

Updated Boating Laws/Regulations

SUMMARY OF ACT 2006-398 (effective date of July 1, 2006):

1. Applies to Lake Harris (Lake Wedowee), Lake Martin, and Weiss Lake ONLY.
2. Beginning October 1, 2006, there is an **absolute ban on recreational vessels that are BOTH (a) greater than 26 ft-11 inches and (b) are "rated by the manufacturer for or capable of a top speed in excess of" 60 mph**. No exceptions except general exceptions listed in last item below.
3. Beginning July 1, 2007, there is a **general ban on:**
 - (a) **"houseboats"** ("residence boats" defined under current msd law as "any structure used primarily for habitation located on any waters in the state, floating or supported totally or partially on pilings" and **recreational vessels** that constitute a fully equipped dwelling similar in content to a mobile home with an msd, galley, and sleeping quarters) and
 - (b) **recreational vessels over 30 ft-6 inches** in length, as determined by the straight line distance between the ends of the boat, excluding bowsprits, outboard motor brackets, rudders, or other attachments.

Exception for DCNR annually permitted vessels:

- (1) needed for use on a **temporary** basis;
- (2) **houseboats "licensed and in use" on July 1, 2006**, if they meet all applicable standards for sewage discharges, are moored at a marina or other facility with a certified pump-out station or other approved means of sewage disposal and are inspected annually;
- (3) **boats over 30ft-6 inches and NOT rated or capable of 60mph** if they meet both of those requirements **and were "licensed and in use" on July 1, 2006 or were on site and available for sale at any marina located on any one of the above lakes on July 1, 2006**.

These excepted vessels are

- (1) **issued a DCNR permit** on an **annual** basis for **that particular lake only** (and are to be issued **only after annual inspection** if required under exception (2) above). The permits are not transferable to any other lake. [If boat transferred to another person permit could be transferred as long as on same lake]. DCNR is to develop and adopt rules setting up the permit, and is authorized to charge and collect a fee to cover reasonable costs.

4. General exceptions from this act for law enforcement, public safety, search and rescue, scientific research, dam operation/maintenance, medical vessels and for sailboats equipped with a mast and sails that are dependent on wind for propulsion in normal operation.