

DEPARTMENT OF NATURAL RESOURCES

LAW ENFORCEMENT DIVISION

WATERCRAFT RENTED TO PUBLIC

(By authority conferred on the state waterways commission by section 3 of Act No. 257 of the Public Acts of 1952, as amended, being S281.563 of the Michigan Compiled Laws)

R 281.511 Scope.

Rule 1. These rules are promulgated for the purpose of implementing Act No. 257 of the Public Acts of 1952, as amended, being SS281.561 to 281.569 of the Michigan Compiled Laws, hereinafter referred to as the act.

History: 1979 AC.

R 281.512 Inspection of watercraft and equipment.

Rule 2. Watercraft subject to the act shall be:

- (a) Of sound and substantial construction and in good seaworthy condition.
- (b) Equipped by the livery operator with oars or paddles, as hereinafter provided, which shall be of sturdy construction and without holes, large chips, or cracks which will diminish their operation effectiveness, or structural strength. This subdivision applies to all watercraft, including those propelled by machinery or sail. Watercraft with oarlock sockets shall be equipped with not less than 2 oars and 2 oarlock horns. Watercraft without oarlock sockets shall be equipped with not less than 2 paddles.
- (c) Equipped by the livery operator with an anchor of sufficient size and weight and an anchor line of sufficient strength and length to accommodate the watercraft in normal depth of the waters on which it is to be used. This requirement does not apply to canoes.
- (d) Equipped by the livery operator with 1 life-saving cushion or other approved life-saving device, in good condition, per person. Life-saving equipment shall be of the type approved by the U.S. Coast Guard and shall bear a stamp or label indicating such approval. Other equipment currently prescribed by law shall also be carried on board.
- (e) Provided with sufficient buoyancy to keep the watercraft from sinking when it is filled with water and passengers are clinging to it if the aggregate weight of motor, passengers, and equipment carried in or attached to the watercraft does not exceed its maximum weight capacity, as determined by the maximum weight capacity formula contained in these rules. This requirement shall not become effective until January 1, 1973, except that watercraft newly placed in operation after January 1, 1970, shall meet this requirement.
- (f) Pontoon boats shall meet the following deck requirements:
 - (i) The deck shall not exceed the width at the pontoons.
 - (ii) The deck shall not be greater than 6 inches above the pontoons.
 - (iii) The deck length within railings shall not be greater than 80% of pontoon length and shall not overhang the pontoons.
 - (iv) The deck shall drain freely.

History: 1979 AC.

R 281.513 Maximum capacity tags generally.

Rule 3. The sheriff of each county or any peace officer duly authorized by him shall issue to the owner, for each watercraft, a maximum capacity tag. This tag shall be placed by, or in the presence of, the inspecting officer on the watercraft in such a location and manner as to be clearly visible and legible from the position designed or normally intended to be occupied by the operator of the watercraft when underway.

History: 1979 AC.

R 281.514 Maximum capacity tags; watercraft for use with outboard motors.

Rule 4. The capacity tag for a watercraft for use with an outboard motor shall contain:

- (a) The total weight of persons, motor, gear, and other articles placed aboard which the watercraft is capable of carrying with safety under normal conditions.
- (b) The recommended number of persons commensurate with the weight capacity of the watercraft at a presumed weight of 150 pounds per person.
- (c) The maximum horsepower of the motor the watercraft is designed or intended to accommodate.
- (d) A notice that the information appearing on the capacity tag applies under normal conditions and that the weight of the outboard motor and its associated equipment is considered to be part of the weight capacity.

History: 1979 AC.

R 281.515 Maximum capacity tags; watercraft not for use with outboard motors.

Rule 5. The capacity tag for a watercraft not for use with an outboard motor, such as a canoe, rowboat, inboard boat, or inboard-outboard boat shall contain:

- (a) The total weight of persons, gear, and other articles placed aboard which the watercraft is capable of carrying with safety under normal conditions.
- (b) The recommended number of persons commensurate with the weight capacity of the watercraft at a presumed weight of 150 pounds per person.
- (c) A notice that the information appearing on the capacity plate applies under normal conditions.

History: 1979 AC.

R 281.516 Weight capacity.

Rule 6. (1) The capacity tag shall contain the weight capacity of the watercraft determined as hereinafter provided.

(2) The weight capacity of a watercraft for use with an outboard motor, except a watercraft dependent solely upon the buoyancy of pontoons or similar flotation devices, shall be determined by either of the following methods:

(a) The formula $WC=7 \frac{1}{2} LBD$, where WC is the weight capacity in pounds, L is the centerline length, B is the maximum beam amidships, and D is the effective depth figured from keel to lowest freeboard.

(b) Reference to the manufacturer's capacity tag installed in a watercraft if manufactured or offered for original sale in this state on or after January 1, 1968, or in accordance with standards approved by the state waterways commission.

(3) The weight capacity of a watercraft with a permanently installed engine, except watercraft dependent solely upon the buoyancy of pontoons or similar flotation devices, shall be determined in the same manner as for watercraft for use with outboard motors, except that the weight of all machinery and associated operating gear including battery, fuel, and fuel system shall be subtracted.

(4) The weight capacity of a watercraft dependent solely upon the buoyancy of pontoons or similar flotation devices shall be determined by applying the formula $WC=[(62 \frac{1}{2}V)--Boat Wgt.] : 2$, where WC is the weight capacity of the watercraft, and V is the volume of both pontoons. If equipped with a permanently installed engine, the weight of all machinery and associated operating gear including battery, fuel, and fuel system shall be subtracted from the weight capacity.

(5) The weight capacity of a rowboat and any other watercraft for use without an outboard motor shall be determined in the same manner as for a watercraft for use with an outboard motor, following the formula expressed as $WC=7 \frac{1}{2} LBD$.

(6) The weight capacity of a canoe shall be determined by the formula $WC=7 \frac{1}{2} LBD \times 2$.

(7) The livery operator shall provide the inspecting officer with information relative to the weight of the watercraft either by reference to the manufacturer's rating or by actual weighing of the watercraft.

History: 1979 AC.

R 281.517 Horsepower capacity.

Rule 7. The horsepower capacity of an outboard watercraft, excepting canoes or pontoon craft, shall be determined by either of the following methods:

(a) The horsepower capacity of an outboard watercraft, other than a canoe, and except one dependent solely upon the buoyancy of pontoons or similar flotation devices, shall not exceed the value given by the boat horsepower table in figure 1. The horsepower capacity of an outboard watercraft, other than a canoe, and dependent solely upon the buoyancy of pontoons or similar flotation devices shall not exceed the value given by multiplying the cubic feet of flotation in the pontoons by the pontoon length in feet and dividing by the pontoon diameter in inches. If the pontoons are not circular in cross section, the diameter of the largest circle that can be inscribed in the pontoon shall be used.

(b) By reference to a manufacturer's capacity plate installed in a watercraft, if manufactured or offered for original sale in this state on or after January 1, 1968, or in accordance with standards approved by the state waterways commission, or the horsepower capacity recommended by the livery operator, whichever is the lesser.

Figure 1 Boat Horsepower Table

Multiply overall length _____ x stern widtht _____ = Factor (both measurements in decimal feet)
(nearest whole number)

Remote steering No remote steering and 20' or or transom less than equivalent 20" or equivalent

Factor is: under over over 40 40-45 46-49 50-53 54-57 57 57

B.P. Cap is: 5 10 15 20 25 (2 X Factor) -- 90 (3/4 Factor) -- 20

H.P. Cap = _____ (raise to even 5 h.p. increment)

History: 1979 AC.

R 281.518 Horsepower capacity for canoes.

Rule 8. The horsepower capacity for canoes shall be determined by the following table, or by the horsepower capacity recommended by the livery operator, whichever is the lesser.

For canoes under 15 feet in length 4 horsepower For canoes under 15 to 18 feet in length 5 horsepower For canoes over 18 feet in length 8 horsepower

History: 1979 AC.

R 281.519 Passenger capacity.

Rule 9. Passenger capacity shall be determined by applying that 1 of the following formulas resulting in the lesser capacity:

(a) $(WC - M) : 150$, where M is the weight of the largest outboard motor and associated operating equipment which the watercraft is represented to accommodate if usable with outboard motor; and 150 is the presumed pound weight per person. For a watercraft with an inboard or inboard-outboard motor, divide WC by 150.

(b) Boat length multiplied by the maximum boat beam divided by 15. This formula is not applicable to canoes.

History: 1979 AC.

R 281.529 Rescission.

Rule 19. The rules of the commission pertaining to minimum standards for watercraft under the boat livery act, being R 281.501 and R 281.502 of the Michigan Administrative Code and appearing on pages 1301 to 1305 of the 1954 volume of the Code, are rescinded.

History: 1979 AC.