NEBRASKA ADMINISTRATIVE CODE

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Title 163 - NEBRASKA GAME AND PARKS COMMISSION

Chapter 3 - Boating Regulations

003 Equipment Standards

Minimum standards for required equipment shall be as provided in the statutes, with the following additions and clarifications. Under authority of and in compliance with sections 37-1201 through 37-1274, ~~R.R.S. 1993,~~ the following regulations are prescribed by the Nebraska Game and Parks Commission and are effective following enactment by the Game and Parks Commission, approval by the Attorney General and Governor, and when five days have elapsed since filing with the Secretary of State.

003.01 All vessels permitted by law to remain on the water from ~~one half hour after~~ sunset to ~~one half hour before~~ sunrise shall in all weathers carry and exhibit when anchored on the waters of this state white lights so fixed as to show all around the horizon and to be visible at a distance of at least two miles, unless anchored in sheltered waters off the main water courses or near docks, harbors, or marinas, or in a marked anchorage area.

003.02 Life Preservers

003.02A Every boat, except sailboards, or other description of vessel, including any buoyant device capable of being used as a means of transportation on water, shall carry at least one U.S. Coast Guard approved Type I, II, III or V life preserver (PFD) of suitable size for each person on board. All such devices shall be kept in good and seamanlike condition and be so placed as to be readily accessible. Each Type V (Special Use Device) must be worn and used in accordance with the conditions marked on the device in order to meet U.S. Coast Guard requirements.

003.02B It shall be unlawful for children less than thirteen years to fail to wear U.S. Coast Guard approved life preserver, of suitable size, at all times while aboard any vessel on the waters of the State except when hunting waterfowl in an anchored vessel. Operators of vessels shall at all times be held responsible for this requirement.

003.02C Every vessel carrying passengers for hire shall carry the following listed U.S. Coast Guard approved life preservers, all wearable life preservers must have 31 square inches of retro-reflective tape per side. Vessels less than 26 feet shall carry a Type I, II or III for each person on board in addition one Type IV.

003.02C1 Vessels 26 feet, but less than 40 feet shall carry one Type I, II or III for each person on board plus one Type IV ring buoy size 20, 24 or 30 inch.

003.02C2 Vessels over 40 feet shall carry one Type I for each person on board plus one Type IV ring buoy size 20, 24 or 30 inch. All life preservers must be in good serviceable condition and readily accessible.

003.03 The fire extinguisher required by the provisions of section 37-1242, R.R.S. 1943, for all motorboats operating on the waters within this state shall be of the carbon dioxide, dry chemical, or foam type as currently approved by the U.S. Coast Guard and shall be kept readily accessible, in condition for immediate and effective use, in good and serviceable condition and shall be of the following Coast Guard classes; B-I = 1.75 gallons of foam, or four pounds of CO_2 or two pounds of dry chemical. B-II = 2.5 gallons of foam or 15 pounds of CO_2 of dry chemical.

003.03A Provided, racing boats under certain conditions, outboard motorboats less than 26 feet in length which are of open construction and which do not carry passengers for hire shall not be required to carry fire extinguisher. Class one and two motorboats which are not exempt must carry one such B-I extinguisher. Class three motorboats which are not exempt must carry two B-I or one B-II such extinguisher and class four motorboats which are not exempt must carry three such B-I or

one B-I and one B-II extinguisher or if equipped with a fixed system then two B-I or one B-II. All airboats must be equipped with fire extinguisher according to class as stated above.

003.04 The flame arresters required for all carburetors of motorboats except outboard motors by section 37-1244, R.R.S., 1943, shall be of a type and manufacture currently approved by the U.S. Coast Guard and meeting all Coast Guard specifications.

003.05 A venting system for bilges and fuel tank compartments shall be required for all motorboats using as fuel any liquid of a volatile nature except open boats. The minimum requirements for such venting system shall be the following:

003.05A Fill pipes must be firmly attached to tight deck plates.

003.05B The fuel tank vent pipe must lead to open air with a screened outboard end and must be well clear of all hull openings.

003.05C Motorboats must be equipped with one air intake and one air exhaust cowl for each closed fuel and engine compartment, except on open boats where gases cannot accumulate in open-fuel and open engine spaces. The intake and exhaust cowl must be equipped with ducts, and the hoses must be equipped with ducts, and the hoses must be at least two inches in diameter. The exhaust hose must extend to the bilge and the air intake hose must extend halfway down in the area as far as the carburetor air intake or top fuel tank.

003.06 Every vessel, except personal watercraft, sailboards or similar devices and class 3 or 4 motorboats shall carry an oar or paddle.

003.07 Every vessel, except personal watercraft, sailboards or similar devices shall be equipped with a bailing bucket, efficient bilge pump or sponge.

003.08 Overloading - Loading of vessels shall not exceed reasonable, proper and seaman-like U.S. Coast Guard standards for safe loading. No overloaded vessel shall be operated on the waters of the State.

003.09 No person shall place or allow to remain on the waters of this state any boat which is not safe for operation.

003.10 All boats used on waters under the jurisdiction of the Commission shall be safe for the waters on which they are used. All boats when loaded must retain at least one-half (½) of the total depth of the boat above the water when measured at the center of the boat and shall not exceed the overloading limits set by the mandatory Coast Guard Capacity Plate installed on vessels by manufacturers.

003.11 In addition to the sound-producing equipment required by sections 37-1239 and 37-1240 every vessel of Class I shall carry an efficient whistle. All whistles and bells shall be audible for a distance of one-half (½) mile.