

Minnesota



Boating Law Administrator

[Kim Elverum](#)

Boat & Water Safety Coordinator

500 Lafayette Rd

St Paul, MN 55155

Phone: 651-259-5343

Minnesota Specific Information

Registered Boats 811,775 Ranking #3

Documented vessel—exempt from state numbering requirements

Minimum Operator Age

less than 12 years of age	25 hp or less - no restriction. more than 25 thru 75 hp must have someone at least 21 on board within reach of the controls. over 75 hp - cannot operate, even with adult on board.
12-17 years of age	1 25 hp or less - no restriction. over 25 hp - must either have: a watercraft operator's permit, <i>or</i> someone at least 21 on board within reach of the controls.

Life Jackets Wear

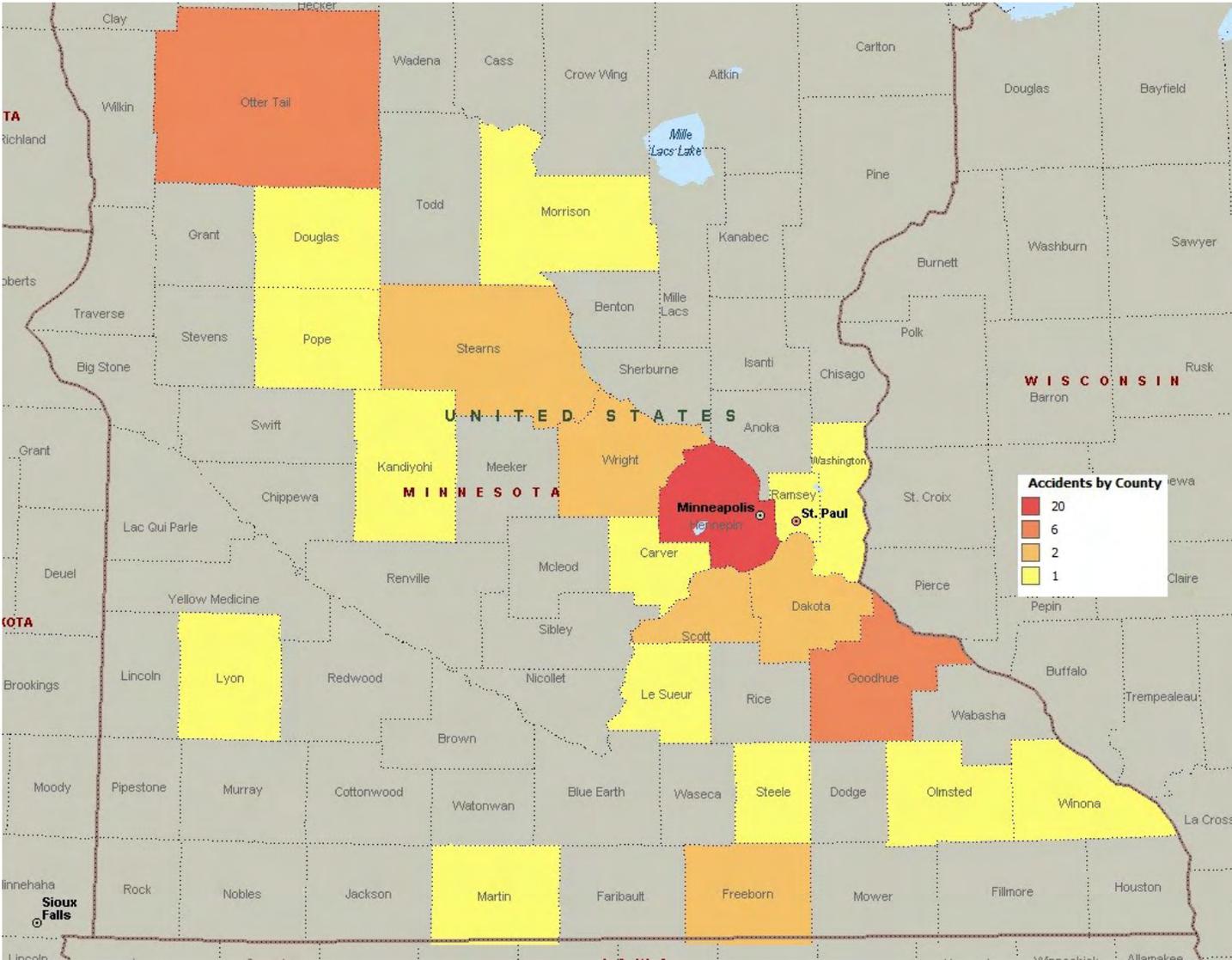
Persons under 10 years of age on all boats unless they are below deck or in an enclosed cabin or the boat is anchored for swimming or diving.

Each person on board a PWC

Boating Under the Influence

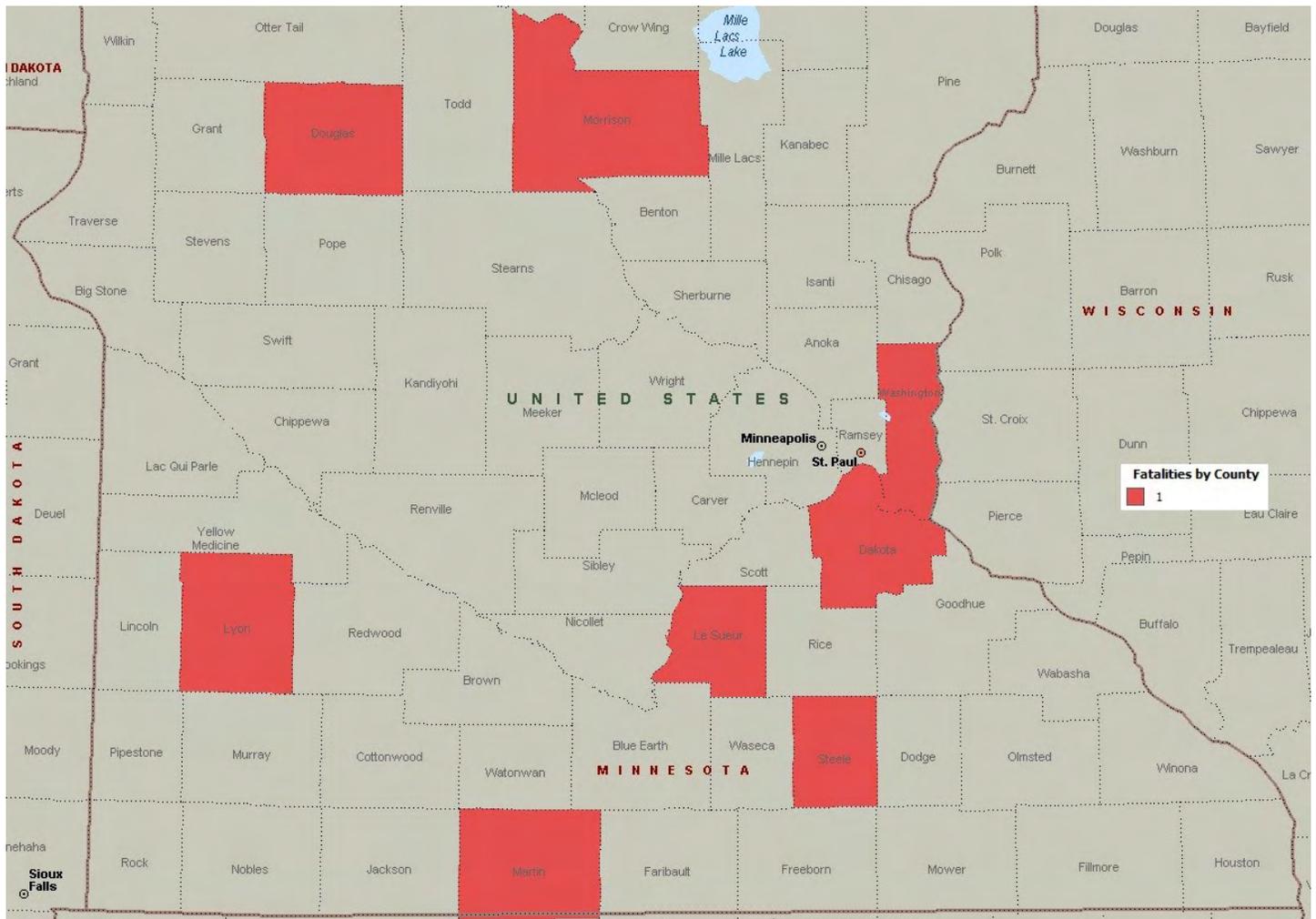
.08 BAC

Aggravated BUI: .20 or greater
child under 16 on board
past DWI/BUI conviction last 10 years



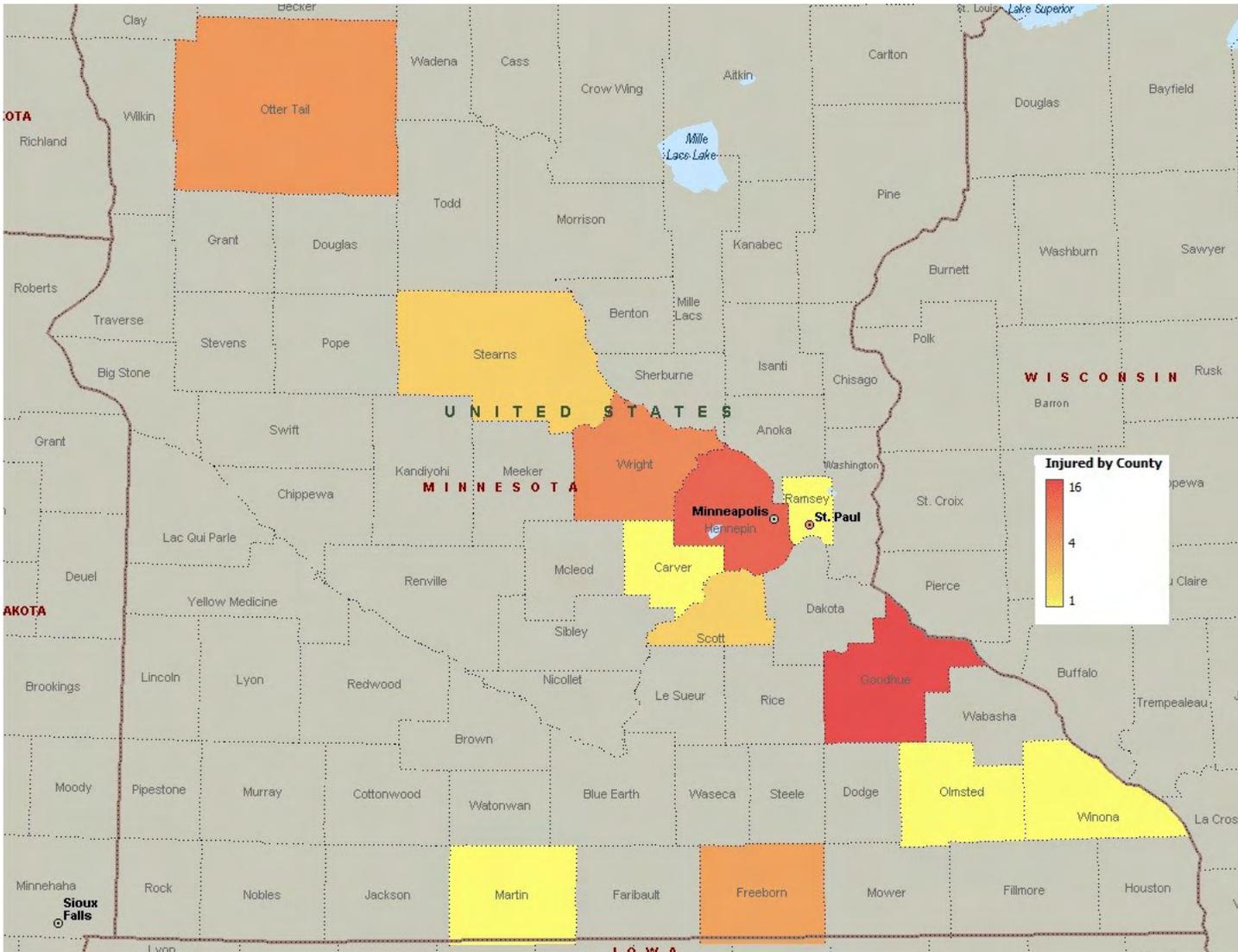
County	Accidents
Hennepin	20
Goodhue	6
Otter Tail	6
Dakota	2
Freeborn	2
Scott	2
Stearns	2
Wright	2
Carver	1
Douglas	1
Kandiyohi	1
Le Sueur	1
Lyon	1
Martin	1
Morrison	1
Olmsted	1
Pope	1
Ramsey	1
Steele	1
Washington	1
Winona	1

Body of Water	Accidents
Minnetonka	17
Mississippi	5
Mississippi (Lake Pepin)	3
Private Pond	2
Big Pine	1
Bryant	1
Buffalo	1
Burr Oaks	1
Cedar	1
Dead	1
Eden	1
Fish	1
Fountain	1
Green	1
Harriet	1
Iowa	1
Lizzy	1
Long	1
Lotus	1
Minnewaska	1
O'Dowd	1
Pickerel	1
Pleasant	1
Pocket	1
Pulaski	1
Rose	1
Sabre	1
School Grove	1
Swan	1
Twin	1
White Bear	1
Zumbro	1



County	Fatalities
Dakota	1
Douglas	1
Le Sueur	1
Lyon	1
Martin	1
Morrison	1
Steele	1
Washington	1

Body of Water	Fatalities
Private Pond	2
Burr Oaks	1
Pocket	1
Sabre	1
School Grove	1
Iowa	1
Twin	1



County	Injured
Goodhue	16
Hennepin	11
Wright	6
Otter Tail	5
Freeborn	4
Scott	2
Stearns	2
Carver	1
Martin	1
Olmsted	1
Ramsey	1
Winona	1

Body of Water	Injured
Mississippi	15
Minnetonka	9
Pulaski	5
Pickerel	3
Lizzy	2
Mississippi (Lake	2
Rose	2
Bryant	1
Buffalo	1
Cedar	1
Eden	1
Fish	1
Fountain	1
Iowa	1
Long	1
Lotus	1
O'Dowd	1
Pleasant	1
White Bear	1
Zumbro	1

Accident Cause	Accidents
Alcohol	4
Excessive Speed	8
Failure to Vent	1
Force of wave/wake	5
improper loading	1
Improper lookout	8
Machinery Failure	7
Operator Inattention	3
Operator Inexperience	2
Other	5
Overloading	2
Unknown	2
Weather	7

Accident Event	Accidents
Collision with recreational Vessel	12
Skier mishap	9
Capsizing	7
Fall Overboard	6
Fire/Explosion (fuel)	6
Collision with Fixed Object	3
Fall in Vessel	3
Flooding	3
Collision with Floating Object	1
Ejected from vessel	1
Fire/Explosion (non-fuel)	1
Other	1
Person Struck by Propeller	1
Sinking	1

Federal/State Cooperative Recreational Boating Safety Agreement

**Statement of Understanding
Between
The State of Minnesota
&
The United States Coast Guard**

1. **AUTHORITY.** Authority for this agreement is authorized under the provisions of 14 U.S.C. 141, 14 U.S.C. 148 and 46 U.S.C. 13109.
2. **PURPOSE.** To continue the existing relationship between the State of Minnesota and the United States Coast Guard in the conduct of recreational boating safety programs, including the mutual enforcement of laws relating to boating safety on waters within the concurrent jurisdiction of the State and the United States.
3. **BASIC GUIDELINES.**
 - a. The State and the United States exercise concurrent jurisdiction over those waters that are within the boundaries of the State and are subject to the jurisdiction of the United States.
 - b. The State has exclusive jurisdiction over those waters within the State that are not waters subject to the jurisdiction of the United States or waters of the United States.
 - c. This understanding does not abrogate, modify or limit the jurisdiction of the State or the United States.
 - d. All vessels equipped with propulsion machinery, and those as determined by the State (except vessels exempt under the provisions of 33 CFR Part 173.11 or vessels documented or required to be documented by the Coast Guard) that are principally operated on waters subject to the jurisdiction of the State of Minnesota are subject to the numbering laws of that State.
 - e. The State shall, to the fullest extent practicable, endeavor to conform its laws, rules and regulations with Federal law, subject to the Federal preemption provisions contained in 46 U.S.C. 4306. The Coast Guard and the State shall promptly furnish to each other the text of any proposed or enacted law, rule or regulation having to do with the operation of vessels; operator education and licensing; numbering, titling and equipping vessels that are the subject of this Agreement and any administrative interpretations thereof.
 - f. The Coast Guard and the State will provide to each other a copy of statistical and other data pertinent to the matters agreed to herein.

g. Under Section 13109(b) of Title 46 United States Code, the Coast Guard may issue orders to the Coast Guard Auxiliary to assist the State in the promotion of boating safety on State waters. At no time will Auxiliarists become directly involved in law enforcement actions.

h. On those occasions when the assistance of the Coast Guard Auxiliary is expressly desired by the State of Minnesota for a specific purpose, such requests for assistance will be initiated by competent authority in the Minnesota Department of Natural Resources and will be directed to either Director of Auxiliary, Ninth Coast Guard District, 1240 East 9th Street, Cleveland, OH 44199-2060 or Director of Auxiliary (8WR), 1222 Spruce Street, Room 2104, St. Louis, MO 63103-2832.

i. The cognizant Coast Guard District, local Coast Guard facility or Marine Safety Office will expeditiously notify the State through the liaison noted on page 8 of this document any time recreational boating traffic is restricted on waters of concurrent jurisdiction due to flood, emergencies or other reasons.

4. TERMS OF UNDERSTANDING.

a. Law Enforcement.

(1) The State has concurrent law enforcement responsibility concerning recreational vessels and other watercraft where related State statutes are applicable on waters subject to the jurisdiction of the United States that are also within the boundaries of the State. In these waters the United States has responsibility for the enforcement of all applicable Federal statutes and regulations.

(2) In order to provide the most effective maritime law enforcement possible with the vessels and personnel available, and to avoid duplication of efforts in a given area at a given time, the Boating Law Administrator, Department of Natural Resources, State of Minnesota and the appropriate Coast Guard District shall endeavor to coordinate recreational boating safety enforcement patrols on waters subject to concurrent jurisdiction.

(3) Numbering violations observed by the Coast Guard boarding officers will be reported to the State of Minnesota for processing. In addition, other recreational boating violations may be reported to the State at the discretion of the District Commander.

(4) Violations of Federal safety standards for boats and associated equipment detected by State Conservation Officers or county sheriffs deputies may be reported to the Coast Guard for disposition at the discretion of the Boating Law Administrator.

(5) Violations of vessel inspection or related Federal laws by non-recreational vessels that are observed by the State Conservation Officers or county sheriffs deputies may be reported to the Coast Guard for disposition at the discretion of the Boating Law Administrator.

(6) When a complaint is made to the Coast Guard alleging an offense that is a violation of the State recreational boating laws or regulations, the Coast Guard will normally refer the complaint to the proper State or local authority in the appropriate State jurisdiction. Similarly, when a complaint is made to the State of a violation of any vessel laws or regulations within the exclusive jurisdiction of the Coast Guard, the State will normally refer the complaint to the Coast Guard.

(7) A Coast Guard boarding officer who has observed a violation of State boating laws or regulations, or a State Conservation Officer or county sheriffs deputy who has observed a violation of any vessel laws or regulations within the exclusive jurisdiction of the Coast Guard, will generally be made available to testify for the State or Federal prosecution for the observed offense or to testify in any other proceeding relating to the violation. The cost of travel will be borne by the agency providing the testimony.

(8) To increase the effectiveness of joint operations between the State and the United States Coast Guard in the enforcement of safe boating laws as well as the support of search and rescue efforts on Lake Superior and its connecting rivers and tributaries, the Department of Natural Resources as well as the St. Louis, Lake and Cook County Sheriffs Departments, are authorized to communicate with the Coast Guard while directly involved in a search and rescue, law enforcement or marine safety incident. The Department of Natural Resources should operate on VHF-FM Channels 21A (157.05MHZ), 22A (157.10MHZ), 23A (157.150MHZ) and 81A (157.075MHZ). This authorization is subject to the following conditions:

(a) Use of these frequencies by the Department of Natural Resources or the county sheriffs departments shall be on a not-to-interfere basis with regard to Coast Guard operations.

(b) Use of these frequencies is subject to net control of Commander, Coast Guard Group Sault Ste. Marie, MI. Questions regarding circuit-operating procedures should be directed to Group Sault Ste. Marie's Operations Specialist in Charge at (906) 635-3236.

(c) This authorization will remain in effect for the duration of this Agreement unless rescinded sooner by competent Coast Guard authority. The Department of Natural Resources and county sheriffs departments are allowed to use all appropriate frequencies in day-to-day operations pursuant to Federal law.

b. Boating Under the Influence.

(1) The State of Minnesota and the Coast Guard agree to work together to keep waterways safe from Boating Under the Influence (BUI) of alcohol or dangerous drugs. Opportunities for BUI cooperation typically arise when, in the course of normal operations, the Coast Guard detects a boat operator suspected of BUI.

(2) After appropriate sobriety tests are completed and there is probable cause to believe the individual is determined to be under the influence of alcohol or a controlled substance, the Coast Guard will detain the intoxicated operator, contact either 1) a Minnesota conservation officer, 2) county sheriffs deputy or 3) local police department for further instructions and if so instructed, transport him or her to shore, to be met by state and/or local law enforcement officials. Because federal prosecution is pursued only in unusual cases (such as those involving serious marine accidents) and state facilities are typically nearby, the operator will generally be transferred to state or local authorities.

(3) State or local authorities will normally arrest and/or take custody of the intoxicated operator, as appropriate. Coast Guard personnel will normally provide documentation and/or testimony for state prosecution as needed. This general arrangement may be tailored to account for local needs.

(4) The State of Minnesota agrees to provide local Coast Guard commands with a point of contact to facilitate and enhance mutual enforcement efforts.

c. Public Education and Training.

(1) The parties will cooperate in public education and safety information programs. Dependent upon availability, the State will distribute the pamphlet, "Federal Requirements and Safety Tips for Recreational Boats," and other Federal boating publications as agreed upon. Dependent upon availability, the Coast Guard will distribute Minnesota boating safety information that is made available by the State.

(2) The Coast Guard will provide boating safety instructor training on a "space available" basis for State or county law enforcement personnel through the Marine Patrol Officer Course located at Training Center, Yorktown, VA. Similarly, the State will provide to the Coast Guard, on an "as available" basis, instructors and facilities for the training of Coast Guard personnel. In addition, safe boating and/or boat handling programs may be arranged with Auxiliary resources.

(3) Furthermore, the State recognizes that persons, who are required to have a boating safety education certificate to operate on Minnesota waters, may complete a NASBLA-approved U.S. Coast Guard Auxiliary Boating Course, submit a completed Comparable Course Form to the Department of Natural Resources Boat & Water Safety Section, and be issued a Minnesota Watercraft Operator's Permit.

d. Boating Accident Reports and Investigative Reports.

(1) The State, through its county sheriffs departments, agrees to investigate all recreational boating accidents. The Coast Guard may investigate any recreational accident on vessels used on waters of concurrent jurisdiction if the case warrants further investigation.

(2) The State shall review for accuracy and completeness all accident reports and shall determine the cause and circumstances surrounding each reportable accident, including whether or not alcohol or drugs were a factor.

(3) Coast Guard field units shall immediately notify the appropriate county sheriffs department of any boating accident.

(4) For the purpose of this agreement and in accordance with 33 CFR 173:

(a) A boating accident is defined as an occurrence involving a vessel or its equipment that results in a fatality, a disappearance, a personal injury that requires medical treatment beyond first aid or an occurrence involving damage to a vessel and other property totaling \$2,000 or more, or the total loss of a vessel.

(5) If compatible with the State's boating accident database, the State shall abstract the required data from each boating accident report form and enter such data into the Boating Accident Report Database (BARD), which was developed in cooperation with NASBLA. The State shall endeavor to ensure the quality of data entered is accurate and complete providing for a successful data transfer into the national BARD located at Coast Guard Headquarters.

(6) An electronic copy of the State's accident and investigative report data, including any alcohol/drug test results, shall be forwarded to the Office of Command and Control Architecture (G-OCC-2) at Coast Guard Headquarters within 30 days of receipt of the initial casualty or accident report, and no later than 30 days following prosecution of any criminal case resulting from an accident. States that lack electronic data transfer technology may forward copies of the accident and investigative reports to (G-OCC-2). The Coast Guard will review the reports received for appropriate action.

e. Search and Rescue.

(1) On State waters upon which the Coast Guard has no jurisdiction, the State, or its political subdivisions, has exclusive responsibility for providing search and rescue services. On waters subject to concurrent jurisdiction, the State, through its county sheriffs departments, and the Coast Guard have joint responsibility. The Coast Guard will be the lead agency in the information processing,

communications, planning and execution of search and rescue cases on coastal waters (including the Great Lakes), harbor areas, and inland water areas in the vicinity of Coast Guard facilities. On other inland waters subject to concurrent jurisdiction, Coast Guard planners will look primarily to search and rescue facilities provided by the State, through its county sheriffs departments.

(2) The State, through its county sheriffs departments, and Coast Guard will endeavor to coordinate their search and rescue operations so that the most effective assistance will be rendered to those in distress on waters within the State. To this end, each will encourage the establishment of mutual assistance and cooperative arrangements between Coast Guard and State facilities that are located in the same geographic area. Coast Guard field units shall endeavor to notify the appropriate county sheriffs office of any search and rescue incident and the State or county shall endeavor to notify the appropriate Coast Guard field unit of any search and rescue incident.

(3) The competent authority for providing Federal search and rescue assistance on the Great Lakes is Commander, Ninth Coast Guard District, 1240 East 9th Street, Cleveland, OH, 44199-2060. This authority is exercised through the Ninth District's Command Center (CC) Cleveland, OH, telephone number (216) 902-6117 or 1-800-321-4400.

(4) The competent authority for exercising coordination of State search and rescue activities on waters within the State is the cognizant county sheriffs department.

(5) The State and the Coast Guard agree to actively support and participate in local search and rescue workshops, water safety councils and other such organizations to foster closer cooperation and coordination among federal, state and local agencies, and others who have an interest or responsibility in search and rescue matters.

f. Regattas and Marine Parades.

(1) The authorization and regulation of regattas and marine parades upon navigable waters of the United States that are subject to the concurrent jurisdiction of the State shall be within the province of the State when, in the opinion of the District Commander, the State is able to regulate, under State law, in such a manner as to ensure safety of life. However, the regulations issued by the State may not impede the operation of other vessels, commercial or recreational, operating on waters subject to the jurisdiction of the United States.

(2) For the purposes of this agreement, the terms "regatta" and "marine parade" both mean an organized water event of limited duration that is conducted according to a prearranged schedule.

(3) Regattas and marine parades shall be administered in accordance with 33 CFR Part 100. The Coast Guard will provide to the State a copy of any notice of event or permit application that it receives for all events occurring on waters of

concurrent jurisdiction. In turn, the State will provide to the Coast Guard a copy of any notice of event or permit application that it receives for all events occurring on waters subject to concurrent jurisdiction.

(4) The cognizant District Commander reserves the right to assume primary responsibility for any regatta or marine parade on navigable waters of the United States when he/she deems such action to be in the public interest. Events of this type may include, but are not limited to:

(a) Regattas or marine parades of such size as to require patrols that the District Commander knows to be in excess of the resources available to the State, or

(b) Those events on waterways where commercial or other traffic will be substantially impeded.

(5) The Coast Guard will expeditiously forward to the State copies of approved permits for marine events occurring upon waters of concurrent jurisdiction.

(6) For the purpose of this agreement, the term "navigable waters of the United States" is defined as set forth in 33 CFR Part 2.05-25.

5. LIAISON. Liaison shall be as follows:

FOR THE STATE OF MINNESOTA

Mr. Kim Elverum
Boating Law Administrator
Minnesota Department of Natural Resources
Boat & Water Safety Coordinator
500 Lafayette Road
St. Paul, MN 55155-4046
(651) 296-0905

FOR THE UNITED STATES

Mr. Frank Jennings
Recreational Boating Specialist
U.S. Department of Homeland Security
Ninth Coast Guard District
Office of Law Enforcement and Intelligence
1240 East Ninth Street
Cleveland, OH 44199-2060
(216) 902-6094

6. DURATION OF THE AGREEMENT. This agreement remains in effect until canceled by either party. The canceling party will provide the other party with at least 30 days written notice. A representative of each party will review the agreement biennially to ascertain whether any revisions are necessary. A copy of the review will be appended to each party's copy of the agreement, and a copy will be provided to Commandant (G-OPB-2).

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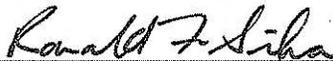
By: 

KIM A. ELVERUM

Assistant Administrator of Information and Education
Boating Law Administrator

Date: 10-3-03

UNITED STATES OF AMERICA
DEPARTMENT OF HOMELAND SECURITY
UNITED STATES COAST GUARD

By: 

RONALD F. SILVA

Rear Admiral, U.S. Coast Guard
Commander, Ninth Coast Guard District

Date: 9/29/03