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# Chapter 1 – Introduction to Party Boat Operations

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## 1.1 What is a Party Boat?

Under Texas law ([Parks & Wildlife Code, §31.171](#)), a **party boat** is defined as:

- A vessel **30 feet or longer**,
- Operated by a person **for hire**,
- That carries **more than six passengers**.

This definition applies regardless of whether the passengers are paying individually or the vessel is chartered by a single group.

### Examples of Party Boats:

- A 40-foot pontoon, operated by the owner's hired captain, carrying 25 passengers for a paid birthday event.
- A 36-foot houseboat, with an owner-provided operator, rented for a corporate retreat with 10 employees.
- A 50-foot barge, operated by the owner's crew, used for music and entertainment cruises with 35 paying guests.

### Not Considered Party Boats:

- A 40-foot pontoon rented out bareboat for a birthday event, with the renter serving as the operator.
- A 29-foot houseboat leased for a corporate retreat.
- A 50-foot barge leased without crew, operated solely by the renters for a private gathering.

**Remember:** The defining factors are *length*, *passengers for hire*, and *number of passengers*.

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## 1.2 Purpose of Party Boat Regulations

The Party Boat Operator Licensing program was created to:

- Ensure that large passenger vessels are operated by **qualified, trained captains**.
  - Reduce the risk of **accidents, injuries, and fatalities**.
  - Provide **uniform safety standards** for operators across the state.
  - Protect passengers who may be less experienced around boats and water.
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## 1.3 Role of the Licensed Operator

As the licensed operator (captain) of a party boat, you are legally and ethically responsible for:

- **Passenger Safety**
  - Conduct pre-boarding safety checks.
  - Deliver a safety briefing before departure.
  - Monitor passenger movement, alcohol use, and behavior.
- **Vessel Compliance**
  - Ensure required safety equipment is onboard, functional, and accessible.
  - Maintain proper registration, inspection certificates, and licenses.
- **Emergency Preparedness**
  - Lead responses to fire, medical emergencies, man overboard, and severe weather.
  - Coordinate with crew and law enforcement during incidents.
- **Legal Responsibility**
  - Comply with TPWD, USCG, and state alcohol and drug laws.
  - File accident reports as required.
  - Accept liability for negligence or unsafe operation.

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## 1.4 Recreational vs. Commercial Passenger Vessels

Understanding the difference between recreational and commercial operations is crucial:

- **Recreational Vessels**
  - Used for personal or family outings.
  - Not operated “for hire.”
  - Subject to general boating laws, but **not** party boat rules.
- **Commercial Passenger Vessels (Party Boats)**
  - Carry passengers **for compensation**.
  - Subject to higher safety standards.
  - Require a licensed operator and vessel inspection.

**Key Point:** The moment money changes hands, higher standards apply.

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## 1.5 Agencies Involved in Oversight

### Texas Parks & Wildlife Department (TPWD)

- Issues and renews Party Boat Operator Licenses under the Texas Water Safety Act.
- Conducts inspections of party boats for compliance with state law.
- Enforces boating regulations on inland and coastal waters within Texas jurisdiction.
- Administers statewide boating safety programs and education.

### U.S. Coast Guard (USCG)

- Enforces federal navigation rules and safety requirements on federally navigable waters and coastal areas.
- Conducts inspections for federal vessel documentation and equipment requirements (for vessels subject to federal oversight).
- Provides maritime law enforcement, aids to navigation, and search and rescue (SAR) services.

### Local Law Enforcement Agencies/MSEO (Marine Safety Enforcement Officers)

- County sheriff’s offices, municipal police departments, and other local authorities may patrol lakes, rivers, and coastal areas.
- Enforce state boating laws in coordination with TPWD game wardens.
- Respond to incidents, accidents, and emergencies within their jurisdiction.

### Coordination Between Agencies

TPWD is the lead agency for licensing and state law enforcement of party boats, while the USCG oversees federal regulations and navigable waters. Local law enforcement provides additional enforcement and response at the community level. Together, these agencies form a layered system of oversight that promotes boating safety in Texas.

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## 1.6 Inspection Process

### Application for Annual Party Boat Inspection

**Fee:** \$132.00

To schedule your annual inspection, complete and submit the **Application for Annual Party Boat Inspection (PWD 1208)** along with the required \$132.00 fee. Once processed, you will receive a receipt, and a **Texas Game Warden or authorized inspector** will contact you to schedule the inspection and issue the Inspection Certificate.

### Which Boats Require Inspection?

Any **party boat** operating on the inland waters of Texas must undergo an **annual water safety inspection**. This requirement ensures that:

- The vessel is operated by a **licensed Party Boat Operator** who has completed the required boating safety courses.
- Passenger **capacity limits** are observed.
- The vessel carries the **minimum required liability insurance**.

#### **Exceptions — Vessels That Do Not Require State Inspection**

The annual inspection requirement **does not apply** to:

- Boats less than 30 feet in length
- Sailboats
- Livery vessels (boats rented out individually rather than with an operator)
- Vessels used solely for training or instructional purposes (when not in use as a party boat)

In addition, vessels carrying passengers for hire that hold a valid **U.S. Coast Guard Certificate of Inspection (COI)** for operation on **navigable (federal) waters** are not required to obtain a state inspection. The USCG COI, renewed annually, fulfills the safety inspection requirement for those vessels.

#### **Preparing for Your Inspection**

Before requesting and paying for your inspection, review the **Annual Safety Inspection for Party Boats (PWD 1208B)**. This sample checklist details the categories and items inspectors will verify. Correcting any deficiencies in advance will save time and help ensure your vessel passes on the first inspection.

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#### **1.7 Key Takeaways – Chapter 1**

- ✓ Party boat = **30+ ft, carrying more than 6 paying passengers**
- ✓ The operator is responsible for **safety, compliance, and emergencies** and must be **licensed by TPWD**
- ✓ Recreational vs. commercial operation depends on whether the trip is **for hire**
- ✓ TPWD issues licenses and enforces state laws; USCG enforces federal navigation laws
- ✓ Annual Inspections are required for most Party Boats

# Chapter 2 – Licensing Requirements

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## 2.1 Who Needs a License?

A **Party Boat Operator License** is required for any individual who:

- Operates a **party boat** (30+ feet, carrying more than six passengers for hire), and
- Receives **compensation** for operating the vessel.

**Note:** Crew members who do not operate the vessel are **not required** to be licensed. However, they must still be trained in passenger safety and emergency procedures.

The **only exemption** from this requirement is if the operator holds a USCG Operator of Uninspected Passenger Vessel (OUPV) License, often referred to as a "6-pack license," or higher level of Captain's license issued by the USCG.

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## 2.2 Eligibility Criteria

To qualify for a license, applicants must:

- Be at least **21 years of age**.
  - Possess a valid **driver's license** or state-issued ID.
  - Have no disqualifying **boating violations** as listed in TPWD's Relevant Violations guidance.
  - Demonstrate **boating experience** and competency, (e.g., logged hours on large vessels, prior certification, or training)
  - Provide proof of successful completion of a **NASBLA approved Texas Boater Education Course** and proctored **Party Boat Operator** exam.
- 

## 2.3 Boating Experience Requirements

TPWD requires proof of competence, you are required to submit documentation for one of the following two paths.

- **Training Path: 4 hrs observation + 4 hrs operation** on a party boat under a **licensed operator or USCG Captain**, while employed by the owner/agent; **or**
- **Experience Path: 25 hours documented** operating a party boat **with no disqualifying boating violations**.

Note: Certain violations **disqualify** use of the 25-hour path and may disqualify licensure entirely. Review the **relevant violations** link before applying. Listing is on the second page of the application.

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## 2.4 Relevant Violations Review

TPWD reviews an applicant's **boating violation history** as part of the Party Boat Operator License process. Certain violations may:

- **Disqualify an applicant entirely**, or
- **Prevent use of the 25-hour experience path**, requiring the applicant to complete the supervised training path instead.

Examples of [relevant violations](#) include (but are not limited to):

- **Boating While Intoxicated (BWI)**
- **Reckless or negligent operation** of a vessel
- **Failure to render aid** in an accident
- **Operating without required equipment or capacity compliance**
- **Multiple repeat violations** that show a pattern of unsafe operation

**⚠ Important:**

Not every violation results in permanent disqualification. TPWD evaluates each case against the official **Relevant Violations List** to determine eligibility. Applicants with disqualifying offenses will not be issued a license. Violations are listed on the **second page** of the application.

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## 2.5 Application Process

The application process includes:

1. **Complete Application Form** – [PWD 1207](#)
2. **Submit Required Documents** – proof of age by ID, boating experience log, proof of insurance, Proof of **Written Examination Parts A & B**
  - a. **Part A:** NASBLA approved **Texas** Boater Education Course
  - b. **Part B:** Proctored **Party Boat Operator** exam
3. **Pay Application Fee** – nonrefundable; amount set by TPWD ([fee schedule](#)).

**Tip:** Keep a **binder** with all certificates, experience logs, and copies of your license for easy inspection by TPWD officers.

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## 2.6 Written Examination Part B

The written test ensures operators understand:

- Navigation rules (right of way, buoys, lights, signals).
- Passenger safety protocols.
- Required equipment and inspections.
- Emergency procedures.
- Alcohol and drug laws.

**Format:**

- 50 multiple-choice questions.
- Passing score = **70%**.
- Must be taken in person as a proctored exam.

**Test Questions for Part B**

- 10 questions from **Part A** [TPWD Boater Education Certification Course](#)
  - 10 questions from [Texas Administrative Code Title 31 Part 2 Chapter 55 Subchapter H](#)
  - 10 questions from [Parks and Wildlife Code Title 4 Chapter 31 Subchapter G](#)
  - 10 questions from the [USCG Inland Navigation Rules](#)
  - 10 scenario based questions based on the [USCG Inland Navigation Rules](#)
- 

## 2.7 License Validity and Renewal

A Party Boat Operator License must be kept current to legally operate.

- The license is valid for **2 years**
- **Renewal Window:** You may renew your license up to **90 days before the expiration date**.
- **Late Renewal:** Licenses may still be renewed for up to **60 days after expiration**.
- **Expired Beyond 60 Days:** If your license has been expired for more than 60 days, you must apply as a **new applicant** and meet all original requirements again.

**Renewal Tip:** Submit renewal at least **60 days before expiration** to avoid lapses.

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## 2.8 Penalties for Operating Without a License

Operating a party boat without meeting the required licensing and inspection standards is a violation of the Texas Water Safety Act. Enforcement is carried out by Texas Game Wardens.

- **Operating Without a License or Required Inspection Certificate**
  - Violation is a **Class C misdemeanor** under **Parks & Wildlife Code §31.127–§31.128**.
  - Punishable by a **fine of \$25 to \$500** for each offense.
- **Failure to Carry Required Liability Insurance**
  - Also enforced under the Water Safety Act.
  - Treated as a **Class C misdemeanor** unless otherwise specified.
- **Repeat or Serious Violations**
  - Multiple or aggravated violations may result in higher-level charges if they overlap with other boating safety offenses (e.g., boating while intoxicated).

**⚠ Reminder:** Each separate day of operation in violation can be treated as a distinct offense.

### Legal References:

- Parks & Wildlife Code §31.127 — General Penalties
- Parks & Wildlife Code §31.128 — Penalty for Violations Not Otherwise Specified

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### Key Takeaways – Chapter 2

- ✓ Must be **21+**, with **valid ID** and clean boating record
- ✓ **Experience log** to demonstrate competency
- ✓ Application involves **boating violation review, Part A & B exams**
- ✓ License valid for **2 years**, with renewal requirements
- ✓ Penalties for operating without a license include **finer, suspension, and liability**

# Chapter 3 – Navigation Rules & Safe Operation

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## 3.1 Importance of Navigation Rules

The “Rules of the Road” (formally: *Inland Navigation Rules*) exist to prevent collisions.

As a party boat operator, you are expected to:

- Know and apply these rules at all times.
- Teach your crew the basics so they can assist you.
- Use **common sense + good seamanship** even when rules are not enough.

Right of Way/Vessel Responsibilities

- **Give-way vessel:** Must take early action to avoid collision.
  - **Stand-on vessel:** Maintains course and speed but must act if collision is imminent.
- 

## 3.2 Meeting Situations (Head-On)

- When two power-driven vessels approach head-on, **both must alter course to starboard (right)**.
- Each vessel should pass **port side to port side**.

**Scenario Example:**

Your 40-foot pontoon is heading south on Lake Travis. A ski boat is heading north toward you. Both of you steer slightly to the right, passing safely.

**Tip:** Use **1 short blast** on the horn to signal your intent to pass port-to-port.

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## 3.3 Crossing Situations

- When two power-driven vessels are crossing, the vessel on the **left (port)** must yield.
- The vessel on the **right (starboard)** is the **stand-on vessel** (keeps course and speed).

**Scenario Example:**

Your party boat is heading east. A fishing boat approaches from your right. You are the **give-way vessel**. You must slow down or turn to avoid collision.

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## 3.4 Overtaking Situations

- A vessel overtaking another must **keep clear** at all times.
- The overtaking vessel may pass on either side but must signal:
  - **1 short blast** = passing on starboard side.
  - **2 short blasts** = passing on port side.

**Scenario Example:**

You are cruising at 8 knots. Another boat approaches from behind at 12 knots. They must signal and maneuver safely to pass you — but you must also hold steady to avoid confusion.

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## 3.5 Navigation Aids (Buoys & Markers)

Texas follows the **U.S. Aids to Navigation System (ATON)**, which is based on the **IALA-B buoyage system** used in the Americas.

Key rules to remember:

- **“Red, Right, Returning”** – When returning from open water or heading upstream, keep **red buoys (even numbers)** on your **starboard (right)** side.
- **Green buoys (odd numbers)** mark the opposite side of the channel and should be kept to your **port (left)** when returning.
- **Preferred channel markers** (red-over-green or green-over-red) indicate the deeper or preferred route.

- **Other ATONs** include:
  - **Safe Water Marks** – indicate safe water all around.
  - **Regulatory/Information Markers** – provide rules, warnings, or information (e.g., “No Wake,” “Keep Out,” speed limits).

⚠ **Tip for Operators:** Remember ATONs are your “road signs on the water.” Proper use is part of safe navigation and required knowledge for the Party Boat Operator exam.

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### 3.6 Navigation Lights

Lights help determine vessel type, direction, and status at night or in restricted visibility.

- **Power-driven vessels under way:** Red (port), Green (starboard), White (stern + masthead).
- **Sailing vessels:** Red and Green sidelights, white stern.
- **Anchored vessels:** All-round white light.

**Operator Reminder:** Always check your navigation lights **before departure at dusk.**

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### 3.7 Sound Signals (Horn/Whistle)

#### Maneuvering and Warning Signals

- **1 short blast** = I am altering course to starboard (right).  
👉 “One to the right.”
  - **2 short blasts** = I am altering course to port (left).  
👉 “Two to the left.”
  - **3 short blasts** = I am operating astern propulsion (going backward).  
👉 “Three to me (in reverse).”
  - **5 short blasts:** Danger signal – “I don’t understand your intentions.”
  - **Prolonged blast every 2 minutes:** Vessel underway in fog/restricted visibility.
- 

### 3.8 Safe Speed & Lookout

Rules require every operator to:

- Proceed at a **safe speed** so you can stop or avoid collision in time.
- Consider visibility, traffic density, vessel handling, and background lighting.
- Maintain a **proper lookout** at all times by sight, hearing, and crew assistance.

#### Scenario Example:

At night on Lake Conroe, your party boat is full with 20 passengers. Loud music is playing. You assign a crew member to stand watch forward, reducing the chance of missing another boat’s navigation lights.

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### 3.9 Operating in Restricted Visibility

- Use **sound signals** regularly (prolonged blasts).
  - Reduce speed.
  - Post extra lookouts.
  - Navigate with GPS, radar, or charts if equipped.
- 

### 3.10 Operator Judgment

Even with clear rules, situations arise that require quick judgment.

- Rule of thumb: **Avoid collision above all else.**
  - When in doubt, slow down, stop, or maneuver early.
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### 3.11 Key Takeaways – Chapter 3

- ✓ Head-on → both turn starboard
- ✓ Crossing → yield to vessel on your right
- ✓ Overtaking → overtaking vessel keeps clear
- ✓ Buoys → *Red Right Returning*
- ✓ Lights → know vessel type and direction
- ✓ Horn signals → learn the basics (1, 2, 3, 5 blasts)
- ✓ Always travel at **safe speed** and keep a **proper lookout**

# Chapter 4 – Passenger Safety & Crowd Management

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## 4.1 The Operator's Duty of Care

As the licensed operator, you are legally and ethically responsible for the **safety of all passengers** from the moment they board until they disembark.

Party boats often carry **large groups, children, and passengers unfamiliar with boats** — this makes passenger management one of your most critical responsibilities. As operator, you are legally responsible for ensuring that passengers:

- Board and disembark safely
- Wear or have access to properly fitted life jackets
- Follow safety rules during the voyage
- Know what to do in an emergency

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## 4.2 Passenger Capacity & Stability

- Never exceed the **maximum capacity** listed on the vessel's inspection certificate.
- Overloading causes instability and increases the risk of capsizing.
- Distribute passengers evenly across the vessel.

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## 4.3 Boarding Procedures

Proper boarding prevents accidents before the trip even begins.

### Best Practices:

- Assign a **crew member to assist boarding**, guiding passengers onto stable sections of the deck.
- Limit the number of passengers boarding at one time.
- Ask passengers to **hold railings** or crew hands when stepping aboard.
- Clearly mark **boarding points** with non-slip mats.

**Example:** On Lake Travis, a 40-passenger boat staggered boarding 5 at a time. This reduced congestion and prevented a passenger from tripping while carrying a cooler.

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## 4.4 Passenger Safety Briefing

Every trip must begin with a **safety briefing**. This ensures all passengers know the rules, exits, and procedures in case of emergency.

### Required Emergency Procedures (must be posted and included in briefing)

As required by **Texas Administrative Code**, the posted list and briefing must address at least:

1. **Use of Radio-Telephone** (if vessel is equipped)
  - How to place a distress call (Channel 16 VHF).
  - Location of the radio and operator-only use unless in emergency.
2. **Man Overboard**
  - Yell "Man Overboard!" and point continuously to the person.
  - Throw a Type IV throwable device.
  - Operator maneuvers vessel for recovery.
3. **Fire or Explosion**
  - Location of fire extinguishers.
  - Passenger instructions: stay low, move away from fire, follow crew directions.
4. **Leaks or Damage Control**
  - Passengers report any flooding, unusual water sounds, or hull impacts.
  - Crew deploys bilge pumps and initiates damage control.

5. **Location of Personal Flotation Devices (PFDs)**
  - Point out location and storage method.
  - Demonstrate proper wear and adjustment.
6. **Location of Escape Hatches and Escape Routes**
  - Identify all exits.
  - Instruct passengers to use nearest safe exit during emergency.
7. **Abandoning Ship**
  - Signal will be given by operator/crew.
  - Put on life jackets, stay together, and await rescue.
8. **Location of First-Aid Kit**
  - Identify storage location.
  - Crew trained in first aid will provide assistance.

#### **Recommended Additional Safety Briefing Items**

While not required by law, including the following enhances passenger safety and professionalism:

- **Life Jacket Demonstration**
  - Show how to properly don adult and child PFDs.
  - Remind passengers: “Everyone. Every time.”
- **Safe Movement on Deck**
  - Keep hands free when possible.
  - Use handholds/rails. Avoid running.
- **Restricted Areas**
  - Identify crew-only areas and engine compartment.
  - Remind passengers not to block helm or exits.
- **Alcohol & Behavior Expectations**
  - State zero tolerance for unsafe behavior or intoxication that endangers others.
- **Weather Awareness**
  - Inform passengers of procedures if severe weather develops (return to dock, shelter in place, etc.).
- **Children & Non-Swimmers**
  - Require life jackets worn at all times.
  - Encourage buddy system.
- **Trash and Environmental Practices**
  - Use designated containers.
  - No littering overboard (state/federal law).

**Tip:** Keep the briefing **short, clear, and confident**. Use humor lightly, but never downplay safety.

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#### **4.5 Seating & Movement**

- Encourage passengers to remain seated while underway.
- Avoid sudden maneuvers that could throw passengers off balance.
- Crew should monitor groups moving around (e.g., during sightseeing or photo opportunities).

**Crowd Control Tip:** Use **verbal reminders** and **polite hand signals** rather than shouting.

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#### **4.6 Railings, Decks, and Restricted Areas**

- **Prohibit sitting on railings** or bow riding. These are common causes of overboard falls.
  - Keep decks clear of trip hazards (bags, coolers, cords).
  - Mark restricted areas (helm, engine access, crew-only zones) with signage or ropes.
-

#### 4.7 Managing Alcohol Consumption

Party boats are high-risk environments for alcohol misuse. The operator and crew must monitor passengers for signs of intoxication.

- Remove or restrict disruptive passengers **before safety is compromised**.
  - Remember: The **operator can be held liable** for incidents involving alcohol.
  - Monitor for **excessive drinking** that could impair balance or judgment.
  - Encourage designated sober supervisors within large groups.
  - Use a **graduated response**:
    1. Verbal warning.
    2. Restriction from railings or exposed decks.
    3. Terminate trip early if safety is compromised.
- 

#### 4.8 Handling Disruptive Passengers

- Stay calm and assertive — avoid escalating the situation.
- If necessary, **assign crew to closely monitor** the disruptive passenger.
- Return to dock or contact law enforcement if behavior endangers others.

##### Sample Phrasing:

“For your safety and the safety of everyone aboard, I must ask you to remain seated. If this continues, I will have no choice but to return to shore.”

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#### 4.9 Crew Roles in Passenger Safety

Even a small crew should have clear assignments:

- **Boarding Assistant:** Guides passengers during embark/disembark.
  - **Safety Briefing Leader:** Delivers or supports operator’s safety talk.
  - **Passenger Monitor:** Walks the deck, checking behavior and balance.
  - **Emergency Spotter:** Keeps lookout for overboard risks.
- 

#### 4.10 Key Takeaways – Chapter 4

- ✓ Boarding: organize & assist passengers
- ✓ Briefing: always start with a **clear safety speech**
- ✓ Seating: remain seated while underway, especially docking/undocking
- ✓ Railings: never sit, stand, or lean over
- ✓ Alcohol: monitor closely, intervene if necessary
- ✓ Crew: assign specific passenger safety roles

# Chapter 5 – Vessel Safety Equipment

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## 5.1 Why Safety Equipment Matters

On a party boat, equipment is not just a legal requirement — it's the **first line of defense** in emergencies.

As operator, you must ensure equipment is:

- **Onboard**
- **Accessible**
- **In working condition**
- **Known to passengers & crew**

Failure to meet these standards can result in **citations, liability, and preventable loss of life.**


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## 5.2 Life Jackets (PFDs – Personal Flotation Devices)

### Requirements (Texas & USCG):

- One **U.S. Coast Guard–approved life jacket** must be carried **for every passenger** on board.
- At least **one throwable device (Type IV)** must be on board (e.g., cushion or ring buoy).
- Life jackets must be **readily accessible, properly sized, and in serviceable condition.**

### Children Under 13 Rule (Texas Law):

- By law, children under 13 must wear a life jacket on **boats under 26 feet** while underway, unless in a cabin or below deck.
- Because **party boats are 30 feet and over**, this requirement **does not apply.**
-  **Best Practice:** Even though not required by law, operators should strongly encourage (or require) all children and non-swimmers to wear life jackets at all times.

### New Life Jacket Labels (U.S. Coast Guard Standard)

As of 2023, the U.S. Coast Guard has phased in **new “Performance Level” labels** for life jackets (PFDs), replacing the old Type I–V system.

- **Old System (Types I–V):** Previously classified PFDs by type (Offshore, Nearshore, Flotation Aid, Throwable, Special Use).
- **New System:** Uses **“Performance Level icons”** and clear pictograms showing use (inshore, offshore, paddling, towing, etc.).
- Life jackets must still be **U.S. Coast Guard–approved**, properly sized, and in good condition.
- Party boat operators should ensure passengers are shown **where jackets are stored** and **how to properly wear and secure them.**

### Operator Tips:

- Store jackets in clearly labeled compartments.
  - Assign a **crew member to demonstrate how to put one on** during safety briefing.
  - Keep a **spare set of children’s life jackets** in multiple sizes.
- 

## 5.3 Fire Extinguishers

### Requirements:

- Required on all party boats with enclosed compartments or fuel systems.
- Must be **readily accessible, properly mounted, and fully charged.**
- **Types of Extinguishers:**
  - Class B: For gasoline and flammable liquids
  - Class C: For electrical fires
- Check **gauge and condition** before each trip.

### Using a Fire Extinguisher – PASS Method:

- Pull the pin.
- Aim at the base of the fire.
- Squeeze the handle.
- Sweep side to side.

### Placement:

- Helm station.
  - Engine compartment.
  - Galley or grill areas.
- 

### 5.4 Sound-Producing Devices

- **Horn or Whistle** – Required for boats over 26 ft.
- **Bell or Gong** – Required on vessels 39 ft+ for fog signals.

**Operator Reminder:** Practice horn signals with crew so they know what each blast means.

---

### 5.5 Visual Distress Signals

- **Day signals:** Orange flag or handheld smoke.
  - **Night signals:** Flares or electronic SOS light.
  - Must be **U.S. Coast Guard–approved** and within expiration date.
- 

### 5.6 Navigation Lights

- Required between **sunset and sunrise** and during restricted visibility.
  - Must display correct lights for vessel size/type.
  - Regularly check bulbs, wiring, and backups.
- 

### 5.7 First Aid & Medical Supplies

Every party boat should carry a **marine-grade first aid kit** with:

- Bandages, antiseptic, tape, and scissors.
- CPR mask and gloves.
- Burn dressings.
- Seasickness tablets or wristbands.
- Emergency blankets.

**Best Practice:** At least one crew member should hold **current CPR/First Aid certification**.

---

### 5.8 Anchors & Mooring Lines

- Anchor must be appropriate for boat size and bottom conditions (fluke for sand, plow for mud).
  - Line should be **7–10 times water depth** for safe anchoring.
  - Spare lines and fenders should always be carried.
- 

### 5.9 Safety Checklists

#### Suggested Pre-Departure Equipment Checklist:

- Life jackets for all passengers (proper sizes)
- Throwable PFD accessible
- Fire extinguishers charged & mounted
- Horn/whistle operational
- Visual distress signals in-date
- Navigation lights functional

- ☑ First aid kit stocked
  - ☑ Anchor & mooring lines ready
- 

### **5.10 Key Takeaways – Chapter 5**

- ✓ One approved **life jacket per passenger**, child under 13 must wear
- ✓ One **throwable PFD** required
- ✓ Fire extinguishers must be **correct type, charged, and accessible**
- ✓ Horn, whistle, and visual distress signals are **mandatory**
- ✓ First aid kit & trained crew member recommended
- ✓ Daily inspection log can keep you compliant & prepared

# Chapter 6 – Emergency Preparedness

---

## 6.1 The Operator’s Role in Emergencies

Emergencies happen fast. Your passengers will **look to you** and your crew for leadership. A calm, decisive operator can prevent injuries, save lives, and reduce chaos.

### Your responsibilities:

- **Anticipate** risks.
  - **Train** your crew.
  - **Drill** procedures before real emergencies occur.
  - **Communicate** clearly with passengers and authorities.
- 

## 6.2 Common Emergencies on Party Boats

- **Man Overboard (MOB)**
  - **Fire onboard**
  - **Medical emergencies** (heart attack, injury, seizure)
  - **Severe weather** (sudden storms, high winds)
  - **Mechanical failure** (loss of engine, steering, or electrical systems)
  - **Grounding or collision**
- 

## 6.3 Man Overboard (MOB)

### Immediate Actions (Operator):

1. Shout **“Man Overboard!”**
2. Assign crew to **point continuously** at person in water.
3. **Throw Type IV PFD** or flotation device.
4. Circle back carefully, keeping person in sight.
5. Approach from **downwind** if possible.
6. Stop engines before recovery.

### Sample Passenger Announcement:

“Everyone remain seated. We have a person in the water, and the crew is retrieving them. Please stay calm and do not crowd the rails.”

---

## 6.4 Fire Onboard

### Immediate Actions:

1. Stop engines, cut fuel supply if possible.
2. Alert passengers — move them upwind/away from flames.
3. Use **PASS method** with extinguishers.
4. Prepare life jackets in case of evacuation.
5. If fire is uncontrolled, make distress call and prepare to abandon ship.

### Distress Call Script (VHF Channel 16):

“MAYDAY, MAYDAY, MAYDAY — This is [Boat Name], [Location], with fire onboard. We have [X] persons aboard. Request immediate assistance.”

---

## 6.5 Medical Emergencies

- Assign a crew member trained in **First Aid/CPR**.
- Contact EMS via VHF or cell.
- Stabilize patient until rescue/transport arrives.

### Sample Script to Passengers:

“Ladies and gentlemen, we have a medical situation. Please remain calm and seated while the crew assists. We will be returning to shore immediately.”

---

## 6.6 Severe Weather

### Preparations Before Departure:

- Check forecasts, radar, and lake advisories.
- Establish “go/no-go” decision points.

### If Caught in Storm:

- Have all passengers **don life jackets**.
  - Reduce speed; head into waves at an angle.
  - Seek sheltered water or return to dock if safe.
  - Avoid sudden turns or panic maneuvers.
- 

## 6.7 Mechanical Failure

- Drop anchor to prevent drifting.
  - Use horn/whistle for distress if no radio.
  - Call for tow/rescue via VHF Channel 16.
  - Keep passengers calm and hydrated while awaiting assistance.
- 

## 6.8 Grounding or Collision

- Stop engines immediately.
  - Check for injuries.
  - Inspect vessel for leaks or flooding.
  - Call authorities if needed.
  - Use pumps/buckets for dewatering until help arrives.
- 

## 6.9 Drills & Crew Training

To prepare, conduct **monthly drills** with crew:

- MOB recovery practice.
- Fire extinguisher drills with expired units.
- First Aid scenarios.
- Abandon ship with PFD distribution.

Keep **drill logs** as part of operator records.

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## 6.10 Emergency Communication

- **VHF Radio – Channel 16** (primary distress channel).
- **Cell phone** (backup, but unreliable on remote lakes).
- **Distress signals:** flares, SOS light, whistle blasts.

### Distress Levels:

- **SECURITÉ:** Navigational safety info (e.g., debris, fog).
  - **PAN-PAN:** Urgent but not life-threatening (e.g., mechanical failure).
  - **MAYDAY:** Grave and imminent danger (e.g., fire, sinking, MOB).
- 

## 6.11 Emergency Passenger Management

Passengers panic without direction. Your tone must be:

- **Calm** (“We are trained for this.”)
- **Clear** (“Stay seated, put on your life jacket.”)

- **Confident** (“Help is on the way.”)

**Key Phrases to Use:**

- “Stay seated.”
  - “Follow crew instructions.”
  - “Life jackets on now.”
  - “Help is coming — remain calm.”
- 

**6.12 Key Takeaways – Chapter 6**

- ✓ Train crew in **MOB, fire, medical, and storm response**
- ✓ Always have **distress call scripts** ready
- ✓ Use **clear passenger announcements** to prevent panic
- ✓ Conduct **regular emergency drills** and log them
- ✓ Remember: Calm operator = calm passengers

# Chapter 7 – Alcohol & Drug Policies

---

## 7.1 Why Alcohol & Drug Policies Matter

- **Boating While Intoxicated (BWI)** is a leading cause of accidents in Texas waters.
- Party boats often attract groups celebrating with alcohol.
- As the operator, you are responsible for **passenger safety** and **compliance with state law**.

Failing to enforce policies exposes you to **citations, lawsuits, and loss of license**.

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## 7.2 Legal Standards in Texas

- **Operator BAC limit:** 0.08% (same as driving).
- **Zero tolerance** for drugs or controlled substances.
- Passengers **may consume alcohol**, but operator must prevent **reckless or unsafe behavior**.

### Penalties for BWI:

- First offense: Fine up to \$2,000, jail up to 180 days.
  - Repeat offenses: Higher fines, longer jail, loss of license.
  - Boaters who are arrested for a BWI while children under the age of 15 are onboard will face a state jail felony for boating while intoxicated with a child passenger. This charge is punishable by six months to two years in state jail and a maximum \$10,000 fine.
- 

## 7.3 Operator Responsibilities

- Operators must remain sober enough to comply with the law: 0.08 BAC for recreational vessels under Texas law; 0.04 BAC if operating a non-recreational/commercial vessel under federal rules. Open container law does not apply to boats, but BWI laws do. After a serious incident, party-boat staff are subject to mandatory drug and alcohol testing.
  - Monitor passengers for **intoxication-related risks**:
    - Standing on railings.
    - Swimming without life jackets.
    - Aggressive or disruptive behavior.
  - Intervene **before situations escalate**.
- 

## 7.4 Passenger Alcohol Management

### Before Departure:

- Clarify rules in **charter agreement**:
  - No underage drinking.
  - No illegal substances.
  - Designated areas for alcohol storage/consumption.

### During Trip:

- Assign a crew member to monitor consumption.
  - Provide **plenty of water and snacks** to slow alcohol effects.
  - Enforce **no-glass container policy** (reduce injury risk).
- 

## 7.5 Handling Intoxicated Passengers

### Step 1 – Observation

- Slurred speech, stumbling, reckless movement.

### Step 2 – Verbal Warning

“For your safety, I need you to stay seated. Please let us know if you need water or a life jacket.”

### Step 3 – Restriction

- Deny access to upper decks or railings.
- Require them to remain seated near crew.

### Step 4 – Termination

- If behavior threatens safety, return to dock.
  - Contact law enforcement if necessary.
- 

### 7.6 Drugs & Illegal Substances

- Strictly prohibited on board.
  - Illegal drugs onboard can result in **state and federal charges**.
  - Operator may be held responsible if drugs are present, even if not theirs.
  - Prescription medications: Ensure they do not impair your ability to operate.
  - If discovered:
    - Secure item(s).
    - Inform passengers of violation.
    - Notify law enforcement if required.
  - Operator cannot be seen as tolerating illegal use — liability is severe.
- 

### 7.7 Crew Training for Alcohol Management

- Recognize signs of impairment.
  - Use **calm, respectful tone** when intervening.
  - Support operator in decision to terminate trip early if needed.
- 

### 7.8 Enforcement

- **TPWD game wardens** and **MSEOs** can:
    - Stop and board your vessel.
    - Conduct **sobriety tests** (on water or dockside).
    - Arrest operators suspected of BWI.
- 

### 7.9 Key Takeaways – Chapter 7

- ✓ Operator best practice is to remain sober. CFR states .04 BAC for Commercial Vessels is the legal limit.
- ✓ Passenger drinking allowed, but risky behavior must be controlled.
- ✓ Underage drinking or drug use = immediate violation.
- ✓ Use **graduated intervention** (warning → restriction → termination).
- ✓ Written alcohol/drug policies protect both passengers and operators.

# Chapter 8 – Inspections & Compliance

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## 8.1 Why Compliance Matters

- Party boat operators in Texas must comply with **TPWD regulations, U.S. Coast Guard requirements, and state/local laws.**
  - Regular inspections ensure boats are **safe, seaworthy, and properly equipped.**
  - Failure to comply can result in **citations, fines, license suspension, or impoundment of vessel.**
- 

## 8.2 Types of Inspections

### 1. Initial Licensing Inspection

- Required when applying for a **Party Boat Operator’s License.**
- Conducted by TPWD or designated law enforcement.
- Covers safety equipment, vessel condition, documentation, and operator qualifications.

### 2. Annual Safety Inspection

- Must be completed before operating each year, **not more than 60 days and not less than 30 days** prior to the anniversary date of the vessel’s previous inspection.
- Documentation of successful inspection must be displayed aboard the vessel.
- Includes review of life jackets, fire extinguishers, navigation equipment, and passenger capacity.

### 3. Random/Spot Checks

- Game Wardens or Coast Guard may board at any time.
  - Operators must **cooperate fully** and present documents upon request.
- 

## 8.3 Vessel Inspection Requirements

Refer to most current Annual Safety Inspection Form for current requirements. Here is a sample of what will be checked during spot checks.

1. **Certificate of Inspection (COI):**
  - If a **Federal USCG Certificate of Inspection** is issued and posted on board, no further state inspection is required.
  - Otherwise, a **State-issued Annual Safety Inspection Certificate** must be posted on board.
2. **Owner Verification:** The vessel owner must confirm that the boat’s construction and safety equipment remain unchanged since the last inspection.
3. **USCG Record Check:** Inspector will verify with the U.S. Coast Guard that there are no adverse records associated with the vessel.
4. **Registration:** Vessel must have a valid and current **Texas state registration** properly displayed.
5. **Stability:** A **Stability Letter from a certified Marine Surveyor** must be presented and posted on board, showing maximum passenger limits.
  - Maximum passengers allowed on board: \_\_\_\_\_
  - Maximum per deck: Primary \_\_\_\_\_ / Second \_\_\_\_\_ / Third \_\_\_\_\_
6. **New Stability Test Required for Certain Circumstances:** A new stability test is required if:
  - the vessel’s structure or equipment (including, but not limited to, engines, generators, motors, air conditioning units or other major electrical or mechanical systems or components) have been modified to the extent that the weight or weight distribution of the vessel affects or could affect the stability of the vessel under normal operating conditions; or

- The vessel is involved in a reportable incident described by Parks and Wildlife Code, §31.105. This does not apply to a reportable incident that does not involve physical damage to the party boat.
7. **Five-Year Drydock / Underwater Survey Requirement:** Each party boat must undergo a comprehensive hull and systems examination by an accredited marine surveyor or accredited naval architect at intervals not to exceed five (5) years.
- The required examination may be conducted:
    - In drydock; or
    - While the vessel is afloat, provided the inspection is fully documented with underwater video or other digital media sufficient to evaluate hull integrity and all below-the-waterline components.
- 

#### 8.4 Record Retention and Passenger Safety Enhancements

Required records, logs, affidavits, and inspection documentation must be retained for two (2) years.

Updated requirements clarify:

- Personal flotation device (PFD) quantities, including child-sized PFDs
    - Must maintain personal flotation devices in an amount equal to the capacity listed on the stability letter with an additional amount suitable for children equal to at least 10% of the occupancy limit established for the vessel. If more than 10% of the passengers on any voyage are children, a personal flotation device appropriate for children must be present for each child. A child is defined as any person younger than 13 years of age.
  - Passenger safety briefings and conspicuously posted emergency procedures for all of the following:
    - use of radio or telephone
    - man overboard
    - fire or explosion
    - leaks or damage control
    - location of personal flotation devices
    - location of escape hatches and escape routes
    - abandoning ship
    - location of first-aid kit
- 

#### 8.5 Passenger Safety Information

The vessel owner is responsible for providing all passengers with **written and verbal safety information** prior to departure.

- A safety briefing must cover the posted **emergency procedures** (radio use, man overboard, fire/explosion, abandon ship, leaks/damage control, escape routes, and first aid kit).
  - Passengers must sign a form acknowledging receipt of safety information.
  - A conspicuous notice must also be posted that **no lifeguard is on board**.
  - **Escape:** Means of escape for passengers and crew are **present, unobstructed, and clearly marked**.
- 

#### 8.6 Required Equipment

- **USCG-approved navigation lights and day/night signals** are **present and serviceable**.
- **Sound signaling device(s)** (whistle, horn, or bell) are **present and serviceable**.
- **Communications:** A means to contact law enforcement, EMS, and the on-shore office is on board and serviceable (**VHF radio or cell phone**).

- **First Aid:** A **First Aid Kit** is on board and in **good condition**.
  - **Wearable PFDs:** Proper **number of wearable life jackets** (including child sizes as applicable) are **on board** and **serviceable**.
  - **Ring buoys:** Proper **type and number of ring buoys** are **on board** and **serviceable**.
  - **Fixed fire system (if applicable):** Installed, **serviced**, and **tested** per schedule.
  - **Portable fire extinguishers:** **On board**, correct **type/quantity**, and **serviceable**.
  - **Backfire flame arrestor** is fitted.
  - **Posted Emergency Procedures**.
- 

### 8.7 Liability Insurance

The owner must present proof of **liability insurance** in the amount of at least **\$500,000 per incident**.

- The insurance must remain valid and current throughout the operating season.
  - Must be issued from an insurance provider authorized to do business in Texas.
- 

### 8.8 Crew Requirements

Minimum crew requirements for party boats are:

- **25 passengers or fewer:** At least 1 crew member
- **26–50 passengers:** At least 2 crew members
- **51 passengers or more:** At least 3 crew members

Crew requirements are in addition to the licensed Party Boat Operator.

---

### 8.9 Crew Training and Certification

The vessel owner must present proof of training records and certifications for all crew:

- **Party Boat Operator License** (or a valid USCG License) for the operator.
  - **CPR certification** for at least one staff member on board for each voyage.
  - **Boater Education Certificates** for all crew members.
- 

**⚠ Reminder for Operators:** These inspection standards are **not optional** — they are required for your vessel to legally carry paying passengers. Failure to meet them may result in a failed inspection, fines, or suspension of operating privileges.

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### 8.10 Consequences of Non-Compliance

- **Minor violations:** Verbal warning or citation.
  - **Serious violations:** Trip terminated, passengers offloaded.
  - **Repeated violations:** License suspension or revocation.
  - **Gross negligence:** Civil lawsuits and criminal charges.
- 

### 8.11 Key Takeaways – Chapter 8

- ✓ Inspections are routine and mandatory — preparation is key.
- ✓ Keep **all documents and certificates onboard**.
- ✓ Inspectors check **equipment, certifications, documents, and passenger compliance**.
- ✓ Use **daily logs and checklists** to stay inspection-ready.
- ✓ Non-compliance risks fines, suspension, or worse — loss of license.

# Chapter 9 – Environmental Responsibilities

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## 9.1 Why Environmental Stewardship Matters

As a party boat operator, you share responsibility for protecting Texas waters.

- **Pollution prevention** preserves water quality for recreation and wildlife.
- **Responsible fueling & waste practices** keep your license in good standing.
- **Passengers watch you** — your habits set the tone for their behavior.

Operating responsibly not only avoids fines — it builds your reputation as a **professional captain**.

---

## 9.2 Waste Management

### Trash Disposal

- Texas law prohibits dumping garbage into state waters.
- Provide **clearly marked trash and recycling bins** onboard.
- Offload all waste at dockside receptacles.

### Sewage

- Vessels with marine sanitation devices (MSDs) must use **Type I, II, or III systems**.
- Never discharge raw sewage in lakes or nearshore waters.
- Pump out at designated stations.

### Gray Water (sinks, showers)

- Minimize use of soaps/detergents, especially non-biodegradable ones.
  - Encourage use of biodegradable products.
- 

## 9.3 Fueling & Spill Prevention

### Best Practices:

- Fuel slowly — don't "top off" tanks.
- Keep absorbent pads handy for drips and spills.
- Use spill-proof nozzles and vent attachments when available.
- Train crew to immediately deploy absorbent material if fuel hits the water.

### Reporting Spills:

- Required if spill causes a visible sheen.
  - Notify **Texas Commission on Environmental Quality (TCEQ)** and U.S. Coast Guard National Response Center.
- 

## 9.4 Noise & Wake Management

- Excessive noise disturbs wildlife and shoreline residents.
  - Respect **no-wake zones** near marinas, docks, and swimming areas.
  - Large party boats produce big wakes — reduce speed near smaller craft and shorelines to prevent erosion and capsizing hazards.
- 

## 9.5 Wildlife Protection

- Do not allow passengers to harass wildlife (feeding, chasing birds, etc.).
  - Respect **no-entry zones** in sensitive habitats (wetlands, bird rookeries).
  - Report injured wildlife sightings to TPWD.
- 

## 9.6 Passenger Education

Your passengers may not know the rules. Use simple reminders:

- Announce: *“Please keep your trash in the bins provided — nothing overboard.”*
  - Show absorbent pads during your safety talk to emphasize fuel protection.
  - Encourage eco-friendly behavior (refillable bottles, sunscreen safe for aquatic life).
- 

### 9.7 Green Boating Practices

Operators can go beyond compliance:

- Use **non-toxic cleaning supplies**.
  - Install **oil-absorbing bilge socks**.
  - Encourage passengers to use **reef-safe sunscreen**.
  - Partner with marinas that provide **pump-out and recycling services**.
- 

### 9.8 Environmental Compliance Checklist

- Trash bins onboard & emptied after each trip
  - Pump-out used for all sewage systems
  - Absorbent pads stocked near fueling area
  - No visible oil sheen in bilge or wake
  - Crew trained in spill response
  - No-wake rules followed in restricted zones
  - Wildlife and sensitive habitats respected
- 

### 9.9 Key Takeaways – Chapter 9

- ✓ All waste must be collected & disposed of properly.
- ✓ Sewage discharges are prohibited — pump out at stations.
- ✓ Fuel slowly, carry absorbents, report spills.
- ✓ Respect no-wake zones, wildlife, and shoreline communities.
- ✓ Green practices boost your reputation and protect Texas waters.

# Chapter 10 – Laws, Enforcement & Liability

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## 10.1 Why This Chapter Matters

Operating a party boat is more than navigation and fun — it carries serious **legal responsibilities**.

- You are accountable for **passenger safety, compliance with laws, and proper reporting of incidents**.
  - Mistakes can lead to **citations, civil lawsuits, or even criminal charges**.  
Understanding enforcement and liability protects **you, your license, and your business**.
- 

## 10.2 Key Laws Governing Party Boat Operations

- **Texas Parks & Wildlife Code, Chapter 31** – Covers boating safety, operation, and enforcement.
  - **Texas Administrative Code, Title 31, Chapter 55** – Specific rules for party boat operators.
  - **U.S. Coast Guard Navigation Rules (COLREGS)** – Apply on navigable waters.
  - **Texas Penal Code** – BWI and criminal negligence statutes.
- 

## 10.3 Enforcement Authorities

- **Texas Game Wardens (TPWD)** – Primary enforcement for boating laws.
- **U.S. Coast Guard** – Jurisdiction on federal waters.
- **Local Law Enforcement** – Sheriff's deputies, police marine units may assist.

They may:

- Board your vessel.
  - Inspect equipment, documents, and capacity.
  - Issue citations or terminate unsafe voyages.
- 

## 10.4 Accident Reporting Requirements

Texas law requires operators to report boating accidents:

- **Immediate notification** if:
    - Fatality occurs.
    - Person disappears from vessel under circumstances of possible death/injury.
    - Serious injury requiring medical treatment beyond first aid.
  - **Written report within 30 days** for accidents involving:
    - Injury beyond first aid.
    - Property damage over \$2,000.
  - **Written report within 48 hours** for accidents involving:
    - Death.
    - Disappearance.
- 

## 10.5 Operator Authority Onboard

As the licensed operator, you have authority similar to a captain at sea.

- May **set rules** (no standing on railings, no underage drinking, etc.).
  - May **restrict passenger movement** for safety.
  - May **terminate voyage early** if conditions are unsafe.
  - Your decisions must prioritize **safety and compliance**.
-

## 10.6 Civil & Criminal Liability

### Civil Liability

- Passengers (or families) may sue for negligence if injured.
- Insurance may cover damages, but operators can be personally liable for gross negligence.

### Criminal Liability

- BWI, reckless operation, or failure to report accidents can lead to criminal charges.
  - Penalties range from fines to imprisonment.
- 

## 10.7 Risk Reduction Strategies

- **Always operate sober.**
  - **Document pre-departure checks** and passenger briefings.
  - **Keep inspection logs** to show compliance.
  - **Train crew** and conduct emergency drills.
  - **Post rules visibly** and enforce consistently.
- 

## 10.8 Key Takeaways – Chapter 10

- ✓ You are legally accountable for passengers and vessel.
- ✓ Know the **laws, enforcement agencies, and accident reporting deadlines.**
- ✓ Post and enforce **clear passenger rules.**
- ✓ Liability (civil & criminal) is real — protect yourself with **logs, training, and compliance.**
- ✓ Safety + compliance = protection of your license and livelihood.