

IC 14-15-7

Chapter 7. Powers and Duties of Department

IC 14-15-7-1

Duties of department

Sec. 1. The department shall do the following:

- (1) Prescribe the form of accident reports, permits, and certificates required by this article and the form of applications for permits and certificates.
- (2) Carry on a campaign of education with respect to safety in the operation of watercraft and in the use and enjoyment of public waters and with respect to Indiana laws relating to public waters.
- (3) Carry out and enforce this article and in connection with these duties provide and maintain conservation officers and patrol boats upon public waters.
- (4) Locate, establish, and place, and authorize the location, establishment, and placing by others on behalf of the department, buoys, beacons, lights, markers, stakes, flags, and other aids to the safe operation of watercraft upon public waters. Each safety device must be approved by the United States Coast Guard and recommended by the United States Coast Guard as a uniform waterway marking system.

As added by P.L.1-1995, SEC.8.

IC 14-15-7-2

Reciprocal agreements with foreign nations or states

Sec. 2. The department may enter into reciprocal agreements with foreign nations and other states in areas concerning the operation and inspection of boats carrying passengers for hire from foreign nations and other states that operate in Indiana water.

As added by P.L.1-1995, SEC.8.

IC 14-15-7-3

Adoption of rules

Sec. 3. (a) The department may adopt rules under IC 4-22-2 to implement this article concerning the following:

- (1) Applications for and the issuance of permits and certificates required by this article.
- (2) The conduct of watercraft races.
- (3) Standards of safety for boats used to carry passengers for hire, the determination of the maximum weight that may safely be carried on boats, and the inspection of boats.
- (4) The safe operation of watercraft upon public water where unusual conditions or hazards exist, such as any of the following:
 - (A) An obstruction in or along public water.
 - (B) Watercraft traffic congestion.
 - (C) A beach, boat launch, marina, dam, spillway, or other recreational facility on or adjacent to public water.

(5) The placement, location, and maintenance of the following structures upon public water:

- (A) Buoys.
- (B) Markers.
- (C) Flags.
- (D) Devices that are used for the purposes of swimming or extending the use of water skis, water sleds, or aquaplanes.

(6) The establishment of zones where the use of watercraft may be limited or prohibited for the following purposes:

- (A) Fish, wildlife, or botanical resource management.
- (B) The protection of users.

(7) The regulation of watercraft engaged in group or organized activities or tournaments.

(b) In a rule adopted under subsection (a)(4) or (a)(6), the department may establish a zone where:

- (1) the operation of all or some types of watercraft is prohibited;
- (2) particular activities are restricted or prohibited; or
- (3) a limitation is placed on the speed at which a watercraft may be operated.

As added by P.L.1-1995, SEC.8. Amended by P.L.38-2000, SEC.4.

IC 14-15-7-4

Hearings on rules

Sec. 4. In adopting rules under IC 4-22-2, a required hearing with respect to a rule adopted under section 3(a)(4) or 3(a)(5) of this chapter shall be held in the affected locality. A notice of the time and place of the hearing shall be published in a newspaper of general circulation in the county in which the hearing is to be held.

As added by P.L.1-1995, SEC.8.

IC 14-15-7-5

Rules regarding waters under concurrent jurisdiction

Sec. 5. The department may adopt rules under IC 4-22-2 that vary from equipment and operational standards specified in this article with respect to water over which Indiana has concurrent jurisdiction with the United States or another state.

As added by P.L.1-1995, SEC.8.

IC 14-15-7-6

Violations

Sec. 6. A person who violates this chapter commits a Class C infraction.

As added by P.L.1-1995, SEC.8.