

INDIANA DNR

PASSENGER FOR HIRE WATERCRAFT LAWS

IC 14-15-6 Chapter 6. Passenger Boats

IC 14-15-6-0.2 Application of certain amendments to prior law

Sec. 0.2. The amendments made to [IC 14-1-1-48](#) (before its repeal, now codified at section 2 of this chapter) apply to boating years beginning after December 31, 1989.

As added by P.L.220-2011, SEC.294.

IC 14-15-6-1 Certificate of inspection and registration; requirement

Sec. 1. (a) A person may not operate a boat upon public water to carry passengers for hire unless the following conditions are met:

(1) The department or an organization approved under section 2.5 of this chapter has inspected and registered the boat.

(2) A certificate of inspection and registration issued by the department is affixed to the boat in a prominent place within the clear view of the passengers.

(b) A certificate of inspection and registration expires one (1) calendar year after the date on which the watercraft was inspected. However, the department may extend the expiration date for not more than thirty (30) days if conditions exist that would prevent the inspection of the watercraft before the first anniversary of the previous inspection.

As added by P.L.1-1995, SEC.8. Amended by P.L.136-1997, SEC.4; P.L.164-2020, SEC.48.

IC 14-15-6-2 Certificate of inspection and registration; issuance

Sec. 2. (a) Before issuing a certificate of inspection and registration for a passenger boat, the department shall have the boat, including all motors, machinery, and equipment, thoroughly and carefully inspected by a competent person.

(b) If the department finds that:

(1) the boat, including motors, machinery, and equipment, is:

(A) of a suitable design and construction for the service in which the boat is or is to be employed; and

(B) in a good, safe, and sound operating condition and state of repair that warrants the belief that the boat can be operated with safety in the service;

(2) the boat, including motors, machinery, and equipment, is in compliance with this article and the rules adopted under this article; and

(3) property tax under [IC 6-1.1](#) is not owed on the boat, as evidenced by the tax receipt for payment from the appropriate county treasurer;

the department shall register the boat and issue a certificate.

(c) If the department does not find the conditions in subsection (b), the department shall immediately notify the owner of the boat why the boat fails to meet the requirements.

As added by P.L.1-1995, SEC.8.

IC 14-15-6-2.5 Requirements; inspections and surveys

Sec. 2.5. (a) Each boat that carries passengers upon public water for hire must have:

(1) a dry dock inspection; or

(2) an underwater survey;

of the exterior portion of the boat that is below the waterline at least one (1) time every sixty (60) months. However, an underwater survey may only be used to satisfy the requirements of this chapter one (1) time every one hundred twenty (120) months.

(b) If the owner of the boat elects to have an underwater survey, the owner must hire and pay for the underwater survey, which must be conducted by an inspector from a certified organization that is approved under subsection (c).

(c) The commission shall maintain a list of certified organizations that are approved to conduct underwater surveys under this chapter.

IC 14-15-6-3 Fees

Sec. 3. (a) The department shall charge and collect a fee for the following:

- (1) Each annual dockside inspection.
- (2) Each dry dock inspection.

(b) The following fees shall be charged:

- (1) All watercraft, except sailboats, carrying not more than six (6) passengers for hire on navigable water of Indiana:
 - (A) Dockside inspection..... \$ 50
 - (B) Dry dock inspection..... \$ 75
- (2) All watercraft, except sailboats, carrying not more than six (6) passengers for hire on inland water of Indiana:
 - (A) Dockside inspection..... \$ 30
 - (B) Dry dock inspection..... \$ 30
- (3) All watercraft, except sailboats, carrying more than six (6) passengers for hire on inland water of Indiana:
 - (A) Dockside inspection..... \$ 75
 - (B) Dry dock inspection..... \$100
- (4) All watercraft propelled primarily by sail that carry passengers for hire on navigable or inland water of Indiana:
 - (A) Dockside inspection..... \$ 50
 - (B) Dry dock inspection..... \$ 75

As added by P.L.1-1995, SEC.8. Amended by P.L.164-2020, SEC.50.

IC 14-15-6-4 Inspections; taking or suspension of certificate

Sec. 4. (a) The department may:

- (1) periodically; and
- (2) with or without notice;

inspect a registered passenger boat.

(b) If the department finds from the inspection that the boat would not be entitled to registration if registration were sought at that time, the department shall immediately notify the owner of the boat the reason the boat fails to meet the requirements. The department may:

- (1) take possession of a certificate of inspection and registration issued for the boat; and
- (2) suspend the operation of the certificate of inspection and registration;

pending the correction of the deficiencies.

As added by P.L.1-1995, SEC.8.

IC 14-15-6-5 Operation during suspension of certificate prohibited

Sec. 5. The owner of a passenger boat whose registration has been suspended under section 4 of this chapter may not use the boat or permit the boat to be used to carry passengers for hire until:

- (1) the deficiencies have been corrected; and
- (2) the certificate of inspection and registration has been issued or restored.

As added by P.L.1-1995, SEC.8.

IC 14-15-6-6 Contents of certificate

Sec. 6. Each certificate of inspection and registration must certify that the inspection has been made and must set forth, among other things, the following:

- (1) The date of inspection.
- (2) A description of the boat, including motors, machinery and equipment.
- (3) The age of the boat.
- (4) The maximum weight, including both passengers and property, that may safely be carried on the boat.
- (5) The method of the boat's inspection and the name of the person and organization that performed the inspection.

As added by P.L.1-1995, SEC.8. Amended by P.L.164-2020, SEC.51. **IC 14-15-6-7 Display of maximum weight**

Sec. 7. A person may not operate a passenger boat unless there is painted on the outside of the boat, both to starboard and to port and in a conspicuous place, the maximum weight, including passengers and property, that may safely be carried on the boat, as set forth in the certificate.

As added by P.L.1-1995, SEC.8.

IC 14-15-6-8 Operation in excess of maximum weight prohibited

Sec. 8. A person may not operate a passenger boat with persons or property on board in excess of the maximum weight, including passengers and property, that may safely be carried on the boat, as set forth in the certificate.

As added by P.L.1-1995, SEC.8.

IC 14-15-6-9 Procedure upon sale of boat

Sec. 9. (a) Upon the sale of a passenger boat, the purchaser shall within ten (10) days do the following at the same time:

(1) Give notice in writing to the department of the sale and the date of the sale.

(2) Surrender the certificate to the department for cancellation.

(b) The department shall, upon receipt, issue a new certificate of inspection and registration to the purchaser. The department shall charge and collect a fee of five dollars (\$5) for issuing the certificate.

As added by P.L.1-1995, SEC.8.

IC 14-15-6-10 Violations

Sec. 10. A person who violates section 1, 5, 7, 8, or 9 of this chapter commits a Class C infraction.

As added by P.L.1-1995, SEC.8. Amended by P.L.195-2014, SEC.8.

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

Indiana Administrative Code

Page 4

Natural Resources Commission
Indiana Government Center-North
100 North Senate Avenue, Room N103
Indianapolis, Indiana 46204-2273

(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; errata filed Aug 16, 2017, 2:55 p.m.: 20170823-IR-312170389ACA)

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 (1³/₄) 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 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*)

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 5-14-5.1 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 5-14-6.1 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 ($\frac{7}{16}$) inch.

(3) Terminate on the hull exterior as far as practicable from hull openings and below the deckspaces.

(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 BOATING ON PUBLIC WATERS OF INDIANA

(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.:*

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, steering, 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 non-serviceable 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.

BOATING ON PUBLIC WATERS OF INDIANA

(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-I 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.

BOATING ON PUBLIC WATERS OF INDIANA

(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 5-14-27 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)*

*