

- (3) The location of the accident.
- (4) The name, address, date of birth, and experience of the operator of the reporting boat.
- (5) The type of boat, length, hull construction, propulsion power, and type of fuel of the reporting boat.
- (6) The weather and sea conditions.
- (7) The type, nature, and opinion as to the cause of the accident.
- (8) A description of the damage to any property, including boats, and estimated cost of repairs.
- (9) The names and addresses of the operators of the other boats involved.
- (10) The names and addresses of the owners of boats or other property involved.
- (11) The names, addresses and dates of birth of all persons killed or injured.
- (12) The nature and extent of injury to any person.
- (13) Names and addresses of all known witnesses.
- (14) The names of the law enforcement, fire, or rescue squad that furnished assistance.
- (15) The physical condition, swimming ability, dress, and contributing cause of drowning of each victim.
- (16) The type of activity of victim.
- (17) The kind and type of life saving or fire fighting equipment employed in connection with the accident.
- (18) The name, address and signature of the person filling out the report.

History: Cr. Register, March, 1960, No. 51, eff. 4-1-60; renum. from WCD 5.08 to be NR 5.08, and am. intro. par., Register, March, 1971, No. 183, eff. 4-1-71; r. and recr. (intro.), am. (4) and (11), cr. (18), Register, April, 1985, No. 352, eff. 5-1-85; emerg. am. (intro.), eff. 3-15-90; am. (intro.), Register, October, 1990, No. 418, eff. 11-1-90.

**NR 5.09 Uniform aids to navigation. (1) DEFINITIONS. (a)** "Waterway marker" is any device designed to be placed in, on or near the water to convey an official message to a boat operator on matters which may affect health, safety, or well being, except that such devices of the United States or an agency of the United States are excluded from the meaning of this definition for all purposes except for enforcement of s. 30.68 (7), Stats.

(b) "Regulatory marker" is a waterway marker which has no equivalent in the U. S. coast guard aid to navigation.

(c) "State aid to navigation" is a waterway marker which is the equivalent of a U. S. coast guard aid to navigation.

(d) "Buoy" is any device designed to float which is anchored in the water and which is used to convey a message.

(e) "Sign" is any device for carrying a message which is attached to another object such as a piling, buoy, structure or the land itself.

(f) "Display area" is the area on a sign or buoy needed for display of a waterway marker symbol.

(g) "Symbols" are geometric figures such as diamond, circle, rectangle, used to convey a basic message.

(h) "Fixed marker in the water" includes signs placed on permanent structures within the ordinary high water mark.

(2) WATERWAY MARKERS USED ON THE WATERS OF THIS STATE. (a) *State aids to navigation*. 1. A red buoy or sign shall indicate that side of a channel to be kept to the right of a vessel when entering the channel from the main water body or when proceeding upstream.

2. A green buoy or sign shall indicate that side of a channel to be kept to the left of a vessel when entering the channel from the main water body or when proceeding upstream.

3. Buoys or signs in subds. 1 and 2 shall normally be used in pairs and only for the purpose of marking a clearly defined channel.

4. A black and white vertically striped buoy or sign shall indicate the center of a navigable waterway.

5. Aids to navigation shall be numbered or lettered for identification. Red buoys and signs marking channels shall be identified with even numbers, and green buoys and signs marking channels shall be identified with odd numbers, the numbers increasing from the main body or proceeding upstream. Buoys and signs indicating the center of a waterway shall be identified by letters of the alphabet. All numbers and letters used to identify state aids to navigation shall be preceded by the letters "WS", as indicated by the following samples: WS-1, WS-A.

6. Letters and numerals used with aids to navigation shall be white, in block characters of good proportion and spaced in a manner which will provide maximum legibility. Such letters and numerals shall be at least 3 inches in height.

7. The shapes of aids to navigation shall be compatible with the shapes established by coast guard regulations for the equivalent coast guard aids to navigation.

8. Where reflectorized materials are used, a red reflector shall be used on a red buoy, and a green reflector on a green buoy.

(b) *Regulatory markers*. 1. A diamond shape of international orange with white center shall indicate danger. The nature of the danger may be indicated by words or well-known abbreviations in black letters inside the diamond shape, or above and/or below it on white background.

2. A diamond shape of international orange with a cross of the same color within it against a white center without qualifying explanation shall indicate a zone from which all vessels are excluded.

3. A circle of international orange with white center will indicate a control or restriction. The nature of the control or restriction shall be indicated by words, numerals, and/or well-known abbreviations in black

letters inside the circle. Additional explanations may be given above and/or below it in black letters on white background.

4. A rectangular shape of international orange with white center will indicate information, other than a danger, control or restriction, which may contribute to health, safety or well-being. The message will be presented with the rectangle in black letters.

5. Letters or numerals used with regulatory markers shall be black, in block characters of good proportion, spaced in a manner which will provide maximum legibility, and of a size which will provide the necessary degree of visibility.

(3) **AUTHORITY TO PLACE MARKERS.** (a) No waterway marker may be placed on, in, or near the waters of the state unless such placement is authorized by a political subdivision of the state except that the provisions of this section do not apply to private aids to navigation placed under the jurisdiction of the department of natural resources or an authorized agency of the federal government.

(b) Such political subdivision of the state shall, prior to authorizing placement, obtain the approval of the department. The political subdivision shall issue a written permit for the placement of all buoys placed within its jurisdiction, on forms provided by the department. A copy of the permit shall be on file with the department before the permit is valid and the placement of the buoy is authorized. Mooring buoys placed within the boundaries of a state or federally approved mooring area are exempt from this section when such placement is authorized by the unit of government having jurisdiction.

(c) The political subdivisions of the state authorizing the placement of a waterway marker shall inform the department of the following:

1. Exact location of the marker, expressed in latitude and longitude, or in distance and direction from one or more fixed objects whose precise location is known.

2. The description and purpose of the marker, including its identifying number, if any, as required by sub. (2) (a)

(4) **MAINTENANCE OF WATERWAY MARKERS.** Waterway markers shall be maintained in proper condition, or be replaced or removed.

(5) **DISPLAY OF WATERWAY MARKERS.** (a) A waterway marker may be displayed as a sign on a fixed support, as a buoy bearing a symbol on its surface, or as a sign mounted on a buoy.

(b) When a buoy is used to carry a symbol on its surface, it will be white, with a band of international orange on the top and a band of international orange above the waterline at the bottom.

(c) A buoy whose sole purpose is to carry a sign above it will be marked with 3 bands of international orange alternating with 2 bands of white, each band occupying approximately one-fifth of the total area of the buoy above the waterline, except where the sign itself carries orange bands; however nothing in these regulations will be construed to prohibit the mounting of a sign on a buoy which has been placed for a purpose other than that of carrying a sign.

(d) When symbols are placed on signs, a suitable white background may be used outside the symbol.

(6) **SPECIFICATIONS FOR WATERWAYS MARKERS.** (a) The minimum size of buoys shall be 36 inches riding above the waterline with a 7-inch diameter. The size of the display area shall be as required by circumstances, except that no display area shall be smaller than one foot in height. Display symbol markers shall be shown on 2 sides of buoys.

(b) The thickness of the symbol outline shall be not less than 2 inches in width.

(c) The outside width of the diamond, the inner diameter of the circle, and the average of the inside and outside widths of a square shall be two-thirds of the display area height.

(d) The sides of the diamond shall slope at a 35° angle from the vertical on a plane surface. Appropriate adjustments for curvature may be made when applied to a cylindrical surface.

(e) Waterway markers shall be made of materials which will retain, despite weather and other exposures, the characteristics essential to their basic significance, such as color, shape, legibility and position. ReflectORIZED materials may be used.

(f) All unlighted aids to navigation shall be equipped with a reflector material of at least 2 inches all around the uppermost part.

(7) **OTHER WATERWAY MARKING DEVICES.** (a) *Mooring buoys.* In order that mooring buoys shall not be mistaken for aids to navigation or regulatory markers, they shall extend 18 inches above the waterline, be white in color with a blue band clearly visible above the waterline, and they should be spherical or ovate in shape.

(b) *Placement.* Placement of markers such as mooring buoys and permanent race course markers will be processed in the same manner as waterway markers.

(c) *Color, shape etc.* Such markers shall not be of a color, shape, configuration or marking which would result in their confusion with any federal or state aid to navigation or any state regulatory marker, and shall not be placed where they will obstruct navigation, cause confusion, or constitute a hazard.

(d) *Exemptions.* Exemptions as to size, shape and color may be made by local authorities, pursuant to s. 30.77, Stats., for the temporary (not to exceed 14 days) placement of mooring buoys, race course markers, water ski course markers for special events.

History: Cr. Register, March, 1960, No. 51, eff. 4-1-60; r. and recr., Register, March, 1966, No. 123, eff. 4-1-66; renun. from WCD 5.09 to be NR 5.09, and am. (3) (c), intro. par., Register, March, 1971, No. 183, eff. 4-1-71; am. (2) (a) 2. and 5., (3) (a), (b) and (c) (intro.), Register, April, 1985, No. 352, eff. 5-1-85; emerg. am. (1) (a), cr. (1) (h), eff. 8-8-90; am. (1) (a), cr. (1) (h), Register, January, 1991, No. 421, eff. 2-1-91.

**NR 5.10 Carburetor flame arrestors.** Every motorboat equipped with an inboard motor using gasoline as a fuel shall have the carburetors of every such motor fitted with an efficient device for arresting backfire of a type approved by the U. S. coast guard.

History: Cr. Register, March, 1960, No. 51, eff. 4-1-60; renun. from WCD 5.10 to be NR 5.10, Register, March, 1971, No. 183, eff. 4-1-71.

**NR 5.11 Fire extinguishers.** (1) Fire extinguishers required by s. 30.62 (4), Stats., shall comply with the following minimum specifications:

(a) *Type*— Capable of promptly and effectively extinguishing burning gasoline (carbon tetrachloride not approved).