

Transport Canada Office of Boating Safety



Question & Answers

July 2008

Canada 

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aboriginal
aboriginal communities
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accredited course provider
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American citizen
anchor
bailer
boating course
boating safety course
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buoys
buoyant heaving lines
Canadian approval
capacity plates
careless operation
accredited test
CCG Auxiliary
cellular phone
certificate
channel 16
challenge test
commercial fishing vessel
commercial vessel
communications
completion date
compliance plates
conformity plates
Contraventions Act
cost
course
course fees
course prices
course provider
course standard
Criminal Code
dangerous operation
digital selective calling
directly supervised
enforcement
experienced boater
expired flares
fail the test
fire extinguisher
fine
flares
flashlight
flotation device
freeboard
from another country
GMDSS
grandfather clause
home study
horseshoe buoy
hull identification number
impaired operation
inflatable PFD
infraction
internet
label
license
license number
licensing
lifebuoy
lifejacket
life saving cushion
lost card
manual propelling device
manual pump
marine chart
maximum horsepower
mooring buoys
municipal bylaw
navigational aids
Northwest Territories &
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number of incidents
offence
Office of Boating Safety
oil spill
on-the-water training
operator card
operator competency
partnering
passenger-carrying vessel
penalties
personal flotation device
personal ID
personal watercraft
phase-in period
previous training
proof of age
proof of competency
rationale
recreational
recreational boating
reboarding device
registration
regulation
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rental boat safety checklist
renters
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Office of Boating Safety Questions and Answers

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Contacting the Office of Boating Safety

It's easy! You can visit our website at www.boatingsafety.gc.ca or call us at:

- 1-800-267-6687 National Boating Safety Info Line

Section 1: Office of Boating Safety Overview

GENERAL OVERVIEW

What is the Office of Boating Safety?

- The Office of Boating Safety was created in 1995. As part of Transport Canada Marine Safety, the Office of Boating Safety (OBS) is responsible for the regulatory, compliance and technical services that apply to recreational boaters. OBS actively promotes boating safety through its' education program. In addition, OBS works in partnership with other agencies including the Coast Guard Auxiliary, Recreational Boating Advisory Councils, Ground Search and Rescue Associations, Canadian Safe Boating Council, boating associations, training groups, marine retailers and manufacturers, enforcement agencies, and the boating public to promote responsible safe boating and to ensure compliance with safety regulations.

Working together for safe boaters, safe boats, and a safe boating environment!

RATIONALE

What is the rationale behind the boating safety regulations?

- The driving force behind these regulations is public safety: we want to reduce boating fatalities and incidents.
- More than one in four Canadians describes himself/herself as a boating enthusiast.
- But Canadians enjoyment of the water is increasingly at risk: during a five year period (1996-2000), Canada has witnessed almost 1,000 boating fatalities (**National Boating Fatalities Report 2003 edition, Lifesaving Society**).
- The boating safety regulations, the result of four years of consultation and dialogue between the Office of Boating Safety and Canadians are designed to address two areas of concern:
- **The first** is that before 1999, anyone of any age could operate any boat of any size in Canada without any training or previous boating experience.
- **The second** is that up to 1999 over two-thirds of all boaters in Canada had never received any formal boating safety training.

Have the regulations decreased the number of incidents since they were introduced in 1999?

- This is a safety solution and the Office of Boating Safety expects the number of fatalities to drop. Fatalities have been reduced from 200 to 150 per year. We hope to see further reductions in the future.
- In a study of best practices in boating education conducted by the American-based National Association of State Boating Law Administrators (NASBLA) Education Committee in the summer and fall of 2006, the association found that those states that have the longest history of boating education requirements also have the lowest average fatality rates of all the states. Also, the longer the boating education requirements have been in place, the lower the fatality rates have become. The states with no boating education requirements in place have the highest average fatality rates. **Lexington, Ky.** (February 1, 2007)

What is the rationale for the operator competency and age and horsepower regulations?

- The regulation is in direct response to the public's view expressed in consultation meetings and through attitudinal surveys that the operators of power driven recreational boats should have an understanding of how to operate their particular boat, knowledge of boating rules and the right attitude, prior to operating the boat.

- During extensive coast-to-coast consultations, the boating public proposed that some sensible restrictions, similar to what is in place for motor vehicles, should be adopted for motorboats. The limits introduced correspond in many cases to long-standing training practices of boating organizations regarding the training of youth.

Why not take the approach of improving recreational boating safety through partnering and education?

- Partnering and education have been and continue to be centrepieces of our approach. Over the past several years we have established strong relations with the boating community, particularly with training and boating safety organizations.
- It must be recognised however, that boating safety and training courses have existed for a number of years and yet the majority of Canadian boaters have not taken such a course.



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REGULATORY IMPACTS FOR ABORIGINAL COMMUNITIES

Do operator competency regulations apply to aboriginal communities?

- Yes, the recreational use of boats by members of aboriginal communities will be governed by these regulations in the same fashion as everyone else. All treaty rights and obligations are being respected.

Why do the rules not apply in the Northwest Territories & Nunavut?

- The OBS has deferred applying the regulations on operator competency and age and horsepower restrictions in this area of the North until the respective governments of the Northwest Territories and Nunavut have sorted out their post-division responsibilities. The OBS will continue to work with the respective governments in the north to advance safe boating.
- The Small Vessel Regulations do apply in the NWT and Nunavut as in all other areas of Canada.

Will all of the regulatory measures be applied in aboriginal communities?

- Yes, the regulations will be enforced to the extent that they apply, i.e. operator competency regulations will apply where the boat is used for recreational purposes.
- Aboriginal communities are strong supporters of boating safety.
- The department will continue to work with the local communities to raise awareness of boating safety.

Section 2: Operator Competency (Mandatory Education Requirements)

Do I need a license to operate my boat?

- Many questions we receive relate to "...license to operate a vessel." In many instances, people want to know about the requirement to take a boating safety course. This is in conjunction with the regulation introduced in 1999 called **Competency of Operators of Pleasure Craft Regulations**. Eventually, those who operate a power-driven recreational vessel will be required to show proof of operator competency. We do not refer to this as a "license" as this is not something that can be taken away once it has been obtained. Also, the card is "good for life" and does not need to be renewed.

Please note: A **vessel license** is the identification numbers on a vessel. Vessels with a motor of 10 hp or more are required to be licensed. See Section Three for more information on licensing (and registration).

Isn't an operator card just another word for a licence?

- No, unlike a driver's license, the operator card can't be revoked and will be good for life.

Can my Operator Competency Card be taken away?

- Your operator card is only proof that you passed the test. Unlike a driver's license this proof cannot be taken away from you.

Do I need to carry my personal ID while boating?

- Under the Operator Competency Regulations, you have to carry proof of competency and proof of age.
- Police officers can require persons to produce, proof of age and proof of competency.

Who is required to have proof of competency?

- Anyone who operates a **recreational vessel** fitted with a motor (i.e. a sailing vessel with auxiliary power, or a canoe fitted with an electric motor) will be required to have proof of competency. These requirements are being phased in over a ten year period as follows:
 - * All operators born after April 1, 1983 are now required to have proof of competency (as of September 15, 1999)
 - * All persons who operate a pleasure craft less than four meters (or 13.2 feet) and fitted with a motor are required to show proof of competency (as of September 15, 2002)

- * All other persons who operate a pleasure craft of any size fitted with a motor will be required to show proof of competency (By September 15, 2009)

Why are identical vessels used commercially not required to have operator certificates and recreational vessels are required to do so?

- The Competency of Operators of Pleasure Craft Regulations only apply to recreational boaters.
- Transport Canada's Marine Personnel Regulations cover the certification requirements for non-pleasure vessels. Contact your nearest Transport Canada Marine Safety office for further details.

What are the different ways of proving competency?

Proof of competency can take 1 of 3 forms:

- proof of having taken a boating safety course prior to April 1, 1999.
- a pleasure craft operator card issued following the successful completion of an accredited test.
- a completed rental boat safety checklist (for power-driven rental boats).

Is there a grandfather clause?

- No.

Will boaters who have previously taken a boating course be required to take another course?

- No, those who have received training prior to April 1, 1999 will not be required to take another course provided they have proof (certificate/card). A copy of a certificate or a card issued at the completion of courses taken prior to April 1, 1999 will need to be carried on board a pleasure craft as per the phase-in date of the operator competency requirements.

What should I do if I've received training prior to April 1, 1999 and my certificate does not show a completion date?

- If the course provider who issued the certificate is still in existence, you can contact them to issue you a certificate showing the appropriate completion date. Otherwise, you will need to take an accredited boating safety course or challenge the test.

I have obtained a Marine Safety Certificate from Transport Canada Marine Safety, do I need to take the Operator Competency Course/Test?

- Those who hold certain Transport Canada 'tickets' or Marine Safety Certificates may be issued Pleasure Craft Operator Cards in lieu if they present their ticket and personal identification to participating Course Providers. For a complete list of

those Marine Safety Certificates that are recognized for the issuance of a Pleasure Craft Operator Card visit:

<http://www.tc.gc.ca/marinesafety/debs/obs/courses/pcoc/list-marine-safety-certif.htm>

For a list of course providers that will issue a Pleasure Craft Operator Card in lieu of a Marine Safety Certificate visit:

<http://www.tc.gc.ca/marinesafety/debs/obs/courses/pcoc/cp-issuing-pcoc-ms-certif.asp>

Do experienced boaters need to take a boating course?

- No. Experienced boaters have the option of challenging an accredited test.

Does the boating safety standard require on-the-water training? If not, why is this not being provided?

- The Boating Safety Course Standard covers basic boating rules and regulations. It does not require an on-the-water training requirement. The course is designed to provide the boater with basic boating safety knowledge.
- On-the-water training is impractical to implement given the geographical nature of Canada, the diversity of boaters and remoteness of some Canadian communities. To implement a practical element would be costly and difficult to maintain. Some course providers offer a practical component to their courses, which includes an option for on-the-water training element. This is independent to any regulatory requirements.

Are there enough boating safety course providers to train boaters affected by these regulations?

- There are over 90 accredited boating safety course providers and many of them offer their training on line and through home study programs
- The ten-year phase-in period also provides sufficient lead-time to adjust and increase course capacity should the situation warrant.

How can I register for a boating course?

- To obtain a list of course providers in your area, please contact the Office of Boating Safety. The list is available online at:
<http://www.tc.gc.ca/marinesafety/debs/obs/courses/pcoc/menu.htm>
or by calling 1-800-267-6687.

If I fail the test can I try it again?

- Yes, however we would strongly recommend that you take a course if you fail the test.

Where can residents of remote or rural areas obtain training or operator cards?

- The regulations are sensitive to the needs of individuals residing in remote or rural communities. That is one of the reasons why the regulations provide for courses that can be delivered via Internet and home study methods.
- People seeking information on the regulations, or who want to know how to access training locally, can refer to the Transport Canada website or call the Office of Boating Safety's 1-800-267-6687 Info-Line.

What part of course fees are ending up in the government pocket?

- None. All courses and tests are administered by business in the private sector. **No money** is collected for the Office of Boating Safety.

How much will it cost to take a boating safety course?

- Course prices will vary depending on the type of course an individual chooses. It is best to shop around and compare prices.
- The amount will vary with each individual private sector training organization. Some correspondence courses could cost as little \$25.00 to \$30.00. A typical in class course could cost between \$60.00 and \$100.00.
- The challenge test could cost anywhere from \$40.00 and more.

Does the Office of Boating Safety teach boating safety courses to the public?

- No. All courses are developed and administered by the private sector. The Office of Boating Safety developed the course standard, reviews submissions for accreditation, monitors testing and provides test questions for online testing.

Since I operate a small boat in conjunction with my job, how do I go about taking a course?

- Non-pleasure craft operators should consult the Marine Personnel Regulations for information regarding training requirements. For more information contact the nearest Transport Canada Marine Safety office.

Rental Safety Checklist - Does everyone have to fill out a safety checklist before renting a powered boat?

- Only those who fall under the requirements for a competency card will need to fill out a checklist when renting, however, some powerboat rental agencies will require renters to read and sign a waiver which includes safety information and operation instructions.

Where can a rental agency get a rental safety check list?

- To obtain a Rental Safety Check List Standard call 1-800-267-0887. A sample checklist can be found in Appendix A of the standard. The sample provided can be used or be personalised to suit rental agency individual needs.

If paddling a motorboat (while the motor is off) are we still required to have a competency card?

- Yes, as long as there is a motor on board, it will be considered a powered-vessel.

Will the Office of Boating Safety include unpowered craft in the future?

- The Office of Boating Safety will continue to work with the representatives of the unpowered boating community on ways to improve boating safety and will continue to monitor the situation.

Why is the Office of Boating Safety targeting youth boaters when most of the boating incidents involve adults?

- Focussing first on young boaters to get the basic boating knowledge to be on the water makes good sense. The younger that safety awareness is instilled, the more effective it is likely to be; and, responsible youths generally do grow up to be responsible adults.
- The vast majority of operators of pleasure craft fitted with a motor will have to meet the new requirements by September 15, 2002 and all others by September 15, 2009.

We have lived on water all our lives, our kids know how to boat safely, why should they take the test?

- Taking the test is good way for all to refresh their boating safety knowledge. The goal is to ensure knowledgeable boaters. The issue is one of safety. In Connecticut, where a similar set of regulations have been in effect for some time now, reports show that boaters who have not received boating safety training have 5 times more incidents than their trained counterparts.

If my child is 11 and drives a boat of less than 10 hp and that I am directly supervising him, does he/she (or my child) still need a competency card?

- Yes, he/she (or your child) still needs a competency card. The age-horsepower restrictions and operator competency requirements are separate and both must be obeyed.

I have and operate my boat in Canada. I have received previous training from another country. Will this be recognized in Canada?

- For Canadian residents it must be a Canadian boating safety course taken prior to April 1st 1999, a Pleasure Craft Operator Card, or a Canadian certificate to show as proof. However, for non-residents if the course is mandatory in your state or country it will be recognized in Canada.

Do I need a competency card to operate a sailboat?

- You need a competency card to operate a sailboat only if it is equipped with a motor. Without a motor, a competency card is not required regardless of vessel size. Several yachting and sailing associations, offer sail training. It is recommended that regardless of the style of boat, boaters explore the training options available to them.

If I lose my Operator Card how do I get another one?

- You must contact the course provider where you took the course. OBS does not replace lost cards. If the course provider is unknown or no longer in existence, contact the Office of Boating Safety for assistance.
- Remember to keep a copy and/or store your receipt, name of Course Provider and instructor for future reference in the event you lose your card and require a replacement.

Will there be penalties if I don't have proof of operator competency or a rental boat safety checklist?

- Yes. Under the Contraventions Act such an offence will result in a ticket, with a fine of \$250. Police officers also have the option of prosecuting an infraction as a summary conviction offence and may result in a greater or lesser fine assessed by a court of law.

The special provisions for non-residents and renters are unfair to other boaters who will have to meet the full requirements.

- The Office of Boating Safety worked closely with the tourism industry to develop alternative means by which they and their clients could comply with the intent of the regulations.
- Non-residents with their own boats are not required to provide proof of competency if they are in Canada for less than 45 consecutive days. This grace period for non-residents with their own boats provides reciprocity with our largest source of tourists, which is the United States.

- The rental boat safety checklist provision for renters, which was suggested by the industry, will ensure that the renter has specific knowledge regarding the operation of the boat and local safety rules and hazards. The rental boat safety checklist can be compared to the temporary operating permits for motor vehicles.

Do American citizens have to have a competency card?

- If an American vessel is in Canadian waters for 45 consecutive days or more, the American operator will require proof of competency. If a non-resident is operating a Canadian vessel then the 45 day grace period does not apply. They must produce a form of operator competency.
- If an American citizen has a boat, which is primarily kept in Canada for 6 months or longer (ex. cottage in Canada), it is considered a Canadian boat. All Canadian regulations such as Competency of Operators of Pleasure Craft Regulations, Small Vessel Regulations etc. will apply.

Section 3: Age and Horsepower Restrictions

What are the reasons for the different age and horsepower thresholds in the Vessel Operation Restriction Regulations?

- Canadians want to limit the power of boats that children can operate by themselves.
- The different age and power thresholds were suggested by parents, coroners and boating training organizations based on their concerns and experience in training these age groups on boating safety.
- They provide for a gradual increase in the maximum horsepower according to the age and physical maturity of youth.
- The restriction with respect to the age of operation of personal watercraft corresponds to the age limit recommended by the manufacturers for the operation of their product.

If a youth successfully completes an accredited course, does this mean they can operate any size recreational vessel, regardless of horsepower?

- When a youth completes an accredited course, they are still restricted in the size of motor they can operate. However they can operate a recreational vessel of any size and horsepower as long as they are directly supervised by an adult (directly supervised means accompanied and directly supervised in the boat by a person 16 years of age or older).
- If, a youth is not directly supervised, they will be restricted to the following: **(regardless of having their operator card):**

-A youth under 12 years of age: can operate a vessel up to and including 10 horsepower

-A youth 12 years of age but not yet 16 years of age can operate a vessel up to and including 40 horsepower

-ANYONE UNDER THE AGE OF 16 YEARS IS NOT PERMITTED TO OPERATE A PERSONAL WATERCRAFT (PWC--commonly referred to as sea-doo's and jet-skis) REGARDLESS OF SUPERVISION AND/OR PROOF OF COMPETENCY

(Please note: **Age and Horsepower Restrictions and Competency of Operators of Pleasure Craft Regulations are two separate and distinct requirements**).

What is the impact of age and horsepower restrictions on youth programs?

- Youth programs generally use non-powered craft such as canoes. The restrictions do not apply to non-powered craft.
- Youth programs that involve the use of pleasure craft fitted with a motor will need to incorporate a training course into their programs. Many of these programs already provide training courses.

Will my son/daughter be able to drive my boat if I am on board?

- Youth less than 12 years of age must be directly supervised in the operation of a pleasure craft fitted with a motor greater than 10hp and youth between the ages of 12 and 16 must be directly supervised during their operation of pleasure craft fitted with a motor above 40hp. In all cases the youth being supervised must also possess the required proof of competency since September 15, 1999.
- However, in the case of personal watercraft, all operators must be at least 16 years of age.

Does an individual supervising a youth under the age of 16 have to have proof of competency themselves?

- The Vessel Operation Restriction Regulations state that the youth must be accompanied and directly supervised in the pleasure craft by a person who is 16 years of age or older. The idea is to have the youth operating the pleasure craft supervised by a person with a certain level of maturity and responsibility. The person supervising must be able to assume operation of the pleasure craft in the event of an emergency. The person operating the pleasure craft must comply with operator competency requirements based on the phase-in period.

Section 4: Contraventions Act – Enforcement

Who is going to enforce these regulations?

- The following agencies can give tickets and/or fines to boaters:
 - * Members of the Royal Canadian Mounted Police.
 - * Members of a provincial, regional, or municipal police force.
- Any person designated as an enforcement officer charged with the applications of rules by the Minister of Fisheries and Oceans.
- The Office of Boating Safety provides the regulations training to peace officers and also works in partnership with these agencies through Joint Enforcement Patrols.

How are the regulations going to be enforced?

- The Contraventions Act has changed how boating regulations are enforced. Boaters can now be ticketed on the water. For more serious offences such as operating a vessel while impaired, charges can be applied under the Criminal Code.

What are the rules on alcohol and boating?

- The rules are the same for a motor vehicle on the road as it is for a vessel on the water.
- Impaired operation of a vessel is enforceable under the Criminal Code and can lead to the suspension of your motor vehicle driver's license.
- The laws regarding alcohol aboard a boat do vary slightly from province to province. We recommend that the boaters call their local enforcement agency to get more information.

How is the Office of Boating Safety going to enforce these rules?

- The Office of Boating Safety will continue to work in partnership with enforcement agencies to improve overall enforcement activities.
- The introduction of ticketing under the Contraventions Act has greatly improved the ability and willingness to enforce these regulations.

Will the Office of Boating Safety increase enforcement activities?

- Enforcing the regulations is primarily conducted by local enforcement agencies and decisions on whether to increase these activities must be based on local circumstances.

- The Coast Guard Auxiliary, the Canadian Red Cross and the Life Saving Society and other training organizations are actively involved in promoting boating safety awareness in an effort to reduce the requirement for enforcement.

Section 5: Licensing vs. Registration

How do I register my boat?

- In many cases, when people call looking for information on vessel “registration,” they do not understand that there is a difference between registration and licensing. In most instances, they will need to know about vessel licensing, not vessel registration.
- Similarly, when people call looking for information on how to get their “boat license,” in many cases, they are trying to find out about the operator competency (boater education) requirements.

What is the difference between a vessel license and vessel registration?

- All pleasure craft fitted with an engine (or combination of engines) of 10 hp (7.5KW) or more are required to be licensed (**Please note:** While canoes, kayaks, paddleboats, rowboats, and aluminium boats fitted with a motor of 9.9hp or under are not required to be licensed, owners of these vessels can still license them voluntarily.) Registration is optional for pleasure craft.

Where do I go to license my boat?

- Applications for vessel licensing are currently available through Service Canada. There is no charge for the license. The license is an identification number displayed on both sides of the bow of a vessel. For site specific information please refer to www.servicecanada.gc.ca.

Where do I go to register my boat?

- A registered vessel will have a name and port of registry displayed on a visible part of the hull. Registration is optional for pleasure craft.
- Contact Transport Canada at 1-877-242-8770

What size of characters should I use to put the license number on my boat ?

- The license number must be 7.5 centimetres (3 inches) high, in capital letters and in a colour that contrasts with the colour of the hull.

Section 6: Small Vessel Regulations - Safety Equipment

GENERAL OVERVIEW

How do the Small Vessels Regulations benefit boaters?

- There are approximately 150 drownings related to boating activities every year in Canada. These regulations promote safer boating practices and help save lives. By simplifying and modernising the Small Vessel Regulations, we hope that the clearer and more easily understood rules make compliance easier for the boating public.
- The rules regarding minimum safety equipment provide greater flexibility through increased options that allow boaters to make equipment choices more suited to their boat. For example the owners of small power-driven recreational vessels are able to choose between an anchor or a set of oars, and a watertight flashlight or flares.
- The rules for water skiing have been extended to include other towing activities such as barefoot skiing, tubing and surfboarding. The number of persons that can be towed is limited to the seating capacity of the boat, exclusive of the operator and lookout so that in the event a recovery is necessary, the persons can be accommodated safely in the boat.

What safety equipment do I need on board my small recreational vessel?

- All recreational vessels are required to have mandatory safety equipment on board in accordance with the Small Vessel Regulations regardless of where they are operated. Equipment varies according to the length and type of vessel. Safety equipment requirements for all recreational vessels are part of the Small Vessels Regulations. Equipment requirements can be found in the *Safe Boating Guide* (for a copy of the *Safe Boating Guide*, please contact the Office of Boating Safety).

Are boat rental operators responsible for ensuring that the required equipment is on board a pleasure craft ?

- Both the rental operator and individual renting a recreational boat share the requirement that a boat be properly equipped.
- First, the regulations already state that no person shall operate a small vessel unless it carries the type and quantity of equipment required by the Regulations.
- Second, the regulations state that no owner shall allow another person to operate a small vessel unless it carries the type and quantity of equipment required by law.

PERSONAL PROTECTION EQUIPMENT

FLOTATION DEVICES

What is the difference between a Personal Flotation Device (PFD) and a lifejacket ?

- PFD – available in different colours, styles and inflatable configurations. PFDs will keep you afloat. They are far more comfortable than lifejackets and are designed for constant wear.
- Lifejackets – available **only** in red, yellow or orange. Lifejackets (keyhole in particular) will guarantee the ability to turn an unconscious person face-up in the water and offer greater buoyancy. These are intended for abandonment and are not designed to be comfortable enough for constant wear. A Small Vessel Regulation Lifejacket offers somewhat of a more comfortable fit than the keyhole style but is only guaranteed to turn an individual onto their back on initial entry into the water. If you flip over it may not turn you onto your back again; however, it will continue to keep you afloat.
- Both PFDs and lifejackets have to be Canadian approved. Always check for the label.

Is there anything I need to know before I purchase a flotation device?

- When purchasing a PFD, here are some important tips to keep in mind: 1) **Canadian approval** – It is important to check the label on the PFD to ensure it is approved by Transport Canada. Some models may bear the Department of Fisheries and Oceans Canada or Canadian Coast Guard approval stamp. **Please note:** United States approved flotation devices are not accepted in Canada as we cannot question the standards of another country; 2) **Size** – Please make sure you purchase a PFD of appropriate size – one that fits you! PFDs should be worn snug; 3) **Colour** – While PFDs are now approved in a variety of colours, the brighter you are, the more visible you are to others; 4) **Appropriate for your activity** – Purchase a PFD appropriate for your activities. For example, a high impact vest would be very suitable for water skiing while a paddling vest is great for kayaking or canoeing.
- The law requires vessels to be equipped with a Canadian approved lifejacket or PFD of appropriate size for every person on board.

Who's approval needs to be indicated on the PFD or lifejacket ?

- A Department of Fisheries and Oceans (DFO), Department (Ministry) of Transport (DOT or MOT) or Canadian Coast Guard (CCG). However, US vessels may carry US Coast Guard approved PFDs.

Is it mandatory that everyone aboard wears their PFD or lifejacket ?

- The Office of Boating Safety strongly encourages boaters to wear their flotation devices at all times, especially in small open boats, during inclement weather and other increased risk situations.
- You aren't required by law to wear your PFD or lifejacket while on board but it is mandatory to have them on board and close at hand. **Remember: It won't work if you don't wear it!**

Why are US Coast Guard lifejackets or PFDs not approved in Canada?

- The Canadian Standards and methods of testing and approving lifejackets and PFDs are quite different from those of the United States. However there is a review to develop a North American standard but we are several years away from this becoming reality.

Would the approval status of an approved lifejacket or PFD still be valid if there are alterations made?

- In keeping with the regulations, a lifejacket or PFD shall not be altered in any way. Any alteration would void the devices approval.

Is there a safety impact in permitting foreign visitors to use their own personal flotation device while in Canada?

- No. Historically the use of foreign personal flotation devices has been recognised when they were used by visitors who had brought their own boats to visit Canada.
- The amendment simply extends this privilege to those foreign visitors who bring their own personal flotation device to use while vacationing in Canada, as they are considered more likely to wear them. This extension was supported by the tourism industry.

Why is the life saving cushion no longer considered a personal flotation device?

- The question of the life saving cushion as an alternative to the personal flotation device has been the subject of review and discussion among boating safety groups for a number of years.
- Experience has shown that the cushion is of little practical use in assisting a person in the water to stay afloat. It is more difficult for some people to use, particularly the very young and older individuals.
- Life saving cushions are impractical to wear. Personal flotation devices must be worn and must fit properly to be effective.

INFLATABLES

Can my 13 year daughter wear an inflatable PFD?

- Inflatable PFDs are not approved for use by persons less than 16 years of age or weighing less than 36.3 kg (80 pounds). This is based on body size/weight variations.

Can I wear an inflatable PFD on my personal water craft (PWC)?

- Inflatable PFDs are not approved for use on PWCs or for any white water activities.

BUOYANT HEAVING LINES

Would it be legal to use an anchor's rope to replace a heaving line?

- No, an anchor's rope cannot replace a heaving line. You must have a buoyant heaving line and where applicable, have an anchor with not less than 15 m (50 feet) of cable, rope or chain in any combination.

Could a heaving line be used for towing activities or, could a towing rope be used for a heaving line?

- Yes, the heaving line can serve two purposes and be interchangeable if storage space is limited. However it is recommended to have a buoyant heaving line on-board during the towing activities, just in case something happens and you need that extra line.

Does the buoyant heaving line need to have a buoyant weight at the end?

- It isn't mandatory to have one, but it isn't against regulations either. As long as the line floats by itself. It will, however, help in throwing the line more accurately and at a greater distance.

LIFEBUOYS

Is my lifebuoy of 508 mm (20 inches) acceptable for my vessel? Is a horseshoe buoy still acceptable?

- No, neither meets the requirement for having a lifebuoy. The acceptable size for an approved lifebuoy has an outside diameter of 610mm (24 inches) or 762mm (30 inches) and is attached to a buoyant line of not less than 15 m (50 feet) in length.

Why are horseshoe buoys not approved for use in Canada when they are approved in the U.S.?

- The “horseshoe” lifebuoy, due to its light construction does not allow an accurate throw on a windy day. Also, with this type of lifebuoy, the person who fell overboard must attach him/herself to it with the help of two clips. If the water is too cold, that person will have difficulty clipping the two lanyards together (due to numb fingers). If he/she cannot attach him/herself to the lifebuoy and stay afloat, that person has a greater chance to slip away from the lifebuoy and drown before the rescue arrives.

REBOARDING DEVICES

When do I need a reboarding device?

- All vessels over 12 metres (40 feet) require a reboarding device, and for vessels between 6 metres (20 feet) and 12 metres (40 feet) you need a reboarding device when the freeboard of the vessel exceeds 0.5 metres (1.5 feet).
- However, for vessels so equipped, transom ladders and/or swim platform ladders meet the requirement of having a reboarding device.

How do I measure the freeboard on my vessel?

- The freeboard is the minimum vertical distance at the side of the boat, between the gunwale (*the upper edge of the side of the boat*) and the design waterline (*the waterline at the recommended maximum gross load capacity*).

BOAT SAFETY EQUIPMENT

MANUAL PROPELLING DEVICE

What are the different types of manual propelling devices?

- A set of oars, a paddle or any other apparatus that can be used manually by a person to propel the vessel.

ANCHOR

What type of anchor should I purchase?

- Consideration should be given to the length of the boat and bottom conditions. Anchors come in different sizes (weight) and characteristics. Some are particularly good for rocky bottoms, while some are good for sandy soft bottoms. You should check with manufacturers for recommendations.

Should I have chain attached to anchor?

- Vessel using rope for their anchor are recommended to carry one metre of chain for every metre of vessel length (one foot of chain per foot of vessel length), secured to the anchor shackle. The shackle pin should have some type of locking device (lock wire) to prevent the shackle from unscrewing.

How much line do I need?

- The recommended length of line for anchoring with rope is between 5 and 10 times the depth of the water, depending on weather, sea and bottom conditions.

BAILER

What minimum size must my bailer be?

- A bailer shall be made of plastic or metal, have an opening of at least 65 cm² (3.5 inch diameter) and have a volume of at least 750 mL (3 cups).

MANUAL PUMP

If I have a bilge pump on my boat do I also need a bailer or a manual water pump?

- Absolutely. You need the bailer or manual water pump in case the bilge pump breaks down or you experience an electrical power loss.

FIRE EXTINGUISHER

Do fire extinguishers have to be fixed on board? Any suggestions on where to store a fire extinguisher?

- Vessel over 12m are required to have one class 10BC fire extinguisher at each of the following locations:
 - ✕ at each access to any space where a fuel burning cooking, heating or refrigerating appliance is fitted,
 - ✕ at the entrance to any accommodation space,
 - ✕ at the entrance to the engine room space
- As for the storage, logic should be used by keeping it in a safe, dry place where easily reached when needed.

Do fire extinguishers have to be approved? If yes, by whom ?

- Fire extinguishers have to be approved by the following:

- * Those manufactured in Canada, approved by the Underwriters Laboratories of Canada;
- * Those manufactured in the United States, approved by USCG, for marine use;
- * Those manufactured in the United Kingdom, approved by the British Department of Trade and Industry, for marine use.

DISTRESS EQUIPMENT

FLASHLIGHT

Why is a flashlight now required?

- For the same reason most people carry one in their car. It is a useful device to signal one's presence in an emergency or to be able to see sufficiently to affect a minor repair, which may help to avoid an emergency situation. It is also a requirement under the Collision Regulations for non-power-driven vessels of less than 7 metres in length to carry a flashlight in the event that they get caught in a situation of reduced visibility or night operation.

Do watertight flashlights have to float?

- No, they are not required to float, however, it would be recommended. It is however, required to be watertight. The flashlight will be of no use to you if you drop it in the water and cannot recover it.

FLARES

For what period of time is a flare valid?

- A flare is valid for four years from the manufacturer's date, which is stamped on each flare.

What do I do with my expired flares?

- Expired flares are not regular garbage. Marine flares are explosive and are not to be thrown out with regular household garbage or discarded overboard.
- Call ahead to your local RCMP detachment or contact a marine retailer or the flare manufacturer for other disposal options.

Why can't I keep my expired flares?

- Expired flares are considered potentially unsafe to use. They may not work, or worse yet, discharge incorrectly resulting in injury.

Why can't I use my flares for practice?

- Learning to correctly use flares is important, however only white flares can be used for practice. Red flares are for emergency use only. **Under the Canada Shipping Act, 2001 it is illegal to send a false distress signal. Discharging an expired flare in non-emergency situation is a false distress signal and subject to penalty.**

NAVIGATION EQUIPMENT

SOUND SIGNALLING DEVICE / APPLIANCE

Must a whistle have special characteristics or can any whistle do ?

- The only requirement is that the whistle must be a pealess whistle.

If I have an electric horn on my boat do I need a whistle or a air horn ?

- No, however, in case of loss of power where the electric horn can no longer function, the whistle or air horn will act as a manual back up.

RADAR REFLECTORS

Are radar reflectors mandatory ?

- A vessel that is less than 20 m in length or is built primarily of non-metallic materials shall be equipped with a passive radar reflector, with the following exceptions:
 - * the vessel operates in limited traffic conditions, daylight and favourable environmental conditions and where it is not essential for the safety of the vessel, or
 - * the small size of the vessel or its operation away from radar navigation makes compliance impractical.

Section 7: Small Vessel Regulations – Compliance Plates / Labels

Do I need a capacity plate / label for my boat?

- All pleasure craft capable of being fitted with an engine are required to have either a conformity plate / label or capacity plate / label.
 - * **Conformity Plates / Labels:** Required for pleasure craft 6 metres and over capable of being fitted with an engine.
 - * **Capacity Plates / Labels:** Required for pleasure craft under 6 metres capable of being fitted with an engine

What information is printed on the various plates?

- *CAPACITY PLATES / LABELS* [issued to manufacturers] for pleasure craft under 6 m indicate compliance with the Construction Standards, and provides the make and model of the pleasure craft. Also the recommended maximum load and recommended number of people to be carried on board, and also on **outboard** powered boats the recommended maximum engine power; and a plate/label number. It should be noted that these recommended maximums are not mandatory, but exceeding them could involve a boat owner in difficulties with the courts and insurance companies after an incident, ~~so exceeding them should be avoided.~~
- *CONFORMITY PLATES / LABELS* [issued to manufacturers] for pleasure craft over 6 m indicate compliance with the Construction Standards make and model of the pleasure craft, and a plate/label number.

Does a personal watercraft require a Conformity Plate / Label?

- A personal watercraft doesn't require a Conformity Plate / Label if it was built prior to January 1st 1997. If it was built after that date, a conformity plate / label is required.

Do boats that already have a plate / label on them need to get a new one?

- No, as long as the information on the plate / label is clearly visible, and it is a Canadian Government Plate / Label issued by the Canadian Coast Guard or Transport Canada; it is valid for the life of the boat unless there are repairs or alterations. If a plate / label is lost it can be replaced by contacting the manufacturer for a replacement.

Are plates / labels from other countries valid for pleasure craft in Canada?

- No. Only Canadian Government Plates / Labels are valid for pleasure craft built in Canada or imported in order to be sold or used in Canada.

Are there any pleasure craft exempt from fitting a Compliance Plate / Label?

- Only pleasure craft that are licensed, registered or documented in a foreign country.

How do I obtain a capacity or conformity label if I don't have one?

- Contact the builder or manufacturer.

I am building a pleasure craft for my own use – where do I obtain a label?

- Builders of home-built recreational vessels are not required to affix a label as long as the vessel is built for personal use and not for remuneration.

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Section 8: Vessel Operation Restriction Regulations/Speed Limits and Regulations for the Prevention of Pollution from Ships and for Dangerous Chemicals

We have problems with sea-doo's and jet-skis travelling at high speeds close to shore. Other boats also like to cut into the swimming area. What can we do before someone is injured or killed?

- Initially, you should contact the nearest enforcement agency. Enforcement officials can issue tickets under the Contraventions Act for “Careless Operation.” For more severe offences, a charge of “Dangerous Operation” under the Criminal Code may be warranted.
- There are federal regulations under the Canada Shipping Act, 2001, which can be used to regulate boating activities that impact the safety of Canadians. These are called the Vessel Operation Restriction Regulations and may be used to impose restrictions such as maximum speed limits or prohibition of all motorboats in specified areas.
- These regulations can be applied to both inland and coastal waterways. The Office of Boating Safety has printed resources available to assist municipalities address waterway safety concerns. For more information, please contact the Office of Boating Safety.

Are there any boating restrictions in my region?

- Contact 1-800-267-6887 or your nearest Office of Boating Safety.

Are local signs and municipal bylaws mandatory?

- Local signage may serve to address a local issue. However, if a person is charged and challenges this in a court of law, it will likely be overturned as only federal laws apply to all Canadian waters.

My wake is larger at low speeds. How do I reduce my wake?

- The vessel should slow down until the wake is reduced then proceed. This may require coming to a stop and then making way once again.

Is there anything that can be done to prohibit vessels from discharging sewage into our lake?

- The Regulations for the Prevention of Pollution from Ships and for Dangerous Chemicals prevents marine pollution. These regulations state that vessels fitted with a

toilet must be equipped with a holding tank, an approved marine sanitation device, or both. All vessels must comply with this regulation by 2012. For more information on these regulations, please contact the Office of Boating Safety.

Are there any designated areas and/or pump out sites in my region?

- Yes, the Bras d'Or Lake in Nova Scotia is designated. For a complete list of pump out locations in the Maritimes please visit:
<http://www.coastalaction.org/pages/projects/cleanboat/cleanboat.html>

Section 9: Commercial Vessels – Safety Equipment

What safety equipment do I need on board my commercial fishing vessel? (Small Fishing Vessel Inspection Regulations)

- All commercial fishing vessels are required to have mandatory safety equipment on board, depending on the length and tonnage of the vessel. Safety equipment requirements for commercial fishing vessels fall under Transport Canada authority and are part of the Small Fishing Vessel Inspection Regulations. For any additional information contact your nearest Transport Canada Marine Safety office.

**What safety equipment do I need on board my small passenger-carrying vessel?
What certifications am I required to have?**

- All passenger-carrying vessels are required to have mandatory safety equipment on board. Safety equipment requirements vary according to length, tonnage, and number of passengers. For all inquiries regarding passenger-carrying vessels or certification requirements contact your nearest Transport Canada Marine Safety office.

What are the requirements if my vessel is less than 5 GRT and carries less than 6 passengers?

- As above

Section 10: Other Important Considerations

COMMUNICATIONS

Is it mandatory to have a VHF radio on board?

- No, it is not mandatory for pleasure craft under 30 metres to have a VHF radio on board. Pleasure yachts over 30 metres must have one in order to comply with the requirements outlined in the Vessel Traffic Services Zones Regulations. However, it

is recommended on any vessel, particularly when on long trips or operating in areas where assistance is not readily available from nearby vessels or people on shore.

Why would I want a VHF radio when I can use a cellular phone instead?

- To obtain assistance in an emergency situation, a cellular telephone should be used only as an alternative should a VHF radio not be available, and not as a replacement.
- Although you can contact a MCTS (Marine Communications & Traffic Services) Centre, in EMERGENCY situations only, by dialling *16 on your cellular phone, this service is not available in many Canadian locations. Also, by calling on a cellular phone the conversation is party-to-party only and does nothing to broadcast your situation to other vessels.
- The best method of obtaining assistance is through the use of VHF communications, which are monitored by all Canadian Coast Guard MCTS Centres (except in the far north) and by all other vessels in the area with VHF radios.

What is GMDSS?

- The Global Maritime Distress and Safety System (GMDSS) is an automated ship to shore distress-alerting system that relies on satellite and advanced terrestrial communications links. The basic concept of GMDSS is to alert SAR authorities ashore and vessels in the vicinity of a distress so they can assist in a co-ordinated search and rescue operation with minimum delay. GMDSS requirements apply to all passenger vessels and cargo vessels of 300 gross tons or more engaged in international voyages.

How will GMDSS requirements affect the recreational boating community?

- Vessels complying with GMDSS requirements must carry VHF radios with DSC (Digital Selective Calling) capability. It allows boaters to send a digital call directly to another DSC-equipped vessel or shore station, much like a person-to-person telephone call. Channel 70 has been set aside as the VHF/DSC digital call channel. Once the DSC call has been confirmed, both parties are automatically switched to a working voice channel. Since February of 1999, all large commercial ships are required to keep automated watch on Channel 70. Recreational boaters operating near commercial waterways should be aware that large ships may not be monitoring Channel 16. Therefore, boaters should give these larger vessels a wide berth and navigate with caution.
- If you purchase a DSC capable radio, you should make sure to register the radio and obtain a Marine Mobile Service Identity number (MMSI). Without the MMSI registration search and rescue response will likely be delayed. In order to obtain an MMSI, Industry Canada requires that the applicant supply specific information depending on the kind of MMSI requested. There are three kinds of maritime mobile service identities:

- * ship station MMSIs;
 - * ship station group MMSIs; and
 - * coast station MMSIs.
- For additional information visit <http://www.ic.gc.ca/> or call 1-800-667-3780.

Will the Canadian Coast Guard keep a listening watch on Channel 16?

- Yes, the Canadian Coast Guard will be keeping watch on Channel 16 for the foreseeable future.

How can I get my Restricted Operator's Certificate for VHF radio?

- The Canadian Power & Sail Squadrons offers a seminar on proper use and procedures for marine radio, home-study material and examination opportunities. Please visit the following website for additional information <http://www.cps-ecp.ca/> or call 1-888-CPS-BOAT.

What is an EPIRB and how does it work?

- EPIRB's (Emergency Position Indicating Radio Beacon) are battery operated transmitters which, when activated, transmit a coded signal. Only the 406 MHz EPIRB has this coded signal. Any signal received from an EPIRB is considered to be a positive indication of distress. Following this, Search and Rescue (SAR) forces in Canada will respond. The important thing to remember is that you must register the EPIRB. This provides SAR authorities information as to whom the beacon belongs to, along with other useful information. For more information on how you can register your EPIRB contact the National Search and Rescue Secretariat at 1-800-727-9414 or beacons@nss.gc.ca.

How can I file a sailing plan?

- There are actually three ways to file a sailing plan:
 - * You can leave a sailing plan with a friend or family member outlining time of departure, expected time of arrival at destination and planned check points to notify them that everything is proceeding as expected,
 - * You can call in and file a sailing plan with a Canadian Coast Guard Radio Station either by telephone or VHF radio, or
 - * You can use an existing company that can file a sailing plan on your behalf and monitor the progress of your voyage for a nominal fee.

MARINE CHARTS

Is it mandatory to have marine charts on board ?

- No, it is not mandatory to have marine charts on board vessels less than 100 tons, if the person navigating has sufficient knowledge of the area being navigated. It is strongly recommended if navigating on long trips in unknown territory. For further details refer to the Charts and Nautical Publications Regulations.

CARBON MONOXIDE

Do diesel engines produce carbon monoxide (CO)?

- Carbon monoxide is produced any time a material containing carbon burns, such as gasoline, natural gas, oil, propane, coal or wood. The resources/literature on the Internet, suggest that production of carbon monoxide from diesel engines is less likely than from gasoline engines. In the *TH-22 Educational Information about Carbon Monoxide* document written by the U.S. American Boating & Yacht Council, it states that: “The carbon monoxide component of diesel exhaust is extremely low relative to the carbon monoxide level found in gasoline engine exhaust.” However even on a boat with a diesel engine, cooking ranges, space heaters, water heaters, charcoal grills, generators etc. may still produce CO. At low rpms, exhaust gases are not pushed very far out of the exhaust. If the vessel is not moving, the gas can enter the crew spaces and begin to build up. Leaks in the exhaust system may also allow CO to enter crew spaces. Be aware that CO can be building up even if you don’t smell exhaust fumes. Gasoline engines, during normal operation, produce significantly more CO than diesel engines. Diesel engines are still a source of CO, but operators of vessels with gasoline engines are potentially at risk of higher exposures in a shorter period of time. While guarding against the many possible sources of CO is certainly advisable, the most reliable safeguard is a CO detector.

Section 11: Other Government Programs

Who should I contact to discuss navigational aids issues?

- You should contact an Aids to Navigation Client Services Officer for your area <http://www.ccg-gcc.gc.ca/>.

Who should I contact to get approval to construct a wharf, floating dock, bridge, aquaculture site or to put mooring buoys in place?

- You should contact Navigable Waters Protection <http://www.tc.gc.ca/marinesafety/oep/nwpp/menu.htm>

Who should I contact if I want to report an oil spill?

- Check your local listings for the Coast Guard and/or the inside cover of your phone book

Who should I contact to report a buoy out of position or not functioning properly?

- Check your local listings for the Coast Guard and/or the inside cover of your phone book

I'm interested in becoming a member of the CCG Auxiliary. How can I get information?

- You can get information on the Canadian Coast Guard Auxiliary website www.ccg-a-gcac.org/

Where can I get information on marine charts?

- You can get information regarding marine charts and nautical publications on the Canadian Hydrographic Services website www.charts.gc.ca

Where are the regional OBS offices?

Pacific

620-800 Burrard St.
Vancouver, British Columbia V6Z 2J8
1-604-666-2681

Ontario

100 Front Street South
Sarnia, Ontario N7T 2M4
1-877-281-8824

Prairie and Northern

344 Edmonton St., PO Box 8550
Winnipeg, Manitoba R3C 0P6
1-888-463-0521

Quebec

901, Cap-Diamant Room 253
Quebec City, Quebec G1K 4K1
1-418-648-5331

Atlantic (Maritimes)

11th Floor, 45 Alderney Dr., PO Box 1013
Dartmouth, Nova Scotia B2Y 4K2
1-800-387-4999

Atlantic (Newfoundland and Labrador)

7th Floor, 100 New Gower St., PO Box 1300
St. John's, Newfoundland A1C 6H8
1-800-387-4999

Instructions

(print this page for easy reference until familiar with these functions)

This document has been prepared as a desktop document and designed to facilitate the finding of boating safety information by using some of Microsoft Word's search features. The index page and keyword list page have hyperlinks throughout. These hyperlinks can jump you to a particular location in the document and are identified by a hand when the arrow from your mouse passes over it. They are also identified in blue or violet depending on whether or not you've been to that location since opening the document.

The keywords list has hyperlinked text as well as normal text. Text which is mentioned once or can be seen in the general area of your desktop are hyperlinked and can be accessed by clicking on them. Those which are referenced in various locations in the document are written in normal text. To look for these words, you should use the find text feature as indicated below:

1. On the Edit menu, click Find.
2. In the Find what box, enter the text you want to search for.
3. Click Find Next.

Note: To cancel a search in progress, press ESC.

You will also notice that the scroll bar to the bottom far right of the screen now has double blue arrows, which can be used to find the next or previous text you've been searching for.

Shortcuts:

The following procedure simplifies the find text feature:

1. Highlight the word or text your looking for
2. Press Control + C (copies word or text highlighted)
3. Press Control + F (brings up the find text feature)
4. Press Control + V (pastes the word or text in the Find what box)
5. Click Find Next and you're in business

You may also want to put the web toolbar, which can be found on the view menu. Click toolbars then click web. This also helps if you want to use the back and forward arrows on the far left side of the toolbar.

Note: For additional boating safety information or further clarification of the information contained herein, please contact your local Office of Boating Safety.