

§75A-16.2. AN ACT SIGNED INTO LAW ON JULY 10, 2009 TO IMPROVE BOATING SAFETY BY REQUIRING BOATING SAFETY EDUCATION PRIOR TO OPERATING A VESSEL WITH A MOTOR OF TEN HORSEPOWER OR GREATER, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON MANDATORY BOATING SAFETY EDUCATION.

- (a) No person shall operate a vessel with a motor of 10 horsepower or greater on the public waters of this State unless the operator has met the requirements for boating safety education.
- (b) A person shall be considered in compliance with the requirements of boating safety education if the person does one of the following:
 - (1) Completes and passes the boating safety course instituted by the Wildlife Resources Commission under G.S. 75A-16.1 or another boating safety course that is approved by the National Association of State Boating Law Administrators (NASBLA) and accepted by the Wildlife Resources Commission;
 - (2) Passes a proctored equivalency examination that tests the knowledge of information included in the curriculum of an approved course;
 - (3) Possesses a valid or expired license to operate a vessel issued to maritime personnel by the United States Coast Guard;
 - (4) Possesses a State-approved nonrenewable temporary operator's certificate to operate a vessel for 90 days that was issued with the certificate of number for the vessel, if the boat was new or was sold with a transfer of ownership;
 - (5) Possesses a rental or lease agreement from a vessel rental or leasing business that lists the person as the authorized operator of the vessel;
 - (6) Properly displays Commission-issued dealer registration numbers during the demonstration of the vessel;
 - (7) Operates the vessel under onboard direct supervision of a person who is at least 18 years of age and who meets the requirements of this section;
 - (8) Demonstrates that he or she is not a resident, is temporarily using the waters of this State for a period not to exceed 90 days, and meets any applicable boating safety education requirements of the state or nation of residency;
 - (9) Has assumed operation of the vessel due to the illness or physical impairment of the initial operator, and is returning the vessel to shore in order to provide assistance or care for the operator;
 - (10) Is registered as a commercial fisherman or a person who is under the onboard direct supervision of a commercial fisherman while operating the commercial fisherman's boat; or
 - (11) Provides proof that he or she was born before Jan. 1, 1988. Any person who operates a vessel with a motor of 10 horsepower or greater on the waters of this State shall, upon the request of a law enforcement officer, present to the officer a certification card or proof that the person has complied with the provisions of this section.
- (c) Any person who violates a provision of this section or a rule adopted pursuant to this section is guilty of an infraction, as provided in G.S. 14-3.1. The court shall assess court costs for each violation but shall not assess a penalty. A person may not be convicted of violating this section if, when tried for the offense, the person produces in court a certification card or proof that the person has completed and passed a boating safety course in compliance with subdivision (b)(1) of this section.
- (d) No unit of local government shall enact any ordinance or rule relating to boating safety education, and this law pre-empts all existing ordinances or rules.
- (e) An operator of a personal watercraft on the public waters of this State remains subject to any more specific provision of law found in G.S. 75A-13.3.

**Boating Safety Education
Required In
North Carolina
N.C. §75A-16.2**



Initiated by the boating community, enacted into law by the General Assembly and implemented by the N.C. Wildlife Resources Commission, a boating safety education requirement went into effect on May 1, 2010.



FOR MORE INFORMATION
www.ncwildlife.org or 919-707-0031

Required Boating Safety Education FAQ

The law is provided on the opposite page as a reference. For more information, go to www.ncwildlife.org or call 919-707-0031.

What is the boating safety education law?

Initiated by the boating community and with the recommendation of a joint select committee, the General Assembly passed GS 75A-16.2 in June 2009 to improve boating safety by requiring boating safety education prior to operating a vessel with a motor of 10 horsepower or greater.

When did the law go into effect?

May 1, 2010. Beginning that date, vessel operators must, upon request of a law enforcement officer, present a certification card or proof of compliance. *(See GS 75A-16.2 subsection b, no. 11)*

Who is required to take boating safety education in North Carolina?

Anyone who born on or after Jan. 1, 1988 and wants to operate a vessel powered by a 10 horsepower or greater motor on public waterways, unless they are otherwise in compliance, must take the course. *(See GS 75A-16.2 subsections a & b)*

Does the law apply to personal watercraft?

Yes. *(See GS 75A-16.2 subsection e)*

How do I enroll in a course?

There is no charge for courses offered by the N.C. Wildlife Resources Commission. Go to www.ncwildlife.org and click on "Boating/Waterways" or "Education/Workshops" for schedule and availability, or call 919-707-0031. The U.S. Coast Guard Auxiliary, the U.S. Power Squadron and Internet providers offer approved courses that can include a fee. The course must be approved by the National Association of State Boating Law Administrators to be accepted.

Where are courses held?

N.C. Wildlife Resources Commission courses are held across the state. Online courses, such as Boat-Ed.com, BoaterExam.com and BoatCourse.com, allow boaters to meet mandatory education requirements and obtain an official certification card.

Can a youth operate my boat with me onboard?

Yes, provided that you are at least 18 and in compliance with the law. You must be in direct onboard supervision of the youth at all times. *(See GS 75A-16.2 subsection b, no. 7)*

What is considered direct supervision?

An immediate presence and the ability to readily assume control of the vessel constitutes direct supervision.

Is a course required for out-of-state boaters?

Not if your visit is 90 days or less and you meet the requirements of your home state. *(See GS 75A-16.2 subsection b, no. 8)*

If I was born on or after Jan. 1, 1988 and buy a new or used boat, do I need to complete a course before I can legally take it out?

A temporary registration card, or notarized bill of sale or transfer of ownership will serve as proof of compliance. *(See GS 75A-16.2 subsection b, no. 4)*

If I have already completed a course or taken one in another state, will I need to take another one here?

No matter when or where you took a National Association of State Boating Law Administrators-approved course, the training is valid in North Carolina. Present your certification card or proof of compliance upon request of a law enforcement officer. *(See GS 75A-16.2 subsection b, no. 1)*

How do I get a replacement certificate?

If you took a N.C. Wildlife Resources Commission course, contact (919) 707-0031. For other courses, contact the provider.

Know Before You Go!

Get N.C. Wildlife Update - news including season dates, bag limits, legislative updates and more - delivered to your Inbox from the N.C. Wildlife Resources Commission. Go to www.ncwildlife.org and click on "Wildlife E-mail Updates."

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