boat designed for inboard or inboard/outboard (stern drive) main engines, the following gauges must be readable from each helm position:

(1) A gauge to indicate the main engine cooling water temperature for each main engine.

(2) A gauge to indicate the main engine lubrication oil pressure for each main engine.

(b) An engine and transmission for inboard propulsion manufactured after August 1, 1997, must be equipped with an indicator at any helm position to show the following:

(1) Engine rpm as indicated by a tachometer.

(2) Temperature, indicating the approach of unsatisfactorily high temperature of the liquid cooling system.

(3) For an air-cooled engine, the approach of unsatisfactorily high engine or exhaust duct temperature.

(4) Oil pressure, indicating insufficient lubricating oil pressure for an engine having a pressure lubricating system.

(5) Battery charging system, indicating failure of the charging system to operate properly.

(Natural Resources Commission; 312 IAC 5-14-15; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2394, eff Jan 1, 2002; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1465; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-14-16 Personal flotation devices (life preservers or life jackets)

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 16. (a) If a marine inspector determines a personal flotation device (life preserver or life jacket) carried onboard a boat is not in good and serviceable condition, the marine inspector shall write on the personal flotation device that the device is no longer serviceable. The owner of a boat must immediately replace any nonserviceable personal flotation device or must reduce the number of passengers so as not to exceed the number of serviceable personal flotation devices.

(b) Each personal flotation device must be carried in a suitable location that is readily accessible to passengers.

(c) A container for personal flotation devices must be clearly marked "Life Preservers" or "Life Jackets" and must set forth the number of serviceable devices. Letters and numbers must be at least one (1) inch high and must be a color contrasting with the

color of the container. The container shall indicate the size of the devices. Differing sizes must be separately stored.

(d) A personal flotation device on a documented boat must be marked with the name or documentation number of the boat in characters at least one (1) inch high that contrast with the color of the device.

(e) A personal flotation device on an undocumented boat must be marked with the name or registration number of the boat in characters at least one (1) inch high that contrast with the color of the device. *(Natural Resources Commission; 312 IAC 5-14-16; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2394, eff Jan 1, 2002; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1465; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-14-17 Fire extinguishers

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 17. (a) A boat must be equipped with at least the minimum number of portable fire extinguishers located as follows:

Boat Length	No fixed systems	With approved fixed system
Less than 26 feet	1 B-I	0
26 feet to less than 40 feet	2 B-I or 1 B-II	1 B-I
40 feet to less than 65 feet	3 B-I or 1 B-II and 1 B-I	2 B-I or 1 B-II
65 feet to less than 90 feet	4 B-I or 2 B-II	3 B-I or 2 B-II
90 feet to less than 125 feet	5 B-I or 3 B-II and 1 B-I	4 B-1 or 3 B-II
Over 125 feet	6 B-I or 4 B-II and 1 B-I	5 B-I or 4 B-II

(b) A fire extinguisher must have the U.S. Coast Guard approval 162.028 or have an Underwriters Laboratory Marine listing.

(c) A portable fire extinguisher without a gauge must be inspected at least every six (6) months and must have an inspection card attached.

(d) A pressure-filled fire extinguisher must be hydrostatically pressure tested at least every five (5) years.

(e) The maintenance required under subsections (c) and (d) must be performed by a qualified firefighting equipment repair service. *(Natural Resources Commission; 312 IAC 5-14-17; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2394, eff Jan 1, 2002; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1465; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-14-18 First aid equipment; emergency procedures

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 18. (a) At least one (1) standard sixteen (16) unit first aid kit must be maintained onboard. Included in the kit are the following:

(1) Adhesive bandages.
(2) Fingertip and knuckle bandages.
(3) Nonstick pads.
(4) 36″ × 36″ bandage that can also be used as a sling.
(5) Antibiotic ointment.
(6) Cold compress.
(7) Examination gloves.
(8) Ibuprofen tablets.
(9) Cleansing wipes.
(10) First aid tape.
(11) Finger splints.
(12) Scissors.
(13) Tweezers.

(14) Conforming gauze.
(15) Sterile eye pads.
(16) American Medical Association first aid guidebook.
(b) An emergency procedures list must be maintained in a conspicuous location onboard that includes the following:
(1) The following for marine VHF radio distress:
(A) Switch to channel 16 (United States Coast Guard).
(B) Signal "MAYDAY" three (3) times.
(C) Give the boat name, type, and color.
(D) Give the position.
(E) Describe the emergency.
(2) The following for a person overboard:
(A) Post a lookout.
(B) Throw over a flotation device or the water light.
(C) Do not jump into the water unless the person is a small child, elderly, or handicapped.
(D) Maneuver to return for pickup.
(E) Use additional markers.
(F) Get victim onboard.
(G) Call for help if necessary.
(3) The following for an explosion:
(A) Be ready to go overboard with personal flotation device (life jacket).
(B) When clear of danger, account for all passengers and assist.
(C) Stay together.
(4) The following for a fire:
(A) If possible, use a fire extinguisher.
(B) If practicable, jettison burning materials.
(C) Reduce air supply.
(D) Assemble at opposite end of boat.
(E) Prepare to abandon ship. Put on life jacket and signal for help by radio or any means available.
(5) The following for leaks or damage control:
(A) Put on life jacket.
(B) Check bilge pump operation.
(C) Pull up all decks and floorboards to search for leaks.
(D) Slow or stop boat as needed. You may need to stay on plane to keep hole above water if appropriate.
(E) Stop engine, close sea cock for engine cooling, disconnect hose, and place end in bilge. Start engine to act as bilge pump.
(F) Cover large hole from outside of boat with mattress or similar device.
(G) Use radio to call for help: channel 16 (United States Coast Guard).

(Natural Resources Commission; 312 IAC 5-14-18; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2395, eff Jan 1, 2002; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1466; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-14-19 Cooking, heating, and lighting

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14-15-2-9

Sec. 19. (a) None of the following may be carried onboard a boat by a person:
(1) Gas.
(2) Liquefied gas.
(3) Another flammable liquid capable of being used for cooking, heating, or lighting.

(b) Notwithstanding IC 14-15-2-9, a galley stove that is designed for gas or liquified gas may be retained onboard. However, electricity must be used as the exclusive source to power any appliance or equipment used for heating, cooking, or lighting. The owner, the operator, or a crew member must be present in the galley when an electric stove is in operation.

(c) Heating and cooking appliances must be each of the following:

(1) Commonly manufactured for use onboard a boat.

(2) Installed in adequately ventilated areas.

(3) Securely fastened to the boat.

(d) Woodwork and other combustible materials immediately surrounding heating appliances must be effectively insulated with noncombustible material. *(Natural Resources Commission; 312 IAC 5-14-19; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2395, eff Jan 1, 2002; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1467; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-14-20 Portable battery operated light (flashlight)

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 20. A boat must have onboard at least one (1) portable battery operated light (flashlight) that is powered by D cells or larger size batteries. *(Natural Resources Commission; 312 IAC 5-14-20; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2395, eff Jan 1, 2002; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1467; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-14-21 Certificate of inspection; issuance; posting; revocation

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 4-21.5-3-8; IC 4-21.5-4; IC 14-15

Sec. 21. (a) Upon satisfactory completion of the required drydock and annual dockside inspections, the department shall issue a certificate of inspection to expire one (1) year after the date on which the boat was inspected. The department may extend the expiration date for a period not to exceed thirty (30) days if conditions exist that would prevent the inspection of the boat before the first anniversary of the previous inspection.

(b) Except as provided in this subsection, the certificate of inspection must be placed under transparent material and posted conspicuously on the boat. If posting is impracticable, the certificate must be kept onboard and shown on demand.

(c) The department shall issue stickers with each certificate. The stickers must be affixed conspicuously to the port and starboard sides of the boat.

(d) The department may, under IC 4-21.5-3-8 or IC 4-21.5-4, revoke a certificate issued under this section for any of the following reasons:

(1) Changes occur to a boat after the issuance of the certificate so that the boat no longer meets the minimum standards for certification.

(2) The owner, the captain, or a crew member violates IC 14-15 or this rule.

(3) Information significant to the issuance of the certificate has been falsified or concealed.

(Natural Resources Commission; 312 IAC 5-14-21; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2396, eff Jan 1, 2002; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1467; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-14-22 Pilot's license on waters of concurrent jurisdiction

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 22. (a) A pilot's license is required to operate a boat on waters of concurrent jurisdiction.

(b) Except as provided in this subsection, the pilot's license must be framed under transparent material and posted conspicuously on the boat. If display is impracticable, the license must be carried onboard and shown on demand. *(Natural Resources Commission; 312 IAC 5-14-22; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2396, eff Jan 1, 2002; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1468; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

312 IAC 5-14-23 Marine liability insurance

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 23. The owner of a boat carrying passengers for hire must maintain marine liability insurance for bodily injury in the lesser of the following amounts:

(1) Eighty-five thousand dollars ($85,000) per passenger per accident.

(2) One million dollars ($1,000,000) in the aggregate.

(Natural Resources Commission; 312 IAC 5-14-23; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2396, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-14-24 Boats carrying six or fewer passengers for hire on waters of concurrent jurisdiction

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14-15-2-7; IC 14-15-2-8

Sec. 24. (a) This section establishes requirements for boats carrying six (6) or fewer passengers for hire on waters of concurrent jurisdiction that are supplemental to the other requirements of this rule.

(b) The requirements for a deck rail are as follows:

(1) A boat must have a deck rail or an equivalent protection at the periphery of a weather deck, including the cockpit, that is accessible to the passengers and crew. The top rail course of a deck rail must be at least twenty-four (24) inches above the deck. However, this subdivision does not apply to an open boat.

(2) A deck rail must have evenly spaced horizontal courses.

(3) A boat with a flying bridge must have suitable deck rails or an equivalent protection at the periphery of the flying bridge deck.

(4) An open boat must have suitable deck rails or an equivalent protection.

(5) A deck rail may be removed or modified while a boat is anchored and passengers are engaged in a diving operation.

(c) A boat must have the following onboard:

(1) One (1) Type I personal flotation device of proper size for each passenger and crew member.

(2) Suitably affixed, to the outside and the inside of each Type I personal flotation device, two hundred (200) square centimeters (approximately thirty-one and one-half (31.5) square inches) of Coast Guard-approved retroreflective material.

(3) A ring life buoy at least twenty (20) inches in diameter. The ring life buoy must be properly marked, readily accessible, and suitably attached to at least sixty (60) feet of floating line that is resistant to deterioration from ultraviolet light.

(4) A Coast Guard-approved water light that is self-activating upon contact with the water. The light must be stored in a readily accessible location near the ring life buoy. If the light is attached to a ring life buoy, the attachment line must be at least three (3) feet long, but not more than six (6) feet long.

(d) A boat must have onboard, in good working condition, a marine VHF radio and a properly compensated marine compass.

(e) A boat, except where suitable privacy enclosures are not practicable, must be equipped with at least one (1) toilet that complies with IC 14-15-2-7 and IC 14-15-2-8.

(f) The requirements for anchors and anchor lines are as follows:

(1) A boat must be equipped with an anchor of a suitable size and type.

(2) A line must be attached to the anchor by eye splice, thimble, and shackle.

(3) The anchor and line must be readily available onboard the boat for quick deployment and must have a minimum length as follows:

(A) At least one hundred (100) feet for a boat that operates other than on Lake Michigan.

(B) At least two hundred (200) feet attached to ground tackle for a boat that operates on Lake Michigan.

(g) A boat must have onboard at least one (1) of the following Coast Guard-approved visual distress signals:

Option	Number Required	Type	Accepted
(1)	3	Hand-held red flare	Day and night
(2)	3	Hand-held, rocket-propelled parachute red flare	Day and night
(3)	1	Orange flag distress signal for boats and electric distress light for boats	Day only
	1		Night only
(4)	3	Floating or hand-held orange smoke and electric distress light for boats	Day only
	1		Night only
(5)	3	Floating or hand-held orange smoke and option (1) or option (2)	Day only
			Day and night
(6)	1	Orange distress flag for boats and option (1) or option (2)	Day only
			Day and night

(1) A person must not display a visual distress signal except in an emergency.

(2) A Coast Guard-approved electric distress light meeting the standards of 46 CFR 161.013, that automatically flashes the international SOS signal (...---...), meets the nighttime requirements of this subsection.

(3) An orange flag that conforms to 46 CFR 160.072 meets the daytime requirements of this subsection.

(4) Pyrotechnics required by this section must be:

(A) readily accessible; and

(B) in serviceable condition.

If indicated by a date marked on the signal, the service life of the signal must not be expired.

(h) The following additional requirements apply to a sailboat:

(1) The standing rigging and spars shall be inspected during the drydock inspection. Any mast must be unstepped to allow for close inspection of the components, fittings, and systems.

(2) The running rigging shall be inspected during the dockside inspection, but a mast is not required to be unstepped.

(3) A sailboat with wheel steering must have an emergency tiller that can be deployed if the wheel steering fails.

(Natural Resources Commission; 312 IAC 5-14-24; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2396, eff Jan 1, 2002; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1468; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-14-25 Boats carrying more than six passengers for hire

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14-15-2-7; IC 14-15-2-8

Sec. 25. (a) This section establishes requirements for boats carrying more than six (6) passengers for hire that are supplemental to the other requirements of this rule.

(b) Except on an open boat, a deck rail or a life line on a passenger deck must be at least twenty-four (24) inches high. A deck rail may be removed or modified while a boat is anchored and passengers are engaged in a diving operation.

(c) Fixed or portable seats must be placed so that aisles not more than fifteen (15) feet long are at least twenty-four (24) inches wide and aisles more than fifteen (15) feet long are at least thirty (30) inches wide. If seats are in rows, the distance from seat front to seat front must be at least thirty (30) inches. Seat spacing must provide for ready escape during a fire or another emergency.

(d) A boat that carries vehicles must have suitable chains, cable, or other barriers at the end of a vehicle runway. Suitable gates, rails, or other devices must also be installed as a continuation of the regularly required rails.

(e) A boat must have the following onboard:

(1) One (1) Type I personal flotation device, Type II personal flotation device, or Type III personal flotation device of proper

size for each passenger and crew member.

(2) Except as provided in this subdivision for an open boat, a ring life buoy at least twenty (20) inches in diameter. The ring life buoy must be properly marked, readily accessible, and suitably attached to at least sixty (60) feet of floating line that is resistant to deterioration from ultraviolet light. An open boat must have a Type IV personal flotation device.

(f) Unless impracticable, a boat must be equipped with at least one (1) toilet that complies with IC 14-15-2-7 and IC 14-15-2-8. No bypass shall be attached to a system line or hose that will allow wastewater to be discharged into the waters of this state.

(g) A boat that has a fixed fire extinguishing system must satisfy 46 CFR 76.05-20.

(h) The requirements for anchors and anchor lines are as follows:

(1) A boat must be equipped with an anchor of a suitable size and type.

(2) A line must be attached to the anchor by eye splice, thimble, and shackle. The anchor line must be readily available onboard the boat for quick deployment and must have a minimum length as follows:

(A) At least fifty (50) feet for a boat that operates exclusively on rivers.

(B) At least one hundred (100) feet for any other boat.

(i) The following additional requirements apply to a sailboat:

(1) The standing rigging and spars shall be inspected during the drydock inspection. Any mast must be unstepped to allow for close inspection of the components, fittings, and systems.

(2) The running rigging shall be inspected during the dockside inspection, but a mast is not required to be unstepped.

(3) A sailboat with wheel steering must have an emergency tiller that can be deployed if the wheel steering fails.

(Natural Resources Commission; 312 IAC 5-14-25; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2397, eff Jan 1, 2002; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1469; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)

312 IAC 5-14-26 Sailboats carrying passengers for hire (Repealed)

Sec. 26. *(Repealed by Natural Resources Commission; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1470)*

312 IAC 5-14-27 Reciprocity for a Michigan certification

Authority: IC 14-10-2-4; IC 14-15-7
Affected: IC 14-15-2-7; IC 14-15-2-8

Sec. 27. As an alternative to certification under this rule, the department grants reciprocity to a certification, issued under Michigan Administrative Code 281.3101 through 281.3506, for a boat carrying passengers for hire. *(Natural Resources Commission; 312 IAC 5-14-27; filed Jan 5, 2005, 11:05 a.m.: 28 IR 1470; readopted filed May 29, 2008, 1:53 p.m.: 20080625-IR-312080057RFA; errata filed Jun 2, 2009, 10:29 a.m.: 20090624-IR-312090386ACA; readopted filed Jul 17, 2014, 3:46 p.m.: 20140813-IR-312140067RFA)*

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