



New River, West Virginia Bluestone Lake



Bluestone Lake

Boating on Government-owned Reservoirs in West Virginia

The following rules and regulations are “excerpts” from the State of West Virginia’s Boating Regulations and Special Boating Regulations for the U.S. Government-owned reservoirs as promulgated by the Director of the Division of Natural Resources by virtue of the authority granted the director by Article 7, Chapter 20 of the Official Code of West Virginia, one thousand nine hundred thirty one, as amended. Complete copies of the boating regulations and the Special Regulations may be obtained by writing Boating Section, Division of Natural Resources, Charleston, WV 25305.

Boating Regulations

Prohibited Operation

a. No person shall operate any motorboat or vessel in a reckless or negligent manner so as to endanger the life, limb or property of any person.

b. No person shall operate any motorboat or vessel while intoxicated, or under the influence of any narcotic drug, barbiturate or marijuana.

c. It shall be unlawful for the owner of any motorboat or vessel, or any person having such in charge or in control to authorize or knowingly permit the same to be operated by any person who by reason of physical or mental disability is incapable of operating such motorboat or vessel in a safe manner under the prevailing circumstances.

d. No person shall operate, or knowingly permit any person to operate, any motorboat or vessel at a rate of speed greater than will permit such person, in the exercise of reasonable care, to bring the vessel to a stop within the assured clear distance ahead.

e. No person shall make reckless approach to, or passage by, a dock, ramp, diving board, or boat.

f. Skiers being pulled by motorboats must have on the person a Personal Flotation Device (PFE). Each device shall be Coast Guard approved.

Right-of-Way

a. When two vessels are approaching each other “head on,” or nearly so (so as to involve risk of collision), each vessel shall bear to the right and pass the other vessel on its left side.

b. When vessels approach each other obliquely or at right angles, the vessel approaching on the right side has the right-of-way.

c. One vessel may overtake another on either side but shall grant right-of way to the overtaken vessel.

d. When a sailboat and motorboat are operating so as to involve a risk of collision with each other, the motorboat shall yield the right-of way to the sailboat in all cases.

e. All vessels propelled by machinery shall remain a minimum distance of 100 feet away from the marker flags of “Diver Down Flag.” Diver Down Flag shall be a red field of not less than 10 inches by 10 inches with a white diagonal stripe not less than 1-1/2 inches wide running upper left to lower right.

f. All motorboats shall be operated in conformance with the Rules of the Road, Western rivers.

Restricted Areas

a. No person shall so anchor a vessel or other obstacles for fishing or pleasure purposes, on any body of water over which the State has jurisdiction, in such a position as to obstruct a passageway ordinarily used by other vessels.

b. No person shall operate a pleasure vessel within twenty (20) feet of the exterior boundary of a water area which is clearly marked by buoys, or some other distinguishing device, as a bathing or swimming area.

c. No person shall operate or knowingly permit any person to operate a vessel within twenty (20) feet of a person fishing, without permission, or unless unavoidable.

d. No person shall anchor or tie to any type of navigation aid or buoy.

e. No person may operate a motorboat at a speed greater than idling speed on established and marked no -wake zones on a government-owned reservoir.

Overloading and Overpowering

a. No vessel may be loaded with passengers or cargo beyond its safe carrying capacity.

b. The maximum persons capacity marked on a vessel’s maximum capacities plate must not be exceeded.

c. The maximum weight capacity marked on a vessel’s maximum capacities plate must not be exceeded.

d. No vessel may be operated beyond its safe powering capacity.

e. The maximum horsepower capacity marked on a vessel’s maximum capacities plate must not be exceeded.

Water Skis and Surfboards

a. No person shall operate a vessel on any waters of this state towing a person or persons on water skis, or similar device, nor shall any person engage in water skiing, surfboarding, or similar activity at any time between the hours from one hour after sunset to one hour before sunrise.

b. No person shall operate a motorboat on any waters of this state for towing a person or persons on water skis, surfboards, or similar devices unless there is in such motorboat a person, in addition to the operator, in a position to observe the progress of the person or persons being towed or such motorboat is equipped with a wide-angle rear view mirror mounted in such a manner as to permit the operator of the motorboat to observe the progress of the or persons being towed.

c. No person shall operate or manipulate any vessel, tow rope or other device by which the direction or location of water skis, surfboard, or similar device may be affected or controlled in such a way as to cause the water skis, surfboard board, or similar device, or any person thereon to collide with or strike against any object or person.

d. No person may manipulate any water skis, surfboard, or similar device in a reckless or negligent manner so as to endanger the life, limb, or property of any person.

e. No person may manipulate any water skis, surfboard, or similar device while intoxicated, or while under the influence of any narcotic drugs, barbiturates, or marijuana.

Special Regulations

Boats and Other Vessels, Private

a. It shall be unlawful for any person or persons to use any watercraft or vessel for the purpose of establishing or maintaining a dwelling of either permanent or temporary nature on any of the reservoirs.

b. Any watercraft or vessel containing a sink, toilet or sanitary system may be launched and operated on the reservoirs if such sink, toilet or sanitary system is removed or sealed or made to drain into a tank which can be carried or pumped ashore into a receptacle for disposal away from the lands and waters of the reservoir area.

Age of Operators

No person under the age of fifteen (15) shall operate or be permitted to operate a motorboat or personal watercraft upon the waters of this State, except persons twelve (12) to fifteen (15) years of age may operate a motorboat or personal watercraft if a person over eighteen (18) years of age is aboard the motorboat or personal watercraft. However, persons twelve (12) to fifteen (15) years of age may operate a motorboat up to a maximum of ten (10) horsepower without having an adult on board. The preceding sentence does not apply to personal watercraft.

Motorboat Speed

Motor-driven boats shall not be operated at a speed greater than the speed limits established and marked on the waters of the reservoir by the managing government agency.

Water Skis and Surfboards

No person shall operate a vessel on any reservoir of this state towing a person or persons on water skis, surfboard or similar device, nor shall any person engage in water skiing, surfboarding or similar activity in any areas of the reservoir except in the Unlimited Speed Zone.

Safety Equipment

a. Class A motorboats (except personal watercraft) shall be equipped with one Type I, II, III or IV Coast Guard approved Personal Flotation Device for each person on board or being towed, plus one type IV throwable device. PFD requirements for rowboats, canoes, kayaks and inflatable boats and rafts are the same as requirements for Class A motorboats. All PFD’s must be readily accessible and in good condition.

b. Fire extinguishers shall be Coast Guard approved and shall be readily accessible and in good operating condition. Each extinguisher shall be full and the seal unbroken. Specific requirements are based upon boat classes and are available from Wet Virginia Division of Natural Resources.

Personal Watercraft

Personal watercraft (PWC) means a small Class A vessel which uses an outboard or an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the vessel rather than the conventional manner of sitting or standing inside the vessel. Any person operating, riding as a passenger, or being towed behind a PWC must wear a Type I, II, or III PFD approved by the Coast Guard. No person shall operate a PWC unless the lanyard cutoff switch, if so equipped by the manufacturer, is attached to the operator’s person, clothing, or PFD. All persons shall operate a PWC in a reasonable and prudent manner at all times. Maneuvers which unreasonably or unnecessarily endanger life, limb or property shall constitute reckless operation of the vessel. No person shall operate a PWC at any time between the hours of one-half (11/2) hour after sunset to one-half (1/2) hour before sunrise.

Penalties

Any person violating any of the provisions of this chapter, or rules and regulations promulgated under the provisions of this chapter, the punishment for which is not prescribed, shall be guilty of a misdemeanor, and, upon conviction thereof, shall for each offense be fined not less than twenty nor more than three hundred dollars, or confined in jail not less than ten nor more than one hundred days, or be both fined and imprisoned within the limitations aforesaid; and, in the case of a violation by a corporation, every officer or agent thereof directing or engaging in such violation shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to the same penalties and punishment as herein provided.



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