

the
HANDBOOK!



OF
TEXAS BOATING LAWS
AND RESPONSIBILITIES

This handbook is based on laws valid through August 31, 2009. Information in this handbook may change due to actions taken by the Texas State Legislature, the Texas Parks and Wildlife Department Commission, or the U.S. Coast Guard. This handbook does not take the place of the current regulations that can be found in *A Digest of the Texas Water Safety Act*.

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Who May Operate a Vessel

- ◆ Operators must meet the age and boater education requirements shown below in order to operate any of the following vessels legally in Texas:
 - A powerboat powered by a motor of 10 horsepower or more *or ...*
 - A personal watercraft *or ...*
 - A windblown vessel over 14 feet in length.
- ◆ **A person less than 13 years of age** may operate *only if* he or she is accompanied on board by a person who is 18 years of age or older.
A person 13 through 17 years of age may operate *only if* he or she:
 - Has passed a boater education course approved by the Texas Parks and Wildlife Department *or ...*
 - Is accompanied on board by a person who is 18 years of age or older.

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- ◆ All persons required to have passed a state-approved boater education course must carry with them on the vessel:
 - Photographic identification, such as a driver's license or student I.D. *and ...*
 - A boater education certification card issued by Texas Parks and Wildlife Department upon successful completion of a boater education course.
- Non-residents may fulfill the Texas boater education requirement by supplying proof that they have passed another state's boater education course that is accepted

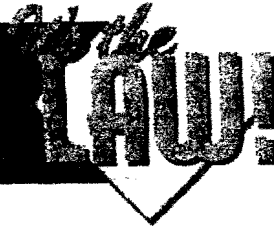
Fire Extinguishers

- ◆ All vessels are required to have a Type B U.S. Coast Guard–approved fire extinguisher on board if one or more of the following conditions exist:
 - Closed compartments under seats where portable fuel tanks may be stored
 - Closed storage compartments in which flammable or combustible materials may be stored
 - Closed living spaces
 - Permanently installed fuel tanks
- ◆ Approved types of fire extinguishers are identified by the following marking on the label—“Marine Type USCG Approved”—followed by the type and size symbols and the approval number.
- ◆ Extinguishers should be placed in an accessible area—not near the engine or in a compartment, but where they can be reached immediately. Be sure you know how to operate them, and inspect extinguishers regularly to ensure they are in working condition and fully charged.

Use this chart to determine the size and quantity required for your vessel.

| Fire Extinguisher Requirements | | | |
|---------------------------------------|---|---|---------------------------------------|
| Classification type & size | Foam minimum gallons | Carbon Dioxide minimum pounds | Dry Chemical minimum pounds |
| B-I | 1¼ | 4 | 2 |
| B-II | 2½ | 15 | 10 |
| Length of Vessel | Without Fixed System | | With Fixed System* |
| Less than 26 ft. | one B-I | | None |
| 26 ft. to less than 40 ft. | two B-I <i>or</i> one B-II | | one B-I |
| 40 ft. to less than 65 ft. | three B-I <i>or</i> one B-II and one B-I | | two B-I <i>or</i> one B-II |

On the Water



In addition to the laws mentioned previously, here are some other Texas regulations that apply when vessel operations are on the water.

Negligent and Reckless Operation

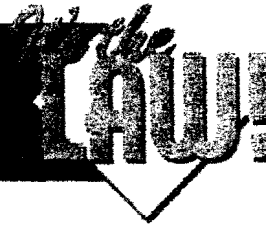
The failure to exercise the care necessary to prevent the endangerment of life, limb, or property of any other person is illegal. Below are examples of negligent and reckless operation.

- ◆ Boating in restricted areas that have been marked clearly by buoys or in some other manner.
- ◆ Allowing passengers to ride on the bow, gunwale, transom, seat backs, seats on raised decks, or any other place where there may be a chance of falling overboard.
- ◆ Operating at speeds that are not reasonable and prudent based on boating traffic, weather conditions, visibility, or other hazards. If no speed limits are posted, you should operate a vessel so that it does not endanger others and so that it can be stopped safely.
- ◆ Causing damage to a person or property with a vessel's wake in "No Wake" areas. In these areas, you should operate a vessel slowly so that it does not throw a wake. In addition, you should reduce speed when passing:
 - Near a swimming area or close to a shoreline
 - Another vessel where people are fishing, water-skiing, diving, or anchored
- ◆ Encircling swimmers, divers, or boaters who are fishing. This includes vessels pulling water-skiers.

Alcohol and Drugs

- ◆ Texas law prohibits anyone from operating a vessel while intoxicated (BWI). This includes the operation of any boat, sailboat, personal watercraft, water skis, sailboard, or similar device. Operators who have a blood alcohol content of 0.08% or greater are considered intoxicated.
- ◆ Alcohol and drugs cause impaired balance, blurred vision, poor coordination, impaired judgment, and slower reaction times. Alcohol is a major contributor to boating accidents and fatalities.
- ◆ Texas law establishes the following penalties for boating while intoxicated.
 - First conviction carries a fine of up to \$2,000 and/or jail time of up to 180 days.
 - Second conviction carries a fine of up to \$4,000 and/or jail time of up to one year.
 - Third conviction carries a fine of up to \$10,000 and/or jail time of 2-10 years.
- ◆ By operating a vessel on Texas waters, you have consented to be tested for alcohol and/or drugs if arrested by a law enforcement official. Refusal to submit to testing may result in the suspension of your *vehicle* driver's license for at least 180 days.
- ◆ Remember this simple rule: ***Don't drink and boat!***

Required Equipment



When preparing to go out on a vessel, the operator must check that the legally required equipment is on board.

Personal Flotation Devices (PFDs)

- ◆ All vessels must have at least one Type I, II, III, or V personal flotation device that is U.S. Coast Guard–approved for each person on board.
- ◆ *Texas law requires that all children under 13 years of age wear a U.S. Coast Guard–approved PFD while underway (not at anchor, moored, or aground) on a vessel less than 26 feet long.*
- ◆ In addition to the above requirements, one Type IV (throwable) U.S. Coast Guard–approved PFD must be on board vessels 16 feet or longer and be readily accessible.
- ◆ One Type V may be substituted for any other type if it is specifically approved by the U.S. Coast Guard for the activity at hand. Type V PFDs may not be substituted on children weighing less than 90 lbs.
- ◆ Each person riding on or being towed behind a PWC must *wear* a U.S. Coast Guard–approved Type I, II, III, or V PFD.
- ◆ Besides being USCG–approved, all PFDs must be:
 - *In good and serviceable condition.*
 - *Readily accessible*, which means you are able to put the PFD on quickly in an emergency.
 - *Of the proper size for the intended wearer.* Sizing for PFDs is based on body weight and chest size.

*This is a state
law in Texas*

Courtesy When Encountering Other Vessels

- ◆ Jumping the wake of a passing boat, or riding too close to another PWC or boat, creates risks and is restricted or even prohibited in some states. The vessel making the wake may block the PWC operator's view of oncoming traffic and also conceal the PWC operator from approaching vessels.
- ◆ Excessive noise from PWCs often makes them unwelcome with other vessel operators and people on shore. Be a courteous PWC operator.
 - Vary your operating area, and do not keep repeating the same maneuver.
 - Avoid congregating with other PWC operators near shore, which increases annoying noise levels.
 - Avoid making excessive noise near residential and camping areas, particularly early in the morning.
 - Avoid maneuvers that cause the engine exhaust to lift out of the water because that increases noise levels.
 - Do not modify your engine exhaust system if it increases the noise. Improperly modified exhausts will not make your PWC faster and may raise the noise to an illegal level.

Specifically for Skiing



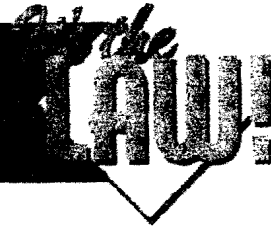
Vessel operators towing a person(s) on water skis or a similar device have additional laws.

Requirements for Towing Skiers

- ◆ It is illegal for operators of boats to tow a person(s) on water skis, skiboards, or any device of this type between one-half hour after sunset and one-half hour before sunrise. It is illegal for operators of PWCs to tow any person or device between sunset and sunrise.
- ◆ All vessels towing person(s) on water skis or similar devices must be operated in a careful and prudent manner. A reasonable distance from other vessels, people, and property must be maintained so as not to endanger life or property. Buzzing or spraying another vessel or swimmer is illegal.
- ◆ Every vessel towing a person(s) on water skis or a similar device must have:
 - An observer, other than the vessel operator, 13 years of age or older on board *or* ...
 - A rearview mirror. The size of the mirror must be no less than four inches in size from bottom to top and across from side to side. It should be mounted firmly to give the operator a full, complete view beyond the rear of the vessel at all times. Note: Most PWC mirrors do not meet these size standards.
- ◆ PWCs have rating requirements that must be met when towing people.
 - A PWC must be rated for at least two people when towing a person on water skis or a similar device.



Specifically for PWCs



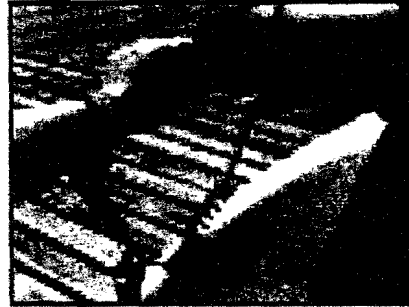
PWC operators must obey the laws that apply to other vessels as well as obey additional requirements that apply specifically to the operation of personal watercraft on Texas waters.

Requirements Specific to PWCs

- ◆ Each person riding on or being towed behind a PWC must *wear* a U.S. Coast Guard–approved Type I, II, III, or V personal flotation device.
- ◆ If the PWC is equipped with a lanyard-type ignition safety switch, the lanyard must be attached to the person, clothing, or PFD of the operator.
- ◆ It is illegal to:
 - Operate a PWC between sunset and sunrise.
 - Operate a PWC within 50 feet of another boat or PWC, a person, a stationary platform, or a shoreline. The only exception is when the PWC is maintaining headway speed.
 - Operate a PWC in a manner that requires the operator to swerve at the last possible moment to avoid a collision. Furthermore, a PWC should not jump the wake of another vessel recklessly or unnecessarily close to that vessel.
 - Chase, harass, or disturb wildlife with your PWC.
- ◆ PWCs must be rated to carry the number of persons on board at any time.

Ignition Safety Switches

- ◆ Most PWCs and powerboats come equipped by the manufacturer with an important device called an emergency ignition safety switch. This is a safety device that is designed to shut off the engine if the operator is thrown from the proper operating position.
- ◆ A lanyard is attached to the safety switch and the operator's wrist or PFD. The safety switch shuts off the engine if the operator falls off the PWC or out of the powerboat. If your vessel does not come equipped with an ignition safety switch, you should have one installed.
- ◆ In many states, it is illegal to ride your PWC without attaching the lanyard properly between the switch and yourself.



Reboarding a Capsized PWC

After a fall, the PWC could be overturned completely. You should be familiar with the proper procedure to right the PWC and to reboard from the rear of the craft.

- ◆ Most manufacturers have placed a decal at the rear or bottom of the craft that indicates the direction to roll your PWC to return it to an upright position. If no decal exists, check your owner's manual or ask the dealer. If you roll it over the wrong way, you could damage your PWC.
- ◆ Practice reboarding with someone else around to make sure you can handle it alone. Don't ride your PWC if you are very tired because reboarding would be difficult. Also, avoid riding where there are strong currents or winds, which could hamper your reboarding efforts.

