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BOATING SAFETY REGULATIONS

Regulatory Marker Permits

Sec. 15-121-A2. Regulatory markers.

Effective May 19, 1994

(a) There shall be two types of regulatory markers, three dimensional markers and two dimensional markers. For the purpose of sections 15-121-A3 to 15-121-A5, inclusive, a three dimensional marker shall be called a buoy and a two dimensional marker shall be called a beacon. Regulatory markers shall be of a size, shape, color and materials as designated in this section and approved by the commissioner upon application.

(b) A regulatory buoy shall be cylindrical in shape above its waterline. Colors on the buoy shall be white and reflective international orange. Two horizontal bands of reflective international orange shall be placed on the buoy, one at the top and one near the bottom but above the waterline, each being a minimum of three inches in width. The area in between these two bands shall be white, and shall contain the appropriate symbol of the regulation specified in subsection (d) of this section.

(c) A regulatory beacon shall be square or rectangular in silhouette. A band of reflective international orange of at least three inches shall form the outside border of the beacon. The area within the border shall be white, and shall contain the appropriate symbol of regulation specified in subsection (d) of this section.

(d) The appropriate symbol of regulation, in reflective international orange color, shall be centered on the white portion of a regulatory buoy or beacon as follows:

- (1) a vertical open-faced diamond to mean danger;
- (2) a vertical open-faced diamond having a cross in its center meaning that vessels are excluded absolutely from the marked area;
- (3) an open-faced circle meaning that a vessel operated within the marked area is subject to certain operating restrictions;
- (4) a square or rectangle with lettering on the inside giving directions or information.

(e) Numbers, letters and words shall be used on both regulatory buoys and regulatory beacons and may state the statutory or regulatory authority of or clarify the specific meaning of the marker. Such numbers, letters and words shall be black, of plain block style, well proportioned and of sufficient size to be visible from one hundred feet. When letters are used to

identify regulatory markers, the identifying letters shall follow alphabetical sequence and the letters I and O shall be omitted to prevent confusion with numbers.

[March 9, 1962 (Secretary of State File Number (SOSFN): 935); May 31, 1974 (SOSFN: 1716); May 19, 1994 (SOSFN: 4573); March 9, 2004 (SOSFN: 5496)]

Sec. 15-121-A3. Special purpose markers.

(a) Anchorage or mooring area buoy. An anchorage or mooring area buoy shall designate areas where boats may be anchored or moored. An anchorage or mooring area buoy shall be white, except that yellow buoys shall be used to mark quarantine anchorage areas. White buoys with a clearly visible horizontal blue band around the circumference of the buoy centered midway between the top of the buoy and the waterline shall be used to mark individual vessel moorings.

(b) Diver's flag. A diver shall mark his position with a diver's flag. The diver's flag shall be two sided and shall be of stiff material or fitted with stiffener(s) or batten(s) so that it remains unfurled. It shall consist of a red background not less than thirteen inches in height by fifteen inches in width with a white diagonal stripe not less than three inches in width running downward from the top corner of the flag where attached to the staff to the opposite lower corner. On flags so used to indicate the presence of a submerged diver between sunset and sunrise, the white diagonal stripe shall be of reflectorized material. The diver's flag shall be made of nylon, plastic, or other waterproof material and shall be supported by a stiff mast not less than twenty inches in length. Each mast shall be fixed to the boat from which divers are operating or to a float of sufficient size and stability to support the masted flag in a vertical upright position.

(c) Not more than four persons shall use the same diver's flag simultaneously, except when engaged in underwater swimming or diving from an anchored vessel displaying such flag in which case the number of persons using the same flag shall be limited to the legal capacity of such vessel.

[March 9, 1962 (Secretary of State File Number (SOSFN): 935); May 31, 1974 (SOSFN: 1716); January 13, 1981 (SOSFN: 2676); November 5, 1991 (SOSFN: 4202); September 8, 1998 (SOSFN: 5026)]

Sec. 15-121-A4. Navigational markers.

Effective August 25, 1987

(a) **Construction.** Navigational markers shall be buoys or beacons lighted or unlighted and whose size, shape, color and material are as designated in this section and approved by the Commissioner upon application.

(b) **Colors and purposes.**

(1) **Well defined channels.** Solid-green and solid-red colored buoys indicate well-defined channels. A red and a green buoy shall be installed at both ends of the channel. Any staggering of the green and red buoys shall be limited to instances where they are close enough together to eliminate any possible confusion, and they shall be installed in conformity with the buoys at the beginning of the channel. If numbers are used, such numbers shall be colored white and may be reflectorized. Odd numbers shall be used on green buoys and even numbers on red buoys. To distinguish the state uniform system from the federal lateral system, all numbered state uniform system navigational marker buoys shall have the prefix CT before the number. In cases where there are no numbers, the letters CT shall be painted white.

(2) **Channels not well-defined.** Where there is no well-defined channel, or where the obstruction is of such a nature or in such a location that it can be approached from more than one direction, a cardinal system shall be used, by using a white colored buoy with a red top or a white buoy with a green top, the width of the top color to be approximately one third of the portion of the buoy showing above the water level. Navigation shall be to the south or west of the red-topped buoys, and to the north or east of the green-topped buoys. Numbers may be used on these buoys. If numbers are used, they shall be colored white and may be reflectorized and shall be placed in the top portion of the buoy. Odd numbers shall be used on green-topped buoys and even numbers on red-topped buoys. This subdivision pertains to state waters only.

(3) **Reflectorized material.** If reflectorized material or reflectors are used, the reflective color red shall be used on solid-red colored buoys and the reflective color green shall be used on solid-green colored buoys except where numbers are painted, in which case, the number's reflective color shall be white. All other buoys used in the cardinal system may have silver or white reflectors or reflectorized material.

(4) **Navigational lights.** All navigational lights shall be flashing; the color of the light lens shall be red for solid-red colored buoys, green for solid-green colored buoys and white for all other buoys.

(5) **Lights on bridges.** All lights on bridges shall be fixed red lights marking the edges of the safe channel with a single fixed green light placed over the center of the safe channel to indicate maximum vertical clearance at that point.

[March 9, 1962 (Secretary of State File Number (SOSFN): 935); May 31, 1974 (SOSFN: 1716); August 25, 1987 (SOSFN: 3590); March 9, 2004 (SOSFN: 5496)]

Sec. 15-121-A5. Permission required to place markers.

(a) No person or town, shall place any regulatory or navigational marker except as authorized in this section.

(b) Any town desiring to place any regulatory or navigational marker in waters within its jurisdiction shall apply to the commissioner for authorization to place said markers.

(c) Any person desiring to place any regulatory or navigational marker shall apply to the commissioner for authorization to place said marker after having obtained signed approval from the chief executive authority of the town or designated lake authority in which said marker will be placed.

(d) Application for any such authorization shall be made on forms provided by the commissioner. A detailed map or drawing to a scale which readily depicts the marked area and its surroundings and shows the proposed location of each marker and its relation to nearby shores, channels and water traffic patterns shall accompany the application.

(e) Criteria for authorization shall include:

(1) signed approval from the chief executive authority of the town or designated lake authority in which said marker will be placed;

(2) completeness, accuracy and detail of the application form;

(3) demonstrated need for the proposed markers;

(4) public safety considerations;

(5) environmental impact considerations;

(6) review for possible conflicts with various water use groups;

(7) visibility and durability of proposed markers;

(8) conformity with existing authorizations; and

(9) consistency with federal, state and local law.

(f) The commissioner may impose whatever conditions he deems necessary regarding an application for placement of regulatory or navigational markers pursuant to this section. If authorization from the commissioner has been granted, said markers shall be deemed lawfully placed, provided said markers are placed subject to any conditions set forth therein and in the manner specified by the authorization. If the commissioner finds authorized markers to be an obstruction or menace to navigation or a hindrance to public use of waters, he may revoke the authorization.

[March 9, 1962 (Secretary of State File Number (SOSFN): 935); May 31, 1974 (SOSFN: 1716); January 13, 1981 (SOSFN: 2676); June 23, 1988 (SOSFN: 3716); September 8, 1998 (SOSFN: 5026); March 9, 2004 (SOSFN: 5496); January 3, 2007 (SOSFN: 5746)]