

**ADOPTED REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS**

LCB File No. R028-26

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: § 1, NRS 488.045, 488.193 and 501.181; § 2, NRS 488.045 and 501.181; § 3, NRS 488.045, 501.181 and 501.243.

A REGULATION relating to vessels; revising requirements governing fire extinguishers carried on certain vessels; revising the actions that constitute reckless or negligent operation of a vessel; expanding reduced-speed zones on certain waters in this State; and providing other matters properly related thereto.

Legislative Counsel's Digest:

Existing law requires a power-driven vessel, other than a mechanically propelled personal hydrofoil or a motorized surfboard, to be equipped with certain fire extinguishers of a number, size and type prescribed by regulations of the Board of Wildlife Commissioners. (NRS 488.193) Existing regulations prescribe those requirements based on the characteristics and class of the vessel, including whether the vessel is equipped with a fixed fire extinguishing system within the engine compartment. (NAC 488.415) **Section 1** of this regulation revises those requirements by: (1) updating the types of required fire extinguishers; and (2) establishing separate requirements based on the model year of the vessel. **Section 1** also clarifies that those requirements do not apply to mechanically propelled personal hydrofoils or motorized surfboards.

Existing law prohibits the reckless or negligent operation of a vessel. (NRS 488.400) Existing regulations set forth specific acts that constitute evidence of reckless or negligent operation of a vessel, including operating a power-driven vessel at a speed greater than 5 nautical miles per hour while a person is riding in certain locations on the vessel. (NAC 488.435) **Section 2** of this regulation additionally provides that operating a power-driven vessel at any speed great enough to leave a flat wake while a person is riding in such locations constitutes evidence of reckless or negligent operation of a vessel.

Existing law requires the Commission to establish broad policies to promote the safety of persons using vessels on the waters of this State. (NRS 501.181) Existing regulations designate certain areas on Lake Tahoe in which vessels must be operated at reduced speeds. (NAC 488.455) **Section 3** of this regulation adds a new reduced-speed zone consisting of all waters within 600 feet of any Nevada shoreline on Lake Tahoe.

Section 1. NAC 488.415 is hereby amended to read as follows:

488.415 1. ~~{Each}~~ *Except as otherwise provided in subsection 6, each* power-driven vessel having:

- (a) A closed compartment under a thwart or seat wherein a portable fuel tank may be stored;
- (b) A double bottom which is not sealed to the hull or which is not completely filled with flotation material;
- (c) A closed living space;
- (d) A closed storage compartment in which combustible or flammable material is stored; or
- (e) A permanently installed fuel tank,

↪ must carry the type and number of fire extinguishers described in ~~{subsections}~~ *subsection 2* , ~~{and}~~ *3, 4 or 5*, each of which must be *readily accessible*, fully charged *and maintained in good* and serviceable ~~{+}~~ *condition and must not appear to have been previously used*.

2. Each power-driven vessel *with a model year of 2018 or newer* which lacks a system built within its engine compartment for extinguishing a fire and which is a:

- (a) Class A or class 1 vessel must carry one ~~{B-H}~~ *5-B* fire extinguisher.
- (b) Class 2 vessel must carry two ~~{B-H}~~ *5-B* fire extinguishers or one ~~{B-H}~~ *20-B* fire extinguisher.

(c) Class 3 vessel must carry:

- (1) Three ~~{B-H}~~ *5-B* fire extinguishers; or
- (2) One ~~{B-H}~~ *5-B fire extinguisher* and one ~~{B-H}~~ *20-B* fire extinguisher.

3. Each power-driven vessel with a model year of 2017 or older which lacks a system built within its engine compartment for extinguishing a fire and which is a:

(a) Class A or class 1 vessel must carry one 5-B fire extinguisher or one B-I fire extinguisher.

(b) Class 2 vessel must carry:

(1) Two 5-B fire extinguishers or two B-□ fire extinguishers; or

(2) One 20-B fire extinguisher or one B-□ fire extinguisher.

(c) Class 3 vessel must carry:

(1) Three 5-B fire extinguishers or three B-□ fire extinguishers; or

(2) One 5-B fire extinguisher or one B-□ fire extinguisher and one 20-B fire extinguisher or one B-□ fire extinguisher.

~~13.1~~ 4. Each power-driven vessel *with a model year of 2018 or newer* which has a system built within its engine compartment for extinguishing a fire and which is a:

(a) Class A or class 1 vessel is not required to carry a portable fire extinguisher.

(b) Class 2 vessel must carry one ~~1B-1~~ 5-B fire extinguisher.

(c) Class 3 vessel must carry two ~~1B-1~~ 5-B fire extinguishers or one ~~1B-1~~ 20-B fire extinguisher.

~~14.1~~ 5. *Each power-driven vessel with a model year of 2017 or older which has a system built within its engine compartment for extinguishing a fire and which is a:*

(a) Class A or class 1 vessel is not required to carry a portable fire extinguisher.

(b) Class 2 vessel must carry one 5-B fire extinguisher or one B-□ fire extinguisher.

(c) Class 3 vessel must carry:

(1) Two 5-B fire extinguishers or two B-□ fire extinguishers; or

(2) One 20-B fire extinguisher or one B-□ fire extinguisher.

6. The requirements prescribed by subsection 1 do not apply to a mechanically propelled personal hydrofoil or a motorized surfboard.

7. The classes of vessels identified in this section are as described in NRS 488.185.

~~15-1~~ 8. For the purposes of this section:

(a) *“5-B fire extinguisher” means a portable marine extinguisher that can effectively handle a flammable liquids fire covering up to 5 square feet.*

(b) *“20-B fire extinguisher” means a portable marine extinguisher that can effectively handle a flammable liquids fire covering up to 20 square feet.*

(c) “B-I fire extinguisher” means a portable marine extinguisher containing at least:

- (1) One and one-quarter gallons of a concentrated liquid foam;
- (2) Two pounds of a dry chemical, fire extinguishing agent; or
- (3) Four pounds of carbon dioxide . ~~1-1~~ and

~~—(b)~~ (d) “B-II fire extinguisher” means a portable marine extinguisher containing at least:

- (1) Two and one-half gallons of a concentrated liquid foam;
- (2) Ten pounds of a dry chemical, fire extinguishing agent; or
- (3) Fifteen pounds of carbon dioxide.

Sec. 2. NAC 488.435 is hereby amended to read as follows:

488.435 Each of the following acts endangers life, limb or property and constitutes prima facie evidence of reckless or negligent operation of a vessel:

1. On a power-driven vessel underway at a speed greater than *a speed that leaves a flat wake, or in excess of* 5 nautical miles per hour, riding on the:

(a) Bow;

- (b) Gunwale;
- (c) Transom;
- (d) Outboard engine cover; or
- (e) Inboard engine cover unless the person's feet are touching the deck.

2. Maneuvering a towed skier or device so as to pass the towline over another vessel or its skier.

3. Navigating any vessel, skis or device between a towing vessel and its tow.

4. Operating a power-driven vessel while any person is hanging onto, or sitting, standing or riding on, a swim platform or a swim ladder that is attached to the power-driven vessel.

5. Operating a power-driven vessel at a speed greater than a speed that leaves a flat wake within 100 feet of an anchored or moored vessel, a person engaged in angling from another vessel or any manually propelled vessel.

Sec. 3. NAC 488.455 is hereby amended to read as follows:

488.455 1. On the following waters, a vessel must be operated at a speed that leaves a flat wake, but in no case may a vessel be operated at a speed in excess of 5 nautical miles per hour:

<u>Waters</u>	<u>County</u>
(a) Bassett Lake.....	White Pine
(b) Cave Lake.....	White Pine
(c) Jakes Creek Reservoir.....	Elko
(d) Onion Valley Reservoir.....	Humboldt

- (e) Wayne E. Kirch Wildlife Management Area Nye
- (f) The lagoon south of Laughlin within sec. 33, T. 32 S., R. 66 E., M.D.B. & M., as marked with signs or buoys, or both Clark
- (g) Likes Lake Churchill
- (h) The Pitt Taylor Arm of Rye Patch Reservoir Pershing
- (i) Illipah Reservoir White Pine
- (j) Mason Valley Wildlife Management Area Lyon
- (k) Upper Wall Canyon Reservoir Washoe
- (l) Echo Canyon Reservoir Lincoln
- (m) Silver Creek Reservoir White Pine
- (n) Key Pittman Wildlife Management Area Lincoln
- (o) Colorado River, the backwater south of Big Bend of the Colorado State Recreation Area within sec. 5, T. 33 S., R. 66 E., M.D.B. & M., as marked with signs or buoys, or both Clark
- (p) Jiggs Reservoir Elko

2. All boat harbors and other areas designated by buoys on any of the following waters are zones in which a vessel must be operated at a speed that leaves a flat wake, but in no case may a vessel be operated at a speed in excess of 5 nautical miles per hour:

Waters

County

- (a) Lake Mead National Recreation AreaClark
- (b) South Fork Reservoir..... Elko
- (c) Wildhorse Reservoir Elko
- (d) Lake Tahoe, *within 600 feet of any Nevada shoreline*.....*Carson*
- Douglas*
- Washoe*
- Zephyr Cove Douglas
- Cave Rock Douglas
- Glenbrook Bay..... Douglas
- Round Hill Pines Beach..... Douglas
- Sand Harbor Washoe
- Incline Village General Improvement District Boat Ramp Washoe
- Crystal Shores West Washoe
- (e) Washoe Lake State Park Washoe
- County Boat Ramp Washoe
- (f) Walker Lake State Recreation Area Mineral
- Sportsmen's Beach Mineral
- (g) Lahontan Reservoir, Churchill Beach Churchill
- North Shore Marina Churchill
- Silver Springs Beach Lyon
- (h) Rye Patch Reservoir, Rye Patch Dam Access.....Pershing

- (i) Topaz Lake, Boat Ramps Douglas
- (j) Colorado River, adjacent to Harrah's Casino in Laughlin Clark
- (k) Big Bend of the Colorado State Recreation Area, the lagoon used for
launching boats Clark