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Maine Boat Law, 1979

Maine Department of Inland Fisheries and Wildlife

Maine Bureau of Watercraft Registration and Safety

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MAINE BOAT LAW



DEPARTMENT OF INLAND FISHERIES AND WILDLIFE
DIV. OF RECREATIONAL SAFETY AND REGISTRATION
WATERCRAFT SECTION
284 STATE STREET, AUGUSTA, MAINE 04333

Dear Maine Boater

In the interest of promoting greater enjoyment and safety on the waters of this State, the Maine Boat Law establishes basic safety standards of equipment and boat operation requirements.

While the law sets certain standards, nothing can take the place of **COMMON SENSE** in using your boat or **COURTESY** to your fellow boatmen and other people who use Maine's bountiful waters.

Each season we find greater numbers of people using our waterways for many different purposes — fishing, water skiing, racing, sailing, swimming, scuba diving or just a relaxing boat ride at dusk of day. Your good conduct and consideration on the water will mark you as a thoughtful skipper and help provide greater enjoyment for all.

Safe boating is fun for all and safe boating is your responsibility. Do your part in promoting courtesy and safety afloat.

**Published under Appropriation No. 4557.1
Containing Laws and Regulations in Effect
As of July 1, 1978**

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THE MAINE BOAT LAW

Title 12, Chapter 308, Revised Statutes 1964

WATERCRAFT REGISTRATION AND SAFETY

SUBCHAPTER I

GENERAL PROVISIONS

§ 2061. DEFINITIONS

Each word or term defined in this section has the meaning indicated in this section for the purposes of this chapter, unless a different meaning is plainly required by the context.

1. **Bow.** "Bow" means the forward half of the watercraft.

2. **Division.** "Division" means the Division of Watercraft Registration and Safety, a part of the Dept. of Inland Fisheries and Wildlife.

3. **Commissioner.** "Commissioner" means the Commissioner of Inland Fisheries and Wildlife.

4. **Department.** "Department" means the Department of Inland Fisheries and Wildlife.

5. **Carrying passengers for hire.** "Carrying passengers for hire" means the use of a motorboat for the purpose of the carriage of any person or persons as passengers for valuable consideration, whether directly or indirectly flowing to the owner, charterer, agent or any other person interested in the watercraft. A passenger includes every person carried on board the watercraft other than the owner or his representative; the operator; bona fide members of the crew engaged in the business of the watercraft who have contributed no consideration for their carriage and who are paid for their services; and any guest on board a watercraft which is being used exclusively for pleasure purposes who has not contributed any consideration, directly or indirectly for his carriage.

6. **Federal waters.** "Federal waters" means all other waters not internal and subject to the jurisdiction of the United States.

7. **Internal waters.** "Internal waters" means waters under the exclusive jurisdiction of the State of Maine.

8. **Motorboat.** "Motorboat" means any watercraft equipped with propulsion machinery of any type, whether or not such machinery is the

principal source of propulsion, or is permanently or temporarily attached or is available for propulsion on the watercraft.

9. **Motorboat for hire.** "Motorboat for hire" means any watercraft which while hired is propelled by machinery, regardless of horsepower, whether or not that machinery is the principal source of propulsion, and whether or not that machinery was leased or hired with the watercraft. It includes any watercraft propelled by motor which carries passengers for hire.

10. **Operate.** The verb "operate" in all its moods and tenses when it refers to watercraft of any type or description means to use that watercraft in any manner on the water specified whether or not the watercraft is under way.

11. **Operation.** The noun "operation" when it refers to watercraft of any type or description means the act of operating as defined in subsection 10.

12. **Operator.** "Operator" means the person who is in control or in charge of a watercraft while it is in use.

13. **Owner.** "Owner" means a person who claims lawful possession of a watercraft by virtue of legal title or equitable interest therein which entitles him to such possession.

14. **Person.** "Person" includes an individual, firm, association or other entity.

15. **State of principal use.** "State of principal use" means the state on whose waters a watercraft is used or to be used most during a calendar year.

16. **Use.** "Use" means operate, navigate or employ.

7. **Watercraft.** "Watercraft" means any type of vessel, boat or craft used or capable of being used as a means of transportation on water other than a seaplane.

18. **Waters of this State.** "Waters of this State" means all internal waters and all federal waters within the jurisdiction of this State.

19. **Water safety zone.** "Water safety zone" means the area of water within 200 feet of any shoreline, whether the shoreline of the mainland or of an island.

§ 2062. LOCAL REGULATION PROHIBITED

No municipality or political subdivision of this State may adopt any ordinance, law or regula-

tion dealing with the operation or numbering of watercraft or any other subject matter of this chapter.

1. Department regulations excepted. Nothing in this section is to be construed to prohibit the adoption of regulations as authorized in section 2067.

§ 2063. DISPOSITION OF REVENUES

All revenues collected under this chapter are disposed of as follows:

1. Fees collected. All fees collected for certificates, licenses and permits by the division are paid daily to the Treasurer of State and accrue to the Watercraft Fund, Department of Inland Fisheries and Wildlife.

2. Fines and costs collected. Each county shall pay all fines, forfeitures and penalties collected for violations of this chapter and all officers' costs collected for either coastal wardens or inland fisheries and wildlife wardens to the Treasurer of State monthly and all of them shall accrue to the department.

3. Disbursement of revenues. All revenues collected under this chapter, including fines, fees and other available moneys, less all administrative costs of the Division of Watercraft Registration and Safety, will be disbursed for each fiscal year, when final accounting records are determined for that fiscal year, to the Department of Inland Fisheries and Wildlife and the Department of Marine Resources, in proportion to all revenues collected by the division during each fiscal year on the basis of watercraft registered for use on the internal and or federal waters of this State as reported to the U.S. Coast Guard, the former being retained by the Department of Inland Fisheries and Wildlife and the latter by the Department of Marine Resources, to help defray the costs of enforcing this chapter.

§ 2064. CERTIFICATE OF THE COMMISSIONER ADMISSIBLE IN EVIDENCE

A certificate signed by the commissioner or a person designated by him stating what the records of the division show on any given matter are admissible in evidence in all courts of this State to prove what the records of the division are on that matter.

1. Certificate prima facie evidence person not the holder of a certificate of number, license or permit. A certificate signed by the commissioner

or a person designated by him, stating that the records of the division do not show that a particular person on a stated date held a certificate of number, a license or permit issued under this chapter, as the case may be, is admissible in evidence in all courts of this State and is prima facie evidence that the particular person named in the certificate did not hold a certificate of number, license or permit as specified in the certificate on the date specified in the certificate.

2. Certificate prima facie evidence of certificate, license and permit revocation. A certificate signed by the commissioner or a person designated by him, stating that the records of the division show that a particular person's certificate, license or permit issued under this chapter was under revocation or suspension on a particular stated date is admissible in evidence in all courts of this State and is prima facie evidence that the particular certificate, license or permit stated, on the date stated, of the particular person stated was under suspension or revocation.

3. Regulations not proved by this section. This section does not apply to the proof of regulations, as proof of them by certificate is provided in section 2068.

§ 2065. ENFORCEMENT

Inland fish and wildlife wardens, coastal wardens, state police officers, harbor masters and all other law enforcement officers of this State have authority to enforce this chapter and to arrest persons who violate it. Such officers, when in uniform, may stop any watercraft for the purpose of inspecting said craft, its equipment, and its documents or certificates and may board all watercraft where necessary to enforce this chapter or to make arrests.

1. Watercraft to stop. It is unlawful for the operator of any watercraft to fail to stop or move his watercraft upon being ordered or directed to do so by any law enforcement officer empowered to enforce this chapter. Said watercraft may be ordered ashore to correct a violation or if in the opinion of the law enforcement officer the safety of the occupants is in jeopardy.

§ 2066. PENALTIES

Whoever violates any provisions of this chapter or any regulation adopted under authority of this chapter shall be guilty of a misde-

meanor and, if no specific penalty is provided for the particular offense, shall be punished by a fine of not less than \$10 nor more than \$500, or by imprisonment for not more than 90 days, or by both.

SUBCHAPTER II

CONDITIONS AND RESTRICTIONS

§ 2067. DIVISION OF WATERCRAFT REGISTRATION AND SAFETY

The following provisions apply to the Division of Watercraft Registration and Safety:

1. **Purpose of division.** The division is established to provide an agency to register watercraft as provided in this chapter and to promote safety for persons and property in connection with the use and operation of watercraft and may participate in such federal grants in aid as may be forthcoming to this State from the Federal Boat Safety Act of 1971 (Public Law 92-75).

2. **Department may adopt rules.** It shall be the intent of any regulation required that it shall be in accord with federal rules as may be promulgated under the Federal Boat Safety Act of 1971. The commissioner, acting jointly with the Commissioner of the Department of Marine Resources, may adopt and amend rules under the procedure provided in section 2068, which are not inconsistent with this chapter, covering the following subject matter.

A. Rules to further establish administrative procedure under this chapter;

B. Rules further governing the use and operation of watercraft upon the waters of the State to insure safety of persons and property;

C. Rules further governing safety equipment for watercraft, including the type quality and quantity of such equipment;

D. Rules governing the horsepower of motors used to propel watercraft on all internal waters of this State. In promulgating such rules the commissioner shall take into consideration the area of the internal waters, the use to which the internal waters are put, the depth of water and the amount of water borne traffic upon the waters and determine whether or not such rule is necessary to insure the safety of persons and property. The adoption of rules under this paragraph is governed by Title 5 Part 18 except that such rules may be only adopted as a

result of a petition from the municipal officers of the municipality or municipalities in which the waters exist or from 25 citizens of the municipalities in which the waters exist, by the county commissioners of the county in which the waters exist if they are located in unorganized territory or 25 citizens of the unorganized territory in which the waters exist, requesting the issuance of such a rule for a particular body of internal water and stating the proposed horsepower limitation.

§ 2069. CERTIFICATE REQUIRED; DISPLAY OF NUMBERS AND VALIDATION STICKERS

The following provisions apply to every undocumented motorboat used on the waters of the State as the state of principal use, except those motorboats specifically exempted under subsection 3.

1. Owner must obtain certificate of number; certificate to be available on boat. The owner of any such motorboat shall obtain a certificate of number for the motorboat from the division before operating or giving permission to operate the motorboat on any of the waters within the jurisdiction of this State. The operator shall have the certificate of number available for inspection on the motorboat for which issued at all times whenever the motorboat is in operation.

A. It is unlawful to operate a motorboat on any waters within the jurisdiction of this State without a current certificate of number or a current temporary certificate of number.

B. If the operator of such a motorboat fails to produce a current certificate of number for the motorboat he is operating within a reasonable time after demand of a law enforcement officer authorized to enforce this law, it is prima facie evidence that the motorboat is being operated without a current certificate of number.

C. The certificate of number for watercraft less than 26 feet in length and leased or rented to another for the latter's non-commercial use may be retained on shore by the owner of said watercraft or his representative at the place where the watercraft departs or returns to the possession of the owner or his representative, provided that the person leasing or renting the watercraft has a copy of the lease or rental agreement which shows the watercraft

number thereon and the period of time for which the watercraft is leased or rented and signed by the owner or his representative.

D. Only the certificate of number or temporary certificate of number as issued by the division is valid. A facsimile or copy of said certificate is not valid.

2. Display of identification number and validation stickers. It is unlawful to operate or give permission to operate a motorboat on any waters within the jurisdiction of this State unless the identification number and validation stickers assigned by the division and authorized by this chapter are displayed on each side of the bow of the boat in the following manner:

A. The identification numbers must be painted or permanently attached to the bow and be of a color which is in contrast to the color of the background so as to provide the highest degree of visibility, i.e., dark numbers on a light background or vice versa, and be plainly visible.

(1) A dealer's number and validation stickers may be painted or attached to removable plates temporarily attached to the bow of any boat covered by his dealer's certificate of number.

B. The identification number must be displayed in 3 parts. The prefix which is the initial letters ME, designating the State of Maine, is to be separated by a hyphen or space equal to width of a letter, other than the letter "I", from the numerals which follow it. The suffix, which consists of the ending letter or letters which appear after the numerals, is to be likewise separated from the numerals.

C. The identification number must be displayed to read from left to right, of good proportion, with vertical block character capital letters and Arabic numerals, all of which must not be less than 3 inches in height and maintained in a legible condition at all times.

D. No number other than the assigned boat number shall be displayed on the bow of such a motorboat.

E. The validation sticker, as issued by the division must be displayed approximately 3 inches behind the last letter of the identification number and on a level with the number on both sides of the bow, vis.: ME-123-A □

3. Motorboats exempt from numbering pro-

visions. The following motorboats are exempt from this section:

A. A watercraft which has or is required to have a valid marine document as a watercraft of the United States;

B. A motorboat already covered by a current certificate of number issued under a federally approved numbering system of another state or a federal law, provided that the number so issued is displayed on the motorboat and provided that the motorboat has not been within this State for a period in excess of 60 consecutive days after the state of principal use has been changed;

C. Military or public watercraft except recreational type watercraft of the United States;

D. A motorboat whose owner is the United States, a state or subdivision thereof which is used for governmental purposes and which is clearly identifiable as such;

E. A ship's lifeboat;

F. Motorboats from a country other than the United States, provided the motorboat has not been within this State for a period in excess of 60 consecutive days;

G. Motorboats used exclusively for racing purposes which display on their hulls in a prominent manner a valid boat number issued by a recognized racing association.

4. Numbering at request of owner. Nothing in this section shall prohibit the numbering of any watercraft upon the request of the owner. Said owner shall comply with all applicable requirements of this chapter if he chooses to number his watercraft.

§ 2070. APPLICATION AND ISSUANCE; FEES

The provisions of this section apply to the owners of all motorboats requiring numbering by this State as provided in section 2069.

1. Application certificate. The owner shall make application to the division on forms approved by the division. Such application shall show the legal residence of the applicant and the place where the boat is situated. Upon receipt of the approved application with the proper fee, the division shall enter the same upon the office records and issue the applicant a certificate of

number stating the number assigned to the motorboat, its description, the name and address of the owner and such other information as the division deems appropriate. The certificate of number must be pocket size and available at all times for inspection on the motorboat for which issued when it is in operation.

2. **Fees.** The fees for each original or renewal certificate of number with 2 validation stickers are as follows:

- A. All watercraft requiring or requesting certificate of number; \$5
- B. Dealer's or manufacturer's certificate of number; \$10
- C. Duplicate certificate of number; \$1
- D. Duplicate validation sticker (each one); 25¢
- E. Certificate of number issued with transfer of ownership authorized in subsection 4. \$2

3. **Numbers permanent.** A number once awarded under this chapter to a motorboat remains with that boat until the boat is destroyed, abandoned, permanently removed or no longer principally used in this State.

4. **Transfer of ownership.** Whoever transfers ownership of a motorboat for which a certificate of number has already been issued under this chapter and applies for a certificate of number for another motorboat is entitled to a new certificate of number upon payment of transfer fee of \$2 as set forth in subsection 2, paragraph E, provided the applicant returns to the division the old certificate of number properly signed and executed, showing that ownership of the motorboat has been transferred and that there are at least 6 months of unexpired time on his old certificate of number.

5. **New ownership.** If there is a change of ownership of a motorboat for which a certificate of number has previously been issued under this chapter, the new owner shall apply for a new certificate of number and set forth the original boat number in his application. He shall pay the regular fee for the particular motorboat involved and is not entitled to the special transfer fee set forth in subsection 4.

6. **Duplicate certificate and validation stickers.** The holder of any certificate of number issued under this chapter may obtain a duplicate certificate or validation stickers from

the division upon application and payment of the fee set forth in subsection 2.

7. Expiration date, renewal. Every certificate of number awarded under this chapter continues in force until December 31st of the 2nd complete calendar year after the year of issuance. The owner may renew his certificate of number at expiration by stating the old number in his application and paying the prescribed fee. The fee is the same fee he would pay for the original issuance.

8. Dealer's and manufacturer's certificate of number. Any manufacturer or dealer of new or used motorboats who has a permanent place of business in this State for the manufacture or sale of motorboats may, instead of obtaining a certificate of number for each motorboat owned by him, make application on forms provided by the division for a dealer's certificate of number.

A. If the applicant pays the fee provided in subsection 2 for a dealer's certificate of number and satisfies the division that he is otherwise qualified for a dealer's certificate of number, the division shall issue the same to him.

B. The dealer's certificate of number must contain the place of business of the applicant and a general distinguishing number in such form as determined by the division.

C. The dealer or manufacturer shall display the number and validation stickers issued under his dealer's certificate of number on the motorboat being demonstrated or tested and may transfer that number from one motorboat owned by him to another motorboat owned by him by temporarily attaching the number and validation stickers to the motorboat as provided in section 2069, subsection 2, paragraph A, subparagraph (1).

D. The division may issue temporary 10-day boat numbers and registrations to bona fide dealers who request them under such rules as it deems necessary and shall receive 50¢ for each 10-day temporary plate.

Upon the sale or exchange by a dealer of any motorboat which requires numbering, the new owner may secure from him a temporary 10-day boat number and registration to operate said craft for one period of 10 consecutive days only after the date of sale in lieu of a permanent boat number as required in section 2069,

provided that the owner shall make application to the division on the date of sale for a certificate of boat number by the division. Said application and fee for certificate of boat number, together with a copy of the temporary registration issued by the dealer, shall be forwarded by said dealer to the division within 48 hours after the date of sale of said motorboat. The dealer shall affix the temporary 10-day boat number to the bow of the motorboat and shall clearly mark thereon the date issued, date of expiration and his Maine dealer's number.

The temporary 10-day boat number is non-transferable and must be conspicuously displayed on the bow of the motorboat notwithstanding any other requirements of display of boat number. The operator of said craft must have the temporary registration aboard at all times while the motorboat is in operation. After the expiration of the 10-day period, the owner must remove and discard the temporary 10-day boat number and display the permanent boat number and validation stickers assigned by the division in accordance with section 2069.

9. **Public records.** All records made by the division pursuant to this section are public records. An annual report of the certificates of number issued by the division shall be made to the U.S. Coast Guard as required under federal law.

10. **Notice to assessors.** Where the legal residence of the applicant is a municipality within the State, the division shall mail annually a list of registrations issued to the assessors or assessor of such municipality. Where the legal residence is outside of the State and the boat is situated within a municipality in the State, the division shall mail annually a list of registrations issued to the assessors or assessor of such municipality. In all other cases, the division shall send a list of registrations issued annually to the Bureau of Taxation.

§ 2071 NOTICE OF DESTRUCTION, ABANDONMENT, REMOVAL, TRANSFER OF OWNERSHIP, CHANGE OF ADDRESS.

1. **Owner.** The owner of any watercraft which has been issued a certificate of number shall notify the division in writing of the transfer of all or any part of his interest, other than the creation of a security interest, in the watercraft

covered by the certificate, of its permanent removal from the State, or of its destruction or abandonment and the theft or recovery of the watercraft. He shall notify the division of any change in his address. The owner shall give the notice within 10 days after the happening of the applicable event.

2. Termination of certificate of number. The transfer, documentation, change in state of principal use, permanent removal from the State, abandonment or destruction, false or fraudulent information on application, if the required fee is not paid, or the owner involuntarily loses his interest in the watercraft due to legal process, terminates or invalidates the certificate of number. In any of the foregoing conditions, the certificate of number issued by the division shall be returned within 10 days. The transfer of a partial interest which does not affect the original owner's right to operate the watercraft does not terminate or invalidate the certificate of number.

3. Sale or transfer. Upon sale or transfer of ownership of any registered watercraft, the owner or dealer shall remove and destroy any validation stickers on said craft. The validation sticker is nontransferable.

4. Removal of numbers. The person whose name appears on the certificate of number as the owner of a watercraft shall remove the number and validation stickers from the craft when:

- A. The watercraft is documented.
- B. The watercraft is no longer used principally in the State of Maine;
- C. The application for certificate of number contains false or fraudulent statements or information;

The fees for the issuance of a certificate of number are not paid.

§ 2072. MOTORBOATS CARRYING PASSENGERS FOR HIRE

The following provisions apply to all motorboats carrying passengers for hire as defined in section 2061, except those subject to federal inspection requirements which have or are required to have a current valid federal inspection certificate on board.

1. Certificate required. The owner shall apply to and obtain from the division a certificate of

number authorizing its use for that purpose before carrying passengers for hire.

A. Before the certificate may be issued, the owner must satisfy the division that the boat is safe to operate and will be maintained in safe condition.

B. The division may cause such boats to be examined from time to time. If it is found upon examination that any motorboat carrying passengers for hire so certified is unsafe, the commissioner shall immediately suspend the operator's license or licenses covering the particular motorboat under the procedure set forth in subsection 3.

2. **Operator's license.** Every operator of a motorboat, except those operators who have been issued and have or are required to have in their possession a current valid federal operator's license which carries passengers for hire on the internal waters of this State, must obtain an operator's license from the division as provided in this subsection before operating a motorboat carrying passengers for hire.

A. The operator shall make written application for the license on forms provided by the division and enclose a fee of \$1 with his application.

B. The division shall cause operators applying for a license for the first time to be examined as to their qualifications and shall issue the license only after the applicant has satisfactorily passed the examination.

C. The division may grant a renewal of license upon written application and payment of the \$1 fee without examination.

D. Every license expires on December 31st of the year for which issued.

E. The commissioner shall immediately suspend an operator's license upon satisfactory evidence of intemperance, incompetency or willful violation of law under the procedure in subsection 3.

§ 2073 OPERATION OF WATERCRAFT

The following provisions apply to all specified watercraft and other specified devices operated upon any of the waters within the jurisdiction of this State.

1. **Reckless operation prohibited.** It is unlawful for any person to operate any watercraft,

water skis, surfboard or similar device recklessly.

2. Operating under influence prohibited. It is unlawful to operate any watercraft or to operate or manipulate any water skis, surfboard or similar device while intoxicated, or under the influence of intoxicating liquor, narcotic drugs, barbiturates or marijuana. Standards, tests and procedures applicable in determining whether a person is under the influence, within the meaning of this section, shall be those applicable pursuant to Title 29, section 1312.

3. Operating to endanger prohibited. It is unlawful for any person to operate any watercraft, water skis, surfboard or similar device so as to endanger any person or property.

4. Prudent speed required. It is unlawful to operate any watercraft except at a reasonable and prudent speed for the existing conditions. The speed of watercraft shall at all times be so regulated as to avoid danger or injury or unnecessary inconvenience in all manner to other watercraft or any occupants therein whether anchored or under way, waterfront piers, floats or other property or shorelines either directly or by the effect of the wash or wave created by such watercraft through its speed or otherwise.

5. Operation in bathing areas prohibited. It is unlawful to operate a motorboat within any bathing area marked or buoyed for bathing.

6. Age restriction for operation. It is unlawful for any person under 12 years of age to operate any motorboat propelled by machinery of more than 10 horsepower unless he is under the immediate supervision of a person located in the motorboat who is at least 16 years of age.

7. Molesting wildlife. No person shall operate any watercraft on waters of this State so as to pursue, molest, harass, drive or herd any wild bird or mammal, except as may be permitted during the open season thereof.

8. Mufflers. It shall be unlawful to operate a motorboat on the waters of this State unless it shall be equipped at all times with an effective and suitable muffling device on the engine or engines thereof to effectively deaden or muffle the noise of the exhaust, provided that motorboats which are operating in a regatta or race approved by the division under section 2074, subsection 2, may use cut outs for such motorboats while on trial runs, or competing in

speed events, not to exceed 48 hours immediately preceding or following such an authorized event.

§ 2074. SAFETY EQUIPMENT AND REGATTAS

1. Safety equipment.

A. All watercraft while in use on the water of this State shall comply with the same requirements pertaining to lights, life-saving devices, fire extinguishers and other safety equipment as required by federal laws and regulations on federal navigable waters as promulgated under Federal Boat Safety Act of 1971 (Public Law 92-75). The commissioners may prescribe additional equipment not in conflict with Federal Navigation Laws if there is a demonstrated need.

B. The operator shall be responsible to see that watercraft are equipped as specified in this section before operating said watercraft on the waters of this State.

C. Canoes, owned by a boys' or girls' summer camp located upon internal waters in Maine and duly licensed by the Department of Health and Welfare, utilized by campers under the direction and supervision of a camp counselor at least 18 years of age, during training and instruction periods on waters adjacent to the main camp within a distance of 500 feet from the shoreline of such camp, shall be exempt from this subsection.

D. Log rafts carrying not more than 2 persons, and used on ponds or lakes on internal waters of less than 50 acres in area, are exempt from carrying personal flotation devices.

2. Regattas, races, exhibitions. Whenever a regatta, race, boat or water ski exhibition is to be held on any of the internal waters of this State, the person or persons in charge of it shall request written permission from the division at least 15 days prior to the event.

A. The request must be in writing, set forth the date, time and location of the event.

B. It is unlawful to hold such an event without written permission from the division.

C. The person or organization obtaining the permission is responsible for providing reasonable protection as prescribed by the division from water traffic interference and hazards and must take reasonable precautions to safeguard persons and property.

D. During any authorized event, the officials conducting it shall conspicuously display one or more orange warning flags of a size not less than 4 feet by 4 feet while the event is in progress. It is unlawful for any watercraft other than the participants to cross or traverse the course or area of the authorized event when said warning flag is displayed, except in an emergency. The officials conducting the event shall remove the warning flag or flags for reasonable periods of time during the event to allow non-participating watercraft to pass through the area.

§ 2075. ACCIDENTS

The provisions of this section apply to all watercraft operated on any waters within the jurisdiction of this State.

1. **Duty to render aid.** It is the duty of every operator of any watercraft involved in a collision, accident or other casualty to render all necessary aid and assistance to all persons involved, so far as he can do so without serious danger to his watercraft, crew and passengers, if any.

2. **Operators involved in accident to identify themselves.** The operator of any watercraft involved in an accident or collision shall give his name, address and identification of his watercraft to any person injured and to the owner of any property damaged.

3. **Accident report required.** The operator or owner of any watercraft involved in any casualty or accident while using a watercraft which results in the death of a person, a person losing consciousness or receives medical treatment or is disabled for more than 24 hours or a person disappears from a watercraft under circumstances that indicate death or injury, damage to the watercraft or other property of more than \$100 must file a written accident report on forms provided by the division containing such information as required. Said report must be made within 48 hours of the occurrence if a person dies or disappears, loses consciousness or receives medical treatment or is disabled for more than 24 hours. A report involving property damage only may be made within 5 days of the occurrence.

In addition to making a written report to the division, the owner or operator shall report said occurrence to the nearest available law enforcement officer where the accident occurred.

4. **Transmittal of information.** In accordance with any request duly made by an authorized official or agency of the United States, any information compiled or otherwise available to the division pursuant to this section shall be transmitted to said official or agency of the United States.

§ 2076. RESTRICTIONS ON POWER BOATS: PORTAGE LAKE AND QUIMBY POND

No person shall operate any boat or canoe propelled by motor on that portion of Portage Lake in Townships T. 13, R. 6 W.E.L.S., County of Aroostook, known as the Floating Island Area, north and westerly of a line beginning at the eastern edge of the marsh peninsula running out from Hutchinson Ridge, running 50 yards outside of the floating islands in a northerly direction to the mouth of Mosquito Brook.

No person shall operate any boat or canoe propelled by motor on Quimby Pond in the Town of Rangeley, Franklin County.

§ 2077. —JERRY POND

It shall be unlawful for any person, firm or corporation to use motors on watercraft, in and upon the waters of Jerry Pond, so called, situated within the boundaries, or having a shore line abutting, the incorporated municipality of Millinocket and the unincorporated townships being T. 1, R. 7 and T. A., R. 7, all in the County of Penobscot.

§ 2078. —OX BROOK LAKES

No person, except officers empowered to enforce this chapter, shall operate a motorboat on Upper and Lower Ox Brook Lakes in the Towns of T6 ND, T6 RI and Talmadge in the County of Washington.

§ 2079. —NESOWADNEHUNK (SOURDNAHUNK) LAKE

No person shall operate any boat or canoes, propelled by motor on Little Nesowadnehunk (Sourdnahunk) Lake, in T. 5, R. 11, Piscataquis County.

§ 2080. —EAGLE LAKE, JORDAN POND AND LONG POND

No person, except officers empowered to enforce this chapter, shall operate a motorboat having more than 10 horsepower on Eagle Lake and Jordan Pond, Mt. Desert Island, Hancock County and Long Pond, T. E. and T. D., Franklin County.

§ 2081. — SNOW'S POND; USE OF POWER BOATS

No person, except officers empowered to enforce this chapter shall operate a motorboat on a body of water commonly known as and referred to in the Dunham-Davee Work Plan as Snow's Pond situated west of Route 7 in the Town of Dover-Foxcroft, Piscataquis County.

§ 2082. —LONG POND, OXFORD COUNTY

No person, except officers empowered to enforce this chapter, shall operate a motorboat having more than 6 horsepower on Long Pond, Town of Denmark, Oxford County.

§ 2083. —LILY POND

No person, except officers empowered to enforce this chapter, shall operate a motorboat on Lily Pond, Edgecomb, Lincoln County.

§ 2084. —NOKOMIS POND

No person, except a law enforcement official or those assisting such officials, shall operate a motorboat powered by an internal combustion engine on Nokomis Pond, situated in the Towns of Newport and Palmyra, Penobscot County.

WATERCRAFT REGULATIONS

Pursuant to the provisions of Title 12, Chapter 308, Sections 2067 and 2068, Maine Revised Statutes, the Division of Watercraft Registration and Safety hereby repeals all existing regulations currently in effect as of December 31, 1973 and replaces them with the following new regulations, which shall become effective on January 1, 1974:

REGULATION NO. 1

GENERAL REGULATORY DEFINITIONS

The definitions contained in Title 12, Maine Revised Statutes annotated, Section 2061, although not set forth herein, shall be a part of all regulations and apply to those words or phrases when used therein.

REGULATION NO. 2

CONTENTS OF APPLICATIONS AND CERTIFICATES

A. APPLICATION FOR BOAT REGISTRATION

Each application to secure a Maine Certificate of Boat number as the state of principal use must contain the following information on forms provided by the Division:

1. Make of boat.
2. Year built.
3. Length.
4. Hull Material.
5. Type of boat. (open, cabin, sail, canoe, houseboat or other).
6. Type of propulsion.
7. Horsepower of engine.
8. Fuel.
9. Type of application.
10. Hull serial number, if any.
11. Use of boat.
12. Name and address of owner, including zip code.
13. Owner's birth date.
14. Owner's citizenship.
15. Town of legal residence - Maine residents.
16. Place boat is situated - nonresidents of Maine.
17. Present number on boat which was previously issued.
18. Waters chiefly used on.
19. Name and address from whom purchased.
20. Signature of owner.

An application made by a dealer/manufacturee need only provide information for items numbered 11, 12, and 20.

B. TEMPORARY CERTIFICATE OF BOAT NUMBER.

Each temporary certificate of boat number issued by the Division, pending issuance of a permanent certificate of number, shall be valid for a period of 45 days from date validated and contain the following information:

1. Permanently assigned boat number.
2. Make of boat.
3. Year built.
4. Length.
5. Propulsion.
6. Horsepower.
7. Fuel.
8. Type of application.
9. Hull serial number, if any.
10. Use of boat.
11. Name and address of owner.
12. Owner's birth date.
13. Owner's citizenship.

C. CERTIFICATE OF BOAT NUMBER.

Each Maine certificate of boat number issued by the Division will contain the following information:

1. Number issued to watercraft and/or dealer/manufacturee.
2. Expiration date of certificate.
3. Make of boat.
4. Owner's birth date.
5. Hull serial number, if any.
6. Year built.
7. Length.
8. Name, address of owner.
9. Type of boat.
10. Hull material.
11. Fuel.
12. Propulsion.
13. Use of boat.
14. Validation showing official issuance by Division.

A certificate of number issued to a dealer/manufacturee will show only items 1, 2, 8, 13, 14, and for item 3, the word "Dealer".

REGULATION NO. 3 ACCIDENT OR CASUALTY REPORTS

Each report required by Title 12, Section 2075, shall be signed and dated by the person who prepared it and must contain, if available, the following information about the accident or casualty:

1. The numbers and names of each watercraft involved.
2. The name and address of each owner of each watercraft involved.
3. The name of the nearest city or town, the county, the State, and the body of water.
4. The time and date of the casualty or accident occurred.
5. The location on the water.
6. The visibility, weather, and water conditions.
7. The estimated air and water temperatures.
8. The name, address, age, or date of birth, telephone number, operating experience, and boating safety training of the operator making the report.
9. The name and address of each operator of each watercraft involved.
10. The number of persons on board or towed on skis by each watercraft.
11. The name, address, and date of birth of each person injured or killed.
12. The cause of each death.
13. Weather forecasts available to, and weather reports used by, the operator before and during the use of the watercraft.
14. The name and address of each owner of property involved.
15. The availability and use of personal flotation devices.
16. The type and amount of each fire extinguisher used.
17. The nature and extent of each injury.
18. A description of all property damage and watercraft damage with an estimate of the cost of all repairs.
19. A description of each equipment failure that caused or contributed to the cause of the casualty.
20. A description of the watercraft casualty or accident.
21. The type of watercraft operation (cruising, drifting, fishing, hunting, skiing, racing, or other), and the type of accident

(capsizing, sinking, fire, or explosion or other).

22. The opinion of the person making the report as to the cause of the casualty.
23. The make, model, type (open, cabin, house, or other), beam width at widest point, length, depth from transom to keel, horsepower, propulsion (outboard, inboard, inboard out-drive, sail or other), fuel (gas, diesel, or other), construction (wood, steel, aluminum, plastic, fiberglass, or other), and year built (model year), of the reporting operator's watercraft.
24. The name, address, and telephone number of each witness.
25. The manufacturer's identification number, if any, of the reporting operator's watercraft.
26. The name, address, and telephone number of the person submitting the report.

REGULATION NO. 4 TIME OF SUNRISE AND SUNSET

In order to determine the time of sunrise and sunset as referred to in Title 12, Chapter 308, Revised Statutes and any regulations promulgated thereunder the following definition shall apply:

Sunrise and sunset is that time given for sunrise and sunset as computed and established for Augusta, Maine, by the Nautical Almanac Office of the United States Naval Observatory for the particular day involved converted to the legal standard of time in force in this State on that day.

REGULATION NO. 5 SAFETY EQUIPMENT ON MOTORBOATS AND OTHER WATERCRAFT

The operator of any watercraft on the waters of this State shall be responsible to see that said craft are equipped as specified in this regulation. Nothing in this regulation shall be construed to permit the operation of any watercraft on the federal waters in this state unless they conform to all applicable federal laws and regulations pertaining thereto.

Sec. 1. DEFINITIONS

A. **Motorboat:** For the purposes of this regulation motorboats are defined as those watercraft which are propelled by machinery and not more than 65 feet in length.

B. Classes of motorboats:

Class A. Any motorboat less than 16 feet in length.

Class 1. Any motorboat 16 feet or over and less than 26 feet in length.

Class 2. Any motorboat 26 feet or over and less than 40 feet in length.

Class 3. Any motorboat 40 feet or over and not more than 65 in length.

C. Length: Length means the distance measured from end to end over the deck, excluding sheer. It is the straight line measurement of the overall length, stated in feet and inches, from the foremost part of the vessel to the aftermost part measured parallel to the centerline, excluding outboard motors, brackets, bowsprits, rudders and similar attachments.

D. Aft: Aft means the rear half of the watercraft, vessel or boat as contrasted to the bow which is the forward half of the boat.

E. Point: Point means eleven and one-quarter degrees of arc.

Sec. 2. NAVIGATION LIGHTS AND SHAPES

Every watercraft in all weathers from sunset to sunrise shall carry and exhibit the following lights when underway and during such time no other lights which may be mistaken for those prescribed shall be exhibited. Every white light prescribed by this section shall be of such character as to be visible at a distance of at least two (2) miles. Every colored light prescribed by this section shall be of such character as to be visible at a distance of at least one (1) mile. The word "Visible" in this subsection, when applied to lights, shall mean visible on a dark night with clear atmosphere.

A. Motorboats of Classes A and 1:

1. A bright white light aft to show all around the horizon.

2. A combined light in the fore part of the vessel and lower than the white light aft, showing green to starboard and red to port, so fixed as to throw the light from right ahead to two points abaft the beam of their respective sides.

B. Motorboats of Classes 2 and 3:

1. A bright white light in the fore part of the vessel as near the stem as practicable, so constructed as to show an unbroken light over an

arc of the horizon of twenty (20) points of the compass, so fixed as to throw the light ten (10) points on each side of the vessel; namely, from right ahead to two (2) points abaft the beam on either side.

2. A bright white light aft to show all around the horizon and higher than the white light forward.

3. On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of ten (10) points of the compass, so fixed as to throw the light from right ahead to two (2) points abaft the beam on the starboard side. On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of ten (10) points of the compass, so fixed as to throw the light from right ahead to two (2) points abaft the beam on the port side. The said side lights shall be fitted with inboard screens of sufficient height so set as to prevent these lights from being seen across the bow.

C. Watercraft under sail:

Each motorboat and any other type of watercraft, when propelled by sail alone, shall carry only the combined light or separate side lights as appropriate to its class, and in addition, one white light at the stern so constructed that it shall show an unbroken light over an area of the horizon of 12 points of the compass so fixed as to show the light 6 points from right aft on each side of the vessel.

D. Watercraft under sail and motor:

When propelled by sail and machinery any motorboat shall carry the lights required by this section for a motorboat propelled by machinery only.

E. Watercraft manually propelled:

All other watercraft, not propelled by machinery, such as rowboats, canoes and rafts, and which are only operated by hand power, rowed, paddled or navigated by the current shall have ready at hand a lantern or flashlight showing a white light which shall be exhibited in sufficient time to prevent collision.

F. Watercraft at anchor:

Any motorboat anchored on solely internal waters from sunset to sunrise, while occupied by a person or persons, may display in lieu of the above navigation lights, a single white light showing all around the horizon (32 points).

G. Enforcement lights:

Only those watercraft used by any law enforcement officer authorized to enforce this regulation or any of the laws of Title 12, Chapter 308, Revised Statutes of 1964 are permitted to use or display a distinctive blue colored, pulsating or revolving light for the purposes of enforcing these laws on the waters of this State in addition to any other navigation lights required.

H. Towboats:

Towboats, when towing booms or rafts of wood products on solely internal waters of this state, shall display, in addition to the required lights for said watercraft, a flashing or pulsating amber light on either or both the towboat and the towed raft.

I. International lights:

Any watercraft may carry and exhibit the lights required by the Federal Requirements for Preventing Collisions at Sea, 1960 (International Rules of the Road). Federal Act of September 24, 1963 (33 USC 1051-1053, 1061-1094) (77 Stat 194-210), as amended, in lieu of the lights required by this section.

Sec. 3. PERSONAL FLOTATION DEVICES

All personal flotation devices (PFD's) used aboard watercraft shall be Coast Guard approved, clearly labelled or imprinted as such, placed so as to be readily accessible in the craft (Types I, II, III) maintained in good and serviceable condition and of an appropriate size to fit the person for whom it is intended. Devices designed to be thrown (Type IV) shall be immediately available on said craft. Devices which use kapok or fibrous glass for flotation material must have such material encased in plastic covers.

All watercraft shall carry at least one of the following types of Coast Guard approved personal flotation devices (PFD's) based on the use and the length of said craft for each person aboard:

PERSONAL FLOTATION DEVICES -

USE OF BOAT	LENGTH	REQUIRED TYPE OF PERSONAL FLOTA-TION DEVICE
Recreational: Pleasure or Rental, Lease or Charter for non- commercial uses	Less than 16 feet; and all canoes and kayaks re- gardless of length	Either a type I, II, III, or IV for each person aboard.
	16 feet or longer	Either a type I, II, III for each person aboard PLUS one Type IV device immediately available in boat
Commercial* Carrying passen- gers for hire	any length	A Type I device of suit- able size for each person aboard
Commerical Fishing and Commercial Barges	0 to 40 feet	Either a Type I, II, or III device suitable size for each person aboard
	40 feet or longer	A Type I device of suitable size for each person aboard
*All Commercial Uses	26 feet or longer	Must carry in addition to above devices a Type IV ring buoy.

The table below identifies the Coast Guard approval number for the several types of personal flotation devices (PFD'S):

TYPES OF P.F.D.	NAME OF DEVICE	C.G. APPROVAL NO.
Type I	Life preserver	160.002
"	"	160.003
"	"	160.004
"	"	160.005
"	"	160.055
Type II	Buoyant vest	160.047
"	"	160.052
"	"	160.060
Type III	Special Safety Buoyant Device	160.064
Type IV	Ring life buoy	160.009
"	"	160.050
"	Buoyant Cushion	160.048
"	"	160.049
Type V	Work vest	160.053

Sec. 4 FIRE EXTINGUISHERS

Every motorboat shall be provided with such number, size, and type of fire extinguishers approved by the United States Coast Guard, as set forth below, which are capable of promptly and effectually extinguishing burning gasoline. Said extinguishers shall be kept in condition for immediate use and so placed as to be readily accessible at all times. The provisions of this section shall not apply to motorboats propelled by outboard motors while competing in any authorized race previously arranged or announced, or if such boats be designed and intended solely for racing, while engaged in such navigation as is incidental to tuning up of the boats and engines for the race.

Minimum Number of B-1 Hand Portable Fire Extinguishers Required*

Class of Motorboat	No Fixed Fire Extinguishing System in Machinery Spaces	Fixed Fire Extinguishing System in Machinery Spaces
A	1	0
1	1	0
2	2	1
3	3	2

*One B-2 hand portable fire extinguisher may substitute for two B-1 hand portable fire extinguishers. Toxic vaporizing type extinguishers containing carbon tetrachloride or chlorobromethane are not acceptable fire extinguishers.

Fire Extinguisher Classification

Classification Type · Size	Foam (Gallons)	Carbon Dioxide (Pounds)	Dry Chemicals (Pounds)
B-1	1 ¼	4	2
B-2	2 ¼	15	10

Motorboats of Classes A and 1 which are propelled by outboard motors but are not carrying passengers for hire need not carry such fire extinguishers if the construction of such motorboats will not permit the entrapment of explosive or flammable gases or vapors. The intent of this exemption is illustrated in Figure 1 where fire extinguishers are required if any one or more of the specified conditions exist, and in Figure 2 where specified conditions do not, in themselves, require that fire extinguishers be carried.

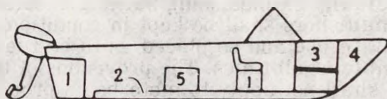


Figure 1

Fire extinguishers are required if any one or more of the following conditions exist (numbers identifying conditions are the same as those placed in Figure 1):

1. Closed compartment under thwarts and seats wherein portable fuel tanks may be stored.
2. Double bottoms not sealed to the hull or which are not completely filled with flotation material.
3. Closed living spaces.
4. Closed stowage compartments in which combustible or flammable materials are stowed.
5. Permanently installed fuel tanks.

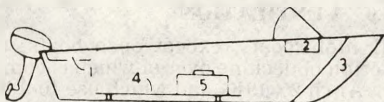


Figure 2

The following conditions do not, in themselves, require that fire extinguishers be carried (number identifying conditions are the same as those placed in Figure 2):

1. Bait wells
2. Glove compartments.
3. Buoyant flotation material.
4. Open slatted flooring.
5. Ice chests.

Sec. 5. SOUND DEVICES

Every motorboat shall be provided with an efficient whistle and/or other sound producing device as set forth in the table below. Motorboats propelled by outboard motors while competing in authorized races or use as is incidental to tuning up of such boats for a race need not comply with these requirements. Except on emergency or enforcement motorboats or to give fog signals, no sirens shall be used.

Class of Motorboat	Sound Device Classification
	Type of Device
A	None.
1	Mouth, hand or power operated horn, whistle or other mechanical sound producing device, capable of producing a blast of 2 seconds or more duration, and audible for at least one-half mile.
2	Hand or power operated horn or whistle capable of producing a blast of 2 seconds or more duration, and audible for at least one mile; and in addition an efficient bell to produce a clear note.
3	Power operated horn or whistle, capable of producing a blast of 2 seconds or more duration, and audible for a distance of one mile, and in addition an efficient bell to produce a clear note.

Sec. 6 VENTILATION

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

As used in this section, the term "open boats" means those motorboats with all engine and fuel tank compartments, and other spaces to which explosive or flammable gases and vapors from these compartments may flow, open to the atmosphere and so arranged as to prevent the entrapment of such gases and vapors within the vessel.

Sec. 7. BACK FIRE FLAME CONTROL

All gasoline engines installed in a motorboat, except outboard motors, shall be equipped with a device or other acceptable means of attachment as approved by the U.S. Coast Guard to efficiently and safely arrest engine backfire.

REGULATION NO. 6 WATERSKIING

No person shall operate a watercraft on the internal waters of this State for the purpose of towing a person or persons on water skis, surfboards, aquaplanes or similar devices in a water safety zone as defined in Section 2061, Title 12, nor shall any person manipulate any watercraft, tow rope or other device by which the direction or location of water skis, surfboards, aquaplanes or similar devices may be affected or controlled in such a way so as to cause said devices, or any person thereon to approach within said water safety zone.

Nothing herein shall preclude the necessary launching, or leaving the shoreline, mooring or landing of said boats and persons engaged in water-skiing, surfboarding, or using such similar devices provided they enter or leave the

shoreline in a reasonably direct manner and so as not to endanger any persons or property and provided they do not enter or leave directly into or from another adjoining water safety zone. The Division may, upon written application from the majority of the municipal officers of a municipality wherein said waters are located, waive these provisions along undeveloped shorelines, if after inspection of the site by the Division, it is determined that such a waiver would provide a greater safety factor than would be achieved by compliance with these provisions.

No person shall operate any watercraft on any waters of this State towing a person or persons on water skis, surfboard or other similar devices unless there is in such watercraft a person at least 12 years of age, in addition to the operator, who is in a position to continually observe the person or persons being towed. This part shall not apply to those devices actually operated by the person being towed and so constructed as to be incapable of carrying the operator in or on the devices.

No person shall operate any watercraft for the purpose of towing a person or persons on water skis, surfboards, or similar devices nor shall any person water ski, surfboard, or use similar devices on any waters of this State between the hours of ½ hour after sunset until ½ hour before sunrise.

No person shall operate any watercraft on any waters of this State for towing a person or persons on water skis, a surfboard or similar device, nor shall any person ride on water skis, surfboards, or similar devices unless the person being towed has on his person a life jacket, life belt, or similar life saving device, except that performers engaged in exhibitions or tournaments authorized by the Division of Watercraft Registration and Safety do not need to comply with this requirement.

REGULATION NO. 7

OPERATION RULES BETWEEN WATER-CRAFT ON INTERNAL WATERS

In order to prevent the collision of watercraft the following rules apply to the operation of all watercraft in relation to each other on the internal waters of this State.

1. When watercraft are approaching each other head on, or nearly so, each watercraft shall

direct their courses to the right and pass on the port side of each other and at a distance and speed so that the wake of each will not endanger the other.

2. When a watercraft desires to pass another watercraft on either side in the same direction, the overtaking watercraft shall keep clear of the overtaken watercraft and shall not pass until it is safe to do so, and then at such speed and distance so as not to endanger the overtaken watercraft. The overtaken watercraft has the right of way until the overtaking watercraft has safely passed.

3. When watercraft approach each other at right angles or obliquely, the watercraft approaching on the right (starboard) side has the right of way and the other watercraft which has such watercraft on its right side shall keep out of the way of the other by directing her course to starboard so as to cross the stern of the other watercraft, or stop and reverse if necessary to avoid collision.

4. Watercraft under sail alone or being propelled by oars or paddles have the right of way over watercraft propelled by machinery, except when overtaking as described in No. 2.

5. In narrow channels, streams, thoroughfares, every watercraft shall keep to the right of the middle of the channel in the direction which it is traveling when it is safe and practicable to do so.

6. It shall be the duty of every operator to abide by these rules. However, where immediate danger exists the operator shall, if necessary, depart from these rules to the extent necessary to avoid collision.

REGULATION NO. 8

MOTOR SIZE RESTRICTIONS ON CERTAIN INTERNAL WATERS

For the purpose of determining horsepower of machinery used to propel watercraft for compliance with this regulation the following definition shall apply:

“Horsepower” means the manufacturers rated horsepower of the machinery and shall include the aggregate of all such propellant machinery on a watercraft.

No person, except officers empowered to enforce this regulation and in the line of duty or

representatives of a governmental agency while conducting authorized studies on these waters shall operate motorboats propelled by machinery in excess of the following horsepower limitations.

1. No motorboats allowed:

- a. Cushman Pond, Lovell, Oxford County, Maine.
- b. Horseshoe Pond, Denmark, Oxford County, Maine.
- c. Boston Pond, Denmark, Oxford County, Maine.
- d. Bradley Pond, Lovell, Oxford County, Maine.
- e. Trout Pond, T3R5, Piscataquis County, Maine.
- f. Wylie Pond, Boothbay, Lincoln County, Maine.
- g. Little Kennebago Lake, T3R4, Franklin County, Maine.
- h. Upper Dam Pool, T4R1, Oxford County, Maine. (From gates of dam, downstream or westerly 150 yards).
- i. Durgin Pond, T2R6, BKP-WKR, Somerset County, Maine.
- j. Little Berry Pond, T2R6, BKP-WKR, Somerset County, Maine.
- k. Lone Jack Pond, T2R6, BKP-WKR, Somerset County, Maine.
- l. Round Pond, T1R6, BKP-WKR, Somerset County, Maine.
- m. Fry Pan Pond, T2R5, BKP-EKR, Somerset County, Maine.
- n. Blood Pond, T2R13, WELS, Piscataquis County, Maine.
- o. Loon Lake, Rangeley and Dallas Townships, Franklin County, Maine.
- p. Martin and/or Long Pond, The Forks Plantation, Somerset County, Maine.
- q. Big Brook from Burt Garrity Road in T13, R10, WELS to and including Big Brook Lake in T14, R10 WELS, Aroostook County, Maine.
- r. Simpson Pond, Roque Bluffs, Washington County, Maine.

- s. Southern most part of Thompson Lake separated from the main body by a causeway known as The Heath, Casco, Cumberland County, Maine.
- t. Haley Pond, Rangeley Twp. and Dallas Plt. in Franklin County, Maine.
- u. Little Concord Pond, Woodstock Twp., Oxford County, Maine.

2. Motorboats with more than 6 horsepower prohibited:

- a. Perley's Pond, Denmark, Oxford County, Maine.
- b. Little Pond, Denmark, Oxford County, Maine.
- c. Ell and/or L Pond, Sanford and Wells, York County, Maine.
- d. Black Lake, Fort Kent, Aroostook County, Maine.
- e. Farrington Pond, Lovell, Oxford County, Maine.
- f. Heald Pond, Lovell, Oxford County, Maine.
- g. Horseshoe Pond, Stoneham and Lovell, Oxford County, Maine.

3. Motorboats with more than 10 horsepower prohibited:

- a. Lower Range Pond, Poland, Androscoggin County, Maine.
- b. Sand Pond, Sanford, York County, Maine.
- c. East Carry Pond, T2R3, Somerset County, Maine.
- d. West Harbor Pond, Boothbay Harbor, Lincoln County, Maine.
- e. Five Kezar Ponds: Mud, Little Mud, Back, Middle & Jewett Ponds) located jointly or singly in Waterford, Stoneham and Lovell, Oxford County, Maine.

4. Motorboats with more than 10 horsepower prohibited from June 1 to September 15.

- a. Little Black River tributary to the St. John River in Aroostook County, Maine.

OTHER MAINE LAWS OF INTEREST TO BOATMEN

Allagash Wilderness Waterway:

Canoes only — with motor not to exceed 10 H.P. from Lock Dam north to West Twin Brook.

No restriction on motorboats of any type on Telos, Round Pond (T.6, R. 11) and Chamberlain Lake.

Canoes only — no motors — on Allagash Lake and Allagash stream down to Chamberlain Lake.

Baxter State Park:

No motorboats allowed except on Webster and Matagamon Lakes.

Lt. G. Manuel Wildlife Management Area

Hodgdon, Maine

No motorboats allowed.

R.S., T. 12, Sec. 2461 and 2101. POWER BOATS IN MERRYMEETING BAY.

No power boat may be operated in Merrymeeting Bay at a speed in excess of 10 miles per hour except within the confines of the buoyed channels. Motorboats are prohibited in Merrymeeting Bay Sanctuary area south of Kelley's Point and to west of a series of red markers.

R. S., T. 12, Sec. 2456. HUNTING FROM BOATS.

Unlawful to hunt or molest wild birds or wild animals at any time from a motorboat, except migratory waterfowl in accordance with federal regulations.

R. S., T. 15, Sec. 2552, JUVENILE OFFENSES IN OPERATING BOATS.

Juvenile courts have no jurisdiction over offenses in which any juvenile is charged with violation of any provision of Title 12, Chapter 308, except Section 2073, Subsection 2 of said Title 12.

MAINE LITTER CONTROL ACT

R. S., T. 17, Sec. 2267. LITTERING FROM WATERCRAFT PROHIBITED.

No person shall throw, drop, deposit, discard or otherwise dispose of litter from any watercraft upon private property or along the right-of-way of any public highway, or in any public park, campground or upon any public beach or into any waters within the jurisdiction of this State, or in or upon any other public place,

except into a litter receptacle in such a manner that the litter will be prevented from being carried or deposited by the elements. The operator of the watercraft, unless it is a watercraft being used for the carriage of passengers for hire, as well as the person actually throwing, dropping, discarding or otherwise disposing of the litter will be in violation of this section.

This section shall not be construed to prohibit fishermen, lobstermen and other harvesters of the waters from returning to those waters materials which naturally originated therein.

R. S., T. 17, Sec. 2251. DUMPING OF LITTER.

No person shall put or place, cause to be put or placed, deposit or throw upon any square, lane, alley, public bathing place, public park, or the approaches thereto, or any other place, or into any inland or tidal waters, or on the ice over such waters, or on the banks adjacent thereto any bottles, glass, crockery, cans, scrap metal, junk, paper, garbage, rubbish, old automobiles or parts thereof, or similar refuse, except in proper containers placed for rubbish or garbage collection or removal or except in a public dump. Any person who violates this section shall be punished by a fine of not more than \$100 or by imprisonment for not more than 10 days, or by both. Nothing contained in this section shall be construed as affecting authorized collections of such articles as garbage or refuse, nor shall anything be construed to prevent the proper use of the rights-of-way for highway purposes. If the throwing, placing or depositing was done from a motor vehicle, it shall be prima facie evidence that the throwing, placing or depositing was done by the driver of such motor vehicle.

R. S., T. 38, Sec. 423. DISCHARGE OF WASTE FROM WATERCRAFT.

No person, firm, corporation or other legal entity shall discharge, spill or permit to be discharged sewage, garbage, or other waste material from watercraft, as defined in Title 12 Section 2061, and including houseboat, into inland waters of this State, or on the ice thereof, or on the banks thereof in such a manner that the same may fall or be washed into such waters, or in such manner that the drainage therefrom may flow into such waters.

Any watercraft, as defined in Title 12, Section 2061, including houseboats, operated upon the inland waters of this State and having a permanently installed sanitary waste disposal

system shall have securely affixed to the interior discharge opening of said sanitary waste disposal system a holding tank or suitable container for holding sanitary waste material so as to prevent its discharge or drainage into the inland waters of the State.

Whoever violates any provision of this section or any regulation adopted under authority of this section shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$500.

R. S., T. 17, Sec. 2493-A. INJURING OR TAMPERING WITH WATERCRAFT.

Whoever shall willfully break, injure, tamper with or remove any part or parts of any watercraft, or any equipment or property aboard any watercraft, against the will or without the consent of the owner of such watercraft shall be punished by a fine of not less than \$100 nor more than \$5,000, and by imprisonment for not more than 11 months for the first offense and for not more than 5 years for subsequent offenses, or by both.

R. S., T. 17, Sec. 2497. MOORING WATERCRAFT TO BUOYS.

Whoever moors a vessel, boat, scow or raft to any buoy or beacon, placed by the United States or this State in any of the navigable waters of this State, or in any manner makes the same fast thereto, forfeits \$50; and whoever willfully destroys any such buoys or beacon shall forfeit \$100 and be imprisoned for 3 months. Said forfeitures may be recovered by complaint or civil action, $\frac{1}{2}$ to the plaintiff or informer and $\frac{1}{2}$ to the county in which the trial is had.

R. S., T. 17, Sec. 2498, 2499. TAKING, INJURING OR CUTTING LOOSE BOATS.

Whoever willfully or maliciously, without consent of the owner, takes or uses any boat, cuts away, lets loose, injures or destroys any boom, raft or logs or other lumber, or any vessel, gondola, scow or other boat, fastened to any place, of which he is not the owner or legal possessor, shall be punished by a fine of not more than \$500 and by imprisonment for less than one year; and shall be liable to the person injured in a civil action for double the damages by him sustained.

R. S., T. 36, Sec. 2903-A and T. 38, Subchapter 8.

MARINE GAS TAX AND PUBLIC FACILITIES FOR BOATS.

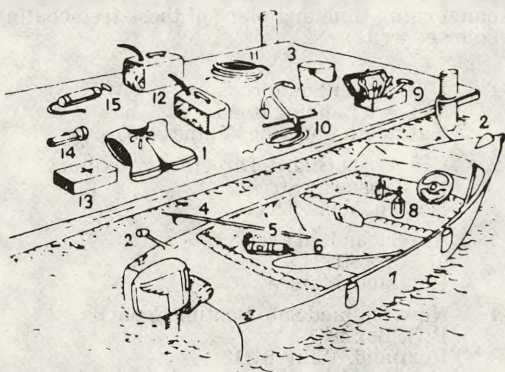
The Legislature determined that 1.25% of all

gasoline tax revenue is used for marine purposes. After tax refunds are made to commercial motorboat users, the remainder is divided 80% to the establishment of the Boating Facilities Fund administered by the State Park and Recreation Commission, and 20% to the Department of Marine Resources for fishery projects.

The Boating Facilities fund finances the acquisition, construction and maintenance of public boating sites, access areas on all waters and navigational aids for boaters.

BOAT SAFETY CHECK LIST

- | | |
|---|----------------------------|
| 1. Approved life-saving device for each person. | 7. Fenders. |
| 2. Proper lights (not required if boat is not operated after sunset). | 8. Horn or whistle. |
| 3. Bailing bucket. | 9. Tool kit. |
| 4. Boat hook. | 10. Anchor. |
| 5. Fire extinguisher. | 11. Line. |
| 6. Paddle or oars. | 12. Gasoline cans (spare). |
| | 13. First-aid kit. |
| | 14. Flashlight. |
| | 15. Bilge pump. |



FREE BOATING SAFETY COURSES


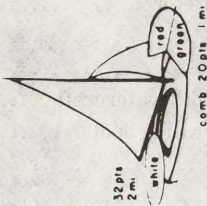
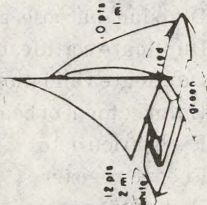
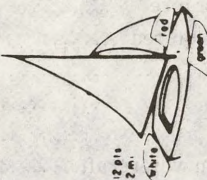

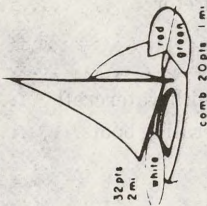
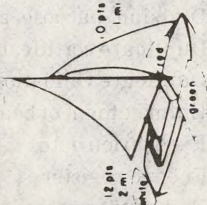
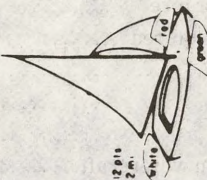
The U.S. Power Squadrons, the U.S. Coast Guard Auxiliary and the American Red Cross offer excellent free instruction courses, in proper and safe boat handling, basic seamanship and general waterfront safety. These are usually held during winter and spring months and are offered in many Maine communities. Boat owners may also obtain a complete safety check of their boat by Coast Guard Auxiliary personnel. This is given free of charge when requested by the boat owners, if passed they will obtain a **COURTESY MOTORBOAT EXAMINATION DECAL** which is honored by state and federal boat enforcement personnel.

The Division urges all the boating public to improve their boating knowledge and participate in these excellent programs. For further details concerning time and place of these free-boating courses write:

1. U.S. Power Squadrons
27 Town Landing Road
Falmouth Foreside, Maine 04105
2. U.S. Coast Guard, Director of Auxiliary
150 Causeway Street
Boston, Mass. 02114
3. American Red Cross
97 State Street
Portland, Maine
4. New England Safe Boating Council
P.O. Box 4867
Portland, Maine 04112

GUIDE TO LIGHTS REQUIRED ON WATERCRAFT UNDERWAY BETWEEN SUNSET AND SUNRISE IN MAINE

SEE REGULATION NO. 5 FOR DETAILS

POWER ALONE	SAIL and POWER	AUXILIARY: SAIL ALONE	SAILBOATS
<p>under 26' in length</p>  <p>32 pts 2 m. white</p> <p>comb 20 pts 1 m. red green</p>	 <p>32 pts 2 m. white</p> <p>comb 20 pts 1 m. red green</p> <p>10 pts 1 m. white</p>	 <p>12 pts 2 m. white</p> <p>comb 20 pts 1 m. red green</p> <p>10 pts 1 m. white</p>	 <p>12 pts 2 m. white</p> <p>comb 20 pts 1 m. red green</p> <p>10 pts 2 m. - Sidelight</p>
<p>26' to 65' in length</p>  <p>32 pts 2 m. white</p> <p>10 pts 1 m. white</p> <p>comb 20 pts 1 m. red green</p>	 <p>32 pts 2 m. white</p> <p>10 pts 1 m. white</p> <p>comb 20 pts 1 m. red green</p> <p>10 pts 1 m. white</p>	 <p>12 pts 2 m. white</p> <p>10 pts 1 m. white</p> <p>comb 20 pts 1 m. red green</p> <p>10 pts 1 m. white</p>	 <p>12 pts 2 m. white</p> <p>10 pts 1 m. white</p> <p>comb 20 pts 1 m. red green</p> <p>10 pts 2 m. - Sidelight</p>

Manually propelled vessels shall have a white light ready to be temporarily exhibited in time to prevent collision.

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DIVISION OF
RECREATIONAL SAFETY AND REGISTRATION
WATERCRAFT SECTION — 284 STATE STREET
AUGUSTA, MAINE 04333

Duck Hunter? Fisherman? Cold water can kill.

Cold water is a leading killer of hunters and fishermen. Many "drowning" victims do not drown at all — they die from cold. Most sportsmen know the dangers of exposure and dress warmly for the weather.

In cold water, the body loses vital heat 30 times faster than in the air.

Life expectancy in 33-40 degree water can be reduced to 15 minutes when wearing a life preserver — even less without.

It is almost impossible to put a life jacket on in the water when hit with sudden cold shock.

Life jackets should be worn when boating on cold water.