

DEPARTMENT OF NATURAL RESOURCES

LAW ENFORCEMENT DIVISION

WATERCRAFT RENTED TO PUBLIC

(By authority conferred on the state waterways commission by section 3 of Act No. 257 of the Public Acts of 1952, as amended, being S281.563 of the Michigan Compiled Laws)

R 281.511 Scope.

Rule 1. These rules are promulgated for the purpose of implementing 1994 PA 451, MCL 324.44501 to 324.44526, hereinafter referred to as the act.

History: 1979 AC; 2015 AACCS.

R 281.512 Inspection of watercraft and equipment.

Rule 2. Watercraft subject to the act shall be:

- (a) Of sound and substantial construction and in good seaworthy condition.
- (b) Equipped by the livery operator with oars or paddles, as hereinafter provided, which shall be of sturdy construction and without holes, large chips, or cracks which will diminish their operation effectiveness, or structural strength. This subdivision applies to all watercraft, including those propelled by machinery or sail. Watercraft with oarlock sockets shall be equipped with not less than 2 oars and 2 oarlock horns. Watercraft without oarlock sockets shall be equipped with not less than 2 paddles.
- (c) Equipped by the livery operator with an anchor of sufficient size and weight and an anchor line of sufficient strength and length to accommodate the watercraft in normal depth of the waters on which it is to be used. This requirement does not apply to canoes.
- (d) Equipped by the livery operator with 1 life-saving cushion or other approved life-saving device, in good condition, per person. Life-saving equipment shall be of the type approved by the U.S. Coast Guard and shall bear a stamp or label indicating such approval. Other equipment currently prescribed by law shall also be carried on board.
- (e) Provided with sufficient buoyancy to keep the watercraft from sinking when it is filled with water and passengers are clinging to it if the aggregate weight of motor, passengers, and equipment carried in or attached to the watercraft does not exceed its maximum weight capacity, as determined by the maximum weight capacity formula contained in these rules. This requirement shall not become effective until January 1, 1973, except that watercraft newly placed in operation after January 1, 1970, shall meet this requirement.
- (f) Pontoon boats shall meet the following deck requirements:
 - (i) The deck shall not exceed the width at the pontoons.
 - (ii) The deck shall not be greater than 6 inches above the pontoons.
 - (iii) The deck length within railings shall not be greater than 80% of pontoon length and shall not overhang the pontoons.

(iv) The deck shall drain freely.

History: 1979 AC.

R 281.513 Maximum capacity tags generally.

Rule 3. The sheriff of each county or any peace officer duly authorized by him shall issue to the owner, for each watercraft, a maximum capacity tag. This tag shall be placed by, or in the presence of, the inspecting officer on the watercraft in such a location and manner as to be clearly visible and legible from the position designed or normally intended to be occupied by the operator of the watercraft when underway.

History: 1979 AC.

R 281.514 Maximum capacity tags; watercraft for use with outboard motors.

Rule 4. The capacity tag for a watercraft for use with an outboard motor shall contain all of the following:

(a) The total weight of persons, motor, gear, and other articles placed aboard that the watercraft is capable of carrying with safety under normal conditions.

(b) The recommended number of persons commensurate with the weight capacity of the watercraft at a presumed weight of 185 pounds per person.

(c) The maximum horsepower of the motor the watercraft is designed or intended to accommodate.

(d) A notice that the information appearing on the capacity tag applies under normal conditions and that the weight of the outboard motor and its associated equipment is considered to be part of the weight capacity.

History: 1979 AC; 2015 AACS.

R 281.515 Maximum capacity tags; watercraft not for use with outboard motors.

Rule 5. The capacity tag for a watercraft not for use with an outboard motor, such as a canoe, rowboat, inboard boat, or inboard-outboard boat shall contain all of the following:

(a) The total weight of persons, gear, and other articles placed aboard that the watercraft is capable of carrying with safety under normal conditions.

(b) The recommended number of persons commensurate with the weight capacity of the watercraft at a presumed weight of 185 pounds per person.

(c) A notice that the information appearing on the capacity plate applies under normal conditions.

History: 1979 AC; 2015 AACS.

R 281.516 Weight capacity.

Rule 6. (1) The capacity tag shall contain the weight capacity of the watercraft determined as hereinafter provided.

(2) The weight capacity of a watercraft for use with an outboard motor, except a watercraft dependent solely upon the buoyancy of pontoons or similar flotation devices, shall be determined by either of the following methods:

(a) The formula $WC=7 \frac{1}{2} LBD$, where WC is the weight capacity in pounds, L is the centerline length, B is the maximum beam amidships, and D is the effective depth figured from keel to lowest freeboard.

(b) Reference to the manufacturer's capacity tag installed in a watercraft if manufactured or offered for original sale in this state on or after January 1, 1968, or in accordance with standards approved by the state waterways commission.

(3) The weight capacity of a watercraft with a permanently installed engine, except watercraft dependent solely upon the buoyancy of pontoons or similar flotation devices, shall be determined in the same manner as for watercraft for use with outboard motors, except that the weight of all machinery and associated operating gear including battery, fuel, and fuel system shall be subtracted.

(4) The weight capacity of a watercraft dependent solely upon the buoyancy of pontoons or similar flotation devices shall be determined by applying the formula $WC=[(62 \frac{1}{2}V)--Boat Wgt.] : 2$, where WC is the weight capacity of the watercraft, and V is the volume of both pontoons. If equipped with a permanently installed engine, the weight of all machinery and associated operating gear including battery, fuel, and fuel system shall be subtracted from the weight capacity.

(5) The weight capacity of a rowboat and any other watercraft for use without an outboard motor shall be determined in the same manner as for a watercraft for use with an outboard motor, following the formula expressed as $WC=7 \frac{1}{2} LBD$.

(6) The weight capacity of a canoe shall be determined by the formula $WC=7 \frac{1}{2} LBD \times 2$.

(7) The livery operator shall provide the inspecting officer with information relative to the weight of the watercraft either by reference to the manufacturer's rating or by actual weighing of the watercraft.

History: 1979 AC.

R 281.517 Horsepower capacity.

Rule 7. The horsepower capacity of an outboard watercraft, excepting canoes or pontoon craft, shall be determined by either of the following methods:

(a) The horsepower capacity of an outboard watercraft, other than a canoe, and except one dependent solely upon the buoyancy of pontoons or similar flotation devices, shall not exceed the value given by the boat horsepower table in figure 1. The horsepower capacity of an outboard watercraft, other than a canoe, and dependent solely upon the buoyancy of pontoons or similar flotation devices shall not exceed the value given by multiplying the cubic feet of flotation in the pontoons by the pontoon length in feet and dividing by the pontoon diameter in inches. If the pontoons are not circular in cross section, the diameter of the largest circle that can be inscribed in the pontoon shall be used.

(b) By reference to a manufacturer's capacity plate installed in a watercraft, if manufactured or offered for original sale in this state on or after January 1, 1968, or in accordance with standards approved by the state waterways commission, or the horsepower capacity recommended by the livery operator, whichever is the lesser.

Figure 1 Boat Horsepower Table

Multiply overall length _____ x stern width _____ = Factor (both measurements in decimal feet) (nearest whole number)

Remote steering No remote steering and 20' or or transom less than equivalent 20" or equivalent

Factor is: under over over 40 40-45 46-49 50-53 54-57 57 57

B.P. Cap is: 5 10 15 20 25 (2 X Factor) -- 90 (3/4 Factor) -- 20

H.P. Cap = _____ (raise to even 5 h.p. increment)

History: 1979 AC.

R 281.518 Horsepower capacity for canoes.

Rule 8. The horsepower capacity for canoes shall be determined by the following table, or by the horsepower capacity recommended by the livery operator, whichever is the lesser.

For canoes under 15 feet in length 4 horsepower For canoes under 15 to 18 feet in length 5 horsepower For canoes over 18 feet in length 8 horsepower

History: 1979 AC.

R 281.519 Passenger capacity.

Rule 9. Passenger capacity shall be determined by applying either of the following formulas resulting in the lesser capacity:

(a) $(WC - M) : 185$, where M is the weight of the largest outboard motor and associated operating equipment that the watercraft is represented to accommodate if usable with outboard motor; and 185 is the presumed pound weight per person. For a watercraft with an inboard or inboard-outboard motor, divide WC by 185.

(b) Boat length multiplied by the maximum boat beam divided by 15. This formula is not applicable to canoes.

History: 1979 AC; 2015 AACS.

R 281.520 Navigable waters livery vessels; first aid kit and emergency procedures list.

Rule 10. (1) The owner of a navigable waters livery vessel shall provide, and have onboard the vessel, at least 1 standard 16-unit first aid kit.

(2) The owner of a navigable waters livery shall post an emergency procedures list aboard the vessel in a conspicuous location. The list shall set forth, at a minimum, all of the following informational items:

- (a) Radio-telephone distress, including all of the following:
 - (i) Switch to channel 16 - coast guard.
 - (ii) Give distress signal "MAYDAY" 3 times.
 - (iii) Give boat name, type, and color.
 - (iv) Give position.
 - (v) Describe emergency.
- (b) Man overboard, including all of the following:
 - (i) Post a lookout.
 - (ii) Throw over a flotation device or the water light.
 - (iii) Do not jump into the water unless the person overboard is a small child, elderly, or a person with a disability.
 - (iv) Maneuver to return for pickup.
 - (v) Use additional markers.
 - (vi) Get victim aboard.
 - (vii) Call for help if necessary.
- (c) Explosion, including all of the following:
 - (i) Be ready to go overboard with personal flotation device (life jacket).
 - (ii) When clear of danger, account for all passengers and assist.
 - (iii) Stay together.
- (d) Fires, including all of the following:
 - (i) If possible, use fire extinguisher.
 - (ii) If practical, jettison burning materials.
 - (iii) Reduce the air supply.
 - (iv) Assemble at opposite end of boat.
 - (v) Make preparation to abandon ship, including all of the following:
 - (A) Put on life jacket.
 - (B) Signal for help by radio or any means available.
- (e) Leaks or damage control, including all of the following:
 - (i) Put on life jacket.
 - (ii) Check bilge pump operation.
 - (iii) Pull up all decks and floor boards in search of leaks.
 - (iv) Slow or stop boat as needed. You may need to stay on plane to keep hole above water.
 - (v) Stop engine, close sea cock for engine cooling, disconnect hose and place end in bilge. Start engine to act as bilge pump.
 - (vi) Cover large hole from outside of boat with mattress or similar device.
 - (vii) Use radio to call for help. Channel 16 - coast guard.

History: 1979 AC; 2015 AACs.

R 281.521 Navigable waters livery vessel; marine radio; compass.

Rule 11. (1) The owner of a navigable waters livery vessel that is rented or offered for rent on the Great Lakes shall have aboard the vessel a marine radio that is in good working condition.

(2) The owner of a navigable waters livery vessel that is rented or offered for rent on the Great Lakes shall have aboard the vessel a suitable marine-type compass that is in good and serviceable condition.

History: 2015 AACCS.

R 281.522 Navigable waters livery vessel; bilge pump; bailing devices.

Rule 12. (1) A navigable waters livery vessel constructed with bilges or enclosed spaces below decks shall be fitted with an electrically operated bilge pump located in a manner that will assure that all bilge areas can be pumped. The bilge pump shall be in good and serviceable condition.

(2) All navigable waters livery vessels shall be equipped with a manually operated bailing device.

History: 2015 AACCS.

R 281.523 Navigable waters livery vessels; electrical systems.

Rule 13. (1) All electrical systems on a navigable waters livery vessel shall be safe and fit for the service intended, shall be in proper operating condition, and shall have a suitable electrical grounding system.

(2) Electrical wiring shall be routed as high as possible above the bilges, shall be supported in a suitable manner with nonabrasive fasteners to structural members of the vessel, and shall be protected against chafing where passing through bulkheads or other structural members. Fasteners and protective devices shall not be capable of causing damage to the wiring.

(3) Any electrical storage battery or batteries shall be compatible with its attendant electrical system.

(4) A battery shall be located so that gas generated in charging is dissipated by natural or mechanical ventilation.

(5) A battery shall be accessibly located, provided with suitable supports, and secured against shifting with the motion of the vessel.

(6) A battery shall be located in a liquid-tight tray or box of adequate capacity to retain normal spillage or boilover of the electrolyte. The tray or box shall be constructed of, or lined with, suitable materials resistant to deterioration by the electrolyte.

(7) A nonconductive, perforated cover or other suitable means shall be provided to prevent accidental shorting of the battery terminals.

R 281.524 Navigable waters livery vessels; sailing apparatus.

Rule 14. The owner of a navigable waters livery vessel shall maintain all masts, spars, standing rigging, running rigging, blocks, fittings, sails, lines, and other sailing apparatus in good and serviceable condition.

History: 2015 AACCS.