

STATE OF MICHIGAN
State-Specific Boating Safety Requirements

SL 1. Law Enforcement Authority

The boating laws of Michigan are enforced by officers of the Law Enforcement Division of the Michigan Department of Natural Resources, County Sheriff's Department, U.S. Coast Guard (USCG), and any other authorized law enforcement officer. They have the right to stop and board vessels to check for compliance with federal and state laws. The U.S. Coast Guard has enforcement authority on federally controlled waters.

SL 2. Age Restrictions

Those under 12 years of age:

- May legally operate a boat powered by a motor of no more than 6 horsepower (hp) without restrictions.
- May legally operate a boat powered by a motor of more than 6 hp but no more than 35 hp, if they are directly supervised onboard by a person at least 16 years of age.
- May not legally operate a boat powered by a motor of more than 35 hp under any conditions.
- May not legally operate a PWC.

Those 12 to 15 years of age:

- May legally operate a boat powered by a motor of no more than 6 hp without restrictions.
- May legally operate a boat powered by a motor of more than 6 hp only if they have passed a boating safety course approved by the Michigan Department of Natural Resources and have onboard their boating safety certificate or are accompanied onboard by a person at least 16 years of age.

Those 16 years of age or older:

- May operate any boat on the waters of Michigan.

SL 3. Boater Safety Education Requirements

Those 12 to 15 years of age may legally operate a boat powered by a motor of more than 6 hp, if they have passed a boating safety course approved by the Department of Natural Resources and have onboard the boating safety certificate. Those 14 years of age or older born after December 31, 1978, may operate a personal watercraft (PWC) only if he or she has obtained a boating safety certificate.

In addition to a basic boating safety course, new boaters should continue their education by taking a course that focuses on boat handling and operation. It is also important that boaters be aware that state boating safety laws are updated on an annual basis. Boaters are responsible for staying informed of any changes to state boating safety requirements.

SL 4. Vessel Registration

A Michigan Certificate of Number (registration) and a validation decal are needed to legally operate a vessel on public waters in Michigan. Exceptions include:

- Privately owned non-motorized canoes, kayaks, or rowboats of length 16 feet or less;
- Vessels with valid registration in another state or country, which are temporarily on the waters of Michigan.

The Certificate of Number and validation decals are obtained by submitting the proper application and fee to any Secretary of State branch office. This Certificate of Number (registration card) must be onboard and available for inspection by an enforcement officer whenever the vessel is being operated.

Display of Numbers

The registration number and validation decal must be displayed as follows:

- Number must be painted, applied as a decal or otherwise affixed to both sides of the bow, as high above the waterline as practical.
- Number shall read from left to right on both sides of the bow.
- Number must be in at least 3-inch-high block letters.
- Number's color must contrast with its background.
- Registration letters and numbers displayed on a boat must be separated by a space or hyphen. Example: "MC 3717 ZW" or "MC-3717-ZW." No other numbers can be displayed on either side of the bow.
- A validation decal must be affixed on both sides of the vessel three inches following the last character of the registration number.

SL 5. Maximum Loading and Horsepower

The State of Michigan does not have any maximum loading and horsepower requirements that are in addition to federal regulations. To review federal regulations, refer to the section on Capacity Plates included in Chapter 1 of this course.

The following information was approved by NASBLA and is included in Chapter 1 of the Boater101 Course:

Capacity Plates

It is required for all mono-hull boats under 20 feet built on or after November 1, 1972 to have a capacity plate approved by the USCG. In addition some manufacturers voluntarily install capacity plates on boats larger than 20 feet. This plate must be visible from the operator's station. The capacity plate lists a safe motor size, the maximum number of persons to be carried onboard, and the total weight the boat can carry including persons, motor, and gear. When operating your boat be sure to adhere to the restrictions listed on the capacity plate. Not only is it dangerous to overpower or overload a small boat, since they can swamp or capsize more easily, but it is also illegal. In many states, there are fines and penalties for exceeding capacity recommendations, including carrying more than the maximum number of people.

SL 6. Equipment and Lighting Requirements

The USCG sets minimum safety standards for vessels and associated equipment. To meet these standards, some of the equipment must be USCG-approved. All boats operating on Michigan waters must carry and, if required, have in operation, acceptable personal flotation devices (PFDs), visual distress signals, fire extinguishers, sounding devices, backfire flame arrestor, ventilation systems, and navigation lights as required by federal law. If a boat manufacturer installs the safety equipment, it should not be assumed that the vessel is properly equipped at time of purchase. Boat owners are responsible for ensuring that his or her vessel meets USCG regulations in accordance with vessel size and the waters in which the vessel is being operated. To review the federal requirements for safety equipment, refer to Chapter 2 of this course.

Michigan state law requires that boats have certain safety equipment, including PFDs, navigation lights, fire extinguishers, ventilation systems, backfire flame arrestors, mufflers, sound producing devices, and visual distress signals in accordance with USCG guidelines.

Mandatory PFD Usage

All children under the age of 6 must wear a Type I or II USCG-approved PFD while on an open deck of a recreational vessel.

SL 7. Marine Sanitation Devices

Michigan law prohibits discharge of any sewage, treated or untreated, into the state's freshwaters. Houseboats must have a wastewater holding system to prevent the discharge of waste into the water.

If a recreational vessel has installed toilet facilities, it must have an operable marine sanitation device (MSD) onboard. All installed devices must be USCG-certified.

Type III MSDs must have the "Y"-valve secured to prevent waste from being discharged into the water.

SL 8. Muffling Devices

To reduce noise, motorboat engines must be equipped with factory-installed mufflers, exhaust water manifolds or other effective muffling system. Excessive noise can prevent a vessel operator from hearing signals and voices.

Michigan law states that a vessel's muffler or exhaust system must prevent noise in excess of:

- 90 decibels at idle from three feet away, and
- 75 decibels measured from onshore.

SL 9. Boating Accidents

If a boat is involved in an accident, the operator must give necessary assistance to the other vessel and passengers, as long as it will not personally endanger the operator, his or her passengers, crew or the vessel. The operator must also give his or her name, address, and the identifying number of his or her vessel to anyone injured in the accident and to the owner of any damaged property.

A vessel operator, or each person onboard, must report an occurrence without delay to the nearest conservation officer, sheriff of the county, or nearest state police post when:

- A person dies, or
- A person disappears from a vessel.

The operator or the owner of a vessel must file an accident report form supplied by the Michigan Department of Natural Resources within 48 hours if:

- A person dies within 24 hours of the occurrence.
- A person loses consciousness or receives medical treatment or is disabled for more than 24 hours.

Or within 5 days if:

- Damage to the vessel and other property damage totals more than \$2,000.00.
- A person disappears from the vessel under circumstances that indicate death or injury.

SL 10. Vessel Speed Restrictions

Failure to Regulate Speed is operating a vessel at speeds that may cause danger to life or property of any other person or speeds that will not permit you to bring your vessel to a safe stop. It is unlawful to operate a vessel:

- In excess of 55 mph except if at least one mile offshore of the Great Lakes or Lake St. Clair.
- At greater than slow-no wake speed if any person is in the bow of a vessel without proper seating.
- Faster than is reasonable and prudent under the conditions (weather, vessel, traffic, etc.).

A person must not operate a motorboat on Michigan waters at a speed greater than slow-no wake speed or the minimum speed necessary for the motorboat to maintain forward movement when within 100 feet of the shoreline where the water depth is less than 3 feet. Violations of speed restrictions are defined as Reckless Operation of a Motorboat and subject to penalties in Section 324.80171 of the Michigan Marine Safety Act.

SL 11. Mooring to Markers or Buoys

It is unlawful to moor or attach a vessel to a beacon, light, buoy (except a mooring buoy) or any other navigational aid installed on public waters by proper authorities. It is also unlawful to tamper with, move, displace, damage or destroy any navigational aid.

SL 12. Reckless and Careless Operation

Michigan law designates these dangerous operating practices as illegal:

Reckless Operation of a vessel or reckless manipulation of water skis, a surfboard or similar device is defined as that which disregards the safety or rights of others or endangers the person or property of others.

Some examples are:

- Weaving your vessel through congested waterway traffic or swerving at the last possible moment in order to avoid collision.
- Jumping the wake of another vessel unnecessarily close to the other vessel or when visibility around the other vessel is restricted.
- Loading the vessel beyond the recommended capacity shown on the capacity plate installed by the manufacturer.
- Chasing, harassing or disturbing wildlife with your vessel.
- Causing damage from the wake of your vessel.

Boating in Restricted Areas is defined as operating within a restricted area clearly marked by buoys, beacons, diver down flags, etc.

SL 13. Interference with Navigation

It is unlawful to:

- Anchor a vessel in the traveled portion of a river or channel that will prevent or interfere with any other passing vessel.
- Obstruct a boat ramp, pier, wharf or access to any facility.
- Obstruct or mark the waters of Michigan in a way that may endanger the operation of watercraft or conflict with the marking system prescribed by the State of Michigan.
- Operate or otherwise position a vessel, other object or any person in a way that would obstruct or impede the normal flow of traffic on the lakes of this state.

SL 14. Boating Under the Influence

Michigan law prohibits anyone from boating while under the influence of alcohol or controlled substances. It is also unlawful for the owner of a vessel to allow anyone else to operate their vessel if that person is under the influence of alcohol or controlled substances.

The following conditions determine if a vessel operator is boating under the influence:

- The person has a blood alcohol content of 0.10 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.
- If your blood alcohol concentration is greater than 0.07% but less than 0.10% by weight of alcohol as determined by a breath, blood or urine test a law enforcement officer can consider that fact along with other evidence in determining if you are under the influence.

Michigan law provides the following penalties:

- People arrested for boating under the influence are guilty of a misdemeanor. Upon a third conviction within 10 years, a person will be guilty of a felony.
- If a person boating under the influence causes the death of another person, he or she will be guilty of a felony, punishable by imprisonment for not more than 15 years, or a fine of not less than \$2,500.00 or more than \$10,000.00, or both.
- If the result is a serious impairment of a body function of another person, the violator is guilty of a felony, punishable by imprisonment for not more than 5 years, or a fine of not less than \$1,000.00 or more than \$5,000.00, or both.

By operating a vessel on Michigan waters, you have consented to be tested for alcohol or drugs if arrested by a law enforcement official.

SL 15. Mandatory Violator Education

Upon a person's conviction of Reckless Operation of a Vessel, the court may issue an order prohibiting that person from operating a vessel on Michigan waters for a period of not more than 2 years. Upon a person's subsequent conviction, the court shall order that person to participate in and complete a marine safety educational program approved by the Michigan Department of Natural Resources.

SL 16. PWC Regulations

Although PWCs are considered to be a Class A boat, they are engineered differently than most boats. Since they are a jet boat, the water being forced out through the steerable nozzle controls the direction of the boat. If you release the throttle or shut-off the ignition, you will lose all steering control. When operating a PWC, boaters should avoid being stranded by carrying a full fuel reserve tank. All PWC operators and passengers must wear a USCG-approved PFD.

Requirements Specific to PWCs:

Each person 12 years of age or older riding on or towed behind a PWC must wear a USCG-approved Type I, II or III PFD. Those under 12 years of age must wear a Type I or II PFD. Inflatable PFDs may not be used by a person of any age.

You may not allow a child under 7 years of age to ride on or be towed behind a PWC, unless with a parent or guardian or designee of the parent or guardian.

The lanyard of a PWC's ignition safety switch must be attached to the person, clothing or PFD of the operator.

Operating a PWC between one hour before sunset and 8:00 a.m. is prohibited.

PWCs must be operated in a reasonable and prudent manner at all times.

It is unlawful to:

- Jump the wake of another vessel unnecessarily close to the other vessel.
- Weave your PWC through congested traffic.
- Swerve at the last possible moment to avoid collision.

A PWC must be operated at slow-no wake speed if crossing within 150 feet behind another vessel, unless the other vessel is also a PWC.

You may not operate a PWC within 200 feet of a Great Lakes shoreline unless traveling at slow-no wake speed perpendicular to the shoreline.

It is unlawful to harass wildlife or disturb aquatic vegetation with your PWC.

You may not operate a PWC in waters less than 2 feet deep unless you are operating at slow-no wake speed, or are docking or launching your PWC.

SL 17. Water Ski Regulations

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

Towing Skiers

Every vessel towing a person(s) on water skis, a surfboard or a similar device must have a person, in addition to the vessel operator, observing the towed person(s) at all times. It is illegal to tow skiers, surfboards, or any device of this type between:

One hour after sunset and one hour before sunrise if towed behind a vessel.

One hour before sunset and 8:00 a.m. if towed behind a PWC.

Persons being towed must stay at least 100 feet away from:

- Any moored or anchored vessel.

- A dock or raft.
- Any marked swimming area or person(s) in the water.

Those being towed behind a PWC must wear a USCG-approved Type I, II or III PFD. Those under 12 years of age must wear a Type I or II PFD. Inflatable PFDs may not be used.

SL 18. Divers-down Flag

Federal navigation rules require vessels restricted in the ability to maneuver to display appropriate day shapes or lights. To meet this requirement, recreational vessels engaged in diving activities may exhibit a rigid replica of the international code flag "A" or a "Divers-Down" flag not less than one meter in height, or at night, display navigation lights 360 degrees red on top, white in middle and red on the bottom.

Scuba divers or snorkelers must display a "divers-down" flag to mark their diving area. Divers must stay within 100 feet of the vertical position of their divers down-flag. Vessels must remain at least 200 feet away from the flag.

SL 19. Liveries (Rental Agencies)

Section 1

A boat livery shall not lease, hire, or rent a personal watercraft to any of the following:

- A person who is under 14 years of age.
- A person who does not display a boater safety certificate that is issued by the department as required under the Personal Watercraft Safety Act
- A person who is not required to obtain a boater safety certificate issued by the department under the Personal Watercraft Safety Act before operating a personal watercraft, unless the person obtains training in the safe use of a personal watercraft from the boat livery prior to the lease, hire, or rent of the personal watercraft. The department shall provide guidelines to boat liveries for the training required under this subdivision.

Section 2

A person who leases, hires, or rents a personal watercraft from a boat livery shall not permit an individual to operate the personal watercraft if the individual has not obtained a boating safety certificate or other certification as required under the Personal Watercraft Safety Act.

Section 3

A boat livery must provide a copy of the written rental agreement to each individual who leases, hires, or rents a PWC from the boat livery and who has obtained the training required. The written rental agreement shall include all of the following information:

- The name of the person who leases, hires, or rents a personal watercraft from the boat livery.
- The date or dates of the lease, hire, or rental.

The written rental agreement described under section (3) is a valid boating safety certificate under the personal watercraft safety act only for the person named in the certificate on the date or dates of the lease, hire, or rental of the personal watercraft. A person who leases, hires, or rents a personal watercraft from a boat livery is liable for any injury occasioned by the negligent operation of the personal watercraft, whether the negligence consists of a violation of the statutes of this state, or in the failure to observe the ordinary care in the operation that the rules of the common law require. The person is not liable unless the personal watercraft is being used with his or her expressed or implied consent. It shall be refutably presumed that the personal watercraft is being operated with the knowledge and consent of the person if it is driven at the time of the injury by his or her son, daughter, spouse, father, mother, brother, sister, or other immediate member of the person's family.

A person who violates these laws is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days or a fine of not less than \$100.00 or more than \$500.00, or both. A person who violates section (1) or (2) twice within a 3-year period is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$1,000.00, or both. A person who violates three or more times within a 5-year period is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$2,000.00, or both.

In addition to any penalty imposed under section (3), upon a person's second or subsequent violation the court may issue an order impounding the personal watercraft that was leased, hired, or rented in violation for a period of not more than 1 year. The cost of storage for an impoundment ordered under this section shall be paid by the owner of the personal watercraft.

SL 20. Other State-Specific Regulations

Section 324.80110 of the Michigan Marine Safety Act provides that special rules may be issued for vessels, water skis, water sleds, aquaplanes, surfboards, or other similar contrivances, and that local ordinances may be required to address specific issues. Special rules also apply to Michigan waterbodies, including the Great Lakes (e.g., see Sections 324.80124a, 324.80146, and 324.80198a), as well as other Michigan waters, such as Lake St. Clair.

SL 21. Environmental Awareness

When operating your PWC always be considerate of the effect you may have on the environment.

Do not operate a PWC in shallow water (less than 24 inches deep). Bottom sediments or aquatic vegetation can be sucked into the water pump and damage your PWC and the environment.

Avoid creating a wake that can cause erosion when operating near shore or in narrow streams or rivers.

Do not dock or beach your PWC in reeds and grasses. This could damage fragile environments. Take extra care when fueling your PWC in or near the water. Oil and gasoline spills are very detrimental to the aquatic environment. Fuel on land, if possible.

Never use your PWC to chase wildlife such as birds feeding near shore, waterfowl or other animals.

Waste Handling Facilities

Michigan has approximately 280 marina-provided pumpout stations, which are widely available to recreational boaters. The 280 pumpouts serve 32,000 boats with Marine Sanitation Devices (MSDs) kept at Great Lakes coastal locations in Michigan, including 9,000 boats not kept at marinas. Keeping our environment clean is everybody's job. Please make it yours.

Stop the Spread of Nuisance Species!

Aquatic nuisance species, like zebra mussels and Eurasian water milfoil, most often spread between waterways by hitching a ride on boats and trailers. When moved into new waters, these species rapidly multiply, damaging the water resource.

Prevent spreading nuisance species:

- Inspect your vessel and trailer, removing any nuisance species (zebra mussels and Eurasian water milfoil) you see before leaving the waterway.
- Drain your motor, live well, and bilge on land before leaving the waterway.
- Empty your bait bucket on land. Never release live bait into a waterway or release aquatic animals from one waterway into another.
- Rinse your vessel, trailer and equipment.
- Air-dry your vessel and equipment for as long as possible.

- Kill attached zebra mussels by pulling boats out of the water to dry for a minimum of 10-14 days.
- Flush the engine's cooling system with hot water.
- Apply antifouling materials such as paint and films to vessel hulls; trim tabs, water ports, transducers and swimming platforms to discourage zebra mussel attachment.

Additional Information

For more information on Michigan boating laws refer to the Michigan Department of Natural Resources at http://www.michigan.gov/dnr/0,1607,7-153-10365_10884---,00.html, Michigan Department of Natural Resources and Environmental Protection Act (Act 451 of 1994, as amended), Chapter 324, Part 801 – Marine Safety Act, Sections 324.80101 *et seq.*, at <http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=mcl-Act-451-of-1994>.