

Chapter NR 5

BOAT REGULATIONS AND REGISTRATION

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NR 5.01 Application for boat certificate of number. (1) An application for a certificate of number must contain the following information:

- (a) Name of the owner
- (b) Address of the owner, including ZIP code
- (c) Date of birth of the owner
- (d) Citizenship of the owner
- (e) State in which boat is or will be principally used
- (f) The number previously issued by an issuing authority for the boat, if any
- (g) Whether the application is for a new number, renewal of a number, or transfer of ownership
- (h) Whether the boat is used for pleasure, rent or lease, dealer or manufacturer demonstration, commercial passenger carrying, commercial fishing, or other commercial use
- (i) Make of boat
- (j) Year boat was manufactured or model year
- (k) Manufacturer's hull identification number, if any
- (l) Overall length of boat
- (m) Type of boat (open, cabin, house, or other)
- (n) Whether the hull is wood, steel, aluminum, fiberglass, plastic, or other
- (o) Whether the propulsion is inboard, outboard, inboard-outdrive, or sail and name of engine manufacturer if available
- (p) Whether the fuel is gasoline, diesel, or other
- (q) A statement of ownership by applicant
- (r) The signature of the owner

(2) An application made by a manufacturer or dealer for a number that is to be temporarily affixed to a boat for demonstration or test purposes may omit items (i) through (p) of subsection (1) of this section.

(3) An application made by a person who intends to lease or rent the boat without propulsion machinery may omit items (o) and (p) of subsection (1) of this section.

History: Cr. Register, March, 1960, No. 51, eff. 4-1-60; renum. from WCD 5.01 to be NR 5.01, Register, March, 1971, No. 183, eff. 4-1-71; am., Register, June, 1974, No. 222, eff. 7-1-74.

NR 5.02 Application for transfer. An application for a transfer certificate of number in addition to furnishing the information required by NR 5.01 shall include a statement by the applicant listing the name and address of the previous owner, his certificate number, and the date on which the boat was acquired by the applicant. The applicant shall also sign the statement.

History: Cr. Register, March, 1960, No. 51, eff. 4-1-60; renum. from WCD 5.02 to be NR 5.02, and am., Register, March, 1971, No. 183, eff. 4-1-71.

NR 5.03 Application for duplicate. An applicant for a duplicate certificate of number in addition to furnishing the information required by section NR 5.01 shall complete and sign a statement that the original certificate has been either destroyed or lost and that the application being made is for a duplicate.

History: Cr. Register, March, 1960, No. 51, eff. 4-1-60; renum. from WCD 5.03 to be NR 5.03, and am., Register, March, 1971, No. 183, eff. 4-1-71.

NR 5.04 Certificate of number. (1) The boat certificate of number issued in accordance with section 30.52, Wis. Stats., except as allowed in subsections (2), (3) and (4) of this section, must contain the following information:

- (a) Number issued
- (b) Expiration date
- (c) State of principal use
- (d) Name of owner
- (e) Address of owner, including ZIP code
- (f) Whether the boat is used for pleasure, rent or lease, dealer or manufacturer demonstration, commercial passenger carrying, commercial fishing or other commercial use
- (g) Manufacturer's hull identification number (if any)
- (h) Make of boat
- (i) Year boat was manufactured
- (j) Overall length of boat
- (k) Whether the boat is an open boat, cabin cruiser, houseboat, or other type
- (l) Hull material

Register, June, 1976, No. 246

(5) **CONDITIONS, APPROVAL, MARKING.** No person may operate or use a boat unless each device required by subsection (2) or each device allowed by subsection (3) is:

- (a) In serviceable condition,
 - (b) Legibly marked with the approval number as listed in figure 1 for items subject to approval, and
 - (c) Of an appropriate size for the person for whom it is intended.
- (6) **PERSONAL FLOTATION DEVICE EQUIVALENTS.** Figure 1 lists devices that are equivalent to personal flotation devices.

FIGURE 1

Devices marked	Are equivalent to
160.002 Life preserver -	Performance type I personal flotation device
160.003 Life preserver -	Performance type I personal flotation device
160.004 Life preserver -	Performance type I personal flotation device
160.005 Life preserver -	Performance type I personal flotation device
160.009 Ring life buoy -	Performance type IV personal flotation device
160.047 Buoyant vest -	Performance type II personal flotation device
160.048 Buoyant cushion -	Performance type IV personal flotation device
160.049 Buoyant cushion -	Performance type IV personal flotation device
160.050 Ring life buoy -	Performance type IV personal flotation device
160.052 Buoyant vest -	Performance type II personal flotation device
160.053 Work vest -	Performance type V personal flotation device
160.055 Life preserver -	Performance type I personal flotation device
160.060 Buoyant vest -	Performance type II personal flotation device
160.064 Special purpose water safety buoyant devices	A device intended to be worn may be equivalent to type II or type III. A device that is equivalent to type III is marked "Type III Device—may not turn unconscious wearer." A device intended to be grasped is equivalent to type IV.

History: Cr. Register, June, 1974, No. 222, eff. 7-1-74.

NR 5.14 Jurisdiction of municipal water safety patrols. The Wisconsin department of natural resources hereby defines by rule, pursuant to section 30.79(4), Wis. Stats., the following waters which may be patrolled by the respective water safety patrol units mentioned:

- (1) The waters of Wallace lake, located in section 1, township 11 north, range 19 east and section 6, township 11 north, range 20 east in Washington county, by a water safety patrol operated by the town of Trenton.

History: Cr. Register, August, 1975, No. 236, eff. 9-1-75.

NR 5.20 Modification or waiver of slow-no-wake speed restriction on certain lakes. Section 30.635, Wis. Stats., provides that the department may modify or waive the slow-no-wake speed restriction on lakes 50 acres or less in size having public access. The following procedure is established to implement that provision:

- (1) **SUBMISSION OF PETITION FOR MODIFICATION OR WAIVER BY RULE.** Pursuant to section 227.015, Wis. Stats., any municipality, corporation or any 5 or more persons having an interest in a rule may petition for such a rule to modify or waive the slow-no-wake speed restriction on a particular lake.

- (2) **CONTENTS OF PETITION.** The petition shall state clearly and concisely:

(a) The substance or nature of the rule-making which is requested; and

(b) The reasons for the request and the petitioners' interest in the request; and

(c) References to the authority of the agency to take the action which is requested.

(3) **SERVICE ON THE DEPARTMENT.** The petition shall be served on the department of natural resources either by delivery to the office of the secretary or by mailing to the secretary by certified mail at the following address: P.O. Box 450, Madison, Wisconsin 53701.

(4) **DEPARTMENT ACTION ON PETITION.** Upon receipt of a petition for modification or waiver, the following procedures shall apply without prior authorization of the natural resources board:

(a) The department shall schedule a rule-making hearing within a reasonable period of time for the purpose of receiving the comments and views of all interested persons on the petition.

(b) Based upon information received at the hearing and the determinations made pursuant to subsection (4) (c), the department will either proceed with rule-making or deny the petition in writing. The department is not limited to the rule-making proposed by the petitioner but may modify or waive the slow-no-wake speed restriction in any manner it deems appropriate.

(c) The department shall in making the decision under paragraph (b) determine:

1. If the lake is in fact 50 acres or less and has public access. A petition may be received for a lake fluctuating in size where the petitioner shows that the lake has been 50 acres or less in the past.

2. Whether public safety will be impaired by modification or waiver of the slow-no-wake speed restriction.

3. Whether modification or waiver of the slow-no-wake speed restriction will cause environmental pollution as defined in section 144.30 (9), Wis. Stats.

History: Emerg. cr. eff. 7-28-75; cr. Register, June, 1976, No. 246, eff. 7-1-76.