

**TOURISM, ARTS AND HERITAGE CABINET**  
**Department of Fish and Wildlife Resources**  
**(Amendment)**

**301 KAR 6:020. Boating safety equipment.**

RELATES TO: KRS 235.205, 33 C.F.R. 83, 46 C.F.R. 25

STATUTORY AUTHORITY: KRS 235.200, 235.280

CERTIFICATION STATEMENT: The Kentucky Department of Fish and Wildlife Resources, pursuant to statutory authority to promulgate administrative regulations to carry out the provisions of KRS Chapter 150 and KRS Chapter 235 as established in KRS 150.025, KRS 235.280 and KRS 235.290 and as an independent department of state government within the meaning of KRS Chapter 12 as established in KRS 150.021(1) and KRS 235.030, promulgated by the Commissioner with approval of the Commission in accordance with KRS 235.280 and KRS 150.010(1), does hereby certify this administrative regulation is promulgated in compliance with Section 8 of 2025 RS HB6.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 235.280 requires the Department of Fish and Wildlife Resources to promulgate administrative regulations to govern the fair, reasonable, equitable, and safe use of all waters of Kentucky and to carry out the purposes of KRS Chapter 235. KRS 235.200 authorizes the department to promulgate administrative regulations relating to safety equipment for vessels. This administrative regulation establishes the requirements for legal boating safety equipment in Kentucky.

**Section 1. Engine Safety Equipment Requirements.**

(1) Except as provided in subsection (2) of this section, a person shall not operate a vessel with an enclosed engine without effective U.S. Coast Guard-approved flame arresters on carburetors pursuant to 46 C.F.R. 25.

(2) A person may operate the following without flame arresters:

(a) An outboard engine; or

(b) A vessel with an engine completely open by design and not originally equipped with Underwriters Laboratory or U.S. Coast Guard-approved flame arresters pursuant to 46 C.F.R. 25.

(3) A person shall not operate a vessel without adequate ventilation of bilges, engine compartments, fuel compartments or other enclosures.

(4) A person shall not operate a vessel originally equipped with a carburetor drip pan without the drip pan in place and maintained in a functioning condition.

(5) A person shall not operate vessels whose bilges are not maintained free from oil or grease.

(6) A person shall not operate a motorboat equipped with an engine cut-off switch, while the engine is running and the motorboat is underway, without:

(a) Maintaining the switch in an operable, fully functional condition; and

(b) Attaching the engine cut-off switch link or wireless cut-off device to the operator, the operator's clothing, or if worn, the operator's personal flotation device; or

(c) Activating the wireless cut-off system.

**Section 2. Lighting Equipment.**

(1) Between actual sunset and sunrise:

(a) Power driven boats less than sixty-five and six-tenths (65.6) feet in length whether operating or adrift, including sailboats operating under engine power, shall have:

1. Red and green sidelights. The red and green sidelights shall:

a. Have a red light indicating the port, or left side of the boat, and a green light indicating the starboard, or right side of the boat;

- b. Be visible to another boat approaching from the side or head on;
  - c. Be visible from at least one (1) mile on a clear, dark night if the boat is less than thirty-nine and four tenths (39.4) feet in length; and
2. Either:
- a. An all-around white light which shall be higher than the sidelights; or
  - b.
    - (i) A white masthead light that shines forward; and
    - (ii) A white stern light visible from the rear of the boat.
- (b) An operator of a manually-powered vessel or sailboat less than twenty-two (22) feet, nine (9) inches in length shall:
- 1. Carry aboard and have immediately available for use a white light of sufficient intensity to illuminate the vessel and its occupants; and
  - 2. Display the white light in time to prevent a collision from an approaching vessel.
- (c) A person operating or responsible for a vessel anchored in a normal navigation channel or passageway shall display a white light visible in a 360 degree arc.
- (2) Combination or separate red and green lights shall:
- (a) Have an arc of visibility extending from dead ahead to 112.5 degrees on either side of the vessel;
  - (b) Show the red light on the port side, and the green light on the starboard side, of the vessel; and
  - (c) Be visible at a distance of at least one (1) mile on a dark night with clear atmosphere.
- (3) White lights required by this section shall be visible at a distance of at least two (2) miles on a dark night with clear atmosphere.
- (4) On a vessel under way between sunset and sunrise, an operator shall not display other lights which could be mistaken for the lights specified in this section.

### Section 3. Signaling Devices.

- (1) An operator of a Class 1 or larger vessel shall have on board a hand-, mouth-, or power-operated signaling device:
  - (a) Capable of producing a blast of two (2) seconds duration; and
  - (b) Audible for:
    - 1. One-half (1/2) mile for Class 1 vessels.
    - 2. One (1) mile for Class 2 vessels.
    - 3. One and one-half (1-1/2) miles for Class 3 vessels.
- (2) Nothing in this administrative regulation shall exempt a vessel from additional sound devices required by the U.S. Coast Guard pursuant to 33 C.F.R. 83.

### Section 4. Personal Flotation Devices.

- (1) Pursuant to 46 C.F.R. 25, an operator of a Class 1, 2, or 3 recreational vessel shall have on board a minimum of:
  - (a) One (1) wearable personal flotation device for each person on board the vessel; and
  - (b) Except for canoes or kayaks, one (1) throwable personal flotation device per vessel.
- (2) An operator of a Class A recreational vessel shall have on board for each person a minimum of one (1) wearable personal flotation device.
- (3) Each wearable personal flotation device shall be:
  - (a) Approved by the U.S. Coast Guard pursuant to 46 C.F.R. 25;
  - (b) In good and serviceable condition;
  - (c) Of appropriate size for the wearer;
  - (d) Readily accessible; ~~and~~
  - (e) Used in accordance with any requirements on the approval label; and
  - (f) Used in accordance with any requirements in its owner's manual if the approval label refers to the ~~an~~ manual.

- (4) A throwable personal flotation device shall be immediately available for use.
- (5) The following shall be exempt from the personal flotation device requirements of this section:
  - (a) Manually propelled racing vessels; or
  - (b) Sailboards.

Section 5. Fire Extinguishers.

- (1) Pursuant to 46 C.F.R. 25, an operator of a vessel which contains either butane gas, propane gas, kerosene, gasoline, or a petroleum-consuming device shall have the following on board:
  - (a) For a Class A or Class 1 vessel, one (1) B-1 fire extinguisher;
  - (b) For a Class 2 vessel:
    - 1. With fixed systems, one (1) B-1 fire extinguisher;
    - 2. Without fixed systems, two (2) B-1 fire extinguishers;
  - (c) For a Class 3 vessel with fixed systems:
    - 1. Two (2) B-1 fire extinguishers; or
    - 2. One (1) B-2 fire extinguisher; or
  - (d) For a Class 3 vessel without fixed systems:
    - 1. Three (3) B-1 fire extinguishers; or
    - 2. One (1) B-1 and one (1) B-2 fire extinguisher.
- (2) An operator shall:
  - (a) Maintain fire extinguishers in workable condition; and
  - (b) Have fire extinguishers available for immediate and effective use.

Section 6. An operator shall not display flashing, rotating, or oscillating red lights on a vessel except for a vessel operated:

- (1) For the purpose of firefighting or rescue by the U.S. Coast Guard;
- (2) By the Commonwealth of Kentucky;
- (3) By a county government;
- (4) By a city government; or
- (5) By another government agency.

Section 7. Vessels Without Required Safety Equipment.

- (1) If a department conservation officer observes a vessel operating without the safety equipment established in this administrative regulation, the operator shall be directed to take whatever immediate and reasonable steps are necessary to correct the deficiency, including returning to a mooring until the situation creating the unsafe condition is corrected.
- (2) If a vessel is directed to return to a mooring, the officer shall affix a notice to the vessel:
  - (a) Indicating the nature of the unsafe condition; and
  - (b) Requiring its correction before the vessel is further operated.

*APPROVED by the Fish and Wildlife Commission*  
*RICH STORM, Commissioner*

APPROVED BY AGENCY: November 10, 2025

FILED WITH LRC: November 13, 2025 at 12:38 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on January 29, 2026, at 10:30 a.m., at KDFWR Administration Building, 1 Sportsman's Lane, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing

was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through January 31, 2026. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Jenny Gilbert, Legislative Liaison, Kentucky Department of Fish and Wildlife Resources, 1 Sportsman's Lane, (502) 564-3400, fax: (502) 564-0506, email: [fwpubliccomments@ky.gov](mailto:fwpubliccomments@ky.gov)

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

**Contact Person:**Jenny Gilbert

**Subject Headings:**Fish and Wildlife, Boats and Boating, Watercraft and Watersports

**(1) Provide a brief summary of:**

**(a) What this administrative regulation does:**

This administrative regulation establishes authority for the department to place safety requirements for motorboat operators to maintain and use the engine cut-off switch.

**(b) The necessity of this administrative regulation:**

This administrative regulation is necessary to establish the requirements for boating safety equipment to protect against common hazards when boating.

**(c) How this administrative regulation conforms to the content of the authorizing statutes:**

KRS 235.280 requires the Kentucky Department of Fish and Wildlife to promulgate administrative regulations in accordance with KRS Chapter 13A to govern the fair, reasonable, equitable, and safe use of all waters of this state. KRS 235.200 sets forth requirements on the prohibition against operation without required equipment.

**(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:**

The statutes provide for various safety equipment but do not detail the specific requirements. This administrative regulation establishes the specific boating safety equipment requirements for members of the public utilizing boats on Kentucky waters.

**(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:**

**(a) How the amendment will change this existing administrative regulation:**

The amendment will set forth requirements for when and how the manufacturer installed engine cut-off switch shall be used and maintained by a motorboat operator.

**(b) The necessity of the amendment to this administrative regulation:**

The amendment is necessary to ensure waterway safety requirements are in place that promote the waterway safety of the citizens of the Commonwealth and to address the specific hazards associated with potential incapacitation or ejection of an operator while a boat is underway.

**(c) How the amendment conforms to the content of the authorizing statutes:**

See 1(c) above.

**(d) How the amendment will assist in the effective administration of the statutes:**

See 1(d) above

**(3) Does this administrative regulation or amendment implement legislation from the previous five years?No.**

**(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:**

This administrative regulation will only impact individuals who operate a motorboat equipped with a manufacturer installed engine cut-off switch.

**(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:**

**(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment:**

The administrative regulation will require motorboat operator action that includes usage and maintenance of a manufacture installed engine cut-off switch.

**(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):**

The administrative regulation will only cost motorboat operators who encounter maintenance issues of their manufacturer installed engine cut-off switch.

**(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):**

The administrative regulation will benefit all entities by promoting waterway safety for users across the Commonwealth.

**(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:**

**(a) Initially:**

No added cost.

**(b) On a continuing basis:**

No added cost.

**(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment:**

The fish and game fund.

**(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:**

No fees or funding will be needed for implementation.

**(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:**

The administrative regulation does not establish or increase any fees.

**(10) TIERING: Is tiering applied?**

No tiering is applied as the regulatory requirements will not disproportionately impact any operators of a motorboat and simply require use and maintenance of originally installed equipment rather than installation of new equipment on boats that were not originally equipped with such devices.

## FISCAL IMPACT STATEMENT

**(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:**

KRS 235.200, KRS 235.280

**(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:**

No.

**(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:**

The Kentucky Department of Fish and Wildlife Resources

**(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):**

**1. Expenditures:**

**For the first year:0**

**For subsequent years:0**

**2. Revenues:**

**For the first year:0**

**For subsequent years:0**

**3. Cost Savings:**

**For the first year:0**

**For subsequent years:0**

**(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):**

N/A

**(b) Estimate the following for each affected local entity identified in (4)(a):**

**1. Expenditures:**

**For the first year:N/A**

**For subsequent years:N/A**

**2. Revenues:**

**For the first year:N/A**

**For subsequent years:N/A**

**3. Cost Savings:**

**For the first year:N/A**

**For subsequent years:N/A**

**(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):**

N/A

**(b) Estimate the following for each regulated entity identified in (5)(a):**

**1. Expenditures:**

**For the first year:N/A**

**For subsequent years:N/A**

**2. Revenues:**

**For the first year:N/A**

**For subsequent years:N/A**

**3. Cost Savings:**

**For the first year:N/A**

**For subsequent years:N/A**

**(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)**

**(a) Fiscal impact of this administrative regulation:**

There will be no anticipated fiscal impact.

**(b) Methodology and resources used to reach this conclusion:**

The Department of Fish and Wildlife Resources already polices the waters of the Commonwealth. No additional resources will be necessary to enforce this amendment.

**(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):**

**(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):**

No, there will not be a major economic impact.

**(b) The methodology and resources used to reach this conclusion:**

The Department of Fish and Wildlife Resources is the only entity that will be impacted by the amendment. The Department already polices the waters of the Commonwealth and no additional resources will be necessary to enforce this amendment.