Boat Safety and Operating Policy  
August 11, 2022

Regulatory Authority(s)
- Massachusetts Environmental Police (MEP)
- Department of Conservation and Recreation (DCR)
- United States Coast Guard (USCG)

Regulations Applicable
- MGL c. 90B §§ 1-19
- 323 CMR 1&2
- 46 US Code § 2302
- 46 US Code §§ 4301
- 33 CFR Part 83, 95, 100
- 33 US Code §§ 2001 – 2073

Responsibility(s)
- The overall responsibility for Boat Safety and Operation policy compliance at Amherst College rests with the Board of Trustees and the President of the College.
- For this policy, the following other departments and positions within the College shall assume responsibilities applicable to them.
  - Director of Athletics
  - Rowing Coach
    - Individuals authorized by the Director of Athletics or Rowing Coach to operate the Amherst College motorboat

1. Definitions
   Boating accident,—an occurrence in which a waterborne vessel subject to this chapter is involved, whether or not there has been any actual collision, and which results in damage by or to such vessel or its equipment, or by or to an object or person being towed, pushed or propelled by such vessel, or in which there is an injury to any person, loss of life, or disappearance of any person under circumstances which indicate the possibility of death or injury or disappearance of a vessel other than by theft.
   
   Certificate of Number,—a document issued, upon application therefor, stating the name and address of the owner of, and the number awarded to a vessel subject to this chapter, except such vessels, other than livery boats, owned by a manufacturer of or dealer in boats.
Headway speed, —the minimum speed a vessel may be operated to maintain steerage way, but not to exceed 6 miles per hour.

Identification number, —the number awarded to a vessel subject to this chapter and upon approval of an application for a certificate of number.

Machinery, —all inboard and outboard engines and all other types of motors or mechanical devices capable of propelling vessels.

Motorboat, —any vessel propelled by machinery whether or not such machinery is the principal source of propulsion.

Motorboat Size Classes,

<table>
<thead>
<tr>
<th>Class</th>
<th>Length Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Less than 16 feet</td>
</tr>
<tr>
<td>1</td>
<td>16 feet to less than 26 feet</td>
</tr>
<tr>
<td>2</td>
<td>26 feet to less than 40 feet</td>
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<tr>
<td>3</td>
<td>40 feet to less than 65 feet</td>
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</table>

Operate, —navigate or otherwise use a motorboat or vessel.

Operator, —a person who operates or who has a charge of the navigation or use of a motorboat or vessel.

Owner, —the person who claims lawful possession of a vessel by virtue of legal title or equitable interest therein which entitles him to possession.

Personal flotation devices, —TYPE I, a coast guard approved device designed to turn an unconscious person in the water from a face downward position to a vertical or slightly backward position, and to have more than twenty pounds of buoyancy. Acceptable for all size boats. TYPE II, a coast guard approved device designed to turn an unconscious person in the water from a face downward position to a vertical or slightly backward position and to have at least fifteen and five-tenths pounds of buoyancy. Acceptable for all size boats. TYPE III, a coast guard approved device designed to keep a conscious person in a vertical or slightly backward position and to have at least fifteen and five-tenths pounds of buoyancy. While having the same buoyancy as TYPE II, the TYPE III has a lesser turning ability to allow for a comfortable design for water activities such as water skiing. Acceptable for all size boats. TYPE IV, a coast guard approved device designed to be thrown to a person in the water and not worn. It is designed to have at least sixteen and five-tenths pounds of buoyancy. Acceptable for all boats as a throwable device only.

Underway, —not an anchor, made fast to the shore or aground.

Vessel, —watercraft of every description, except a seaplane on the water used or capable of being used as a means of transportation on water.

2. Applicability
Amherst College owns and operates two small motorboats to aid in the support of the Crew and Sailing sports. The goal of the Boat Safety and Operating policy is to regulate the use of these motorboats and provide guidance to protect the health and well-being of the individuals participating in these activities.

3. Requirements
3.1 **Registration** All boats propelled by machinery must be registered and numbered. Registration numbers must be displayed on both sides of the bow with the validation sticker following the registration number on the port side. Your wallet-sized registration (certificate of numbers) must be carried whenever the boat is underway. Registration numbers must be renewed every two years.

3.2 **Titling** Massachusetts requires that every motorboat 14 feet or more in length be titled within 20 days of the date of sale. The purpose of boat titling is to make it easier to lawfully transfer ownership, discourage theft, and assist law enforcement.

3.3 **Law Enforcement and Authority** The jurisdiction of enforcement officers includes the coastal waters of the Commonwealth and all inland waters except waters less than 10 acres and privately owned. Enforcement authority is given to MEP officers, harbormasters, police officers assigned to harbor patrol, fish and game wardens, and state police officers. Town police and harbormasters can also enforce local recreational boating laws.

3.3.1 Enforcement officers may board any recreational boat at any time to check equipment, registration, and positively ID the boat operator. It is illegal for the operator of a motorboat to refuse to stop for an inspection after being signaled to stop, attempt to prevent an officer from conducting an inspection, refuse to give their correct name and address, or refuse to produce the boat’s registration (certificate of numbers) when requested by the officer.

3.3.2 Enforcement officers may terminate the use of any boat observed operating under any one of the following unsafe conditions, until the unsafe condition is corrected: insufficient personal flotation devices, overloaded vessel, failure to display navigation lights between sunset and sunrise, fuel leak in either the fuel system or the engine, fuel accumulation in the bilge or any other space, insufficient ventilation in any fuel or engine spaces.

3.4 **Age Requirements for operation** A person 16 years of age or older may operate a motorboat on Massachusetts waters without age restrictions.

3.4.1 If traveling outside of Massachusetts be aware of the age and certification requirements for that state. An example of this is Vermont and New Hampshire both require boating education certificates to operate a motorboat.

3.5 **Required Equipment** Every motorboat in all weathers from sunset to sunrise shall carry and exhibit a bright white light aft to show all around the horizon and a combined lantern in the fore part of the vessel and lower than the white light aft, showing green to starboard and red to port, so fixed as to throw the light from right ahead to two points abaft the beam on their respective sides.

3.5.1 Every motorboat of class 1, 2 or 3 shall be provided with an efficient whistle or other sound-producing mechanical appliance audible for at least one-half mile.

3.5.2 Every motorboat shall carry at least one personal flotation device for each person aboard. Every motorboat of Class A, 1, 2 or 3 shall carry at least one Personal Flotation Device of Type I, II or III for each person aboard. Such devices shall be clearly labeled or imprinted as such and placed so as to be readily accessible in the motorboat and maintained in good and serviceable condition and appropriate size for whom it is intended. Devices designed
to be thrown, such as a ring buoy or buoyant cushion shall be readily available on the motorboat. Devices which use kapok or fibrous glass for flotation material shall have such material encased in plastic covers.

3.5.3 Massachusetts does not require vessels of less than 26 feet with outboard engines to carry fire extinguishers on board. Other states require fire extinguishers on board such as New Hampshire which requires every vessel that has an engine other than an electric motor must have a fire extinguisher on board. Foam, carbon dioxide, dry chemical, and halon extinguishers may be used to fight Type B fires. Verify state regulations before traveling to another state to maintain compliance. The carrying of a fire extinguisher, while not required in Massachusetts, is recommended practice at all times for safety reasons.

3.5.4 All motorboats must have an anchor and sufficient line to anchor in the boat’s normal operating area, and a manual bailer.

3.5.5 All vessels less than 16 feet in length and propelled by a motor of any kind must carry a paddle or oar on board.

3.5.6 Vessels on federally controlled waters or on Massachusetts coastal waters must be equipped with USCG–approved visual distress signals. All vessels, regardless of length or type, are required to carry night signals when operating between sunset and sunrise. Most vessels must carry day signals also; exceptions to the requirement for day signals are: Recreational vessels that are less than 16 feet in length, Non-motorized open sailboats that are less than 26 feet in length, and manually propelled vessels. The following combinations of signals are examples of visual distress signals that could be carried on board to satisfy USCG requirements three (3) handheld red flares (day and night), one handheld red flare and two red meteors (day and night), or one handheld orange smoke signal (day), two floating orange smoke signals (day), and one electric light (night only). Visual distress signals must be USCG–approved, in serviceable condition, and readily accessible.

3.6 Operation Vessel operators must follow the federal navigation rules for inland waters. Vessel operators must proceed in a safe and courteous manner, always keep a proper lookout, and maintain safe speed.

3.6.1 Vessel must not be operated at more than headway speed when within 150 to 300 feet of shorelines used as swimming areas or within 150 feet of a marina, ramp, raft, float or swimmer. A motorboat shall not be operated at more than headway speed when the operator's vision is obscured under a bridge or by bends or curves or in any other manner.

3.6.2 All motorboats must be operated in such a manner and at such a distance to prevent their wash from being thrown into, or causing excessive rocking to other vessels, rafts, or floats.

3.6.3 A person operating a motorboat underway shall not permit anyone to ride or sit on the gunwales or on the decking of a bow, unless the motorboat is equipped with adequate guard rails to prevent persons from falling overboard. This provision shall not apply so as to prevent persons aboard a motorboat from standing on the deck over the bow in order to secure the motorboat to a mooring buoy or cast off from a buoy or for any other necessary purpose.

3.6.4 Vessels shall not be moored to aids to navigation. No person shall willfully destroy, move, injure, deface, or remove any aid to navigation established or placed by any governmental entity.
3.6.5 No vessel may be operated in an overloaded condition. Overloaded condition means that the number of persons on board and/or the cargo being carried exceeds the manufacturers' recommended limit for such vessel or is excessive given wind, water and weather conditions.

3.6.6 No motorboat shall be operated at any time on the waters of the Commonwealth at a speed greater than is reasonable and proper having regard to the lives and safety of the public; the state of visibility; the traffic density; the maneuverability of the vessel; the state of wind, water and current; and the proximity of navigational hazards. On the inland waters of the Commonwealth and in the absence of a specified speed limit established by federal, state or local law for the particular water body or area, speed by a motorboat, in excess of 45 miles per hour shall be presumed to be in excess of a reasonable and proper speed. Motorboats may not exceed 20 mph in the nighttime and 45 mph at any time on the Connecticut River.

3.6.7 No motorized vessel shall be operated at a speed greater than 15 m.p.h. upon the waters of the Connecticut River starting from a point at the Turner's Falls Dam in the Town of Montague, MA and flowing southerly for approximately 13 miles through the towns of Montague, Greenfield, Deerfield, Sunderland, Whately and parts of Hadley and Hatfield and the terminating at the public access boat ramp in the town of Hatfield.

3.6.8 Rowboats, canoes, other non-mechanically powered vessels and sailboats shall have the right of way at all times. Your wake is considered a part of your boat, and you are responsible for any damage or injury caused by your wake.

3.7 Accidents The operator of any motorboat involved in a collision, accident or other casualty shall, so far as they are able without serious danger to their own or other vessels or to any persons, render to other persons affected by the boating accident such assistance as may be practicable and as may be necessary in order to save them from any danger caused by the boating accident. Such operator shall also give their name, address and identification of their vessel to any person injured and to the owner of any property damaged in the boating accident. In cases where death, personal injury or property damage over five hundred dollars occurs, the operator or any person authorized to enforce the provisions of chapter ninety B, shall immediately notify the division of law enforcement. The director or his designee shall investigate the accident.

3.7.1 The operator of any motorboat involved in a boating accident, shall file with the division a full description of such boating accident, including such information as the director may by regulation require. Such report shall conform to the requirements of a boating accident report under the laws of the United States. Whenever death results from a boating accident, a written report shall be submitted within forty-eight hours. For every other boating accident, a written report shall be submitted within five days.

3.8 Operating Under the Influence No person shall operate any vessel on the waters of the commonwealth with a percentage, by weight, of alcohol in their blood of eight one-hundredths or greater, or while such person is under the influence of intoxicating liquor or marijuana, narcotic drugs, depressant or stimulant substances, as defined in chapter ninety-four C, or from smelling or inhaling the fumes of any substance having the property of releasing toxic vapors as defined in section 18 of chapter 270.

4. Appendix(s)
Envionmental Health and Safety