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TITLE 312 NATURAL RESOURCES COMMISSION

LSA Document #00-122(F)

DIGEST

Adds 312 IAC 5 to govern watercraft operations on public waters of Indiana. Includes amendments to conform to statutory changes made since 1995 and clarifies enforcement authority with respect to personal flotation devices and the disposal of wastewater. Corrects errors to the descriptions of "small lakes" as defined at IC 14-8-2-259 and as determined by the commission. Repeals 310 IAC 2.1. Effective January 1, 2002.

310 IAC 2.1

312 IAC 5

SECTION 1. 312 IAC 5 IS ADDED TO READ AS FOLLOWS:

ARTICLE 5. WATERCRAFT OPERATIONS ON PUBLIC WATERS OF INDIANA

Rule 1. Applicability and Administration

312 IAC 5-1-1 Applicability of watercraft article

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 1. This article governs the use of any watercraft on a public water. *(Natural Resources Commission; 312 IAC 5-1-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2364, eff Jan 1, 2002)*

312 IAC 5-1-2 Licensing functions; administrative review; addresses

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 4-21.5-1-15; IC 14

Sec. 2. (a) Unless otherwise specified, the division director (or a delegate of the division director) makes the initial determination for any license issued under this article.

(b) The address of the central office for the division is as follows:

**Division of Law Enforcement
Department of Natural Resources
Indiana Government Center-South
402 West Washington Street, Room W255-D
Indianapolis, Indiana 46204**

(c) The commission is the ultimate authority for the department under this article. A request to the commission for administrative review of an initial determination by the division of law enforcement must be addressed as follows:

**Division of Hearings
Natural Resources Commission
Indiana Government Center-South
402 West Washington Street, Room W272
Indianapolis, Indiana 46204**

(Natural Resources Commission; 312 IAC 5-1-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2364, eff Jan 1, 2002)

Rule 2. Definitions

312 IAC 5-2-1 Applicability

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 1. The definitions in this rule are in addition to those in 312 IAC 1-1 and apply throughout this article. *(Natural Resources Commission; 312 IAC 5-2-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2364, eff Jan 1, 2002)*

312 IAC 5-2-2 “B-1” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 2. “B-1” means a hand portable fire extinguisher suitable for extinguishing fires involving flammable liquids and greases containing one and three-fourths (1¾) gallons of foam, four (4) pounds of carbon dioxide, and two (2) pounds of dry chemicals. *(Natural Resources Commission; 312 IAC 5-2-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2364, eff Jan 1, 2002)*

312 IAC 5-2-3 “B-2” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 3. “B-2” means a hand portable fire extinguisher suitable for extinguishing fires involving flammable liquids and greases containing two and one-half (2½) gallons of foam, fifteen (15) pounds of carbon dioxide, and ten (10) pounds of dry chemicals. *(Natural Resources Commission; 312 IAC 5-2-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2364, eff Jan 1, 2002)*

312 IAC 5-2-4 “Bell” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 4. “Bell” means a sound signaling device made of corrosion-resistant material and designed to give a clear tone not less than one hundred ten (110) decibels at a distance of one (1) meter. The diameter of the mouth of a bell shall be not less than thirty (30) centimeters for a watercraft at least twenty (20) meters long and not less than twenty (20) centimeters for a watercraft at least twelve (12) meters but less than twenty (20) meters long. *(Natural Resources Commission; 312 IAC 5-2-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2364, eff Jan 1, 2002)*

312 IAC 5-2-5 “Boat race” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 5. “Boat race” means a contest of speed, skill, or efficiency involving one (1) or more watercraft. The term includes:
(1) practice sessions;
(2) qualifications; and
(3) parades;
on a public water preparatory to a contest. *(Natural Resources Commission; 312 IAC 5-2-5; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2364, eff Jan 1, 2002)*

312 IAC 5-2-6 “Carry passengers for hire” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 6. “Carry passengers for hire” means to carry or transport passengers for a passage or trip in consideration of a fare or charge. The phrase does not mean to carry or transport passengers or guests without charge or to lease or rent a watercraft to a lessee to be operated by the lessee as the lessee’s for an hour, a day, a week, or other fixed period of time. *(Natural Resources Commission; 312 IAC 5-2-6; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002)*

312 IAC 5-2-7 “Daytime” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 7. “Daytime” means sunrise to sunset, where the times of sunrise and sunset are determined by the United States Weather Bureau. *(Natural Resources Commission; 312 IAC 5-2-7; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002)*

312 IAC 5-2-8 “Deck rail” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 8. “Deck rail” means a guard structure along the outer edge of a watercraft deck consisting of vertical solid or tubular posts and horizontal courses made of metal tubing, wood, cable, rope, or another suitable material. *(Natural Resources Commission; 312 IAC 5-2-8; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002)*

312 IAC 5-2-9 “Division” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14-9-4-1

Sec. 9. “Division”, notwithstanding 312 IAC 1-1-13, means the division of law enforcement created under IC 14-9-4-1. *(Natural Resources Commission; 312 IAC 5-2-9; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002)*

312 IAC 5-2-10 “Division director” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14-9-8-6

Sec. 10. “Division director”, notwithstanding 312 IAC 1-1-14, refers to the director of the division appointed under IC 14-9-8-6. *(Natural Resources Commission; 312 IAC 5-2-10; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002)*

312 IAC 5-2-11 “Dockside inspection” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 11. “Dockside inspection” means an examination of a watercraft while moored alongside a dock and afloat in the water so that all of the exterior above the waterline and the interior of the watercraft may be examined. *(Natural Resources Commission; 312 IAC 5-2-11; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002)*

312 IAC 5-2-12 “Drydock inspection” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 12. “Drydock inspection” means an examination of a watercraft outside the water and supported so all the exterior and interior of the watercraft may be examined. *(Natural Resources Commission; 312 IAC 5-2-12; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002)*

312 IAC 5-2-13 “Flexible vibration hose” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 13. “Flexible vibration hose” means nonrigid tubing that is:

- (1) noncombustible or self-extinguishing; and**
- (2) not affected by the motion of the watercraft or machinery to which it is connected or attached.**

(Natural Resources Commission; 312 IAC 5-2-13; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002)

312 IAC 5-2-14 “General maintenance” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 14. “General maintenance” means drydocking or hauling out of a watercraft for painting or cleaning the hull and rudder or the changing of a propeller shaft and associated bearing. *(Natural Resources Commission; 312 IAC 5-2-14; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002)*

312 IAC 5-2-15 “Good marine practice and standards” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 15. “Good marine practice and standards” means methods and ways of maintaining, operating, equipping, repairing, and restructuring a watercraft as determined by a marine inspector. In making the determination, a marine inspector shall use commonly accepted standards, including the following:

(1) 46 CFR 1.01 through 46 CFR 552.5.

(2) The standards of the American Boat and Yacht Council.

(3) The standards of the Boating Industry Association.

(Natural Resources Commission; 312 IAC 5-2-15; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2365, eff Jan 1, 2002)

312 IAC 5-2-16 “Graywater” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 16. “Graywater” means galley, bath, and shower water, as well as wastewater from laboratory sinks, laundry, interior deck drains, water fountains, and shop sinks. *(Natural Resources Commission; 312 IAC 5-2-16; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002)*

312 IAC 5-2-17 “Idle speed” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 17. “Idle speed” means the slowest possible speed, not exceeding five (5) miles per hour, so as to maintain steerage whereby the wake or wash created by a watercraft is minimal. *(Natural Resources Commission; 312 IAC 5-2-17; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002)*

312 IAC 5-2-18 “Inland waterway” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 18. “Inland waterway” means a public water that is not a navigable waterway. *(Natural Resources Commission; 312 IAC 5-2-18; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002)*

312 IAC 5-2-19 “Marine inspector” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 19. “Marine inspector” means a department marine safety officer, a conservation officer, or another person employed by the department and trained in watercraft inspection and operator testing procedures. *(Natural Resources Commission; 312 IAC 5-2-19; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002)*

312 IAC 5-2-20 “Marine sanitation device” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 20. “Marine sanitation device” includes any equipment for installation onboard a watercraft that is designed to receive,

retain, treat, or discharge sewage, and any process to treat the sewage. *(Natural Resources Commission; 312 IAC 5-2-20; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002)*

312 IAC 5-2-21 “Motorboat” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 21. “Motorboat” means a watercraft propelled by an internal combustion, steam, or electrical inboard or outboard motor or engine or by any mechanical means, including sailboats that are equipped with any such motor or engine when in operation (whether or not the sails are hoisted). *(Natural Resources Commission; 312 IAC 5-2-21; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002)*

312 IAC 5-2-22 “Navigation aid” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 22. “Navigation aid” means a device external to a watercraft intended to assist in determining a position or safe course or in warning of danger or obstructions to navigation. *(Natural Resources Commission; 312 IAC 5-2-22; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002)*

312 IAC 5-2-23 “Navigation aid or water recreation structure” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 23. “Navigation aid or water recreation structure” means any of the following:

(1) A buoy.

(2) A marker.

(3) A flag.

(4) A device which is used for the purpose of swimming or extending the use of water skis, water sleds, or aquaplanes.

(Natural Resources Commission; 312 IAC 5-2-23; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002)

312 IAC 5-2-24 “Nighttime” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 24. “Nighttime” means sunset to sunrise where times of sunrise and sunset are determined by the United States Weather Bureau. *(Natural Resources Commission; 312 IAC 5-2-24; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002)*

312 IAC 5-2-25 “Open boat” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 25. “Open boat” means a watercraft that has engine areas, fuel tank compartments, and other spaces (other than weather enclosures) open to the atmosphere and arranged to prevent the entrapment of flammable gases in the watercraft. *(Natural Resources Commission; 312 IAC 5-2-25; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2366, eff Jan 1, 2002)*

312 IAC 5-2-26 “Permanent structure” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 26. “Permanent structure” means a structure that reasonably requires the use of machinery for installation and removal. Generally included is any structure in or over a public water that uses poured concrete, steel sheet piling, timber piling, or fill material for support. *(Natural Resources Commission; 312 IAC 5-2-26; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002)*

312 IAC 5-2-27 “Personal flotation device” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 27. “Personal flotation device” means a device that is approved by the United States Coast Guard under 46 CFR 160. *(Natural Resources Commission; 312 IAC 5-2-27; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002)*

312 IAC 5-2-28 “Public freshwater lake” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 28. “Public freshwater lake” has the meaning set forth in 312 IAC 11-2-17. *(Natural Resources Commission; 312 IAC 5-2-28; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002)*

312 IAC 5-2-29 “Public water” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 29. “Public water” means every lake, river, stream, canal, ditch, and body of water that is subject to the jurisdiction of Indiana or owned or controlled by a public utility. *(Natural Resources Commission; 312 IAC 5-2-29; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002)*

312 IAC 5-2-30 “Recreational watercraft” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 30. “Recreational watercraft” means a watercraft not used for carrying passengers for hire that is either:
(1) manufactured or used primarily for noncommercial use; or
(2) leased, rented, or chartered to another person for noncommercial use.
(Natural Resources Commission; 312 IAC 5-2-30; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002)

312 IAC 5-2-31 “Ring life buoy” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 31. “Ring life buoy” is a Type IV personal flotation device that is shaped round or as a horse collar. *(Natural Resources Commission; 312 IAC 5-2-31; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002)*

312 IAC 5-2-32 “Sailboat” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 32. “Sailboat” means a watercraft propelled primarily by sail. *(Natural Resources Commission; 312 IAC 5-2-32; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002)*

312 IAC 5-2-33 “Small lake” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 33. “Small lake” means a body of public water having a surface area that does not exceed three hundred (300) acres. An adjoining channel shall not be considered in determining the surface area. Small lakes connected by a natural or manmade channel less than five hundred (500) feet wide at its narrowest point shall be considered separately in determining the surface area. *(Natural Resources Commission; 312 IAC 5-2-33; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002)*

312 IAC 5-2-34 “State boating law administrator” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 34. “State boating law administrator” means a conservation officer assigned to administer boating statutes, rules, and education programs for boating safety. *(Natural Resources Commission; 312 IAC 5-2-34; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002)*

312 IAC 5-2-35 “Suitable material” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 35. “Suitable material” means the marine inspector has determined an item is in keeping with good marine practice and standards. *(Natural Resources Commission; 312 IAC 5-2-35; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002)*

312 IAC 5-2-36 “Type I personal flotation device” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 36. “Type I personal flotation device” means a wearable personal flotation device designed to turn most unconscious persons in the water from a face down position to a vertical or slightly backward position. The adult size device provides minimum buoyancy of twenty-two (22) pounds, and the child size provides a minimum buoyancy of eleven (11) pounds. *(Natural Resources Commission; 312 IAC 5-2-36; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002)*

312 IAC 5-2-37 “Type II personal flotation device” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 37. “Type II personal flotation device” means a wearable personal flotation device designed to turn a person in a vertical or slightly backward position in the water, although the turning action is not as pronounced as with a Type I personal flotation device. An adult size device provides a minimum buoyancy of fifteen and one-half (15½) pounds, the medium child size provides a minimum buoyancy of eleven (11) pounds, and the infant and small child sizes provide a minimum buoyancy of seven (7) pounds. *(Natural Resources Commission; 312 IAC 5-2-37; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2367, eff Jan 1, 2002)*

312 IAC 5-2-38 “Type III personal flotation device” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 38. “Type III personal flotation device” means a wearable personal flotation device designed so the wearer can place himself or herself in a vertical or slightly backward position. A Type III personal flotation device has the same buoyancy as a Type II personal flotation device but has little or no turning ability. *(Natural Resources Commission; 312 IAC 5-2-38; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002)*

312 IAC 5-2-39 “Type IV personal flotation device” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 39. “Type IV personal flotation device” means a personal flotation device designed to be thrown to a person in the water and grasped and held by the person until rescued. A Type IV personal flotation device is not designed to be worn. *(Natural Resources Commission; 312 IAC 5-2-39; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002)*

312 IAC 5-2-40 “Type V personal flotation device” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3
Affected: IC 14

Sec. 40. “Type V personal flotation device” means a personal flotation device approved by the United States Coast Guard

for a restricted use. *(Natural Resources Commission; 312 IAC 5-2-40; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002)*

312 IAC 5-2-41 “Visible” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 41. “Visible” means capable of being seen, by a person of normal vision, on a dark and clear night. *(Natural Resources Commission; 312 IAC 5-2-41; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002)*

312 IAC 5-2-42 “Wake or wash” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 42. “Wake or wash” means a track left by a watercraft causing waves that:

(1) disrupt other water sport activities; or

(2) may cause injury or damage to persons, watercraft, or property.

(Natural Resources Commission; 312 IAC 5-2-42; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002)

312 IAC 5-2-43 “Water recreation structure” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 43. “Water recreation structure” means a device that is used for the purpose of swimming or extending the use of water skis, water sleds, or aquaplanes. The term includes slalom courses and ski jumps. *(Natural Resources Commission; 312 IAC 5-2-43; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002)*

312 IAC 5-2-44 “Water ski event” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 44. “Water ski event” means a contest or exhibition among water skiers. The term includes practice sessions, qualifications, and parades on a public water preparatory to the event. The term also includes a water ballet. *(Natural Resources Commission; 312 IAC 5-2-44; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002)*

312 IAC 5-2-45 “Watercraft” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 45. “Watercraft” means any instrumentality or device in or by means of which a person may be transported upon the public waters of this state, and includes every motorboat, sailboat, rowboat, skiff, dinghy, or canoe of whatever length or size whether or not it is used to carry passengers for hire. *(Natural Resources Commission; 312 IAC 5-2-45; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002)*

312 IAC 5-2-46 “Waterline or shoreline” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3;

Affected: IC 14

Sec. 46. “Waterline or shoreline” refers to the waterline or shoreline of a public freshwater lake as defined in 312 IAC 11-2-28. *(Natural Resources Commission; 312 IAC 5-2-46; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002)*

312 IAC 5-2-47 “Waters of concurrent jurisdiction” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 47. “Waters of concurrent jurisdiction” means the portions of Lake Michigan over which Indiana has concurrent

jurisdiction with the United States and the portions of the Ohio River over which Indiana has concurrent jurisdiction with the commonwealth of Kentucky. *(Natural Resources Commission; 312 IAC 5-2-47; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2368, eff Jan 1, 2002)*

312 IAC 5-2-48 “Weather deck” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 48. “Weather deck” means those portions of the foredeck and afterdeck of a watercraft that are open and exposed to the weather. *(Natural Resources Commission; 312 IAC 5-2-48; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2369, eff Jan 1, 2002)*

312 IAC 5-2-49 “Whistle” defined

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 49. “Whistle” means a sound signaling appliance capable of producing frequencies between the following limits:

(1) One hundred thirty (130) to three hundred fifty (350) hertz for a watercraft seventy-five (75) meters long, but less than two hundred (200) meters long.

(2) Two hundred fifty (250) to five thousand two hundred forty-five (5,245) hertz for a watercraft less than seventy-five (75) meters long.

(Natural Resources Commission; 312 IAC 5-2-49; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2369, eff Jan 1, 2002)

Rule 3. Boat Races and Water Ski Events

312 IAC 5-3-1 Boat races and water ski events; applicability

Authority: IC 14-10-2-4; IC 14-15-7-3

Affected: IC 14

Sec. 1. (a) This rule governs the conduct of any boat race or water ski event.

(b) No person shall sponsor, conduct, participate, or compete in a boat race or water ski event upon the public waters of this state, including ice, unless a license for a boat race or water ski event is issued by the division under this rule.

(c) A license application must be made on a department form and delivered to the central office for the division. The application shall include a description of the proposed boat race or water ski event course, capable of being marked and fixed. An application that is not filed with the division at least sixty (60) days before the proposed race or event will be denied unless the requirements of this rule are satisfied pertaining to permit review by the division and notice to interested persons. *(Natural Resources Commission; 312 IAC 5-3-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2369, eff Jan 1, 2002)*

312 IAC 5-3-2 Site inspection by a conservation officer before issuance of a license for a boat race or water ski event

Authority: IC 14-10-2-4; IC 14-15-7-3

Affected: IC 14

Sec. 2. (a) Upon the receipt of a license application, a conservation officer shall inspect the proposed boat race or water ski event course.

(b) The conservation officer shall consider the following factors in reviewing the permit application:

(1) The density of water traffic on the public water.

(2) The physical characteristics of the public water.

(3) The proximity of the proposed course to land owned by a person other than the license applicant.

(4) The kinds of watercraft that will participate in the race or event.

(5) Any other factors relative to the proposed race or event that may cause a hazard to persons, property, or the environment.

(c) A written report of the inspection shall be submitted by the conservation officer to the division director, together with

recommendations for approval, disapproval, or the placement of conditions on the license. *(Natural Resources Commission; 312 IAC 5-3-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2369, eff Jan 1, 2002)*

312 IAC 5-3-3 Public notice before the issuance of a license for a boat race or water ski event

Authority: IC 14-10-2-4; IC 14-15-7-3

Affected: IC 4-21.5; IC 14

Sec. 3. (a) This section establishes notification requirements before a license is issued under this rule. Subsequent to the issuance of a license by the division, IC 4-21.5 applies.

(b) At least thirty (30) days before the division can issue a license, an applicant shall provide, at its expense, notice of the license application as follows:

(1) Once in one (1) newspaper of general circulation in the county or counties where the boat race or water ski event will occur.

(2) In person, by certified mail with return receipt requested, or by first class mail with proof of mailing, to the following:

(A) Any person who provides the division with a written request to be notified if a boat race or water ski event permit is requested. A request under this clause is valid during the year in which it is received for the waterway named in the request.

(B) If a course for the boat race or water ski event is located on a public freshwater lake or Lake Michigan, to at least one (1) of the owners of each parcel of property reasonably known to be located within two hundred (200) feet of the course.

(C) If a course for the boat race or water ski event is located within a municipality, to the municipality.

(c) A notice under this section shall do the following:

(1) Provide the name and address of the applicant.

(2) Specify that the license is sought under this rule and whether the license will authorize a boat race or a water ski event.

(3) Describe or illustrate the course of the event and when the event will occur.

(4) Include an explanation of the options available to the persons served. These options are as follows:

(A) File a petition with the central office of the division requesting an informal hearing that is signed by at least twenty-five (25) individuals who are at least eighteen (18) years old and who reside in the county where the event will occur. A hearing under this clause is governed by 312 IAC 2-3.

(B) Request the division to notify the person in writing when an initial determination is made to issue or deny the license. Following the receipt of notice under this clause, a person may request administrative review of the determination under 312 IAC 3-1.

(Natural Resources Commission; 312 IAC 5-3-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2369, eff Jan 1, 2002)

312 IAC 5-3-4 General conditions on a license issued for a boat race or water ski event

Authority: IC 14-10-2-4; IC 14-15-7-3

Affected: IC 14

Sec. 4. (a) A license issued under this rule is subject to immediate suspension by a conservation officer if severe weather or other hazardous conditions threaten public safety.

(b) A license issued under this rule terminates on the earlier of the following:

(1) The termination date set forth in the license.

(2) One hundred eighty (180) days after issuance of the license.

(Natural Resources Commission; 312 IAC 5-3-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2370, eff Jan 1, 2002)

Rule 4. Navigation Aids and Water Recreation Structures

312 IAC 5-4-1 Navigation aids and water recreation structures; applicability

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14-15-3-17

Sec. 1. (a) This rule governs the placement of any navigation aid or water recreation structure.

(b) A person must comply with this rule before placing a navigation aid or water recreation structure on or along a public water. Except as provided in subsections (d) and (e), a license from the division is required for the placement of a navigation aid or water recreation structure.

(c) Except as provided in subsections (d) and (e), each navigation aid must be colored white with international orange geometric shapes. If placed on the water, a navigation aid must be a buoy.

(d) A buoy that identifies a point two hundred (200) feet from the shoreline of any lake or channel under IC 14-15-3-17 is exempted from subsection (c). This exemption does not apply to Lake Michigan or where the division determines the exemption will be contrary to safe and lawful watercraft usage.

(e) This rule does not apply to a navigation aid or water recreation structure located within one hundred fifty (150) feet from the waterline or shoreline of a public freshwater lake or to a mooring buoy. The placement of a navigation aid or water recreation structure under this subsection is governed by 312 IAC 11. A mooring buoy located on a navigable waterway is governed by 312 IAC 6. *(Natural Resources Commission; 312 IAC 5-4-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2370, eff Jan 1, 2002)*

312 IAC 5-4-2 Application for a license for a navigation aid or water recreation structure; general requirements

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 2. An application for a license under this rule must be completed on a department form and contain information sufficient to describe the purpose for which the license is sought. The application shall include the following information:

- (1) The name and address of the applicant.
- (2) The name, address, and telephone number of an individual who can be contacted concerning placement, maintenance, and removal of the navigation aid or water recreation structure.
- (3) A description of any navigation aid or water recreation structure to be placed under the license.
- (4) The date, location, and duration of placement.

(Natural Resources Commission; 312 IAC 5-4-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2370, eff Jan 1, 2002)

312 IAC 5-4-3 License application; additional information; notice to affected persons; consolidated applications

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 3. (a) In addition to the information required under section 2 of this rule, the department may require the following information to be included in an application:

- (1) The name and address of any adjacent property owner, municipality, or other interested person who may be affected by placement of the navigation aid or water recreation structure.
- (2) Information that will assist in determining whether issuance of the permit is likely to result in any hazard to persons, property, or the environment.
- (3) Any other information deemed appropriate by the director.

(b) The department shall require an applicant to provide notice to any person that will be affected by issuance of a license.

(c) A consolidated application may be made for a license to govern all navigation aids or water recreation structures (or all navigation aids or water recreation structures of a particular type) on a specified public freshwater lake, navigable waterway, or segment of a public freshwater lake or navigable waterway. *(Natural Resources Commission; 312 IAC 5-4-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2370, eff Jan 1, 2002)*

312 IAC 5-4-4 Buoys used as navigation aids; general requirements

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 4. (a) Except as provided in subsection (b), a buoy used as a navigation aid must be white with horizontal bands of international orange placed completely around the buoy circumference. One (1) band must be at the top of the buoy body,

with a second band just above the waterline of the buoy so that both international orange bands are clearly visible to approaching vessels. The bands must be at least two (2) inches wide. The area of the buoy, which is visible between the two (2) bands, must be white and provide adequate space for the placement of geometric shapes. The buoy must be constructed of materials that are shatter-resistant and unsinkable within anticipated usage. The buoy must be anchored adequately to prevent movement by wind, current, and wave action.

(b) Lateral marks, safe water marks, isolated danger marks, and special marks shall, to the extent practicable, conform with 33 CFR 62.25 through 33 CFR 62.31. Sections 6 and 7 of this rule do not apply to this subsection. *(Natural Resources Commission; 312 IAC 5-4-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2371, eff Jan 1, 2002)*

312 IAC 5-4-5 Buoys used as navigation aids on Lake Michigan; construction standards

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 5. A buoy used as a navigation aid on Lake Michigan must conform to the following construction standards:

- (1) The exterior diameter of the buoy is at least eight (8) inches.
- (2) The buoy is constructed of materials that are shatter-resistant and unsinkable within anticipated usage.
- (3) The buoy is anchored in a manner that is suitable for use on the waters of Lake Michigan.
- (4) Letters and numbers are placed on the regulatory marker as follows:
 - (A) Solid black.
 - (B) To enable them to be clearly visible to an approaching or passing watercraft, but not less than three (3) inches high.
 - (C) In block style and well-proportioned.

(Natural Resources Commission; 312 IAC 5-4-5; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2371, eff Jan 1, 2002)

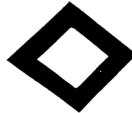
312 IAC 5-4-6 Buoys used as navigation aids; geometric shapes and designations

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 6. (a) Geometric shapes must be placed on the white portion of the body of a buoy. The geometric shapes must be colored international orange. The authorized geometric shapes and meanings associated with them are as follows:

- (1) A vertical, open-faced diamond shape means danger. This shape is illustrated as follows:



- (2) A vertical, open-faced diamond shape with a cross centered in the diamond designates a zone which is excluded from usage by a watercraft or from some other designated purpose. This shape is illustrated as follows:



- (3) A circular shape designates a zone where a watercraft may be operated only if the operation complies with certain restrictions. This shape is illustrated as follows:



- (4) A square or rectangular shape means information or directions are provided. This shape is illustrated as follows:



(b) If a diamond or circular geometric shape associated with the meaning of the marker is included, the meaning must be centered on the sign. If a regulatory marker consists of a square or rectangular shaped sign displayed from a structure, the sign shall be white with an international orange border. *(Natural Resources Commission; 312 IAC 5-4-6; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2371, eff Jan 1, 2002)*

312 IAC 5-4-7 Restricted use zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 7. A buoy may be placed under section 6(a)(2) or 6(a)(3) of this rule only as provided as follows:

(1) The commission adopts a rule to establish and delineate a restricted use zone.

(2) The restricted use zone designates one (1) of the following:

(A) Watercraft are excluded from the zone.

(B) Swimming is excluded from the zone.

(C) Scuba is excluded from the zone.

(D) Watercraft and swimming are excluded from the zone.

(E) Watercraft are prohibited from towing water skis or similar objects in the zone.

(F) Watercraft are prohibited from operating in excess of idle speed in the zone.

(G) Watercraft are prohibited from operating in excess of a designated speed limit in the zone.

(Natural Resources Commission; 312 IAC 5-4-7; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2372, eff Jan 1, 2002)

312 IAC 5-4-8 Tampering with a navigation aid

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 8. A person must not move, remove, deface, destroy, obscure, or otherwise interfere with a navigation aid placed under this rule, except at the direction of the division or the United States Coast Guard. *(Natural Resources Commission; 312 IAC 5-4-8; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2372, eff Jan 1, 2002)*

Rule 5. Waste Disposal

312 IAC 5-5-1 Application

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 1. This rule governs the disposal or discharge of sewage, graywater, and other wastes from a watercraft that is located upon public water. *(Natural Resources Commission; 312 IAC 5-5-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2372, eff Jan 1, 2002)*

312 IAC 5-5-2 Sewage disposal from a watercraft

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 2. (a) Except as provided in subsection (c), a person must not keep, maintain, or operate upon public water a watercraft that is equipped with a water closet or toilet unless the water closet or toilet is equipped with a Type III marine sanitation device with the capacity to store wastes for subsequent disposal at:

(1) an approved shoreside facility or incinerator; or

(2) a treatment system approved by the Indiana department of environmental management according to rules adopted by the:

(A) solid waste management board; or

(B) water pollution control board.

(b) Except as provided in subsection (c), a person may not dispose of sewage accumulated in a Type III marine sanitation device or any other container on a watercraft in a manner that the sewage reaches or may reach public waters, except through a sewage disposal facility approved by the Indiana department of environmental management according to rules adopted by the:

(1) solid waste management board; or

(2) water pollution control board.

(c) A person who maintains or operates a watercraft, upon Lake Michigan or another waterway described in 40 CFR 140.3, that is equipped with a Type I marine sanitation device or a Type II marine sanitation, must comply with 33 CFR 159 and

40 CFR 140.

(d) The following definitions apply throughout this section:

- (1) “Sewage” means human bodily wastes.**
- (2) “Type I marine sanitation device” has the meaning set forth at 40 CFR 140.3.**
- (3) “Type II marine sanitation device” has the meaning set forth at 40 CFR 140.3.**
- (4) “Type III marine sanitation device” has the meaning set forth at 40 CFR 140.3.**

(Natural Resources Commission; 312 IAC 5-5-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2372, eff Jan 1, 2002)

312 IAC 5-5-3 Litter and other waste disposal from a watercraft

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 3. (a) Except as provided in subsection (b), a person must not dispose of litter or other waste from a watercraft maintained or operated upon public water.

(b) A person who maintains or operates a watercraft upon Lake Michigan or another waterway described in 40 CFR 1700 must not violate 40 CFR 1700 in treatment or disposal of litter or other waste from a watercraft.

(c) The following definitions apply throughout this section:

(1) “Litter” includes the following:

- (A) Bottles.**
- (B) Glass.**
- (C) Crockery.**
- (D) Cans.**
- (E) Scrap metal.**
- (F) Junk.**
- (G) Paper.**
- (H) Garbage.**
- (I) Rubbish.**
- (J) Plastic.**
- (K) Similar refuse.**

(2) “Other waste” includes the following:

- (A) Filth.**
- (B) A putrid substance.**
- (C) An unwholesome substance.**
- (D) Contents of a catch basin.**
- (E) Contents of a grease trap.**
- (F) Any other graywater.**

(Natural Resources Commission; 312 IAC 5-5-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2372, eff Jan 1, 2002)

Rule 6. Specified Public Freshwater Lakes; Restrictions

312 IAC 5-6-1 Watercraft operation restrictions on specified public freshwater lakes; applicability

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 1. (a) This rule establishes zones on specified public freshwater lakes to govern the operation of watercraft for any of the following purposes:

- (1) Addressing unusual conditions or hazards.**
- (2) Fish, wildlife, or botanical resource management.**
- (3) The protection of users.**

(b) This rule may modify or supplement 312 IAC 11.

(c) In order to be effective, a zone established under this rule must be identified on-site by buoys placed under 312 IAC 5-4. *(Natural Resources Commission; 312 IAC 5-6-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2373, eff Jan 1, 2002)*

312 IAC 5-6-2 Barbee Chain of Lakes; special watercraft zones

Authority: IC 14-10-2-4; IC 14-15-7-3

Affected: IC 14

Sec. 2. (a) This section establishes special watercraft zones on the Barbee Chain of Lakes in Kosciusko County. The Barbee Chain of Lakes includes the following:

- (1) Bantam Lake (also known as Banning Lake).**
- (2) Big Barbee Lake.**
- (3) Irish Lake.**
- (4) Kuhn Lake.**
- (5) Little Barbee Lake.**
- (6) Sawmill Lake.**
- (7) Sechrist Lake.**

(b) Except on Big Barbee Lake, a person must not operate a watercraft in excess of ten (10) miles per hour on the Barbee Chain of Lakes. *(Natural Resources Commission; 312 IAC 5-6-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2373, eff Jan 1, 2002)*

312 IAC 5-6-3 Bass Lake; special watercraft zones and pier standards

Authority: IC 14-10-2-4; IC 14-15-7-3

Affected: IC 14-26-2

Sec. 3. (a) Notwithstanding 312 IAC 11-3-1(b)(5), a pier or boat lift is authorized on Bass Lake in Starke County without a license under IC 14-26-2 if the structure conforms with both of the following:

- (1) Satisfies 312 IAC 11-3-1(b)(1) through 312 IAC 11-3-1(b)(4), 312 IAC 11-3-1(b)(7), and 312 IAC 11-3-1(b)(8).**
- (2) Does either of the following:**
 - (A) Extends no more than one hundred fifty (150) feet from the waterline or shoreline and satisfies 312 IAC 11-3-1(b)(6).**
 - (B) Extends no more than three hundred (300) feet from the waterline or shoreline and does not extend over water that is continuously more than three (3) feet deep.**

(b) A person must not operate a watercraft in excess of ten (10) miles per hour within three hundred fifty (350) feet of the shoreline or waterline.

- (c) A person must not operate a watercraft at a site within the swimming area adjacent to Bass Lake State Beach with:**
- (1) the southwestern boundary beginning at a point on the shoreline and one hundred forty-eight (148) feet southwest of the southwestern corner of the bath house and running perpendicular to the shoreline for three hundred forty-five (345) feet;**
 - (2) the northeastern boundary beginning at a point on the shoreline and two hundred fifteen (215) feet northeast of the northwest corner of the bath house and running perpendicular to the shoreline for three hundred forty-five (345) feet; and**
 - (3) the northwestern boundary formed by a line, approximately four hundred thirty-five (435) feet long, running parallel to the shoreline and terminating at the lakeward-most points of the southwestern boundary and the northeastern boundary.**

(Natural Resources Commission; 312 IAC 5-6-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2373, eff Jan 1, 2002)

312 IAC 5-6-4 Indian Lakes Chain of Lakes; special watercraft zones

Authority: IC 14-10-2-4; IC 14-15-7-3

Affected: IC 14

Sec. 4. (a) This section establishes special watercraft zones on the Indian Lakes Chain of Lakes in LaGrange County. The Indian Lakes Chain of Lakes includes the following:

- (1) Dallas Lake.**
- (2) Hackenburg Lake.**
- (3) Messick Lake.**
- (4) Westler Lake.**

(5) Whitmer Lake.

(b) Except on Dallas Lake and Whitmer Lake, a person must not operate a watercraft in excess of ten (10) miles per hour on the Indian Lakes Chain of Lakes. *(Natural Resources Commission; 312 IAC 5-6-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2373, eff Jan 1, 2002)*

312 IAC 5-6-5 Lake James; special watercraft zones

Authority: IC 14-10-2-4; IC 14-15-7-3

Affected: IC 14

Sec. 5. A person must not operate a watercraft at either of the following sites located within Lake James in Steuben County:

(1) Adjacent to the Pokagon Beach in Pokagon State Park with:

(A) the southern boundary beginning at a point on the shoreline at the southern edge of the Pokagon Beach, the point being located north fifty (50) degrees west, a distance of one hundred twenty-four (124) feet from the northwest corner of the concession building;

(B) the northern boundary beginning at a point on the shoreline five hundred (500) feet north of the point on the shoreline described in clause (A) and running perpendicular to the shoreline for one hundred fifty (150) feet; and

(C) the western boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the southern boundary and the northern boundary.

(2) Adjacent to the Potawatomi Inn Beach in Pokagon State Park with:

(A) the western boundary beginning at a point on the shoreline at the western edge of the Potawatomi Inn Beach and running perpendicular to the shoreline for one hundred fifty (150) feet;

(B) the eastern boundary beginning at a point on the west end of a concrete seawall in front of the boat rental and running perpendicular to the shoreline for one hundred fifty (150) feet; and

(C) the southern boundary formed by a line running parallel to the shoreline, approximately three hundred (300) feet long, and terminating at the lakeward-most points of the western boundary and the northern boundary.

(Natural Resources Commission; 312 IAC 5-6-5; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2374, eff Jan 1, 2002)

312 IAC 5-6-6 Lake Wawasee; special watercraft zones

Authority: IC 14-10-2-4; IC 14-15-7-3

Affected: IC 14

Sec. 6. A person must not operate a watercraft in excess of ten (10) miles per hour on Lake Wawasee within an area described as follows:

(1) North and west of Pickwick Road.

(2) South of the CSX railroad.

(3) East of the Turtle Bay housing development.

(Natural Resources Commission; 312 IAC 5-6-6; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2374, eff Jan 1, 2002)

312 IAC 5-6-7 Lime Lake; special watercraft zones

Authority: IC 14-10-2-4; IC 14-15-7-3

Affected: IC 14

Sec. 7. A person must not operate a watercraft in excess of ten (10) miles per hour on Lime Lake in Steuben County.

(Natural Resources Commission; 312 IAC 5-6-7; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2374, eff Jan 1, 2002)

312 IAC 5-6-8 Oliver Chain of Lakes; special watercraft zones

Authority: IC 14-10-2-4; IC 14-15-7-3

Affected: IC 14

Sec. 8. (a) This section establishes special watercraft zones on the Oliver Chain of Lakes in LaGrange County. The Oliver Chain of Lakes includes the following:

(1) Martin Lake.

(2) Olin Lake.

(3) Oliver Lake.

(b) A person must not operate a watercraft in excess of ten (10) miles per hour on Martin Lake.

(c) A person must not operate a watercraft in excess of idle speed on Olin Lake. *(Natural Resources Commission; 312 IAC 5-6-8; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2374, eff Jan 1, 2002)*

312 IAC 5-6-9 Tippecanoe Lake; special watercraft zones

Authority: IC 14-10-2-4; IC 14-15-7-3

Affected: IC 14

Sec. 9. (a) Except as provided in subsection (b), a person must not operate a watercraft in excess of ten (10) miles per hour on Tippecanoe Lake in Kosciusko County west of the east entrance to an area known as Bellrohr Channel. Bellrohr Channel leads to a basin of Lake Tippecanoe that is sometimes referred to as Oswego Lake.

(b) Oswego Lake is exempted from subsection (a) and is controlled by 312 IAC 5-11-12. *(Natural Resources Commission; 312 IAC 5-6-9; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2374, eff Jan 1, 2002)*

312 IAC 5-6-10 West Chain of Lakes; special watercraft zones

Authority: IC 14-10-2-4; IC 14-15-7-3

Affected: IC 14

Sec. 10. (a) This section establishes special watercraft zones on the West Chain of Lakes in Noble County. The West Chain of Lakes includes each of the following:

- (1) Jones Lake.**
- (2) Steinbarger Lake.**
- (3) Tamarack Lake.**
- (4) Waldron Lake.**

(b) Except as provided in subsection (c), a person must not operate a watercraft in excess of ten (10) miles per hour on the West Chain of Lakes.

(c) Subsection (b) does not apply between 10 a.m. and 5 p.m. to the large basin of Waldron Lake. The large basin is bounded on the northeast by a channel to Steinbarger Lake and on the southwest by an opening into a smaller basin of Waldron Lake (defined by a line formed where the opening narrows to six hundred fifty (650) feet between opposite waterlines or shorelines). *(Natural Resources Commission; 312 IAC 5-6-10; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2374, eff Jan 1, 2002)*

Rule 7. Specified Navigable Waterways Other Than Lake Michigan; Restrictions

312 IAC 5-7-1 Watercraft operation restrictions on specified navigable waterways, other than Lake Michigan; applicability

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 1. (a) This rule establishes zones on specified navigable waterways, other than Lake Michigan and its tributaries in Lake, Porter, and LaPorte Counties, to govern the operation of watercraft for any of the following purposes:

- (1) Addressing unusual conditions or hazards.**
- (2) Fish, wildlife, or botanical resource management.**
- (3) The protection of users.**

(b) This rule may modify or supplement 312 IAC 6.

(c) In order to be effective, a zone established under this rule must be identified on-site by buoys placed under 312 IAC 5-4. *(Natural Resources Commission; 312 IAC 5-7-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2375, eff Jan 1, 2002)*

312 IAC 5-7-2 Kankakee River; watercraft speed zones

Authority: IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 2. A person must not operate a watercraft in excess of idle speed in Lake County and Newton County on the Kankakee River from the U.S. 41 bridge upstream for two (2) miles. *(Natural Resources Commission; 312 IAC 5-7-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2375, eff Jan 1, 2002)*

312 IAC 5-7-3 Ohio River embayments and tributaries; Arnolds Creek in Ohio County; watercraft speed zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 3. A person must not operate a watercraft in excess of idle speed on Arnolds Creek in Ohio County for two thousand four hundred fifty (2,450) feet upstream from the confluence of the Ohio River and Arnolds Creek. *(Natural Resources Commission; 312 IAC 5-7-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2375, eff Jan 1, 2002)*

312 IAC 5-7-4 Big Oil Creek, Perry County

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 4. A person must not operate a watercraft in excess of idle speed on Big Oil Creek in Perry County from buoys placed three hundred (300) feet downstream from the boat ramp for Bayou Ridge Campground to buoys placed three hundred (300) feet upstream from the boat ramp for Bayou Ridge Campground. *(Natural Resources Commission; 312 IAC 5-7-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2375, eff Jan 1, 2002)*

312 IAC 5-7-5 Ohio River embayments and tributaries; Bryant Creek and Turtle Creek in Switzerland County; watercraft speed zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 5. A person must not operate a watercraft in excess of idle speed for the following embayments and tributaries of the Ohio River located in Switzerland County:

(1) On Bryant Creek within two hundred (200) feet of a boat launching ramp located in the northeast quarter of the northwest quarter of the northwest quarter of section 34, township 2 north, range 1 west as designated by buoys placed by the department.

(2) On Turtle Creek for one thousand one hundred fifty (1,150) feet upstream from the confluence of the Ohio River and Turtle Creek.

(Natural Resources Commission; 312 IAC 5-7-5; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2375, eff Jan 1, 2002)

312 IAC 5-7-6 Deer Creek and its tributaries, Perry County

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 6. (a) A person must not operate a watercraft on Deer Creek or its tributaries in Perry County in excess of twenty (20) miles per hour.

(b) In addition to the restrictions established under subsection (a), a person must not operate a watercraft in excess of idle speed:

(1) on Deer Creek:

(A) from its mouth on the Ohio River to buoys placed six hundred (600) feet upstream from the confluence of Deer Creek with Little Deer Creek; or

(B) between buoys placed three hundred (300) feet downstream and three hundred (300) feet upstream of the State Road 66 bridge in section 5, township 7 south, range 2 west; and

(2) on Little Deer Creek to buoys placed three hundred (300) feet upstream from the confluence of Deer Creek with Little Deer Creek.

(Natural Resources Commission; 312 IAC 5-7-6; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2375, eff Jan 1, 2002)

312 IAC 5-7-7 Ohio River embayments and tributaries; Fourteenmile Creek in Clark County; watercraft operation zone
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 7. (a) Except as provided in subsection (b), a person must not operate a watercraft that is being propelled by an engine or motor on Fourteenmile Creek upstream from the confluence of the Ohio River to the Charlestown-Bethlehem Road (Old Highway 62) bridge.

(b) A person is exempted from subsection (a) if the person operates a watercraft that is being propelled by an electric motor. (*Natural Resources Commission; 312 IAC 5-7-7; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2376, eff Jan 1, 2002*)

312 IAC 5-7-8 Ohio River embayments and tributaries; Grants Creek in Ohio County and Switzerland County; watercraft speed zones
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 8. A person must not operate a watercraft in excess of idle speed on Grants Creek in Ohio County and Switzerland County for four thousand five hundred seventy-five (4,575) feet upstream from buoys placed by the department within the northeast quarter of the southeast quarter of the northeast quarter in section 28, township 3 north, range 1 west. (*Natural Resources Commission; 312 IAC 5-7-8; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2376, eff Jan 1, 2002*)

312 IAC 5-7-9 Ohio River embayments and tributaries; Indian-Kentuck Creek in Jefferson County; watercraft speed zones
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 9. A person must not operate a watercraft in excess of idle speed on Indian-Kentuck Creek in Jefferson County from the State Road 56 bridge upstream for three thousand two hundred (3,200) feet. (*Natural Resources Commission; 312 IAC 5-7-9; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2376, eff Jan 1, 2002*)

312 IAC 5-7-10 Ohio River embayments and tributaries; Laughery Creek in Dearborn County and Ohio County; watercraft speed zones
Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 10. A person must not operate a watercraft in excess of idle speed on Laughery Creek in Dearborn County and Ohio County within either of the following zones:

- (1) Beginning at Old State Road 56 then downstream to the confluence of the Ohio River and Laughery Creek.
 - (2) Beginning sixteen thousand five hundred (16,500) feet upstream of the confluence of the Ohio River and Laughery Creek then downstream to the western boundary of section 9, township 4 north, range 1 west.
- (*Natural Resources Commission; 312 IAC 5-7-10; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2376, eff Jan 1, 2002*)

312 IAC 5-7-11 Millstone Creek and Kelly Hollow, Perry County
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 11. A person must not operate a watercraft in excess of idle speed on Millstone Creek or on the waters of Kelly Hollow in Perry County. (*Natural Resources Commission; 312 IAC 5-7-11; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2376, eff Jan 1, 2002*)

312 IAC 5-7-12 Ohio River embayments and tributaries; Tanners, Wilson, North Hogan, and South Hogan Creeks in Dearborn County; watercraft speed zones
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8
Affected: IC 14

Sec. 12. A person must not operate a watercraft in excess of idle speed for the following embayments and tributaries of the Ohio River located in Dearborn County:

(1) On Tanners Creek for one thousand four hundred (1,400) feet upstream from buoys placed by the department in the southeast quarter of the northwest quarter of the southwest quarter of section 16, township 5 north, range 1 west.

(2) On Wilson Creek for two thousand two hundred (2,200) feet upstream from the confluence of the Ohio River and Wilson Creek.

(3) On North Hogan Creek for eight hundred (800) feet upstream from buoys placed by the department in the northwest quarter of the northwest quarter of the northeast quarter of section 32, township 5 north, range 1 west.

(4) On South Hogan Creek for one thousand nine hundred (1,900) feet upstream from buoys placed by the department in the northwest quarter of the northwest quarter of the northeast quarter of section 32, township 5 north, range 1 west.

(Natural Resources Commission; 312 IAC 5-7-12; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2376, eff Jan 1, 2002)

312 IAC 5-7-13 St. Joseph River in St. Joseph County; watercraft speed restrictions

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 13. (a) This section establishes special watercraft restrictions on the St. Joseph River in St. Joseph County.

(b) No person may operate a watercraft upon the St. Joseph River in St. Joseph County within a zone that lies between the Twin Branch Hydroelectric Dam and the western boundary of the zone. More particularly, the western boundary zone begins at the point that is located on the northern shore of the St. Joseph River that lies three hundred (300) feet from the nearest point of the Twin Branch Hydroelectric Dam. The line then runs parallel to the northern spillway and tainter gates of the dam for two hundred sixty (260) feet. The boundary line then turns one hundred twenty (120) degrees to the southeast and runs in a straight line for approximately two hundred sixty (260) feet to a point that is no closer than fifty (50) feet from the nearest point of the powerhouse of the dam. The boundary line then runs parallel to the powerhouse and ends at the south shore of the St. Joseph River. *(Natural Resources Commission; 312 IAC 5-7-13; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2377, eff Jan 1, 2002)*

312 IAC 5-7-14 Tippecanoe River in White County and Carroll County; watercraft speed restrictions

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 14. (a) This section governs the operation of watercraft on the Tippecanoe River in White County and Carroll County. Included are Lake Shafer, Lake Freeman, the navigable portions of Big Monon Creek, and their embayments.

(b) A person must not operate a watercraft at greater than idle speed on any of the following:

(1) The Tippecanoe River beginning at the Washington Street Bridge (U.S. Highway 24) located in Monticello and extending north to a water control structure known as the Norway Dam.

(2) The Tippecanoe River beginning at the Washington Street Bridge and extending south for ten thousand (10,000) feet. However, within a channel marked with buoys (placed by the department), a person may operate a watercraft at a speed not to exceed thirty (30) miles per hour, if the person does not tow a water ski, a water sled, a similar object, or a person.

(3) On an embayment of Lake Shafer formed by Timmon's Ditch (and sometimes referred to as Kean's Bay). The idle speed zone begins immediately east of a line running north and south at the mouth of Kean's Bay on the main body of Lake Shafer.

(4) On Big Monon Creek west of the bridge for Lake Shafer Drive.

(c) A person must not operate a watercraft in excess of twenty (20) miles per hour on an embayment of Lake Freeman formed by Snow Ditch and located northwest of the Oakdale Dam. The restricted zone shall be west of markers placed as follows:

(1) A monument shall be placed on the southeasterly most point of Clark Island in the mouth of the Snow Ditch Embayment and used as a turning point for the zone.

(2) The zone shall be marked with buoys in the water and a terrestrial marker on the island and on the western shore.

(3) North of Clark Island, the line shall be placed in a due northerly direction.

(4) South of Clark Island, the line shall angle southwesterly to the west shore where it will be marked by a monument placed at a thirty (30) degree angle from the monument on Clark Island.

(Natural Resources Commission; 312 IAC 5-7-14; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2377, eff Jan 1, 2002)

312 IAC 5-7-15 White River (West Fork); watercraft speed restrictions

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 15. Watercraft restrictions are established on the west fork of the White River and its embayments in Marion County as follows:

- (1) A person must not operate a watercraft in excess of idle speed within the channel that connects the embayment at the Landings Apartments to the White River.
- (2) A person must not operate a motorboat from the Indianapolis Water Company's low-head dam upstream to the 82nd Street Bridge, if the electronic measuring device of the United States Geological Survey (located at the 82nd Street Bridge) registers at least eleven (11) feet. This elevation is seven hundred twenty-one and ninety-four hundredths (721.94) feet above mean sea level.

(Natural Resources Commission; 312 IAC 5-7-15; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2377, eff Jan 1, 2002)

Rule 8. Lake Michigan; Restrictions

312 IAC 5-8-1 Watercraft operation restrictions on Lake Michigan and its navigable tributaries in Lake, Porter, and LaPorte Counties; applicability

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 1. (a) This rule establishes zones on Lake Michigan and its tributaries in Lake, Porter, and LaPorte Counties to govern the operation of watercraft for any of the following purposes:

- (1) Addressing unusual conditions or hazards.
- (2) Fish, wildlife, or botanical resource management.
- (3) The protection of users.

(b) This rule may modify or supplement 312 IAC 6.

(c) In order to be effective, a zone established under this rule must be identified on-site by buoys placed under 312 IAC 5-4.

(Natural Resources Commission; 312 IAC 5-8-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2377, eff Jan 1, 2002)

312 IAC 5-8-2 Lake County waters of Lake Michigan; watercraft restrictions

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 2. A person must not operate a watercraft in the following Lake County zones on Lake Michigan:

(1) Near Hammond, adjacent to lands managed by the Hammond Department of Parks and Recreation, at the following locations:

(A) The site known as the Lake Front Beach with:

- (i) the western boundary beginning at the Southern Electric Company breakwall and the Lake Michigan shoreline extending lakeward and perpendicular to the shoreline for two hundred (200) feet;
- (ii) the eastern boundary beginning at a point one thousand two hundred (1,200) feet from the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and
- (iii) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.

(B) The site known as the Hammond Marina Beach with:

- (i) the western boundary beginning at a point two thousand four hundred (2,400) feet east of the Southern Electric breakwall and the Lake Michigan shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet;
- (ii) the eastern boundary at the Hammond Marina breakwall and the Lake Michigan shoreline extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and
- (iii) the northern boundary formed by a line running parallel to the shoreline terminating at the lakeward-most points of the eastern boundary and the western boundary.

(2) Near Whiting, adjacent to the Whihala Beach County Park at the following locations:

(A) The site known as the West Swimming Beach with:

- (i) the western boundary beginning at the intersection of the Whihala Beach County Park fishing pier and the Lake Michigan shoreline and extending lakeward and parallel to the fishing pier for two hundred (200) feet;**
- (ii) the eastern boundary beginning at a point three hundred eighty (380) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and**
- (iii) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.**

(B) The site known as the Pocket Beach with:

- (i) the western boundary beginning at a point one thousand (1,000) feet east of the Whihala Beach County Park fishing pier and extending lakeward and perpendicular to the shoreline for two hundred (200) feet;**
- (ii) the eastern boundary beginning at a point five hundred ten (510) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and**
- (iii) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.**

(C) The site known as the East Swimming Beach with:

- (i) the eastern boundary beginning at the intersection of the western breakwater of the boat launch facility at Whihala Beach County Park and the Lake Michigan shoreline and extending lakeward and parallel to the breakwater for two hundred (200) feet;**
- (ii) the western boundary beginning at a point one thousand six hundred (1,600) feet west of the eastern boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and**
- (iii) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.**

(3) Adjacent to East Chicago, at a site known as the Jeorse Park Beach Swimming Area with:

- (A) the western boundary being formed by the breakwall of the Jeorse Park Beach front;**
- (B) the eastern boundary being formed by a north-south line aligned with the rock revetment located at the East Chicago corporation boundary; and**
- (C) the northern boundary being formed by a line running two hundred (200) feet from and parallel to the shoreline and terminating at the eastern boundary and the western boundary.**

(4) Adjacent to Gary, as follows:

(A) At a site known as the Lake Street Swimming Area with:

- (i) the western boundary beginning at the intersection of a line parallel to the eastern edge of the Lake Street parking lot and the Lake Michigan shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet;**
- (ii) the eastern boundary beginning at a point seven hundred ninety-eight (798) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and**
- (iii) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the western boundary and the eastern boundary.**

(B) At a site known as the Marquette Park Swimming Area with:

- (i) the western boundary beginning at the intersection of a line parallel to the western edge of the Marquette Park main parking lot and the Lake Michigan shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet;**
- (ii) the eastern boundary beginning at the intersection of the centerline of Montgomery Street and the Lake Michigan shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and**
- (iii) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the western boundary and the eastern boundary.**

(Natural Resources Commission; 312 IAC 5-8-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2378, eff Jan 1, 2002)

312 IAC 5-8-3 Porter County waters of Lake Michigan; watercraft restrictions

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 3. A person must not operate a watercraft in the following Porter County zones on Lake Michigan:

(1) Near Gary and Ogden Dunes, at a site adjacent to the Indiana Dunes National Lakeshore known as the West Beach Swimming Area, with:

- (A) the western boundary beginning at the intersection of the Lake-Porter County line and the shoreline and extending**

two hundred (200) feet lakeward along the county line;

(B) the eastern boundary beginning at the intersection of the Ogden Dunes pump house and the shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the western boundary and the eastern boundary.

(2) Adjacent to Porter, at a site known as the Porter Beach Association Swimming Area, with:

(A) the western boundary beginning at the intersection of the centerline of Dearborn Street and the shoreline and extending lakeward and perpendicular to the shoreline for a distance of two hundred (200) feet;

(B) the eastern boundary beginning at the intersection of the western edge of State Street and the shoreline and extending perpendicular to the shoreline for two hundred (200) feet; and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the western boundary and the eastern boundary.

(3) Adjacent to Porter, at a site known as the Porter Beach Swimming Area, with:

(A) the western boundary beginning at the intersection of the western edge of State Street and the shoreline and extending lakeward and perpendicular to the shoreline for a distance of two hundred (200) feet;

(B) the eastern boundary coextensive with the western boundary of the zone established in subdivision (4); and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the western boundary and the eastern boundary.

However, excluded from this zone is a boat channel, with its western boundary beginning at the intersection of the western edge of Wabash Street and the shoreline and extending entirely through the zone lakeward and perpendicular to the shoreline, and with its eastern boundary beginning at the intersection of the eastern edge of Wabash Street and the shoreline and extending lakeward and parallel to the western boundary of the boat channel.

(4) Adjacent to the Indiana Dunes State Park, at a site known as Indiana Dunes State Park Swimming Area, with:

(A) the western boundary beginning at the intersection of the western park boundary and the shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet;

(B) the eastern boundary beginning at a point one thousand eight hundred (1,800) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the western boundary and the eastern boundary.

(5) Near Beverly Shores, at a site adjacent to the Indiana Dunes National Lakeshore and known as the Kemil Beach Swimming Area, with:

(A) the western boundary at the eastern boundary of the Indiana Dunes State Park;

(B) the eastern boundary six hundred (600) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.

(6) Near Beverly Shores, at a site adjacent to the Indiana Dunes National Lakeshore and known as the Central Avenue Beach Swimming Area, with:

(A) the western boundary beginning on the shoreline four hundred (400) feet west of the intersection of the centerline of Central Avenue and the shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet;

(B) the eastern boundary eight hundred (800) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.

(Natural Resources Commission; 312 IAC 5-8-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2379, eff Jan 1, 2002)

312 IAC 5-8-4 LaPorte County waters of Lake Michigan and Trail Creek; watercraft restrictions

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 4. (a) A person must not operate a watercraft in the following LaPorte County zones on Lake Michigan:

(1) Adjacent to the Indiana Dunes National Lakeshore at a site known as the Mt. Baldy Beach Swimming Area, with:

(A) the western boundary beginning where the centerline of the north dune staircase would intersect the shoreline, if the staircase were extended due north, and extending lakeward from that point and perpendicular to the shoreline for two

hundred (200) feet;

(B) the eastern boundary three hundred (300) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.

(2) Adjacent to Michigan City, at a site known as the Washington Park Swimming Area, with:

(A) the western boundary beginning where the eastern edge of the Washington Park parking lot would intersect the shoreline, if the parking lot were extended due north, and extending lakeward from that point and perpendicular to the shoreline for two hundred (200) feet;

(B) the eastern boundary beginning at a point four hundred forty (440) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.

(b) A person shall not operate a watercraft at greater than idle speed in an unnamed channel that enters the east bank of Trail Creek approximately five hundred (500) feet upstream from the U.S. 12 bridge over Trail Creek in Michigan City. *(Natural Resources Commission; 312 IAC 5-8-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2380, eff Jan 1, 2002)*

Rule 9. Specified Waters Owned by Public Utilities; Restrictions

312 IAC 5-9-1 Watercraft operation restrictions on specified waters owned or controlled by public utilities; applicability

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 1. (a) This rule establishes zones on specified waters owned or controlled by public utilities to govern the operation of watercraft for any of the following purposes:

- (1) Addressing unusual conditions or hazards.**
- (2) Fish, wildlife, or botanical resource management.**
- (3) The protection of users.**

(b) In order to be effective, a zone established under this rule must be identified on-site by buoys placed under 312 IAC 5-4. *(Natural Resources Commission; 312 IAC 5-9-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2380, eff Jan 1, 2002)*

312 IAC 5-9-2 Geist Reservoir

Authority: IC 14-15-7-3

Affected: IC 14-15

Sec. 2. (a) This section establishes restrictions on the operation of watercraft in Geist Reservoir in Hamilton County, Marion County, and Hancock County.

(b) A person must not operate a watercraft at greater than idle speed in any of the following locations:

- (1) East of a line seven hundred (700) feet west and parallel to the Olio Road causeway.**
- (2) South of the Fall Creek Road bridge and causeway to a line one hundred (100) feet south and parallel to the western prolongation of the center line of 96th Street.**
- (3) In an area known as Devil's Elbow and more particularly described as east, south, and upstream from a line extended shoreline to shoreline six hundred (600) feet northwest of and parallel to a line defined by the following points:
 - (A) Commencing at the northeast corner of section 21, township 17 north, range 5 east, thence three thousand one hundred (3,100) feet west along the north line of the section to point 1.**
 - (B) Again commencing at the northeast corner of section 21, township 17 north, range 5 east, thence three thousand three hundred (3,300) feet west along the north line of the section, thence two hundred (200) feet south to point 2.****
- (4) In an area known as the Indianapolis Yacht Club Harbor and located east and southeast of a line within the southeast quarter of section 10 and part of the southwest quarter of section 11 in township 17 north, range 5 east, being more particularly described as beginning at a point which lies one hundred eighty (180) feet southeast from the east corner of the southeast abutment of the most westerly bridge over the reservoir, which point lies nineteen (19) feet northeast of the centerline of the pavement (assumed bearing of north fifty-four (54) degrees, ten (10) minutes west) of Fall Creek Road,**

thence across a bay of the reservoir north fifty-three (53) degrees, seventeen (17) minutes east one thousand one hundred eighty-six (1,186) feet, to the shoreline of the reservoir.

(5) In an area known as the Indianapolis Sailing Club Harbor, within the southeast quarter of section 10, township 17 north, range 5 east, and being more particularly described as commencing at the southeast corner of section 10, thence west along the south line of the section a distance of three thousand five hundred (3,500) feet, thence north at right angles to the south section line a distance of three hundred eighty (380) feet to the point of beginning of the description in this subdivision (assumed bearing of north twenty-three (23) degrees, thirty-seven (37) minutes west), thence a distance of seven hundred forty-six and four-tenths (746.4) feet to the north end of a retaining wall along the shoreline of the reservoir, thence following the meanders of the shoreline of the reservoir northeasterly, southerly, and southwesterly to the point of beginning.

(6) In an area known as Mast Head Bay, within the southeast quarter and part of the northeast quarter of section 9, township 17 north, range 5 east, and more particularly described as upstream and north of Fall Creek Road and east of Geist Road.

(7) In an area known as Cocktail Cove.

(8) North of 96th Street and west of Olio Road in Fall Creek Township, Hamilton County. The zone is the area east of an arc formed commencing at the point where the idle zone described in subdivision (4) intersects the east shoreline, then extending northward and connecting with the chain of islands and including the embayments east of the chain of islands, to a point four thousand (4,000) feet from the point of beginning.

(c) A person must not operate a watercraft within a rectangular area within the reservoir three hundred (300) feet and parallel to the concrete crest of the dam spillway and extending one hundred (100) feet along the dam from the east and west abutments of the dam spillway. The overall dimensions of the zone created by this subsection are three hundred (300) feet by seven hundred (700) feet.

(d) No person shall anchor a watercraft or tie a watercraft to another watercraft (except to tow a watercraft from one (1) point to another) in a traveled portion of the reservoir so as to do either of the following:

- (1) Interfere with the safe passage of another watercraft.
- (2) Create a safety hazard to any person.

(Natural Resources Commission; 312 IAC 5-9-2; filed Mar 23, 2001, 2:50 p.m.; 24 IR 2380, eff Jan 1, 2002)

312 IAC 5-9-3 Morse Reservoir

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3; IC 14-29-1-8

Affected: IC 14

Sec. 3. (a) This section establishes restrictions on the operation of watercraft on Morse Reservoir in Hamilton County.

(b) A person must not operate a watercraft at greater than idle speed in any of the following locations:

- (1) North of a line eight hundred (800) feet south and parallel to 236th Street.
- (2) Between Carrigan Road and a line four hundred (400) feet south and parallel to Carrigan Road.
- (3) East of a line extended shoreline to shoreline defined by the following points:
 - (A) Commencing at the northeast corner of section 23, township 19 north, range 4 east, thence one thousand five hundred (1,500) feet west along the north line of the section, thence one thousand one hundred (1,100) feet south to point 1.
 - (B) Again commencing at the northeast corner of section 23, township 19 north, range 4 east, thence one thousand seven hundred (1,700) feet west along the north line of the section, thence one thousand six hundred (1,600) feet south to point 2.
- (4) West of Little Chicago Road.
- (5) North, west, and upstream from a line extended shoreline to shoreline defined by the following points:
 - (A) Commencing at the southeast corner of section 22, township 19 north, range 4 east, thence west eight hundred (800) feet along the south line of the section, thence north one thousand one hundred fifty (1,150) feet to point 1.
 - (B) Again commencing at the southeast corner of section 22, township 19 north, range 4 east, thence west one thousand one hundred (1,100) feet along the south line of the section, thence north eight hundred fifty (850) feet to point 2.
- (6) Within part of the east half of section 14, township 19 of range 4 east and part of the west half of section 13, township 19, commencing at the southeast corner of the northeast quarter of the southeast quarter of section 14 (which point is the intersection of 209th Street and Stringtown Pike); thence north zero (0) degrees, forty-eight (48) minutes, and thirty-three (33) seconds one thousand thirty-eight and ninety-hundredths (1,038.90) feet along the east line of section 14; thence north

eighty-nine (89) degrees, eleven (11) minutes, and twenty-seven (27) seconds west one thousand forty-five and three-hundredths (1,045.03) feet to the point of beginning on the shoreline of Morse Reservoir on the northerly side of East Harbor section 3 addition; thence across the Morse Reservoir north twenty (20) degrees, twenty (20) minutes, and nineteen (19) seconds east two thousand one hundred twenty-nine (2,129) feet to a point on the shoreline; thence south, southeasterly, south, southwesterly, and westerly along the shoreline to the place of beginning, containing approximately thirty-nine (39) acres.

(c) A person must not operate a watercraft in the following locations:

- (1) Within three hundred (300) feet and parallel to the concrete crest of the dam spillway for the reservoir.
- (2) Within two hundred (200) feet from the shoreline of South Harbor beach.
- (3) Within two hundred (200) feet from the shoreline of Morse Park beach.

(Natural Resources Commission; 312 IAC 5-9-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2381, eff Jan 1, 2002)

Rule 10. Specified Lakes and Reservoirs with State or Federal Funding; Restrictions

312 IAC 5-10-1 Watercraft operation restrictions on specified lakes and reservoirs with state or federal funding; applicability

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3

Affected: IC 14

Sec. 1. (a) This rule establishes special watercraft zones on lakes and reservoirs financed either wholly or in part with state or federal funds.

(b) The zones established under this rule may do any of the following:

- (1) Provide for the safe operation of watercraft where unusual conditions or hazards exist.
- (2) Provide for the protection of any person who uses the lake or reservoir.
- (3) Establish quiet areas where the use of watercraft is limited or prohibited in order to aid fish and wildlife management.

(c) A zone established under this rule is identified on-site by buoys placed under 312 IAC 5-4.

(d) A person or watercraft doing business for the department is exempt from a provision which prohibits a person or watercraft from entering a zone. *(Natural Resources Commission; 312 IAC 5-10-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2382, eff Jan 1, 2002)*

312 IAC 5-10-2 Brookville Lake; special watercraft zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3

Affected: IC 14

Sec. 2. The following zones are established for Brookville Lake:

(1) A person must not operate a watercraft in excess of idle speed in any of the following locations:

- (A) Within three hundred (300) feet from the dam.
- (B) Within two hundred (200) feet from any shoreline.
- (C) In any area where the distance between opposite shorelines is not more than one thousand two hundred (1,200) feet.
- (D) Upstream from the east-west section line separating sections 4 and 9, township 10 north, range 2 west in Union County.

(2) From October 1 through March 1, a person must not (unless a license is issued by the department under this subdivision) operate a watercraft or enter the lake upstream from the Dunlapsville Causeway to the State Road 44 bridge and within the bounds of elevation seven hundred forty-eight (748) feet mean sea level.

(Natural Resources Commission; 312 IAC 5-10-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2382, eff Jan 1, 2002)

312 IAC 5-10-3 Cagles Mill Lake; special watercraft zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3

Affected: IC 14

Sec. 3. The following zones are established for Cagles Mill Lake:

(1) A person must not operate a watercraft in excess of idle speed in any of the following locations:

(A) Within the west fork embayment, north of the south line of the north half of the northeast quarter of section 13, township 12 north, range 5 west.

(B) Within the east fork embayment, north of the south line of the north half of the northeast quarter of section 18, township 12 north, range 4 west.

(C) Upstream from the south line of the north half of the northwest quarter of section 28, township 12 north, range 4 west to the Lower Cataract Falls.

(2) A person must not operate a watercraft from the base of the Lower Cataract Falls to the boundary of the Lieber State Recreation Area (where Mill Creek is crossed by the Old Covered Bridge).

(Natural Resources Commission; 312 IAC 5-10-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2382, eff Jan 1, 2002)

312 IAC 5-10-4 Cecil M. Harden Lake; special watercraft zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3

Affected: IC 14

Sec. 4. The following zones are established for Cecil M. Harden Lake where a person must not operate a watercraft in excess of idle speed:

(1) Upstream on Troutman's Branch north of the section lines between sections 16, 17, 20, and 21, township 15 north, range 6 west.

(2) On Raccoon Creek, upstream or north of a line commencing at a point eight hundred (800) feet north, seven hundred fifty (750) feet west of the southeast corner of section 10, township 15 north and range 6 west thence in a westerly direction to a point thirty (30) feet south of the Hollandsburg ramp.

(Natural Resources Commission; 312 IAC 5-10-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2383, eff Jan 1, 2002)

312 IAC 5-10-5 Hardy Lake; special watercraft zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3

Affected: IC 14

Sec. 5. The following zones are established for Hardy Lake in Scott and Jefferson Counties where a person must not operate a watercraft in excess of idle speed:

(1) On an embayment.

(2) Within two hundred (200) feet of a shoreline.

(3) South of the east-west center line of section 14, township 4 north, range 7 east beginning at the spillway and extending east to the closest point of land.

(4) Upstream from a northeast-southwest line across the lake. The northerly end of the line is approximately one thousand four hundred eighty (1,480) feet west and approximately three thousand sixty (3,060) feet south of the northeast corner of the southeast quarter of the northeast quarter of section 13, township 4 north, range 7 east. The southerly end of the line is approximately six hundred twenty-five (625) feet east and approximately one thousand fifty (1,050) feet north of the southwest corner of the northwest quarter of the northeast quarter of section 24, township 4 north, range 7 east.

(Natural Resources Commission; 312 IAC 5-10-5; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2383, eff Jan 1, 2002)

312 IAC 5-10-6 Huntington Lake; special watercraft zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3

Affected: IC 14

Sec. 6. The following zones are established for Huntington Lake where a person must not operate a watercraft in excess of idle speed:

(1) On an embayment.

(2) Within two hundred (200) feet of a shoreline.

(3) Within the timbered area on the north side of the lake and downstream from County Road 200E.

(4) Upstream from County Road 200E.

(Natural Resources Commission; 312 IAC 5-10-6; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2383, eff Jan 1, 2002)

312 IAC 5-10-7 Mississinewa Lake; special watercraft zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3

Affected: IC 14

Sec. 7. The following zones are established for Mississinewa Lake:

(1) A person must not operate a watercraft in excess of idle speed in any of the following locations:

- (A) On any embayment.**
- (B) Within two hundred (200) feet of a shoreline.**
- (C) Upstream from State Road 13.**

(2) From October 1 through January 15, a person must not (unless a license is issued by the department under this subdivision) either operate a watercraft or otherwise enter land or water administered by the department east of Red Bridge Road and above elevation seven hundred thirty-seven (737) feet mean sea level in sections 19 and 20, township 26 north, range 6 east, Wabash County.

(Natural Resources Commission; 312 IAC 5-10-7; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2383, eff Jan 1, 2002)

312 IAC 5-10-8 Monroe Lake; special watercraft zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3

Affected: IC 14

Sec. 8. The following zones are established for Monroe Lake:

(1) A person must not operate a watercraft in excess of idle speed in any of the following locations:

- (A) On any embayment less than one thousand five hundred (1,500) feet wide at its mouth.**
- (B) On the Moore Creek embayment north of the south section lines of sections 31 and 32, township 8 north, range 1 east.**
- (C) Northwest of a line between the most southeasterly point of the Fairfax Beach peninsula and the most southeasterly point of the Fairfax peninsula.**
- (D) East of the State Road 446 causeway.**

(2) A person must not, without a license issued by the department under this subdivision, either operate a watercraft or otherwise enter the following:

- (A) Within the Middle Fork Waterfowl Resting Area from October 1 through April 1. This area extends upstream from the line between Brown County and Monroe County to the south side of the north half of the northwest quarter of section 5, township 7 north, range 2 east.**
- (B) Within the North Fork Waterfowl Resting Area from October 1 through April 15. This area extends from the west side of the southeast quarter of the southeast quarter, section 22, township 8 north, range 1 east, to the south side of the southeast quarter of section 16, township 8 north, range 1 east.**

(Natural Resources Commission; 312 IAC 5-10-8; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2383, eff Jan 1, 2002)

312 IAC 5-10-9 Patoka Lake; special watercraft zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3

Affected: IC 14

Sec. 9. The following zones are established for Patoka Lake in Dubois County, Orange County, and Crawford County:

(1) A person must not operate a watercraft that tows a water ski, water sled, aquaplane, a similar object, or another person in any of the following locations:

- (A) South of a line commencing at a point on the south section line of section 14, township 1 south, range 3 west. The point is one thousand one hundred (1,100) feet west of the southeast corner of the section. The line continues west along the south line of section 14 to the nearest shoreline.**
- (B) East of a line commencing at a point on the east section line of section 16, township 1 south, range 2 west. The point is three thousand three hundred (3,300) feet north of the southeast corner of section 16, township 1 south, range 2 west. The point is three thousand three hundred (3,300) feet north of the southeast corner of section 16. The line continues north along the east lines of sections 16 and 9 to the nearest shoreline.**
- (C) South and east of a line commencing at a point which is three thousand eight hundred (3,800) feet north and four thousand five hundred (4,500) feet west of the southeast corner of section 35, township 1 south, range 2 west. The line continues north forty-seven (47) degrees east one thousand seven hundred (1,700) feet, then four (4) degrees west to a point on the north section line of section 35.**
- (D) South of a line commencing at a point which is four thousand four hundred (4,400) feet north and two thousand six hundred (2,600) feet west of the southeast corner of section 34, township 1 south, range 2 west. The line continues west and parallel to the south line of section 34 to the nearest shoreline.**

(2) A person must not operate a watercraft in excess of idle speed in any of the following locations:

- (A) South of a line commencing at a point on the east section line of section 26, township 1 south, range 3 west. The point**

is three thousand (3,000) feet north of the southeast corner of section 26. The line is parallel to the south line of section 26 and continues west from the point until it intersects with the nearest shoreline.

(B) South and east of a line commencing at a point on the east section line of section 26, township 1 south, range 3 west. The point is three thousand (3,000) feet north of the southeast corner of section 26. The line continues north from the point until it intersects with the nearest shoreline.

(C) West of a line commencing at a point which is one thousand two hundred (1,200) feet north and one thousand nine hundred (1,900) feet west of the southeast corner of section 14, township 1 south, range 3 west. The line continues north from the point and parallel to the east line of section 14 until it intersects with the nearest shoreline.

(D) North of a line commencing at a point on the east section line of section 14, township 1 south, and range 3 west. The point is three thousand one hundred (3,100) feet north of the southeast corner of section 14. The line continues from the point south seventy-three (73) degrees west to the nearest shoreline.

(E) North of a line commencing at a point on the south section line of section 12, township 1 south, range 3 west. The point is five hundred (500) feet east of the southwest corner of section 12. The line continues east along the south line of section 12 to the nearest shoreline.

(F) North of a line commencing at a point located in section 18, township 1 south, range 2 west. The point is three thousand two hundred (3,200) feet north and three thousand four hundred (3,400) feet west of the southeast corner of section 18. The line continues north eighty-seven (87) degrees east for five thousand seven hundred (5,700) feet, then south seventy-five (75) degrees east to the nearest shoreline.

(G) North of a line commencing at a point located in section 16, township 1 south, range 2 west. The point is three thousand seven hundred (3,700) feet west of the southeast corner of section 16. The line continues north thirty-two (32) degrees east to the nearest shoreline.

(H) North of a line commencing at a point located in section 16, township 1 south, range 2 west. The point is four thousand nine hundred (4,900) feet north and two thousand two hundred (2,200) feet west of the southeast corner of section 16. The line continues north seventy (70) degrees east to the nearest shoreline.

(I) North of a line commencing at a point located in section 10, township 1 south, range 2 west. The point is five hundred (500) feet north and four thousand two hundred (4,200) feet west of the southeast corner of section 10. The line continues south eighty (80) degrees east to the nearest shoreline.

(J) East of the State Road 145 causeway over Patoka Lake. The causeway is located in section 14, township 1 south, range 2 west.

(K) East of a line commencing at a point which is three thousand two hundred (3,200) feet north and two thousand six hundred (2,600) feet west of the southeast corner of section 21, township 1 south, range 2 west. The line continues north and parallel to the east line of section 21 to the nearest shoreline.

(L) North and east of a line commencing at a point on the south section line of section 26, township 1 south, range 2 west. The point is three thousand two hundred (3,200) feet west of the southeast corner of section 26. The line continues north thirty (30) degrees west to the nearest shoreline.

(M) South and east of a line commencing at a point on the west section line of section 1, township 2 south, range 2 west. The point is two thousand five hundred (2,500) feet north of the southwest corner of section 1. The line continues north eighty (80) degrees east five hundred (500) feet, then north forty-eight (48) degrees east to the nearest shoreline.

(N) South of a line commencing at a point on the east section line of section 2, township 2 south, range 2 west. The point is two thousand five hundred (2,500) feet north of the southeast corner of section 2. The line continues west and parallel to the south line of section 2 to the nearest shoreline.

(O) South of the State Road 45 causeway over Patoka Lake. The causeway is located in section 3, township 2 south, range 2 west.

(P) West of a line commencing at a point which is four thousand five hundred (4,500) feet north and two thousand seven hundred (2,700) feet west of the southeast corner of section 33, township 1 south, range 2 west. The line continues north and parallel to the east line of section 33 to the nearest shoreline.

(Q) South of a line commencing at a point located in section 21, township 1 south, range 2 west. The point is five hundred (500) feet north and five thousand two hundred (5,200) feet west of the southeast corner of section 21. The line continues north sixty-nine (69) degrees west to the nearest shoreline.

(R) South of a line commencing at a point located in section 20, township 1 south, range 2 west. The point is one thousand seven hundred (1,700) feet north and two thousand four hundred (2,400) feet west of the southeast corner of section 20. The line continues north fifty-five (55) degrees west to the nearest shoreline.

(S) South and east of a line commencing at a point on the east line of section 19, township 1 south, range 2 west. The point is three thousand six hundred (3,600) feet north of the southeast corner of section 19. The line continues south forty-six (46) degrees west for three thousand one hundred (3,100) feet, then north sixty-eight (68) degrees west to the nearest

shoreline.

(T) Any embayment where the distance between shorelines is not more than one thousand two hundred (1,200) feet.

(3) A person must not, without a license issued by the department under this subdivision, either operate a watercraft or otherwise enter from October 1 through March 1 into the areas set forth in this subdivision. From March 2 through September 30, a person must not operate a watercraft in the following areas in excess of idle speed:

(A) South of the State Road 164 causeway over Patoka Lake. The causeway is located in section 1, township 2 south, range 3 west.

(B) East of a line commencing at a point on the east section line of section 25, township 1 south, range 2 west. The point is two thousand three hundred (2,300) feet north of the southeast corner of section 25. The line continues north along the east line of section 25 to the nearest shoreline.

(C) South and east of a line commencing at a point on the west section line of section 1, township 2 south, range 2 west. The point is two thousand five hundred (2,500) feet north of the southwest corner of section 1. The line continues north eighty (80) degrees east five hundred (500) feet, then north forty-eight (48) degrees east to the nearest shoreline.

(D) South of a line commencing at a point on the east section line of section 2, township 2 south, range 2 west. The point is two thousand five hundred (2,500) feet north of the southeast corner of section 2. The line continues west and parallel to the south line of section 2 to the nearest shoreline.

(4) Notwithstanding subdivisions (2) and (3), the department may establish running channels for the safe and orderly flow of watercraft. A running channel established under this subdivision shall be designated by buoys. A person must not operate a watercraft in a running channel in excess of ten (10) miles per hour unless otherwise designated by buoys. A running channel does not authorize entry into a zone where watercraft and persons are excluded, under subdivision (3), from October 1 through March 1.

(Natural Resources Commission; 312 IAC 5-10-9; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2384, eff Jan 1, 2002)

312 IAC 5-10-10 Salamonie Lake; special watercraft zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3

Affected: IC 14

Sec. 10. The following zones are established for Salamonie Lake:

(1) A person must not operate a watercraft in excess of idle speed in any of the following locations:

(A) Within two hundred (200) feet of a shoreline.

(B) Within an embayment.

(C) Upstream from State Road 9.

(2) A person must not, without a license issued under this subdivision, either operate a watercraft or otherwise enter the following:

(A) From October 1 through January 15 within sections 23 or 30 of township 27 north, range 8 east (Huntington County).

(B) On or within three hundred (300) feet of the shoreline of Monument Island. The shoreline is determined when Salamonie Lake is at the seasonal pool level of seven hundred fifty-five (755) feet. The island is located in sections 23 and 30 of township 27 north, range 8 east (Huntington County).

(Natural Resources Commission; 312 IAC 5-10-10; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2385, eff Jan 1, 2002)

312 IAC 5-10-11 Summit Lake; special watercraft zones

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-18; IC 14-15-7-3

Affected: IC 14

Sec. 11. A person on Summit Lake must not do either of the following:

(1) Operate a watercraft in excess of idle speed.

(2) Operate a watercraft within the following zones:

(A) The embayment which contains the public swimming beach.

(B) Within two hundred (200) feet and parallel to the earthen embankment and spillway which form the lake.

(C) East of County Road 500E.

(Natural Resources Commission; 312 IAC 5-10-11; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2386, eff Jan 1, 2002)

Rule 11. Prohibition Against High Speed Watercraft on Specified Small Lakes; Exemptions

312 IAC 5-11-1 Exemptions from the prohibition against high speed watercraft on specified small lakes; applicability

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-10

Sec. 1. This rule exempts specified small lakes that contain more than seventy (70) acres from the prohibition under IC 14-15-3-10 against the operation of a motorboat at a rate of speed greater than ten (10) miles per hour. *(Natural Resources Commission; 312 IAC 5-11-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2386, eff Jan 1, 2002)*

312 IAC 5-11-2 Beaver Dam Lake, Dubois County; small lake watercraft exemption
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-10; IC 36-1-2-13

Sec. 2. (a) Beaver Dam Lake in Dubois County is a small lake that is owned, leased, or operated by the city of Jasper, a political subdivision as defined in IC 36-1-2-13.

(b) Beaver Dam Lake is exempt from the prohibition established under IC 14-15-3-10 against the operation of a motorboat in excess of ten (10) miles per hour each day of the week (Sunday through Saturday) from sunrise to sunset. *(Natural Resources Commission; 312 IAC 5-11-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2386, eff Jan 1, 2002)*

312 IAC 5-11-3 Big Cedar Lake, Whitley County; small lake watercraft exemption
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-8

Sec. 3. Big Cedar Lake in Whitley County is exempt from the prohibition established under IC 14-15-3-8 against the operation of a watercraft in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2386, eff Jan 1, 2002)*

312 IAC 5-11-4 Big Lake, Noble County
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-8

Sec. 4. Big Lake in Noble County is exempt from the prohibition established under IC 14-15-3-8 against the operation of a watercraft in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2386, eff Jan 1, 2002)*

312 IAC 5-11-5 Blue Lake, Whitley County
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-8

Sec. 5. Blue Lake in Whitley County is exempt from the prohibition established under IC 14-15-3-8 against the operation of a watercraft in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-5; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2386, eff Jan 1, 2002)*

312 IAC 5-11-6 Fox Lake, Steuben County; small lake watercraft exemption
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-8

Sec. 6. Fox Lake in Steuben County is exempt from the prohibition established under IC 14-15-3-8 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-6; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2386, eff Jan 1, 2002)*

312 IAC 5-11-7 Heaton Lake, Elkhart County; small lake watercraft exemption
Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3
Affected: IC 14-15-3-8

Sec. 7. Heaton Lake in Elkhart County is exempt from the prohibition established under IC 14-15-3-8 against the operation

of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-7; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2386, eff Jan 1, 2002)*

312 IAC 5-11-8 Little Long Lake, Steuben County; small lake watercraft exemption

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3

Affected: IC 14-15-3-8

Sec. 8. Little Long Lake in Steuben County is exempt from the prohibition established under IC 14-15-3-8 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-8; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2387, eff Jan 1, 2002)*

312 IAC 5-11-9 Lake Beaver Dam, Kosciusko County; small lake watercraft exemption

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3

Affected: IC 14-15-3-8

Sec. 9. Lake Beaver Dam in Kosciusko County is exempt from the prohibition established under IC 14-15-3-8 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-9; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2387, eff Jan 1, 2002)*

312 IAC 5-11-10 Lake of the Woods, LaGrange County and Steuben County; small lake watercraft exemption

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3

Affected: IC 14-15-3-8

Sec. 10. Lake of the Woods in LaGrange County and Steuben County is exempt from the prohibition established under IC 14-15-3-8 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-10; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2387, eff Jan 1, 2002)*

312 IAC 5-11-11 Loon Lake, Whitley County and Noble County; small lake watercraft exemption

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3

Affected: IC 14-15-3-8

Sec. 11. Loon Lake in Whitley County and Noble County is exempt from the prohibition established under IC 14-15-3-8 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-11; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2387, eff Jan 1, 2002)*

312 IAC 5-11-12 Oswego Lake, Kosciusko County; small lake watercraft exemption

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3

Affected: IC 14-15-3-8

Sec. 12. (a) Oswego Lake in Kosciusko County is a small lake connected by a natural channel to Tippecanoe Lake (a lake that has a surface area of more than three hundred (300) acres).

(b) Oswego Lake is exempt each day of the week (Sunday through Saturday) from sunrise to sunset from the prohibition established by IC 14-15-3-8 against the operation of a motorboat in excess of ten (10) miles per hour. *(Natural Resources Commission; 312 IAC 5-11-12; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2387, eff Jan 1, 2002)*

312 IAC 5-11-13 Pretty Lake, Marshall County; small lake watercraft exemption

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3

Affected: IC 14-15-3-8

Sec. 13. Pretty Lake in Marshall County is exempt from the prohibition established under IC 14-15-3-8 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-13; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2387, eff Jan 1, 2002)*

312 IAC 5-11-14 Shriner Lake, Whitley County; small lake watercraft exemption

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3

Affected: IC 14-15-3-8

Sec. 14. Shriner Lake in Whitley County is exempt from the prohibition established under IC 14-15-3-8 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-14; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2387, eff Jan 1, 2002)*

312 IAC 5-11-15 Skinner Lake, Noble County; small lake watercraft exemption

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3

Affected: IC 14-15-3-8

Sec. 15. Skinner Lake in Noble County is exempt from the prohibition established under IC 14-15-3-8 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-15; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2387, eff Jan 1, 2002)*

312 IAC 5-11-16 Yellow Creek Lake, Kosciusko County; small lake watercraft exemption

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-3-11; IC 14-15-7-3

Affected: IC 14-15-3-8

Sec. 16. Yellow Creek Lake in Kosciusko County is exempt from the prohibition established under IC 14-15-3-8 against the operation of a motorboat in excess of ten (10) miles per hour from 1 p.m. to 4 p.m. each day of the week (Sunday through Saturday). *(Natural Resources Commission; 312 IAC 5-11-16; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2387, eff Jan 1, 2002)*

Rule 12. Temporary Modification or Closure of Public Waters to Watercraft Operations

312 IAC 5-12-1 Authorization of the director to modify or close public waters to watercraft operations; applicability

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 4-21.5-4; IC 14

Sec. 1. (a) This rule controls the issuance by the director of a temporary order to modify, restrict, or close any public waters of this state to watercraft operations.

(b) A temporary order under this rule is subject to IC 4-21.5-4. *(Natural Resources Commission; 312 IAC 5-12-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2388, eff Jan 1, 2002)*

312 IAC 5-12-2 Notification of hazard; inspection

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14

Sec. 2. (a) As soon as practicable after receiving notice of an unusual condition and hazard upon any public waters of this state, a conservation officer shall inspect the site to determine the severity of the condition or hazard.

(b) A report of the inspection shall be made promptly to the director together with any recommendation for action. *(Natural Resources Commission; 312 IAC 5-12-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2388, eff Jan 1, 2002)*

312 IAC 5-12-3 Temporary order by director

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 14-15

Sec. 3. (a) The director may, by temporary order, modify or close public waters to watercraft operations if unusual conditions and hazards exist.

(b) A temporary order under subsection (a) may be issued to do any of the following:

(1) Close public waters to watercraft operations.

- (2) Restrict watercraft to daytime operations.
- (3) Prohibit the operation of motorboats.
- (4) Limit watercraft to operation not to exceed idle speed.
- (5) Impose any other restriction appropriate under IC 14-15.

(Natural Resources Commission; 312 IAC 5-12-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2388, eff Jan 1, 2002)

312 IAC 5-12-4 Public notification of temporary order

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

Affected: IC 4-21.5-4; IC 14

Sec. 4. The division shall make a reasonable and conscientious effort to inform the public of a temporary order made under section 3 of this rule. Notice shall include posting at places of entry to the public waters affected, by notification to the media, and as is otherwise practicable to persons who are required to comply with the order. *(Natural Resources Commission; 312 IAC 5-12-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2388, eff Jan 1, 2002)*

Rule 13. Equipment and Operational Standards on Waters of Concurrent Jurisdiction

312 IAC 5-13-1 Modification of equipment and operational standards on waters of concurrent jurisdiction; applicability

Authority: IC 14-10-2-4; IC 14-15-7-5

Affected: IC 14-15

Sec. 1. This rule varies the equipment and operational standards specified in IC 14-15 for waters of concurrent jurisdiction.

(Natural Resources Commission; 312 IAC 5-13-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2388, eff Jan 1, 2002)

312 IAC 5-13-2 Maintenance of life preservers on-board recreational watercraft operating on Lake Michigan and the Ohio River

Authority: IC 14-10-2-4; IC 14-15-7-5

Affected: IC 14

Sec. 2. (a) A person must not use a recreational watercraft unless at least one (1) personal flotation device is on-board for each person as follows:

- (1) Type I personal flotation device.
- (2) Type II personal flotation device.
- (3) Type III personal flotation device.

(b) A person must not use a recreational watercraft at least sixteen (16) feet long unless one (1) Type IV personal flotation device is on-board in addition to the total number of personal flotation devices required in subsection (a).

(c) Notwithstanding subsections (a) and (b), a Type V personal flotation device may be carried instead of a required personal flotation device if the Type V personal flotation device is approved by the United States Coast Guard for the activity in which the recreational watercraft is being used. *(Natural Resources Commission; 312 IAC 5-13-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2388, eff Jan 1, 2002)*

312 IAC 5-13-3 Firefighting equipment used on waters of concurrent jurisdiction

Authority: IC 14-10-2-4; IC 14-15-7-5

Affected: IC 14

Sec. 3. (a) A person must not use a motorboat less than twenty-six (26) feet long unless at least one (1) B-1 hand portable fire extinguisher (no fixed system) is maintained in the machinery space. This subsection does not apply if the motorboat is as follows:

- (1) Propelled by outboard motors.
- (2) Not carrying passengers for hire.
- (3) Constructed so explosive or flammable gases or vapors cannot be entrapped.

(b) A person must not use a motorboat at least twenty-six (26) feet long, but less than forty (40) feet long, unless at least

two (2) B-1 hand portable fire extinguishers (no fixed system) and one (1) B-1 hand portable fire extinguisher (fixed system) are maintained in the machinery space.

(c) A person must not use a motorboat at least forty (40) feet long, but less than sixty-five (65) feet long, unless at least three (3) B-1 hand portable fire extinguishers (no fixed system) and two (2) B-1 hand portable fire extinguishers (fixed system) are maintained in the machinery space.

(d) Where two (2) B-1 hand portable fire extinguishers are required under subsection (b) or (c), one (1) B-2 hand portable fire extinguisher may be substituted. *(Natural Resources Commission; 312 IAC 5-13-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2388, eff Jan 1, 2002)*

312 IAC 5-13-4 Whistles, bells, and gongs on waters of concurrent jurisdiction

Authority: IC 14-10-2-4; IC 14-15-7-5

Affected: IC 14-15-3-21

Sec. 4. (a) A watercraft less than twelve (12) meters long must be provided with a means for making an efficient sound signal.

(b) A watercraft at least twelve (12) meters long shall be provided with a whistle and a bell.

(c) A bell required under this section may be substituted by other equipment with the same sound characteristics if manual sounding is impracticable. *(Natural Resources Commission; 312 IAC 5-13-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2389, eff Jan 1, 2002)*

312 IAC 5-13-5 Water skiing on the Ohio River

Authority: IC 14-11-2-1; IC 14-15-7-5

Affected: IC 14-15-3-8; IC 14-15-3-20

Sec. 5. (a) The following requirements apply to the portions of the Ohio River on which Indiana and Kentucky have concurrent jurisdiction:

(1) A person must not operate a watercraft while towing or otherwise assisting the propulsion of a person on water skis, a water sled, a surfboard, a kite, or a similar device during the period from one (1) hour after sunset to one (1) hour before sunrise. A person must not manipulate any of the devices described in this subdivision on the water from one (1) hour after sunset to one (1) hour before sunrise.

(2) A person being towed on water skis, a surfboard, a kite, or a similar device must wear a Type I personal flotation device, a Type II personal flotation device, or a Type III personal flotation device.

(3) A person operating a watercraft which is towing a person on water skis, a surfboard, or a similar device must have on-board either of the following:

(A) In addition to the operator, a person at least twelve (12) years of age to act as an observer.

(B) A rear view mirror with at least a one hundred sixty (160) degree wide angle field of vision mounted to enable the operator to observe any person being towed.

(4) A person operating a watercraft which is towing a kite or a similar airborne device must have on-board, in addition to the operator, a person at least twelve (12) years of age to act as an observer.

(b) This section does not apply to a lawful race, regatta, or similar activity. *(Natural Resources Commission; 312 IAC 5-13-5; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2389, eff Jan 1, 2002)*

Rule 14. Watercraft Carrying Passengers for Hire

312 IAC 5-14-1 Watercraft carrying passengers for hire; delegation of authority; maintenance of equipment in a good and serviceable condition

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14

Sec. 1. (a) This rule governs the inspection, maintenance, and operation of watercraft carrying passengers for hire.

(b) The division director may authorize a qualified person, other than an employee of the department, to conduct an inspection or other function of the department under this rule.

(c) An owner must maintain all equipment associated with a watercraft carrying passengers for hire in a good and serviceable condition as determined by a marine inspector.

(d) All operations relating to a watercraft carrying passengers for hire must be performed by or on behalf of the owner according to good marine practice and standards. (Natural Resources Commission; 312 IAC 5-14-1; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2389, eff Jan 1, 2002)

312 IAC 5-14-2 Inspections of watercraft carrying passengers for hire

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14

Sec. 2. (a) Every watercraft carrying passengers for hire and its equipment shall be inspected by the department to determine the watercraft conforms to good marine practice and standards and to determine the watercraft otherwise conforms with this rule. An inspection shall be conducted at least as frequently as follows:

- (1) One (1) dockside inspection every year.**
- (2) One (1) drydock inspection every sixty (60) months.**

(b) The department may inspect a watercraft carrying passengers for hire at any other reasonable time. (Natural Resources Commission; 312 IAC 5-14-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2389, eff Jan 1, 2002)

312 IAC 5-14-3 Drydock inspections; shutoff valves for through-hull fittings

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14

Sec. 3. (a) A watercraft must satisfy a drydock inspection conducted by a marine inspector before carrying passengers for hire. The department shall subsequently require successful completion of a drydock inspection at intervals not to exceed sixty (60) months.

(b) Before an inspection, the owner must remove or store each of the following:

- (1) Fishing gear.**
- (2) Coolers.**
- (3) Personal belongings.**
- (4) Any other equipment that may impede the inspection process.**

(c) Before or during an inspection, the owner must do both of the following:

- (1) Open or remove all hatches or inspection ports.**
- (2) Cause the watercraft to be clean and orderly.**

(d) During an inspection, the owner must make available for inspection all of the following:

- (1) The hull and appendages.**
- (2) Propellers.**
- (3) Shafting.**
- (4) Stern bearings.**
- (5) Rudders.**
- (6) Through-hull fittings.**
- (7) Sea valves.**
- (8) Strainers.**
- (9) Outdrive units.**
- (10) Outboard power units.**
- (11) Entire interior and exterior of the watercraft.**

(e) To assure that a watercraft conforms to good marine practice and standards, a marine inspector may require the owner

of the watercraft to remove portions of the following:

- (1) Lining.
- (2) Decking.
- (3) Ceiling.
- (4) Any other obstructions to a complete inspection.

(f) An owner must fit any through-hull fittings located below the waterline of a watercraft with a readily accessible shutoff valve. The shutoff valve shall be located as closely as practicable to the through-hull fitting. *(Natural Resources Commission; 312 IAC 5-14-3; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2390, eff Jan 1, 2002)*

312 IAC 5-14-4 Main and auxiliary engines

Authority: IC 14-11-2-1; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14

Sec. 4. (a) A watercraft designed for inboard or inboard/outboard (stern drive) main engines shall be fitted with the appropriate number of engines.

(b) The main engine shall be an appropriate type and design for the propulsion requirements of the hull in which the engine is installed and shall be capable of operating at a constant marine load without exceeding design limitations.

(c) The head, block, and exhaust manifold of the main engine shall be water-jacketed and cooled by water from a pump. This subsection does not apply to a drystack exhaust system.

(d) If a main engine is fitted with an updraft or sidedraft carburetor, the carburetor shall have integral or properly connected drip collectors of adequate capacity for the return of all drip and overflow to the engine intake manifold.

(e) The exhaust pipe system of a main engine shall be:

- (1) gastight to the hull interior;
- (2) designed and installed to prevent water from returning to an engine;
- (3) accessible for complete inspection and repair; and
- (4) supported to prevent undue stress.

A hanger, bracket, or other support shall be made of fireproof material and installed to prevent heat from being transmitted to a combustible material. A water jacket, lag, shield, or another suitable guard shall be provided to protect an individual or a combustible material from contact with any hot surface.

(f) After consulting with the state boating law administrator, a boating inspector may establish special requirements, which conform to good marine practice and standards, to inspect and evaluate a main engine that uses:

- (1) steam;
- (2) electricity;
- (3) a gas turbine;
- (4) an air screw;
- (5) a hydraulic jet; or
- (6) another unusual mechanism.

(g) Any auxiliary engine must be installed on a watercraft according to good marine practice and standards. *(Natural Resources Commission; 312 IAC 5-14-4; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2390, eff Jan 1, 2002)*

312 IAC 5-14-5 Gasoline engines; ventilation

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14

Sec. 5. (a) A watercraft with a gasoline engine or fuel tank in an enclosed space must have a ventilation system that minimizes and safely removes flammable vapors. The ventilation system shall be constructed and installed as follows:

- (1) If a gasoline engine or fuel tank is in the same enclosed or interconnected compartment, at least two (2) supply ducts shall be located at an end or side of the compartment and extend halfway into the compartment so as to be lower than the

carburetor air intake. At least two (2) exhaust ducts, including one (1) that is power assisted, shall be located at the opposite end or side of the compartment and extend to the lowest portion of the compartment.

(2) If a gasoline engine and fuel tank is not in the same enclosed or interconnected compartment, each compartment shall be ventilated as described in subdivision (1). However, instead of providing ventilation, a separate fuel tank compartment may be treated with foam as approved by the United States Coast Guard.

(3) The exterior of a ventilation duct shall be fitted with a cowl, scoop, or louver (trimmed for maximum effectiveness) and properly elevated to prevent the return of flammable vapors to an enclosed space.

(b) A ventilation duct on a watercraft shall be as follows:

(1) Constructed of material that is noncombustible, gastight, and resistant to collapse.

(2) Installed so that low spots do not collect water and the ordinary collection of water in the bilge does not block the duct.

(3) Connected as directly as practicable to the lower portion of the compartment.

(4) Fastened and properly supported.

(c) The internal cross section of each intake and exhaust ventilation duct in a compartment shall be the same. The aggregate internal cross sectional area of the intake ventilation ducts shall be at least one and one-half (1½) square inches per foot of beam. Each round duct shall have an inside diameter of at least three (3) inches. Each rectangular duct shall have inside dimensions of at least two (2) inches by three and one-half (3½) inches.

(d) A cowl, scoop, or louver shall have a mouth area at least twice the required duct area. The mouth area shall be increased to compensate for screen wire. No damper shall be fitted to a duct.

(e) At least one (1) exhaust duct of each compartment required to be ventilated shall be fitted with a power operated exhaust blower with a pickup capacity of at least one hundred (100) cubic feet per minute and approved for marine use. The exhaust blower shall be installed as high above the bilges as practicable.

(f) If a helm position has a main engine ignition switch, both of the following must be satisfied:

(1) There is either:

(A) an exhaust blower at the helm that is independent from the ignition system; or

(B) a blower switch that has an automatic delay interlock with the ignition system.

(2) Posted in plain view of the operator, and as close to the ignition switch as practicable, is the notice, "Warning—Before starting engine(s) operate the blower(s)."

(Natural Resources Commission; 312 IAC 5-14-5; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2391, eff Jan 1, 2002)

312 IAC 5-14-6 Diesel engines; ventilation

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14

Sec. 6. (a) An enclosed or interconnected compartment that contains a diesel engine shall be provided with at least one (1) air supply duct at an end or side of the compartment and at least one (1) exhaust duct at the opposite end or side of the compartment. These ducts shall be installed, constructed, and fitted as required in section 5 of this rule for ducts for gasoline engines.

(b) An air supply duct shall be large enough for proper operation of a diesel engine and for the ventilation of vapors from the compartment.

(c) An exhaust duct shall have a goose-neck vent with an inside diameter of at least one and one-half (1½) inches. The duct is not required to be power assisted. *(Natural Resources Commission; 312 IAC 5-14-6; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2391, eff Jan 1, 2002)*

312 IAC 5-14-7 Fixed fuel tanks

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14

Sec. 7. (a) A fixed fuel tank on a watercraft must be installed as follows:

- (1) To permit examination with a minimum disturbance to the hull structure.
- (2) With adequate support and bracing to prevent movement. The support and braces shall be insulated from contact with the tank surfaces with a nonabrasive and nonabsorbent material.
- (3) With openings for fill and vent pipes and for fuel level gauges, where used, on the topmost surfaces of the tank. The tank shall not have openings in the bottom, sides, or ends, except that an opening fitted with a threaded plug or cap may be used for cleaning the tank.

(b) Fixed fuel tank piping must be installed as follows:

- (1) Fuel supply lines to the engine shall be tubing of copper, nickel-copper, steel, or United States Coast Guard approved Type A flexible fuel line and shall run as directly as practicable from the tank to the engine. Fuel supply lines shall have suitable support and a readily accessible manually operated, in-line shutoff valve installed as close to the fuel tank as practicable. Fuel supply lines shall have suitable protection from mechanical injury at supports and where passing through bulkheads and structural members.
- (2) Metal fuel supply lines shall be fitted with flexible vibration hose placed as closely as practicable to the engine.
- (3) A filling pipe shall be fitted to the highest point of the fuel tank and shall have an inside diameter of at least one and one-fourth (1¼) inches.
- (4) A fuel tank shall be fitted with a marine-type fuel gauge or a sounding pipe if sounding cannot be accomplished through the filling pipe.
- (5) A filling or sounding pipe shall not permit overflow of liquid or vapor to escape to the inside of a watercraft.
- (6) A vent pipe shall be connected to the top of the fuel tank and shall be as follows:
 - (A) Installed to prevent accidental water contamination of the fuel.
 - (B) Fitted with a removable flame screen at the point of termination.
 - (C) Having an inside diameter of at least seven-sixteenths ($\frac{7}{16}$) of an inch.
 - (D) Terminating on the hull exterior as far as practicable from hull openings and below the deck spaces.
- (7) No device shall allow fuel to be drawn below the decks.
- (8) Accessories in a fuel line shall be properly supported.

(c) The owner or operator of a watercraft with a fixed fuel system shall not transport fuel on-board the watercraft outside the fixed fuel system unless the fuel is transported in conjunction with an auxiliary outboard engine. Fuel may be transported only in portable fuel tanks provided by a manufacturer of outboard engines and shall be safely secured outside the engine or living compartment.

(d) During a fueling operation, a person must not smoke on-board a watercraft.

(e) During a fueling operation, the operator of a watercraft must not allow passengers on-board.

(f) A fixed fuel system shall be grounded by an electrical connection to a common ground, by welding or bolting to a metal bulkhead of a metal hull vessel or by electrical connection to the rudder, struts, or metal grounding plate. If flexible vibration hose is installed, metal grounding straps or wires shall maintain ground continuity. (*Natural Resources Commission; 312 IAC 5-14-7; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2391, eff Jan 1, 2002*)

312 IAC 5-14-8 Portable fuel tanks

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14

Sec. 8. (a) The operator of a watercraft with a portable fuel tank system must carry fuel on-board in an approved fuel tank.

(b) A portable fuel tank must be secured to prevent shifting while under way.

(c) A portable fuel tank must be connected to an approved flexible fuel line that is long enough to fill the tank without removal from its secured location. (*Natural Resources Commission; 312 IAC 5-14-8; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2392, eff Jan 1, 2002*)

312 IAC 5-14-9 Electrical systems

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14

Sec. 9. (a) An electrical system must be properly grounded and safe for any anticipated usage.

(b) Electrical wiring shall be placed as follows:

- (1) As high as practicable above the bilges.**
- (2) Supported with fasteners that will not damage the wiring or structural members of the watercraft.**
- (3) Protected against chafing where passing through bulkheads or other structural members.**

(c) An electrical storage battery must be as follows:

- (1) Compatible with the electrical system.**
- (2) Located so gas generated in charging the battery is properly ventilated.**
- (3) Easily accessible.**
- (4) Suitably supported and secured against shifting with the motion of the watercraft.**
- (5) Located in a tray or box which is liquid tight and large enough to retain normal spillage or boilover of the electrolyte. The tray or box shall be protected by noncorrosive material.**
- (6) Covered or otherwise suitably protected against an accidental short-circuiting of battery terminals.**

(Natural Resources Commission; 312 IAC 5-14-9; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2392, eff Jan 1, 2002)

312 IAC 5-14-10 Electrical equipment

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14

Sec. 10. (a) Electrical equipment, appliances, and fixtures installed on a watercraft must be insulated from exposed metal parts by an electrical insulating material suitable for use in damp locations and must be properly connected to the electrical ground system of the watercraft. Electrical equipment, appliances, and fixtures installed or used in machinery spaces or where flammable vapors may be present shall be designed, enclosed, or protected to prevent ignition of the flammable vapors.

(b) Switches, circuit breakers, and fuse boxes or blocks on a watercraft must be either:

- (1) approved by Underwriters Laboratories for marine use; or**
- (2) a type commonly manufactured for use on a watercraft.**

The devices described in this subsection shall have suitable protection against accidental shorting. *(Natural Resources Commission; 312 IAC 5-14-10; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2392, eff Jan 1, 2002)*

312 IAC 5-14-11 Bilge pumps and bailout devices

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14

Sec. 11. (a) A watercraft constructed with bilges or enclosed spaces below the decks must be fitted with at least two (2) electrical bilge pumps. All bilge areas must be accessible by a bilge pump.

(b) A bilge pump must be equipped with an indicator light or an alarm system. At least one (1) of the bilge pumps must activate automatically if excessive water accumulates in the bilges.

(c) A bilge pump indicator light must be located at the helm position used most often and as close to the bilge pump switch as practicable.

(d) A watercraft must be equipped with a bailing device that is manually operated. *(Natural Resources Commission; 312 IAC 5-14-11; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2393, eff Jan 1, 2002)*

312 IAC 5-14-12 Passenger capacity

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14

Sec. 12. (a) The maximum passenger capacity on a watercraft is the greatest number that results from application of the

following alternative formulae:

(1) For a watercraft that does not have a watercraft capacity plate, the following:

(A) One (1) passenger per thirty (30) inches of rail space available to passengers at the sides and across the transom of the watercraft.

(B) One (1) passenger for ten (10) square feet of deck available for passenger use. In computing deck area, the areas occupied by concession stands, toilets and washrooms, companionways, and stairways are excluded.

(C) One (1) passenger per eighteen (18) inches of width of fixed seating.

(2) For a watercraft that has or is required to have a watercraft capacity plate, the following:

(A) (Weight capacity minus maximum motor and gear weight) 150 = number of passengers.

(B) (Watercraft length multiplied by watercraft beam) 15 = number of passengers.

(b) The marine inspector shall calculate the number of passengers that may safely be transported on a watercraft carrying passengers for hire. The number shall be set forth on the certificate of inspection. (*Natural Resources Commission; 312 IAC 5-14-12; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2393, eff Jan 1, 2002*)

312 IAC 5-14-13 Repairs and alterations; reinspections

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14

Sec. 13. (a) If a watercraft is involved in an accident resulting in damage, including grounding, or is to be hauled out and drydocked for major repairs or alterations affecting the seaworthiness of the watercraft, the owner must immediately report to the department the nature of the damage repairs or alterations. Damage does not include breakage of glass, lights, or decorative items.

(b) All repairs and alterations shall be approved in advance by the marine inspector. A marine inspector may require drawings, sketches, or written specifications.

(c) A watercraft must not be returned to service or returned to the water until all repairs or alterations are completed and the watercraft is reinspected and approved by a marine inspector. A marine inspector shall reinspect the watercraft as soon as practicable after being notified alterations are completed.

(d) If corrections or repairs to a watercraft or associated equipment result from an inspection by a marine inspector, the owner must notify the marine inspector before returning the watercraft to service or to the water. A marine inspector shall reinspect the watercraft as soon as practicable after being notified repairs are completed.

(e) A marine inspector shall require an owner to remove a watercraft from the water or to correct any equipment or condition that poses a safety hazard.

(f) The department shall deny the issuance of a certificate of inspection if a watercraft is determined to be unsafe to carry passengers for hire.

(g) Notification to the department is not required for general maintenance drydocking or hauling out. (*Natural Resources Commission; 312 IAC 5-14-13; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2393, eff Jan 1, 2002*)

312 IAC 5-14-14 Dockside inspections

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14

Sec. 14. During a dockside inspection, the owner of a watercraft shall do both of the following:

(1) Submit all required safety apparatus for dockside inspection.

(2) Operate all machinery, steerage, and bilge pumps as needed to determine if they are in satisfactory condition and fit for safe and constant operation.

(*Natural Resources Commission; 312 IAC 5-14-14; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2394, eff Jan 1, 2002*)

312 IAC 5-14-15 Main engine gauges

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 15. On a watercraft designed for inboard or inboard/outboard (stern drive) main engines, the following gauges shall be readable from each helm position:

- (1) A gauge to indicate the main engine cooling water temperature for each main engine.
- (2) A gauge to indicate main engine lubrication oil pressure for each main engine.

(Natural Resources Commission; 312 IAC 5-14-15; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2394, eff Jan 1, 2002)

312 IAC 5-14-16 Personal flotation devices (life preservers)

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 16. (a) If a marine inspector determines a personal flotation device carried on-board a watercraft is not in good and serviceable condition, the marine inspector shall write on the personal flotation device that the device is no longer serviceable. The owner of a watercraft must immediately replace any non-serviceable personal flotation device or must reduce the number of passengers carried on-board the watercraft so as not to exceed the number of serviceable personal flotation devices carried.

(b) Each personal flotation device must be carried in a suitable location that is readily accessible to passengers.

(c) A container for personal flotation devices must be clearly marked "Life Preservers" and must set forth the number of serviceable devices. Letters and numbers must be at least one (1) inch high and must be a color contrasting with the color of the container. The container shall indicate the size of the devices. Differing sizes must be separately stored.

(d) A personal flotation device on a documented watercraft must be marked with the name or documentation number of the watercraft in characters at least one (1) inch high which contrast with the color of the device.

(e) A personal flotation device on an undocumented watercraft must be marked with the name or registration number of the watercraft in characters at least one (1) inch high which contrast with the color of the device. *(Natural Resources Commission; 312 IAC 5-14-16; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2394, eff Jan 1, 2002)*

312 IAC 5-14-17 Fire extinguishers

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5
Affected: IC 14

Sec. 17. (a) A watercraft must be equipped with at least the minimum number of portable fire extinguishers located as follows:

Compartmented Watercraft	Class	Minimum Number of Extinguishers	Locations
Less than 26 feet	B1	2	Helmsman's position and cabin
26 feet to less than 40 feet	B1	3	Accessible to the engine compartment, helmsman's position, and galley
40 feet or over	B1	4	Accessible to the engine compartment, helmsman's position, crew quarters, and galley

(b) Where at least three (3) B1 units are required, the extinguishing capacity may consist of a small number of B2 units if each location is protected with a readily accessible extinguisher.

(c) The owner of a watercraft shall regularly examine all fire extinguishers for tampering, corrosion, and other damage.

(d) A foam extinguisher must be annually discharged, cleaned, inspected for mechanical defects or corrosion, and

recharged.

(e) A dry chemical extinguisher must maintain the specified chemical weight. The cartridge must be reweighed annually. A cartridge that weighs less than specified must be replaced with a full cartridge or recharged. An extinguisher with a gauge must be recharged if the pressure falls below the prescribed operating limits.

(f) A carbon dioxide extinguisher must be reweighed annually. A cylinder must be recharged which weighs less than the weight indicated on the name-plate.

(g) The maintenance required under subsections (c) through (e) shall be performed by a qualified firefighting equipment repair service. *(Natural Resources Commission; 312 IAC 5-14-17; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2394, eff Jan 1, 2002)*

312 IAC 5-14-18 First aid equipment; emergency procedures

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14

Sec. 18. (a) The owner shall maintain on-board a watercraft at least one (1) standard sixteen (16) unit first aid kit.

(b) The owner must post, in a conspicuous location on-board the watercraft, an emergency procedures list to include the following:

(1) The following for radio-telephone distress:

(A) Switch to channel 16 (United States Coast Guard).

(B) Signal "MAYDAY" three (3) times.

(C) Give the boat name, type, and color.

(D) Give the position.

(E) Describe the emergency.

(2) The following for a person overboard:

(A) Post a lookout.

(B) Throw over a flotation device or the water light.

(C) Do not jump into the water unless the person is a small child, elderly, or handicapped.

(D) Maneuver to return for pickup.

(E) Use additional markers.

(F) Get victim on-board.

(G) Call for help if necessary.

(3) The following for an explosion:

(A) Be ready to go overboard with personal flotation device (life preserver).

(B) When clear of danger, account for all passengers and assist.

(C) Stay together.

(4) The following for a fire:

(A) If possible, use fire extinguisher.

(B) If practicable, jettison burning materials.

(C) Reduce air supply.

(D) Assemble at opposite end of boat.

(E) Prepare to abandon ship. Put on life preserver and signal for help by radio or any means available.

(5) The following for leaks or damage control:

(A) Put on life preserver.

(B) Check bilge pump operation.

(C) Pull up all decks and floorboards to search for leaks.

(D) Slow or stop boat as needed. You may need to stay on plane to keep hole above water if appropriate.

(E) Stop engine, close sea cock for engine cooling, disconnect hose and place end in bilge. Start engine to act as bilge pump.

(F) Cover large hole from outside of boat with mattress or similar device.

(G) Use radio to call for help. Channel 16 (United States Coast Guard).

(Natural Resources Commission; 312 IAC 5-14-18; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2395, eff Jan 1, 2002)

312 IAC 5-14-19 Cooking and heating appliances

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14

Sec. 19. (a) While carrying passengers, galley stoves shall be operated only by the owner, the operator, or a crew member. The owner, the operator, or a crew member shall be present in the galley if the galley stove is being operated.

(b) Heating and cooking appliances must be each of the following:

- (1)** Electrically powered.
- (2)** Commonly manufactured for use on-board a watercraft.
- (3)** Installed in adequately ventilated areas.
- (4)** Securely fastened to the watercraft.

(c) Woodwork and other combustible materials immediately surrounding heating appliances must be effectively insulated with noncombustible material. *(Natural Resources Commission; 312 IAC 5-14-19; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2395, eff Jan 1, 2002)*

312 IAC 5-14-20 Visual distress signals

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14

Sec. 20. (a) The owner of a watercraft which operates on navigable waters shall have on-board the watercraft at least one (1) option from the following Coast Guard-approved visual distress signals:

Option	Number Required	Type	Accepted
(1)	3	Hand-held red flare with manufactured date of October 1, 1980, or later	Day and night
(2)	3	Hand-held, rocket-propelled parachute red flare	Day and night
(3)	1	Orange flag distress signal for boats and electric distress light for boats	Day only Night only
(4)	3	Floating or hand-held orange smoke and electric distress light for boats	Day only Night only
(5)	3	Floating or hand-held orange smoke and option (1) or option (2)	Day only Day and night
(6)	1	Orange distress flag for boats and option (1) or option (2)	Day only Day and night

(b) A person must not display a visual distress signal on the waters of the state except in an emergency.

(c) A Coast Guard-approved electric distress light for boats that activates automatically upon contact with the water and flashes a high intensity light (CG 161.010) meets the nighttime requirements of this section.

(d) The owner must have on-board the watercraft at least one (1) portable battery operated light (flashlight) that is powered by D cells or larger size batteries. *(Natural Resources Commission; 312 IAC 5-14-20; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2395, eff Jan 1, 2002)*

312 IAC 5-14-21 Certificate of inspection; issuance; posting; revocation

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 4-21.5-3-8; IC 4-21.5-4; IC 14-15

Sec. 21. (a) Upon satisfactory completion of the required drydock and annual dockside inspections, the department shall issue a certificate of inspection to expire on May 31 of the following year. The department may extend the expiration date for a period not to exceed thirty (30) days if an inspection is incomplete on May 31.

(b) The owner shall frame the certificate of inspection under transparent material and post the certificate conspicuously

on the watercraft. However, if posting is impracticable, the certificate shall be kept on-board and shown on demand.

(c) Stickers shall be issued with each certificate and affixed conspicuously to the port and starboard sides of the watercraft.

(d) The department may, under IC 4-21.5-3-8 or IC 4-21.5-4, revoke a certificate issued under this section for any of the following reasons:

(1) Changes occur to a watercraft after the issuance of the certificate so that the watercraft no longer meets the minimum standards for certification.

(2) The owner, the captain, or a crew member violates IC 14-15 or this rule.

(3) Information significant to the issuance of the certificate has been falsified or concealed.

(Natural Resources Commission; 312 IAC 5-14-21; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2396, eff Jan 1, 2002)

312 IAC 5-14-22 Pilot's license; display

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14

Sec. 22. The license of a pilot operating a watercraft carrying passengers for hire shall be framed under transparent material and posted conspicuously on the watercraft. If display is impracticable, the pilot's license shall be carried on-board and shown on demand. A pilot's license is not required for a watercraft operating solely on inland waters. *(Natural Resources Commission; 312 IAC 5-14-22; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2396, eff Jan 1, 2002)*

312 IAC 5-14-23 Marine liability insurance

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14

Sec. 23. The owner of a watercraft carrying passengers for hire must maintain marine liability insurance for bodily injury in the lesser of the following amounts:

(1) Eighty-five thousand dollars (\$85,000) per passenger per accident.

(2) One million dollars (\$1,000,000) in the aggregate.

(Natural Resources Commission; 312 IAC 5-14-23; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2396, eff Jan 1, 2002)

312 IAC 5-14-24 Watercraft carrying six or fewer passengers for hire (except sailboats)

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14-15-2-7; IC 14-15-2-8

Sec. 24. (a) This section establishes requirements for watercraft carrying six (6) or fewer passengers for hire, other than sailboats, which are supplemental to the other requirements of this rule.

(b) The requirements for deck rails are as follows:

(1) A watercraft must have deck rails or an equivalent protection at the periphery of weather decks, including the cockpit, that are accessible to the passengers and crew. The top rail course of the deck rails shall be at least twenty-six (26) inches above the deck. However, this subdivision does not apply to an open boat operating exclusively on rivers.

(2) Deck rails must consist of evenly spaced horizontal courses. The spacing between courses must not be greater than thirteen (13) inches. Rail courses are not required if the space between the top rail course and the deck is fitted with a bulwark, chain link fencing, wire mesh, or an equivalent protection.

(3) A watercraft with a flying bridge must have suitable deck rails or an equivalent protection at the periphery of the flying bridge deck.

(4) An open boat that operates exclusively on rivers must have suitable deck rails or an equivalent protection.

(5) A deck rail may be removed or modified while a watercraft is anchored and passengers are engaged in a diving operation.

(c) The requirements for personal flotation devices and water lights are as follows:

(1) The owner of a watercraft, except an open boat operating exclusively on inland waters, must carry on-board one (1) Type I personal flotation device of proper size for each passenger and crew member. Each device shall be inspected during the dockside inspection.

(2) The owner of a watercraft shall affix in a suitable manner, to both the outside and the inside of each Type I personal flotation device, two hundred (200) square centimeters (approximately thirty-one and one-half (31.5) square inches) of Coast Guard-approved retroreflective material.

(3) The owner of a watercraft operating on navigable waters or inland lakes must have on-board the watercraft a ring life buoy at least twenty (20) inches in diameter. The ring life buoy must be properly marked, readily accessible, and suitably attached to at least fifty (50) feet of floating line.

(4) The owner of a watercraft, except an open boat operating exclusively on inland waters, must provide a Coast Guard-approved water light that is self-activating upon contact with the water. The light shall be stored in a readily accessible location near the ring life buoy. If the light is attached to a ring life buoy, the attachment line must be at least one (1) foot long.

(5) The owner of an open boat operating exclusively on inland waters must provide one (1) Type I personal flotation device, Type II personal flotation device, or Type III personal flotation device of proper size for each passenger or crew member. One (1) unicellular plastic foam Type IV throwable device must also be carried. Each device shall be inspected at the dockside inspection.

(d) The owner of a watercraft that operates on Lake Michigan must have on-board in good working condition a marine radio-telephone and a marine compass. The owner must maintain a current Federal Communication Commission operator's license for the marine radio-telephone.

(e) A watercraft, except an open boat or other watercraft where suitable privacy enclosures are not practicable, must be equipped with at least one (1) toilet which complies with IC 14-15-2-7 and IC 14-15-2-8. No bypass shall be attached to a system line or hose which will allow wastewater to be discharged into the waters of this state.

(f) The requirements for anchors and anchor lines are as follows:

(1) A watercraft must be equipped with an anchor of a suitable size and type.

(2) A line must be attached to the anchor by eye splice, thimble, and shackle. The anchor line must be readily available on-board the watercraft and must have a minimum length as follows:

(A) At least thirty (30) feet for a watercraft that operates exclusively on rivers.

(B) At least seventy-five (75) feet for a watercraft that operates exclusively on rivers and lakes other than Lake Michigan.

(C) At least seventy-five (75) feet attached to a sea anchor and at least one hundred fifty (150) feet attached to ground tackle for a watercraft that operates on Lake Michigan.

(Natural Resources Commission; 312 IAC 5-14-24; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2396, eff Jan 1, 2002)

312 IAC 5-14-25 Watercraft carrying more than six passengers for hire (except sailboats)

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14-15-2-7; IC 14-15-2-8

Sec. 25. (a) This section establishes requirements for watercraft carrying more than six (6) passengers for hire, other than sailboats, that are supplemental to the other requirements of this rule.

(b) A deck rail on a passenger deck must be at least thirty-six (36) inches high. The space between the top rail course and the deck must be fitted with a bulwark, chain link fencing, wire mesh, or an equivalent protection. Deck rails may be removed or modified while a boat is anchored and passengers are engaged in a diving operation.

(c) Fixed or portable seats must be placed so that aisles not more than fifteen (15) feet long are at least twenty-four (24) inches wide and aisles more than fifteen (15) feet long are at least thirty (30) inches wide. If seats are in rows, the distance from seat front to seat front must be at least thirty (30) inches. Seat spacing must provide for ready escape during a fire or another emergency.

(d) A watercraft that carries vehicles must have suitable chains, cable, or other barriers at the end of a vehicle runway. Suitable gates, rails, or other devices must also be installed as a continuation of the regularly required rails.

(e) The requirements for personal flotation devices and water lights are as follows:

(1) The owner of a watercraft must carry on-board one (1) Type I personal flotation device, Type II personal flotation device, or Type III personal flotation device of proper size for each passenger and crew member. Each device shall be

inspected at the dockside inspection.

(2) The owner of a watercraft shall affix in a suitable manner, to both the outside and the inside of each personal flotation device, two hundred (200) square centimeters (approximately thirty-one and one-half (31.5) square inches) of Coast Guard-approved retroreflective material.

(3) The owner of a watercraft must have on-board the watercraft a ring life buoy at least twenty (20) inches in diameter. The ring life buoy must be properly marked, readily accessible, and suitably attached to at least fifty (50) feet of floating line.

(4) The owner of a watercraft, except a watercraft operating exclusively on rivers, must provide a Coast Guard-approved water light that is self-activating upon contact with the water. The light shall be stored in a readily accessible location near the ring life buoy. If the light is attached to a ring life buoy, the attachment line must be at least one (1) foot long.

(f) A watercraft must be equipped with at least one (1) toilet that complies with IC 14-15-2-7 and IC 14-15-2-8. No bypass shall be attached to a system line or hose which will allow wastewater to be discharged into the waters of this state.

(g) Firefighting equipment must be provided as follows:

(1) In addition to the fire extinguishers required by section 17 of this rule, a power driven fire pump system shall be carried on-board a watercraft which is authorized to carry more than forty-nine (49) passengers. The power driven fire pump system shall be self-priming and large enough to discharge an effective stream from a hose connected to the highest outlet of the pump. The power driven fire pump may be driven by a propulsion engine or another source of power. The pump may also be connected by the bilge system to serve either as a fire pump or a bilge pump.

(2) The power driven fire pump system shall be adequate to allow any part of the watercraft to be reached with an effective stream of water from one (1) length of hose.

(3) At least one (1) length of fire hose shall be attached to each power driven fire pump or hydrant. Fire hose may be commercial hose or an equivalent which is not more than one and one-half (1½) inches in diameter or garden hose not less than five-eighths (5/8) inch nominal inside diameter. A fire hose shall be in one (1) piece and between twenty-five (25) and fifty (50) feet long. Garden hose must be a good commercial grade that includes each of the following:

(A) An inner tube.

(B) Plies made with braided cotton reinforcement.

(C) An outer cover made with rubber or an equivalent material.

(D) A commercial garden hose nozzle made with brass or an equivalent material.

(h) The requirements for anchors and anchor lines are as follows:

(1) A watercraft must be equipped with an anchor of a suitable size and type.

(2) A line must be attached to the anchor by eye splice, thimble, and shackle. The anchor line must be readily available on-board the watercraft and must have a minimum length as follows:

(A) At least thirty (30) feet for a watercraft that operates exclusively on rivers.

(B) At least seventy-five (75) feet for a watercraft that operates exclusively on rivers and lakes other than Lake Michigan.

(Natural Resources Commission; 312 IAC 5-14-25; filed Mar 23, 2001, 2:50 p.m.; 24 IR 2397, eff Jan 1, 2002)

312 IAC 5-14-26 Sailboats carrying passengers for hire

Authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-15-7-5

Affected: IC 14-15-2-7; IC 14-15-2-8

Sec. 26. (a) This section establishes requirements for watercraft carrying passengers for hire on sailboats that are supplemental to the other requirements of this rule.

(b) The requirements for deck rails are as follows:

(1) A sailboat must have deck rails or an equivalent protection at the periphery of weather decks, including the cockpit, that are accessible to the passengers and crew. The top course of the deck rails shall be located at least twenty-four (24) inches above the deck where accompanied by handgrabs and at least twenty-six (26) inches above the deck where not accompanied by handgrabs.

(2) Passengers must not be allowed forward of the cabin unless the deck rails are at least twenty-six (26) inches high.

(3) Deck rails must have evenly spaced courses. The spaces between courses shall be no more than twelve (12) inches on twenty-four (24) inch high deck rails and no more than thirteen (13) inches on twenty-six (26) inch high deck rails. Rail courses are not required where the space between the top rail course and the deck is fitted with a bulwark, chain link

fencing, wire mesh, or an equivalent protection.

(c) The requirements for personal flotation devices and water lights are as follows:

(1) The owner of a sailboat must carry on-board one (1) Type I personal flotation device of proper size for each passenger and crew member. Each device shall be inspected at the dockside inspection.

(2) The owner of a sailboat that operates on Lake Michigan shall affix in a suitable manner, to both the outside and the inside of each Type I personal flotation device, two hundred (200) square centimeters (approximately thirty-one and one-half (31.5) square inches) of Coast Guard-approved retroreflective material.

(3) The owner must have on-board the sailboat a ring life buoy at least twenty (20) inches in diameter. The ring life buoy must be properly marked, readily accessible, and suitably attached to at least fifty (50) feet of floating line.

(4) The owner of a sailboat must provide a Coast Guard-approved light that is self-activating upon contact with the water. The light shall be stored in a readily accessible location near the ring life buoy. If the light is attached to a ring life buoy, the attachment line must be at least one (1) foot long.

(d) The owner of a sailboat that operates on Lake Michigan must have on-board in good working condition a marine radio-telephone and a marine compass. The owner must maintain a current Federal Communication Commission operator's license for the marine radio-telephone.

(e) A sailboat, except an open boat or another sailboat where suitable privacy enclosures are not practicable, must be equipped with at least one (1) toilet that complies with IC 14-15-2-7 and IC 14-15-2-8. No bypass shall be attached to a system line or hose that will allow wastewater to be discharged into the waters of this state.

(f) The requirements for anchors and anchor lines are as follows:

(1) A sailboat must be equipped with an anchor of suitable size and type.

(2) A line must be attached to the anchor by eye splice, thimble, and shackle. The anchor line must be readily available on-board the sailboat and must have a minimum length as follows:

(A) At least thirty (30) feet for a sailboat that does not operate on Lake Michigan.

(B) At least seventy-five (75) feet attached to a sea anchor and at least one hundred fifty (150) feet attached to ground tackle for a watercraft which operates on Lake Michigan.

(Natural Resources Commission; 312 IAC 5-14-26; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2398, eff Jan 1, 2002)

SECTION 2. 310 IAC 2.1 IS REPEALED.

SECTION 3. SECTIONS 1 and 2 of this document take effect January 1, 2002.

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