

CHAPTER 6110
DEPARTMENT OF NATURAL RESOURCES
WATER SAFETY; WATER SURFACE USE

6110 0100 APPLICATION FOR WATERCRAFT
 LICENSE
 6110 0300 DISPLAY OF LICENSE NUMBER
 AND VALIDATION DECAL ON
 MOTORIZED WATERCRAFT
 6110 1000 ENFORCEMENT PENNANT
 6110 1200 NAVIGATION OF WATERCRAFT ON
 WATERS OF THE STATE, SAFETY
 EQUIPMENT
 6110 1400 CAPACITY PLATE INFORMATION
 REQUIREMENTS FOR
 WATERCRAFT CONSTRUCTED ON
 OR AFTER AUGUST 1, 1980

6110 1500 WATERWAY MARKERS
 6110 1600 MARKING OF LEGALLY
 DESIGNATED SWIMMING AREAS
 6110 1800 PLACEMENT OF TEMPORARY
 STRUCTURES AND BUOYS IN THE
 WATERS OF THE STATE
 6110 1900 REPORTS
 6110 2100 REIMBURSEMENT OF COUNTY
 SHERIFFS FOR SEARCH AND
 RESCUE OPERATIONS

6110.0100 APPLICATION FOR WATERCRAFT LICENSE.

Application for watercraft license shall be made to the commissioner of natural resources or authorized agents on a form the commissioner shall provide. The commissioner may specify the information required on the application, including that which may be required by federal regulation. A watercraft license number and certificate shall be issued by the commissioner upon receipt of the fee prescribed by law.

Statutory Authority: *MS s 86B.211*

History: *15 SR 2430*

6110.0300 DISPLAY OF LICENSE NUMBER AND VALIDATION DECAL ON MOTORIZED WATERCRAFT.

The license number on all watercraft, except nonmotorized canoes, kayaks, sailboats, sailboards, paddle boats, and rowing shells shall be securely affixed on each side of the forward half of the watercraft for which it was issued in such a position as to provide clear and legible identification. The letters and numerals must be of a color that contrasts with the background and may be decals or metal or may be painted. The letters and numerals shall read from left to right and shall not be less than three inches in height, of block type, of a stroke not less than one-half inch or more than three-fourths inch in width, not including a border. The license number shall be maintained so that it is clearly visible and legible, and the letter groups must be separated from the numeral groups by a space of not less than three inches nor more than four inches. Adjacent letters and numerals within each group must be spaced not less than one-half inch nor more than three-fourths inch apart. A state validation decal for the current license period must be affixed toward the stern of the boat and not more than four inches from the first or last letter of the license number on each side of the boat.

Statutory Authority: *MS s 86B.211*

History: *15 SR 2430*

6110.1000 ENFORCEMENT PENNANT.

The pennant required under Minnesota Statutes, section 86B.805, subdivision 2, shall be triangular in shape and of the following dimensions: four inches in depth at the staff and one foot in length. The pennant shall be of a blue background and bear a three-inch replica of the Minnesota state seal.

Statutory Authority: *MS s 86B.211*

History: *15 SR 2430*

6110.1200 NAVIGATION OF WATERCRAFT ON WATERS OF THE STATE; SAFETY EQUIPMENT.*[For text of subpart 1, see M.R.]***Subp. 2. Mode of operation of watercraft. Mode of operation:**

A. No person shall operate a watercraft in such a manner that its wash or wake will endanger, harass, or unnecessarily interfere with any other person or property.

B. No person shall operate a watercraft in any manner as to intentionally obstruct or interfere with the takeoff, landing, or taxiing of any aircraft.

C. No person shall operate a watercraft within 150 feet of a diver's warning flag (described in Minnesota Statutes, section 86B.601).

D. No person shall operate a watercraft in the vicinity of a lock and dam on the Mississippi River from Upper St. Anthony Falls through Lock and Dam Number Eight in violation of the following:

(1) In the marked restricted area 600 feet upstream or 150 feet downstream of the dam, including auxiliary locks not in service.

(2) At greater than a slow-no wake speed in the lock or lock approach area. "Slow-no wake," means the operation of a watercraft at the slowest possible speed necessary to maintain steerage, and in no case greater than five miles per hour.

(3) Enforcement, emergency, resource management, and other government personnel or contractors are exempt from this part when performing official duties or authorized work.

E. The operator of any watercraft, when signaled to do so by a conservation officer, sheriff, or sheriff's deputy shall bring the watercraft to a stop or maneuver it in a manner which will allow the officer to come alongside.

*[For text of subs 3 to 6, see M.R.]***Subp. 7. Lighting equipment. Lighting equipment:**

A. All motorized watercraft must display the correct lights for their class from sunset to sunrise when underway or at anchor.

Red and green lights must be visible at a distance of one mile and white lights at a distance of two miles.

B. The following terms are defined for the purpose of these rules:

(1) "Aft" means to the rear of the midlength measured from end to end of the hull over the deck excluding sheer.

(2) "All-round light" means a white light visible in an unbroken horizontal arc of 360 degrees.

(3) "Combination light" means a single fixture showing green to starboard and red to port, visible in an unbroken horizontal arc from dead ahead to 22.5 degrees abaft the beam on its respective side.

(4) "Forward" means forward of the midlength measured from end to end of the hull over the deck excluding sheer.

(5) "Masthead light" means a white light visible in an unbroken horizontal arc of 225 degrees, placed at or near the centerline of the watercraft. The light must be visible from dead ahead to 22.5 degrees abaft the beam on both sides of the watercraft. On motorboats less than 40 feet in length, this light must be at least three feet higher than the red and green lights. On motorboats 40 feet or more in length, this light must be at least nine feet above the gunwale.

(6) "Side lights" means separate fixtures, the one on the starboard side showing green and the one on the port side showing red, visible in an unbroken horizontal arc from dead ahead to 22.5 degrees abaft the beam on its respective side.

(7) "At the stem and at the stern" means as nearly as practicable at the stem and at the stern, respectively.

(8) "Stern light" means a white light placed at the stern, visible in an unbroken horizontal arc of 135 degrees. The light must be visible from dead astern to 22.5 degrees abaft the beam on both sides of the watercraft.

(9) "Visible," when applied to lights, means visible on a dark night with clear atmosphere. The prescribed visibility means minimum visibility, and does not restrict greater distance of visibility, provided that the navigation lights are primarily intended for navigation purposes and will not be confused with other lights.

C. The lighting system on each watercraft must be chosen from either subitem (1) or (2):

(1) Motorboats less than 40 feet in length must display the following:

(a) a combination light or separate sidelights and an all-round light at the stern when underway and not anchored; and

(b) an all-round light when anchored.

(2) Motorboats of any length must display the following:

(a) a combination light or separate sidelights, a masthead light, and a stern light when underway and not anchored; and

(b) an all-round light when anchored.

D. All nonmotorized watercraft when under way or anchored, between sunset and sunrise, shall carry aboard but not necessarily fixed to any part of the watercraft a minimum of one lantern or flashlight capable of showing a white light visible all around the horizon at a distance of two miles or more. The light or lantern shall be displayed in sufficient time to avoid collision with another watercraft.

E. When a watercraft is moored to a buoy authorized by a permit issued under part 6110.1800 it shall not be required to display the anchor light required in items C and D.

Statutory Authority: *MS s 86B.211*

History: *15 SR 2430*

6110.1400 CAPACITY PLATE INFORMATION REQUIREMENTS FOR WATERCRAFT CONSTRUCTED ON OR AFTER AUGUST 1, 1980.

[For text of subps 1 and 2, see M.R.]

Subp. 3. Definitions. The terms "safe power capacity" and "safe carrying capacity" used in Minnesota Statutes, section 86B.311, subdivision 1, shall be that capacity displayed on the manufacturer's capacity plate. If no such plate exists, the method referred to in either part 6110.1300, items B and C, or 6110.1400, subpart 2 shall be used to determine the capacity.

Statutory Authority: *MS s 86B.211*

History: *15 SR 2430*

6110.1500 WATERWAY MARKERS.

[For text of subpart 1, see M.R.]

Subp. 2. Channel marker buoys. Channel marker buoys:

A. Every channel marker buoy shall have the external form of a cylinder having a circular transverse cross-section not less than nine inches in diameter. Channel markers must extend at least 36 inches above the water.

B. Where channel marker buoys are placed to indicate the location of

a well defined boating channel, an all green buoy and an all red buoy shall be placed in opposition to each other to indicate the course of the channel is located between them. The red buoy or marker shall be situated on the right side of the channel when heading towards shore, or when heading upstream. A green flashing light shall be used in conjunction with a green buoy if it is to be lighted. When reflectorization is used with a green buoy, it shall be green in color and no less than a three-inch wide strip shall completely surround the buoy and shall be located at the top of the buoy. Number designations shall be odd. A red flashing light shall be used in conjunction with a red buoy if it is to be lighted. When reflectorization is used with a red buoy, it shall be red in color and no less than a three-inch wide strip shall completely surround the buoy and shall be located at the top of the buoy. Number designations shall be even.

[For text of subps 3 and 4, see M.R.]

Subp. 5. Regulatory and information signs and buoys. Regulatory and information signs and buoys:

[For text of items A to F, see M.R.]

G. No person shall operate any motor vehicle, snowmobile, all-terrain vehicle, ice boat, or any other conveyance used to transport persons over the ice on public waters of the state within 150 feet of a diver's warning flag described in Minnesota Statutes, section 86B.601.

[For text of items H and I, see M.R.]

J. Any sign may be reflectorized or fluorescent provided that the entire displayed surface is uniformly reflectorized or fluorescent.

[For text of item K, see M.R.]

Subp. 6. [Repealed, 15 SR 2430]

Subp. 7. **Milfoil areas.** Buoys or signs indicating an area that is infested with Eurasian water milfoil may be marked using a solid yellow sign or buoy. If a buoy is used, it shall be no less than four inches in diameter and extend at least 30 inches above the surface of the water. The words "Milfoil" or "Milfoil Area" must appear on opposing sides of the buoy in at least two-inch high black letters. If a sign is used, it shall be no more than 12 inches in width or more than 18 inches in height and extend at least 30 inches above the surface of the water at normal high water level. The words "Milfoil" or "Milfoil Area" must appear on the sign in at least two-inch high black letters.

Subp. 8. **Exceptions.** Whenever an emergency situation requires that immediate warning be given of a hazardous condition, any appropriate marker may be used until such time as the emergency ceases to exist or until a marker complying with these rules can be obtained. In addition, the commissioner or designee may exempt specific types of waterway markers or buoys from the dimensional requirements of this part where safety would not be adversely affected and may also designate buoys or markers for purposes not previously set forth in this part.

Statutory Authority: *MS s 86B.211*

History: *15 SR 2430*

6110.1600 MARKING OF LEGALLY DESIGNATED SWIMMING AREAS.

[For text of subps 1 and 2, see M.R.]

Subp. 3. [Repealed, 15 SR 2430]

Statutory Authority: *MS s 86B.211*

History: *15 SR 2430*

6110.1800 PLACEMENT OF TEMPORARY STRUCTURES AND BUOYS IN THE WATERS OF THE STATE.

[For text of subpart 1, see M.R.]

Subp. 2. Permit for temporary structure or buoy. The sheriff of any county may issue a permit for the placement of any such structure or buoy whenever, in the sheriff's opinion, the structure or buoy will not constitute an undue hazard to or illegal obstruction of navigation.

Each structure or navigational buoy placed pursuant to such permit shall have the permit number painted on it and shall have attached either a light visible in all directions, or sufficient reflectorized material so as to reflect light from all directions, which material shall retain 80 percent of its dry weather reflective signal strength when submerged in water.

Nothing in this part shall be construed to affect the provisions of Minnesota Statutes, section 103G.245, or the requirements for permits from the commissioner of natural resources thereunder, nor shall this part be construed to affect the construction of blinds built according to Minnesota Statutes, sections 97B.805 and 97B.811.

Statutory Authority: *MS s 86B.211*

History: *15 SR 2430*

6110.1900 REPORTS.

Subpart 1. Accident reports. Each county sheriff shall report to the commissioner of natural resources:

A. each watercraft accident involving either a fatality, personal injury requiring treatment beyond first aid, or property damage that totals more than \$500; and

B. all drownings.

Reports shall be submitted on forms provided by the commissioner and forwarded within ten days of the accident.

Subp. 2. Other reports. Each county sheriff shall maintain copies of watercraft citations or written warnings and rental boat inspection reports for a minimum of three years following the year in which they were issued or completed.

Statutory Authority: *MS s 86B.211*

History: *15 SR 2430*

6110.2100 REIMBURSEMENT OF COUNTY SHERIFFS FOR SEARCH AND RESCUE OPERATIONS.

Payments for annual appropriations for search and rescue operations shall be made pursuant to the provisions hereof in order of presentation until expended.

A search and rescue operation resulting from or related to water-related recreational activities will qualify for reimbursement if the incident necessitating the operation is of an unusual and nonrecurring nature. Reimbursable items of expense are those which are over and above the sheriff's regular operating budget, and include rental of private equipment and employment of personnel hired expressly for the search and rescue operation.

Payment by the state is limited to 50 percent of the reimbursable items of expense, subject to maximum state payment of \$2,500 for each search and rescue operation.

A sheriff claiming reimbursement shall submit in duplicate an itemized invoice, verified by the county auditor, together with a statement showing that the operation qualified for reimbursement, to the Department of Natural Resources. All claims will be subject to audit by the state.

Statutory Authority: *MS s 86B.211*

History: *15 SR 2430*