

TOURISM, ARTS AND HERITAGE CABINET
Department of Fish and Wildlife Resources
(Amended at ARRS Committee)

301 KAR 6:001. Definitions for 301 KAR Chapter 6.

RELATES TO: KRS Chapter 235

STATUTORY AUTHORITY: KRS 235.280~~[320]~~

NECESSITY, FUNCTION, AND CONFORMITY: *KRS 235.280 requires the department to promulgate administrative regulations. This administrative regulation establishes definitions for* ~~*to define the*~~ terms used in 301 KAR Chapter 6. ~~[This amendment is necessary to add definitions for "Type V personal flotation device" and "manually propelled racing vessels".]~~

Section 1. Definitions.

- (1) "Adequate ventilation" means ventilation ~~that~~~~which~~ met Boating Industry Association and U.S. Coast Guard requirements at the time the vessel was manufactured.
- (2) "Airborne device" means a kite, parachute, or similar device ~~that~~~~which~~ holds a person aloft ~~while~~~~when~~ towed behind a moving vessel.
- (3) "Class A" means vessels less than sixteen (16) feet in length.
- (4) "Class 1" means vessels sixteen (16) feet or over and less than twenty-six (26) feet in length.
- (5) "Class 2" means vessels twenty-six (26) feet or over and less than forty (40) feet in length.
- (6) "Class 3" means vessels forty (40) feet or more in length.
- (7) "Crossing" means a situation in which a vessel approaches another from an angle of 112.5 degrees or less from either side of the bow.
- (8) "Documented by the federal government" means a vessel ~~that~~~~which~~ has been registered with, and issued official registration documents by, the United States Coast Guard.
- (9) "Idle speed" means the slowest possible speed at which maneuverability can be maintained.
- (10) "International diving flag" means a red flag with a white stripe running diagonally from an upper corner to the opposite lower corner.
- (11) "Length":
 - (a) Means the longest dimension of a boat measured along the centerline from the bow to the stern; and
 - (b) Does not mean the length ~~of~~ ~~but not~~ including outboard motors, swim platforms, or similar attachments.
- (12) "Manually propelled racing vessel" means a racing shell, rowing scull, racing canoe, or racing kayak recognized by national or international racing associations ~~for~~~~not~~ use in competitive racing, and not carrying or having been designed to carry equipment, except that which is ~~designed to carry or not carrying equipment not~~ solely for competitive racing.
- (13) "Overtaking" means a situation in which a faster vessel approaches a slower vessel from an angle of more than 112.5 degrees from either side of the bow of the slower vessel.
- (14) "Passing" means a situation in which vessels approach and pass each other from head on or nearly so.
- (15) "Type I" means a personal flotation device:
 - (a) Designed to turn an unconscious person in the water from a face-downward position to a vertical or slightly backward position; and

- (b) Having more than twenty (20) pounds of buoyancy.
 - (16) "Type II" means a personal flotation device:
 - (a) Designed to turn an unconscious person in the water from a face-downward position to a vertical or slightly backward position; and
 - (b) Having at least fifteen and one-half (15.5) pounds of buoyancy.
 - (17) "Type III" means a personal flotation device:
 - (a) Designed to keep a conscious person in a vertical or slightly backward position; and
 - (b) Having at least fifteen and one-half (15.5) pounds of buoyancy.
 - (18) "Type IV" means a personal flotation device:
 - (a) Designed to be thrown to a person in the water and not worn; and
 - (b) Having at least sixteen and one-half (16.5) pounds of buoyancy.
 - (19) "Type V" means a special use personal flotation device intended and approved by the U.S. Coast Guard for specific activities.
 - (20) "Water skis" means rigid or inflatable skis, kneeboards, tubes, wakeboards, or similar devices, ~~[upon or in which a person is towed behind a moving vessel.]~~
 - (21) "Water skiing" means:
 - (a) The act of riding in or upon water skis while being towed behind a moving vessel or propelled by a boat's wake or while riding *on or in/on/in* a boat's wake directly behind a vessel that is underway; or
 - (b) Barefoot skiing.
- (21 Ky.R. 3091; eff. 7-12-1995; Am. 22 Ky.R. 1683; eff. 5-16-1996; 48 Ky.R.915, 2033; eff. 4-5-2022.)

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CONTACT PERSON: Beth Frazee, Department of Fish and Wildlife Resources, Arnold L. Mitchell Building, #1 Sportsman's Lane, Frankfort, Kentucky 40601, phone (502) 564-3400, fax (502) 564-0506, email fwpubliccomments@ky.gov.