

**CHAPTER P-2 - BOATING  
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## CHAPTER P-2 - BOATING

### # 200 - REGISTRATION INFORMATION REQUIRED ON APPLICATION FOR VESSEL NUMBER

1. Persons applying to the Division for vessel number must provide the following registration information:

- a. Name and address of owner, including zip code
- b. Date of birth of owner
- c. State in which the vessel is or will be principally used
- d. Present registration number (if any)
- e. If vessel is registered in another state, give previous registration number and state
- f. Hull material: wood, metal, fiberglass, inflatable, or other
- g. Type of propulsion: inboard, outboard, inboard- outdrive, sail, or other
- h. Type of fuel: gasoline, diesel, electric, or other
- i. Length of vessel
- j. Make and model of vessel

State as to use: pleasure, rent, dealer, manufacturer, or commercial: carrying passengers for hire, fishing, or other

l. Proof of ownership. Acceptable proof of ownership forms include:

1. Bill of sale that includes both the seller and buyer's printed names and signatures, the vessel/vehicle identification number (if any), the vessel/vehicle make, model and year (if known), and the date of the sale;
2. Previous registration certificate issued by a governmental entity that lists the applicant as registered owner;
3. Manufacturers Certificate of Origin (MCO)/Manufacturer Statement of Origin (MSO);
4. Certificate of Title;
5. Any court issued document proving ownership;
6. A collection of personal property by affidavit form pursuant to 15-12-1201, C.R.S.; or
7. A physical inspection form completed by a CPW agent.

- m. Signature of owner
- n. Hull identification number (if any)

- o. Type of vessel: open, cabin, house, or other
  - p. Model year
2. Additional information set forth on registration certificate:
- a. Number awarded to vessel
  - b. Expiration date of certificate

#### **# 201 - DEALER LICENSES**

The numbering requirements prescribed by law shall apply to motorboats and sailboats operated by manufacturers and dealers. The description of the motorboat or sailboat will be omitted from the certificate of number since the numbers and the certificate of number awarded may be transferred from one motorboat or sailboat to another. In lieu of the description, the word "manufacturer" or "dealer", as appropriate, will be plainly marked on each certificate. Dealers and manufacturers shall display the numbers on a detachable plate as set forth in 33-13-104, C.R.S.

#### **# 202 - EXPIRATION DATE DECAL**

In addition to the identification number, there shall be issued an expiration date decal which shall be attached to each side of the bow or the forward half of the vessel two inches to the left of the letter C of the identification number.

#### **# 203 - TEMPORARY BOAT PERMIT**

Pending issuance of a number certificate, possession on the person of a dated bill of sale permits the operator of a newly purchased boat to operate the boat on the waters of the State of Colorado for a period not to exceed thirty (30) days from date of purchase.

#### **# 204 - NON-RESIDENT RACING BOATS**

Non-resident racing boats which are not required to be registered in their home state shall be exempt from the numbering requirements of Article 13 on the day before and the day of and at the site of a Division authorized race.

#### **# 205 - CLASSIFICATION**

1. Vessels subject to these provisions shall be divided into four classes as follows:
- a. Class A - Vessels less than sixteen feet in length;
  - b. Class 1 - Vessels sixteen feet (4.87 meters) or over and less than twenty-six feet (7.92 meters) in length;
  - c. Class 2 - Vessels twenty-six feet (7.92 meters) or over and less than forty feet (12.19 meters) in length;
  - d. Class 3 - Vessels forty feet (12.19 meters) to not more than sixty-five feet (19.18 meters) in length.

#### **# 206 - MEASURING FOR CLASSIFICATION**

For determining “class”, the length of a boat is from end to end over the deck excluding sheer. It means a straight line measurement of the overall length from the foremost part of the vessel measuring parallel to the centerline. Bowsprits, bumpkins, rudders, outboard motors and brackets, and similar fittings or attachments are not to be included in the measurement. Length shall be stated in feet and inches or meters.

## # 207 - LIGHTS

1. Every vessel, except hand-propelled vessels when on whitewater, in all weather from sunset to sunrise shall carry and exhibit the lights required in this regulation when underway or moored in other than a designated mooring area. During such times, no other lights shall be exhibited, except such lights as cannot be mistaken for the lights specified in these regulations or do not impair their visibility or distinctive character, or interfere with the keeping of a proper lookout.
2. All vessels complying with the lighting requirements of the International Regulations for Preventing Collisions at Sea, 1972, or the Inland Navigational Rules Act of 1980 are considered in compliance with these regulations.
3. Every hand-propelled vessel, except when on whitewater, shall have a lantern or flashlight on hand to show one white light in time to prevent a collision.
4. Every vessel less than 20 meters (65' 8") in length must display one all-round white light when at anchor.
5. Flashing red or blue lights are prohibited on all vessels, except emergency or law enforcement vessels of the United States operating within federal authority, or of the State and its political subdivisions.
6. Terms used:
  - a. “Masthead light” means a white light placed over the fore and aft centerline of the vessel showing an unbroken light over an arc of the horizon of 225 degrees and so fixed as to show the light from right ahead to 22.5 degrees abaft the beam on either side of the vessel, except that on a vessel of less than 12 meters (39' 5") in length the masthead light shall be placed as nearly as practicable to the fore and aft centerline of the vessel.
  - b. “Sidelights” means a green light on the starboard side and a red light on the port side each showing an unbroken light over an arc of the horizon of 112.5 degrees and so fixed as to show the light from right ahead to 22.5 degrees abaft the beam on its respective side. On a vessel less than 20 meters (65' 8") in length, the side lights may be combined in one lantern carried on the fore and aft centerline of the vessel, except that on a vessel of less than 12 meters (39' 5" ) in length the sidelights when combined in one lantern shall be placed as nearly as practicable to the fore and aft centerline of the vessel.
  - c. “Sternlight” means a white light placed as nearly as practicable at the stern showing an unbroken light over an arc of the horizon of 135 degrees and so fixed as to show the light 67.5 degrees from right aft on each side of the vessel.
7. The lights prescribed in these regulations shall have an intensity so as to be visible at the following minimum ranges:
  - a. In a vessel of 12 meters (39' 5" ) or more in length:

A masthead light, 5 miles; except that where the length of the vessel is less than 20 meters (65' 8"), 3 miles;

A sidelight, 2 miles;

A sternlight, 2 miles;

A white, red, or green all-round light, 2 miles.

b. In a vessel of less than 12 meters (39' 5") in length:

A masthead light, 2 miles;

A sidelight, 1 mile;

A sternlight, 2 miles;

A white, red, or green all-round light, 2 miles.

c. In an inconspicuous, partly submerged vessel or object being towed:

A white all-round light, 3 miles.

8.

a. A motorboat underway shall exhibit:

(1) A masthead light forward; except that a vessel of less than 20 meters (65' 8") in length need not exhibit this light forward of amidships but shall exhibit it as far forward as is practicable;

(2) Sidelights; and

(3) A sternlight.

b. A motorboat of less than 12 meters (39' 5" ) in length may, in lieu of the lights prescribed in paragraph a. of this regulation, exhibit an all-round white light and sidelights.

9.

a. A sailing vessel underway shall exhibit:

(1) Sidelights; and

(2) A sternlight.

b. In a sailing vessel of less than 20 meters (65' 8") in length, the lights prescribed in paragraph a. of this regulation may be combined in one lantern carried at or near the top of the mast where it can best be seen.

c. A sailing vessel underway may, in addition to the lights prescribed in paragraph a. of this regulation, exhibit at or near the top of the mast, where they can best be seen, two all-round lights in a vertical line, the upper being red and the lower green, but these lights

shall not be exhibited in conjunction with the combined lantern permitted by paragraph b. of this regulation.

d.

- (1) A sailing vessel of less than 7 meters (22' 9" ) in length shall, if practicable, exhibit the lights prescribed in paragraph a. or b. of this regulation, but if not, the operator shall have ready at hand a flashlight or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision.
- (2) A vessel under oars may exhibit the lights prescribed in this regulation for sailing vessels, but if not, the operator shall have ready at hand a flashlight or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision.

#### **# 208 - SOUND-PRODUCING DEVICES**

1. Every vessel, except hand-propelled vessels when on whitewater, of Class A, 1, or 2, must have on board a sound-producing device for signaling. Such device may be operated by mouth, hand, or power and it must be able to produce the navigational signals under rules of the road.
2. Every vessel of Class 3 must have on board a sound-producing device, which may be operated by mouth, hand, or power. Such device shall be audible for a distance of at least one-half mile.
3. Every motorboat of Class 2 must have on board a sound-producing device, which may be operated by hand or power. Such device shall be audible for a distance of at least one mile.
4. Every motorboat of Class 3 must have on board a power operated sound-producing device, which shall be audible for a distance of at least one mile.
5. Every motorboat of Class 2 or 3 must have on board a bell which, when struck, produces a clear, bell-like tone of full round characteristics.
6. Sirens, except those which produce a continuous pitch, are prohibited on all vessels, except emergency or law enforcement vessels of the United States operating within federal authority or of the State and its political subdivisions.

#### **# 209 - VENTILATION - TANK AND ENGINE SPACES**

1. All motorboats, using a fuel having a flashpoint of 110 degrees F or less, except those of open construction, shall have at least 2 ventilator ducts, fitted with cowls or their equivalent, for the efficient removal of explosive or flammable gases from the bilges of every engine and fuel tank compartment. There shall be at least one rear facing cowl, or its equivalent, with exhaust duct installed so as to extend from the open atmosphere to the lower portion of the bilge and at least one forward facing cowl or its equivalent with intake duct installed so as to extend to a point at least midway to the bilge or at least below the level of the carburetor air intake. The cowls or equivalent to cowls shall be located and trimmed for maximum effectiveness and in such a manner so as to prevent displaced fumes from being recirculated.
2. As used above, the term "open construction" means those motorboats wherein all engine and fuel tank compartments, along with other spaces to which explosive or flammable gases and vapors may flow, are open to the atmosphere and so arranged as to prevent the entrapment of such gases and vapors within the vessel.

3. Power ventilation systems are preferable over natural ventilation systems. Exhaust blowers shall be of the sealed or arcless type and if located within the compartment being ventilated be as high as possible. Blower fan blades or impellers shall be non-sparking and if installed on the exhaust duct of the natural system shall not interfere with the functioning of the ducts as natural ventilators.
4. Motorboats built after July 31, 1979, are exempt from the requirements of # 209 - 1 for fuel tank compartments that contain fuel tanks that vent to the outside of the vessel if the fuel tank compartment does not contain an electrical source of ignition.
5. Every motorboat built after July 31, 1980, that utilized gasoline engines for electrical or mechanical power as propulsion must comply with U.S. Coast Guard ventilation standards. The operator must maintain the ventilation system in working order.

#### **# 210 - BACKFIRE FLAME CONTROL**

1. Every gasoline engine installed in a motorboat shall be equipped with an acceptable means of backfire flame control. The following are acceptable means of backfire flame control:
  - a. A backfire flame arrester that is permanently and legibly marked or labeled by the manufacturer with the phrase "complies with UL 1111 per tests by (name of testing facility)" or the words "SAE J-1928, Marine" and the manufacturer's name, suitably secured to the air intake with a flame-tight connection.
  - b. An engine air and fuel induction system, that may include a reed valve assembly, that is permanently and legibly marked or labeled by the manufacturer with the words "SAE-J 1928, Marine" and the manufacturer's name.
  - c. Any attachment to the carburetor or location of the engine air induction system by means of which flame caused by engine backfire will be dispersed to the atmosphere outside the vessel in such a manner that the flame will not endanger the vessel, or persons on board. All attachments shall be of metallic construction with flame-tight connections and firmly secured to withstand vibration, shock, and engine backfire.
  - d. Gasoline engine installations consisting of backfire flame arresters bearing U.S. Coast Guard approval numbers 162.016 or 162.041 or engine air and fuel induction systems bearing U.S. Coast Guard approval numbers 162.015 or 162.042 may be used as long as they are serviceable and in good condition.

#### **# 211 - FIRE EXTINGUISHERS**

1. Each item of fire extinguishing equipment required by this section must be Coast Guard approved, be fully charged and in good and serviceable condition, stowed away from the potential hazard area and readily accessible. Dry chemical stored pressure types must be fitted with pressure gauges or indicating devices and vaporizing liquid types containing carbon tetrachloride, chlorobromomethane or other toxic vaporizing liquids are prohibited.
2. Extinguishers approved for use on motorboats are hand portable of either B-I or B-II classification. "B" type is for gasoline, oil, and grease fires. "I" and "II" denotes size as listed below:

Classification

| Type-Size | Foam (Minimum Gallons) | Carbon Dioxide (Minimum Pounds) | Dry Chemical (Minimum Pounds) | Freon (Minimum Pounds) |
|-----------|------------------------|---------------------------------|-------------------------------|------------------------|
| B-I       | 1-1/4                  | 4                               | 2                             | 2-1/2                  |
| B-II      | 2-1/2                  | 15                              | 10                            | .                      |

**Fire Extinguisher Required**

| Class | Number and Size         |
|-------|-------------------------|
| A     | 1 B-I                   |
| 1     | 1 B-I                   |
| 2     | 2 B-I or 1 B-II         |
| 3     | 3 B-I or 1 B-II & 1 B-I |

3. When the engine compartment is equipped with a fixed extinguishing system of approved type, one less B-I extinguisher is required.
4. Outboard motorboats less than twenty-six feet in length, of open construction, not carrying passengers for hire, are exempt from these requirements, although one B-I fire extinguisher for personal fire protection and to assist other boaters is recommended.
5. The motorboat is not considered "of open construction" if any one or more of the following conditions exist:
  - a. Closed compartment under thwarts (motor well) and seats wherein portable fuel tanks may be stored.
  - b. Double bottoms not sealed to the hull or which are not completely filled with flotation material.
  - c. Closed living spaces.
  - d. Closed stowage compartments in which combustible or flammable materials are stored.
  - e. Permanently installed fuel tanks.

**# 212 - PERSONAL FLOTATION DEVICES (PFD's)**

1. No person may operate or give permission to operate a vessel less than sixteen feet in length unless at least one wearable personal flotation device is on board for each person. For sailboards, an operator may elect to wear a wet suit in lieu of carrying any type of personal flotation device, so long as the wetsuit meets the requirements of paragraph 6, of this regulation. For vessels used in river running activities, no person may operate or give permission to operate a vessel for the purpose of river running unless at least one wearable personal flotation device is on board for each person.
2. No person may operate or give permission to operate a vessel sixteen feet or more in length unless at least one wearable personal flotation device is on board for each person, plus at least



one throwable personal flotation device, which is immediately available. For vessels used in river running activities, that portion of this regulation requiring a throwable personal flotation device does not apply. No person may operate or give permission to operate a vessel for the purpose of river running unless at least one wearable personal flotation device is on board for each person.

3. No person may operate or give permission to operate a vessel carrying passengers for hire on any reservoir or lake unless at least one wearable personal flotation device is on board for each person and they are being worn when required. For vessels used during commercial river running trips conducted by river outfitters, the personal flotation device requirements are contained in regulation # 305.
4. The operator shall require each person who is surfing or being towed on water skis, aquaplane, inner tube or similar device, to wear a properly fitting wearable personal flotation device. A United States Coast Guard Approved wearable personal flotation device is recommended, but a ski belt (preferably with at least 2 straps and buckles), water sports jacket or foam wetsuit jacket will be accepted if there is an extra wearable personal flotation device aboard for each person as required above.
5. No person may operate or give permission to operate a recreational vessel unless each wearable personal flotation device required is readily accessible and is legibly marked with the U.S. Coast Guard approval number and is of appropriate size for the person wearing it or for whom it is intended.
6. Sailboard operators may elect to wear, at their own risk, in lieu of carrying a U.S. Coast Guard approved personal flotation device, a wetsuit constructed of nylon covered neoprene or similar material that covers the full torso of the wearer. The wetsuit shall be capable of providing flotation to the wearer, when at rest on the surface of the water.
7. All equipment shall be in good and serviceable condition.
8. **“Wearable Personal Flotation Device”** shall mean a U.S. Coast Guard approved personal flotation device that is intended to be worn or otherwise attached to the body. A personal flotation device labeled or marked as Type I, II, III, or V (with Type I, II, or III performance) is considered a wearable personal flotation device as set forth in the Code of Federal Regulations, Title 33, Parts 175 and 181(2014).
9. **“Throwable Personal Flotation Device”** shall mean a U.S. Coast Guard approved personal flotation device that is intended to be thrown to a person in the water. A personal flotation device labeled as Type IV or V (with type IV performance) is considered a throwable personal flotation device as set forth in the Code of Federal Regulations, Title 33, Parts 175 and 181(2014).

**# 213 - DISPLAY OF CAPACITY INFORMATION AND MANUFACTURER CERTIFICATION OF COMPLIANCE**

1. Every monohull vessel less than twenty feet in length, except sailboats, canoes, kayaks, and inflatable boats, the construction of which began after October 31, 1972, sold in the State of Colorado, shall have a permanent writing affixed to the vessel which sets forth:
  - a. For outboard boats:
    - (1) The maximum motor horsepower, the maximum persons capacity, and the maximum weight capacity in pounds.
  - b. For inboard and inboard-outdrive boats:

- (1) The maximum persons capacity and the maximum weight capacity in pounds.
- c. For boats rated for manual propulsion:
  - (1) The maximum persons capacity and the maximum weight capacity in pounds.
- 2. The required capacity information must be permanently displayed on a label or plate which is legible and clearly visible to the operator when getting underway.
- 3. Every vessel that is subject to U.S. Coast Guard manufacturing safety standards must have a permanently displayed certification label or plate. The certification label may be displayed anywhere on the boat.
- 4. The capacity information may be combined with the certification label or plate. The entire combined label must be permanently displayed where it is legible and clearly visible to the operator when getting underway.
- 5. It is unlawful for any person to remove, alter, or tamper with the required capacity information or certification label or plate.
- 6. Any monohull vessel which is home built for personal recreational use and not for the purposes of sale is exempt from capacity information and certification label or plate display requirements.

**# 214 - MARINE SANITARY DEVICES**

No person shall maintain or operate upon the waters of this state any vessel which is equipped with marine sanitary device unless such water closet is self-contained and incapable of discharging directly into the water. It is unlawful to deposit or discharge human waste or other refuse into the water.

**# 215 - BUOYS**

- 1. Any of the waters of this state limited to a specific use shall be marked by buoys which utilize the following uniform marking system:
  - a. Regulatory Symbols - International orange on a white background.
    - An orange cross within an orange diamond (on end) means: "Boats Keep Out".
    - An orange circle means: "Controlled Area".
  - b. Other Symbols.
    - An orange diamond (on end) without a cross means: "Danger".
    - An orange square or rectangle is informational.
    - Descriptive wording within or accompanying the symbols shall be black.
    - When the symbols are displayed on a buoy, an orange band should encircle the buoy near the water line and near the top.
  - c. Channel Markers.

White buoys with black vertical stripes mark the center of a channel and may be lettered alphabetically from downstream to upstream.

Black can buoys (odd numbers) mark the left side, and red nun buoys (even numbers) mark the right side of a channel when proceeding upstream or returning from the main body of water.

A white buoy with a red top means pass to the south or west of the buoy.

A white buoy with a black top means pass to the north or east of the buoy.

d. Obstruction Buoy

A white buoy with red vertical stripes indicates an obstruction between it and the nearest shore.

e. Mooring Buoy

A mooring buoy is colored white and is designated with a blue band which is at least 3 inches wide and encircles the buoy halfway between the water line and the top.

2. No person shall operate a vessel in an area which has been marked by the use of buoys as a bathing, swimming, or otherwise access prohibited area. Every person operating a vessel in an area which has been marked by the use of buoys as a controlled area shall comply with the restrictions and requirements indicated on the buoys. The provisions of this regulation shall not apply to patrol boats or emergency vessels or in any emergency situation.
3. No person shall moor, attach, or hold in any manner, a vessel to any buoy, other than a mooring buoy, or any other aid to navigation placed in the water by proper authority as aids to navigation or to mark restricted areas. No person shall remove, destroy, or damage any marker or buoy.

#### **# 216 - SCUBA DIVING**

1. Every person in the water, outside a designated swimming area, using an underwater breathing device often known as scuba gear, shall display a diver's flag, having one diagonal white stripe on a red background and capable of being identified at a distance of not less than one hundred yards. Such flag shall be placed at or near the point of submergence, and shall constitute a warning that a diver is submerged and may be within a radius of one hundred feet from such a flag. Vessels shall keep a distance of one hundred feet from the diver's flag. Scuba divers shall keep a distance of one hundred feet from dam outlet structures.
2. If a vessel is engaged in diving operations and as a consequence is restricted in its ability to maneuver, a rigid replica of the international code flag "A" or Alpha Flag shall be displayed. The flag must be not less than one meter in height and the flag must be blue and white in color.
3. The requirement that the Alpha Flag be displayed from a vessel restricted in its ability to maneuver does not relieve the requirement that the diver's flag also be displayed at or near the point of submergence.

#### **# 217 - RIVER USE RESTRICTIONS**

1. As used in this regulation:

- a. "Public Advisement" means a formal statement publicly issued or announced for the purpose of informing the public. A public advisement shall not prohibit the use of vessels, whitewater canoes, single-chambered air-inflated devices, or kayaks. A public advisement may include a recommendation that, in addition to any safety equipment required by law, additional items of safety equipment and additional safety precautions are recommended. Such additional safety precautions may include the recommendation that inexperienced or inadequately prepared individuals should postpone the river trip or seek the professional services of state licensed river outfitters.
  - b. "Partial Use Restriction" means any order issued prohibiting the operation of single-chambered air-inflated devices on any waters of the state. A partial use restriction shall not prohibit the use of vessels, whitewater canoes, or kayaks.
  - c. "Use Restriction" means any order issued prohibiting the operation of vessels and single-chambered air-inflated devices on any waters of the state and requiring the removal of vessels and single-chambered air-inflated devices from any waters when such operation constitutes, or may constitute, a hazard to human life or safety. A use restriction order shall apply to whitewater canoes or kayaks.
  - d. "Peace Officer" means a sheriff, undersheriff, deputy sheriff, police officer, Colorado State Patrol officer, or marshal, a district attorney, assistant district attorney, deputy district attorney, or special deputy district attorney, an authorized investigator of a district attorney, an agent of the Colorado Bureau of Investigation, a district wildlife manager or special district wildlife manager, or a parks and recreation officer.
  - e. "Single-Chambered Air-Inflated Device" means an air-inflated device that has only one air compartment, such as innertube and certain types of air mattresses and small inflatable rafts.
  - f. "Vessel" Is defined in 33-13-102 (5) C.R.S.
2. A public advisement or partial use restriction order may be issued by a peace officer whenever the peace officer determines that normal or above average runoff or water levels or other circumstances or conditions may increase incidences of water recreation accidents or injuries within the peace officer's jurisdiction.
  3. A use restriction order shall be issued by a peace officer whenever the peace officer determines that a hazard to human life and safety exists within his jurisdiction.
    - a. For the purpose of issuing a use restriction order, a peace officer may deem a hazard to human life and safety to exist whenever one or more of the following circumstances or conditions exists:
      - (1) A state of disaster emergency has been declared to exist pursuant to 24-32-2104 or 24-32-2109, C.R.S.
      - (2) Disaster relief efforts, which may include debris removal, are underway.
      - (3) An accident or other emergency occurs in or immediately adjacent to the waterbody.
      - (4) Rescue efforts for victims are actively underway and such efforts would be hindered by additional waterway traffic, or

- (5) Active construction or transportation projects authorized under state or federal law.
  - b. A hazard to human life and safety shall not be deemed to exist based solely upon the river's flow rate, which is usually measured in cubic feet per second.
  - c. The partial use restriction or use restriction order shall specify the beginning and ending sections of the water body closed, the proposed duration of the order, and the facts establishing the basis for the partial use restriction or use restriction order.
  - d. The use restriction order shall prohibit the operation of and order the removal of vessels and single-chambered air-inflated devices.
  - e. The law enforcement agency issuing the partial use restriction or use restriction order shall prominently post closure signs at all commonly used boating and floating access sites along the closed section.
4. Following the issuance of a public advisement, a partial use restriction, or use restriction, the law enforcement agency issuing the advisement or order shall immediately contact the Division of Parks and Wildlife and advise the Division of the existence of the advisement or order. Further, the law enforcement agency issuing the advisement or order shall file with the Division a report. Such report shall be on forms furnished by the Division.
  5. The penalty for operating a vessel, as defined in subsection 1.f. of this regulation, in violation of use restriction order is specified in 33-13-111(3), C.R.S. The penalty for operating or using a single-chambered air-inflated device, as defined in subsection 1.e. of this regulation, in violation of a use restriction order or partial use restriction order specifically prohibiting their use is specified in 33-13-110(2)(d), C.R.S.

#### **# 218 - PROHIBITED OPERATION**

1. The term "wake" means a movement of the water created by a boat underway, great enough to disturb a boat at rest, but under no circumstances shall a boat underway exceed five (5) miles per hour while in a posted wakeless area. The term "above a wakeless speed" means operating a vessel at such a speed as to create a wake. No person shall operate any vessel in such a manner as to create a wake when such waters or parts thereof are posted by signs or marked by buoys prohibiting a wake.
2. Persons operating vessels which pass within one hundred fifty feet of any swimming area, moored vessel, person on shore engaged in fishing, or person in a vessel engaged in servicing buoys or markings shall reduce the speed of the vessels in order to prevent the wash or wake of the vessel from causing damage or inconvenience.
3. No person shall operate a motorboat with any person riding or sitting on either the starboard or port gunwales thereof, or on the decking over the bow, or in any other unsafe position, except when the boat is being moored or anchored.
4. No person shall operate or offer for rent any vessel which is overloaded, or unseaworthy, taking into consideration rated capacities, weather, type of construction, and other existing conditions.
5. No person shall operate or anchor a vessel within one hundred fifty feet of any person on shore engaged in fishing, except where narrow passages or coves make such operation restrictions impractical.

## # 219 - NAVIGATION AND RULES OF THE ROAD

1. These regulations apply to all vessel operators boating upon waters of Colorado, except they do not apply to hand-propelled vessels when on whitewater.
2. Nothing in these regulations shall exonerate any vessel, operator, or crew from the consequences of any neglect to comply with these regulations or of the neglect of any precaution which may be required by the ordinary practice of boaters, or by the special circumstances of the case.
3. In construing and complying with these regulations due regard shall be had to all dangers of navigation and collision and to any special circumstances, including the limitations of the vessels involved, which may make a departure from these regulations necessary to avoid immediate danger.
4. Terms used:
  - a. "Vessel not under command" means a vessel which through some exceptional circumstance is unable to maneuver as required by these regulations and is therefore unable to keep out of the way of another vessel;
  - b. "Vessel restricted in its ability to maneuver" means a vessel which from the nature of its work is restricted in its ability to maneuver as required by these regulations and is therefore unable to keep out of the way of another vessel; vessels restricted in their ability to maneuver include, but are not limited to:
    - (1) A vessel engaged in laying, servicing, or picking up a navigation mark;
    - (2) A vessel engaged in underwater operations;
    - (3) A vessel engaged in a towing operation such as severely restricts the towing vessel and its tow in their ability to deviate from their course.
  - c. "Underway" means that a vessel is not at anchor, or made fast to the shore, or aground;
  - d. Vessels shall be deemed to be in sight of one another only when one can be observed visually from the other;
  - e. "Restricted visibility" means any condition in which visibility is restricted by fog, mist, falling snow, heavy rainstorms, sandstorms, or any other similar causes.
5. Look-out:

Every vessel shall at all times maintain a proper look-out by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision.
6. Safe speed:
  - a. Every vessel shall at all times proceed at a safe speed so that proper and effective action can be taken to avoid collision and so that the vessel may be stopped within a distance appropriate to the prevailing circumstances and conditions.

- b. In determining a safe speed the following factors shall be among those taken into account by all vessels:
    - (1) The state of visibility;
    - (2) The traffic density including concentration of fishing vessels or any other vessels;
    - (3) The maneuverability of the vessel with special reference to stopping distance and turning ability in the prevailing conditions;
    - (4) At night the presence of background light such as from shores lights or from back scatter of its own lights;
    - (5) The state of wind, sea, and current, and the proximity of navigational hazards;
    - (6) The draft in relation to the available depth of water.
  - c. No vessel shall, under any condition or in any manner, exceed forty (40) miles per hour, except during authorized race events and patrol vessels operating in emergencies.
7. Risk of collision:
- a. Every vessel shall use all available means appropriate to the prevailing circumstances and conditions to determine if risk of collision exists. If there is any doubt such risk shall be deemed to exist.
  - b. In determining if risk of collision exists the following considerations shall be among those taken into account:
    - (1) Such risk shall be deemed to exist if the compass bearing of an approaching vessel does not appreciably change; and
    - (2) Such risk may sometimes exist even when an appreciable bearing change is evident, particularly when approaching a very large vessel or a tow or when approaching a vessel at close range.
8. Action or avoid collision:
- a. Any action taken to avoid collision shall, if the circumstances of the case admit, be positive, made in ample time and with due regard to the observance of good boating.
  - b. Any alteration of course or speed to avoid collision shall, if the circumstances of the case admit, be large enough to be readily apparent to another vessel observing visually; a succession of small alterations of course or speed should be avoided.
  - c. If there is sufficient surface water space, alteration of course alone may be the most effective action to avoid a close-quarters situation provided that it is made in good time, is substantial and does not result in another close-quarters situation.
  - d. Action taken to avoid collision with another vessel shall be such as to result in passing at a safe distance. The effectiveness of the action shall be carefully checked until the other vessel is finally past and clear.

- e. If necessary to avoid collision or allow more time to assess the situation, a vessel shall slacken speed or take all way off by stopping or reversing the means of propulsion.

9. Narrow passages:

- a. A vessel proceeding along the course of a narrow passage shall keep as near to the outer limit of the passage which lies on the starboard side as is safe and practicable.
- b. A vessel engaged in fishing shall not impede the passage of any other vessel navigation within a narrow passage.
- c. A vessel shall not cross a narrow passage if such crossing impedes a vessel which can safely navigate only within that passage. The latter vessel shall use the danger signal if in doubt as to the intention of the crossing vessel.
- d. In a narrow passage when overtaking, the vessel intending to overtake shall indicate its intention by sounding the appropriate signal and take steps to permit safe passing. The overtaken vessel, if in agreement, shall sound the same signal. If in doubt the overtaken vessel shall sound the danger signal.

(1) This regulation does not relieve the overtaking vessel of its obligation.

- e. A vessel nearing a bend or an area of a narrow passage where other vessels may be obscured by an intervening obstruction shall navigate with particular alertness and caution and shall sound the appropriate signal.
- f. No vessel shall be anchored so as to block movement of other vessels through narrow passages.

10. Vessel traffic patterns:

Each vessel required by law to participate in a vessel traffic pattern shall comply with the applicable law.

The following regulations apply to vessels in sight of one another:

11. Sailing vessels:

- a. When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows:
  - (1) When each has the wind on a different side, the vessel which has the wind on the port side shall keep out of the way of the other;
  - (2) When both have the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward; and
  - (3) If a vessel with the wind on the port side sees a vessel to windward and cannot determine with certainty whether the other vessel has the wind on the port or on the starboard side, it shall keep out of the way of the other.
- b. For the purpose of this regulation the windward side shall be deemed to be the side opposite to that on which the mainsail is carried.



12. Overtaking:

- a. Notwithstanding anything contained in these regulations, any vessel overtaking any other shall keep out of the way of the vessel being overtaken.
- b. A vessel shall be deemed to be overtaking when coming up with another vessel from a direction more than 22.5 degrees abaft the beam; that is, in such a position with reference to the vessel being overtaken that at night only the stern light, but neither of the side lights, of the vessel being overtaken would be visible.
- c. When in any doubt as to whether another vessel is being overtaken, the assumption shall be made that this is the case and the overtaking vessel shall act accordingly.
- d. Any subsequent alteration of the bearing between the two vessels shall not make the overtaking vessel a crossing vessel within the meaning of these regulations or relieve the overtaking vessel of the duty of keeping clear of the overtaken vessel until past and clear.

13. Head-on situation:

- a. When two motorboats are meeting on reciprocal or nearly reciprocal courses so as to involve risk of collision each shall alter course to starboard so that each shall pass on the port side of the other.
- b. Such a situation shall be deemed to exist when a vessel sees the other ahead or nearly ahead and by night sees the masthead lights of the other in a line or nearly in a line or both sidelights and by day observes the corresponding aspect of the other vessel.
- c. When in any doubt as to whether a head-on situation exists, the assumption shall be made that it does exist and vessels shall act accordingly.

14. Crossing situation:

- a. When two motorboats are crossing so as to involve risk of collision, the vessel which has the other on the starboard side shall keep out of the way and shall, if the circumstances of the case admit, avoid crossing ahead of the other vessel.
- b. A vessel crossing a river shall keep out of the way of a motorboat ascending or descending the river.

15. Action by give-way vessel:

Every vessel which is directed to keep out of the way of another vessel shall, so far as possible, take early and substantial action to keep well clear.

16. Action by stand-on vessel:

- a. Where one of two vessels is to keep out of the way, the other shall keep its course and speed.
- b. The stand-on vessel may, however, take action to avoid collision by maneuver alone, as soon as it becomes apparent that the vessel required to keep out of the way is not taking appropriate action in compliance with these regulations.

- c. When, from any cause, the vessel required to keep its course and speed finds itself so close that collision cannot be avoided by the action of the give-way vessel alone, the stand-on vessel shall take such action as will best aid to avoid collision.
- d. A motorboat which takes action in a crossing situation in accordance with these regulations to avoid collision with another motorboat shall, if the circumstances of the case admit, not alter course to port for a vessel on its port side.
- e. This regulation does not relieve the give-way vessel of the obligation to keep out of the way.

17. Responsibilities between vessels:

Except where regulations # 219 - 9, # 219 - 10 and # 219 - 12 otherwise require:

- a. A motorboat underway shall keep out of the way of:
  - (1) A vessel not under command;
  - (2) A vessel restricted in its ability to maneuver; and
  - (3) A sailing vessel.
- b. A sailing vessel underway shall keep out of the way of:
  - (1) A vessel not under command; and
  - (2) A vessel restricted in its ability to maneuver.
- c. A seaplane on the water shall, in general, keep well clear of all vessels and avoid impeding their navigation. In circumstances, however, where risk of collision exists, seaplanes shall comply with these regulations.

The following regulation applies to vessels in restricted visibility:

18. Conduct of vessels in restricted visibility and not in sight of one another:

- a. Every vessel shall proceed at a safe speed adapted to prevailing circumstances and conditions of restricted visibility. A motorboat shall have the engines ready for immediate maneuver.
- b. Every vessel shall have due regard to the prevailing circumstances and conditions of restricted visibility when complying with regulations # 219 - 5 through # 219 - 10.
- c. Except where it has been determined that a risk of collision does not exist, every vessel which hears apparently forward of its beam another vessel, or which cannot avoid a close-quarters situation with another vessel forward of its beam, shall reduce speed to the minimum of which the vessel can be kept on course or shall take engines all the way off. In any event, vessels shall navigate with extreme caution until danger of collision is over.

**# 220 - MUFFLING AND SOUND LEVEL**

1. Except in case of a motorboat competing in a sanctioned race or regatta, it is unlawful to use a vessel propelled in whole or in part by gas, gasoline, or naphtha unless the vessel is provided with a stock factory muffler underwater or other device capable of adequately muffling the sounds of the exhaust of the engine. The phrase "adequate muffling" means that the motor's exhaust at all times is so muffled or suppressed as not to create excessive noise.
2. No person shall operate a vessel upon waters of this state under any condition or in any manner that the vessel emits a sound level in excess of 86 decibels on "A" weighted scale when measured from a distance of 50 feet or more from the vessel. The operator of such vessel may be ordered off the water upon failure to submit to sound level testing procedures.

## **# 221 - MANEUVERING AND WARNING SIGNALS**

1. Terms used:
  - a. "Short blast" means a blast of about one second's duration sounded when motorboats are at a close quarters distance so as to involve the risk of collision.
  - b. "Prolonged blast" means a blast of four to six seconds' duration sounded when motorboats are at a close quarters distance so as to involve the risk of collision.
  - c. "Danger signal" means five or more short blasts.
2. When motorboats are in sight of one another and meeting or crossing at a close quarters distance so as to involve the risk of collision, each motorboat underway, when maneuvering as authorized or required by the rules of the road shall indicate that maneuver by the following signals from the sound-producing device:
  - a. One short blast to mean "I intend to leave you on my port side."
  - b. Two short blasts to mean "I intend to leave you on my starboard side."
  - c. Three short blasts to mean "I am operating astern propulsion."
  - d. Upon hearing the one or two blast signal, the other shall, if in agreement, sound the same signal and take the steps necessary to effect a safe passing. If, however, from any cause, the motorboat doubts the safety of the proposed maneuver, then the danger signal shall be sounded and each vessel shall take appropriate precautionary action until a safe passing agreement is made.
3. When motorboats are in sight of one another and one motorboat is intending to overtake another at a close quarters distance so as to involve the risk of collision, the overtaking vessel shall indicate intentions by the following signals from the sound-producing device:
  - a. One short blast to mean "I intend to overtake you on your starboard side."
  - b. Two short blasts to mean "I intend to overtake you on your port side."
  - c. Upon hearing the one or two blast signal of the other, the motorboat this is being overtaken shall, if in agreement, sound the same signal. If in doubt, the vessel being overtaken shall sound the danger signal.
4. When vessels, other than hand-propelled vessels when on whitewater, are in sight of one another and are approaching each other and from any cause either vessel fails to understand the

intentions or actions of the other, or is in doubt whether sufficient action is being taken by the other to avoid collision, the vessel in doubt shall immediately indicate such doubt by giving at least five short and rapid blasts from the sound-producing device. The danger signal may be supplemented by a light signal of at least five short and rapid flashes.

5. When a motorboat is leaving a dock or berth and vessel traffic is heavy, one prolonged blast may be sounded.
6. If necessary to attract the attention of another vessel, any vessel may light or sound signals that cannot be mistaken for any signal authorized elsewhere in these regulations, or may direct the beam of a light in the direction of danger.
7. When a vessel is in distress, the following signals used or exhibited either together or separately, indicate distress and need of assistance:
  - a. A continuous sounding with any signaling device;
  - b. A signal made by any signaling method consisting of S.O.S. in the Morse Code;
  - c. Slowly and repeatedly raising and lowering arms outstretched to each side;
  - d. An orange distress flag with either a black square and circle or other appropriate symbol;
  - e. A high intensity white flashing light flashing at regular intervals from 50 to 70 times per minute.
  - f. The use or exhibition of any of the foregoing signals except for the purpose of indicating distress and need of assistance is prohibited.

#### **# 222 - COLLISIONS, ACCIDENTS, AND CASUALTIES**

1. In the case of an accident involving a vessel, the operator thereof, shall file with the Division a full report concerning the accident. A vessel is considered to be involved in a boating accident whenever the occurrence results in damage, in excess of two thousand dollars, by or to the vessel or its equipment, in injury or loss of life to any person, or in the disappearance of any person from on board under circumstances which indicate the possibility of death or injury. Such boating accident includes, but is not limited to, capsizing, collision, foundering, flooding, fire, explosion, and the disappearance of a boat other than by theft. Accidents for the purpose of the report are only those which occur on the water.
2. Reports required under subsection 1 of this section shall contain the following information:
  - a. The number assigned to each vessel involved;
  - b. The locality, time and date of the accident;
  - c. The weather conditions existing at the time of the accident;
  - d. The name, address, and age of each operator of a vessel involved in the accident;
  - e. The name and address of the owner of each vessel involved in the accident;
  - f. the name and address of any person who is injured or killed as the result of the accident;

- g. The nature and extent of injury to any person;
  - h. A description of any property damage;
  - i. A description of how the accident occurred;
  - j. The type of vessel that is the subject of the report;
  - k. The name and address, if known, of any witness to the accident.
3. All reports required to be submitted under this section shall be submitted to the Law Enforcement Unit at 13787 South Highway 85, Littleton, Colorado 80125 of the Division within five days after the date of the accident.

**# 223 - WATER SKIS, AQUAPLANES, SURFBOARDS, INNERTUBE, AND SIMILAR DEVICES**

- 1. No person shall operate a vessel on any waters of this state for towing any person on water skis, aquaplanes, surfboards, inner tubes, or any similar devices, unless there is in such vessel a person, in addition to the operator, in a position to observe the progress of the person being towed, and capable of relaying messages to the operator.
- 2. No person shall operate a vessel on any waters of this state towing any person on water skis, aquaplanes, surfboards, inner tubes, or any similar devices, nor shall any person engage in water skiing, surfboarding, or similar activity at any time between the hours from sunset to sunrise.
- 3. Any person on water skis, aquaplanes, surfboards, inner tubes, or similar devices, while being pulled or towed by a vessel, shall wear a flotation device as required in subsection 4 of section # 212 - Personal Flotation Devices.
- 4. All motorized vessels in designated water ski areas shall travel in a counter clockwise direction, except in picking up a downed skier the tow boat shall encircle the skier in such a manner as to keep him in view of the driver of the boat at all times.
- 5. No person shall engage in water skiing, surfboarding, or similar activity within one hundred fifty feet of any harbor, swimming beach, or mooring area or any areas which are designated by posting or otherwise as being closed to water skiing except in areas designated as a ski take-off or landing area.
- 6. Whenever a water skier, surfboarder, or person engaged in a similar activity or associated equipment is down in the water, the operator or observer of the tow boat shall display in a clearly visible manner an orange or red flag of a size not less than 12 inches square. When the towed person is actively being towed and is not down in the water, and the associated equipment has been retrieved, the flag shall not be displayed.

**# 224 - HULL IDENTIFICATION NUMBER**

- 1. After August 1, 1984, every person who builds or imports a monohull vessel for personal recreational use and not for the purposes of sale, must identify that boat with two hull identification numbers that meet the requirements of this regulation.
- 2. Following application for assignment of a Colorado hull identification number, a hull identification number may be assigned by the Division if the applicant declares on the application that Colorado will be the state of principal use.

3. Following assignment of a Colorado hull identification number, a person as described in # 224 - 1 must identify the boat with two hull identification numbers that meet the following requirements:
  - a. A primary hull identification number affixed as herein prescribed:
    - (1) On boats with transoms, to the starboard side of the transom within two inches of the top of the transom, gunwale, or hull/deck joint, whichever is lowest.
    - (2) On boats without transoms or on boats on which it would be impractical to use the transom, to the starboard outboard side of the hull, aft, within one foot of the stern and within two inches of the top of the hull side, gunwale, or hull/deck joint, whichever is lowest.
    - (3) On catamarans and pontoon boats which have readily replaceable hulls, to the aft crossbeam within one foot of the starboard hull attachment.
    - (4) If the hull identification number would not be visible, because of rails, fittings, or other accessories, the number must be affixed as near as possible to the location specified in regulation # 224 - 3 a (1).
  - b. A duplicate hull identification number must be affixed in an unexposed location on the interior of the boat or beneath a fitting or item of hardware.
  - c. Each hull identification number must be carved, burned, stamped, embossed, molded, bonded, or otherwise permanently affixed to the boat so that alteration, removal, or replacement would be obvious. If the number is on a separate plate, the plate must be fastened in such a manner that its removal would normally cause some scarring of or damage to the surrounding hull area. A hull identification number must not be attached to parts of the boat that are removable.
  - d. The characters of each hull identification number must be no less than one-fourth of an inch high.

**Basis and Purpose:**

The statements of basis and purpose for these regulations can be viewed and copies obtained from the Colorado Division of Parks and Wildlife, Office of the Regulations Manager, Policy and Planning Unit, 1313 Sherman, Room 111, Denver, CO 80203.

**The primary statutory authority for these regulations can be found in § 24-4-103, C.R.S., and the state Parks Act, §§ 33-10-101 to 33-33-113, C.R.S., and specifically including, but not limited to: §§ 33-10-106, C.R.S.**

**EFFECTIVE DATE - THESE REGULATIONS SHALL BECOME EFFECTIVE MAY 1, 2016 AND SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL REPEALED, AMENDED OR SUPERSEDED.**

**APPROVED AND ADOPTED BY THE PARKS AND WILDLIFE COMMISSION OF THE STATE OF COLORADO THIS 9TH DAY OF MARCH, 2016.**

**APPROVED:  
Chris Castilian  
Chairman**

**ATTEST:  
James C Pribyl  
Secretary**