STATE OF NEW YORK

5948

2023-2024 Regular Sessions

IN ASSEMBLY

March 24, 2023

Introduced by M. of A. SHIMSKY -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development

AN ACT to amend the navigation law, in relation to equipment to be carried on vessels

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 2 of section 40 of the navigation law, as amended by chapter 208 of the laws of 2002, is amended to read as follows:

2. Whistle. Every [~~mechanically propelled~~] vessel **and every rowboat, canoe and kayak** shall be provided with an efficient whistle. The word "whistle" shall mean any sound producing mechanical appliance, except sirens, capable of producing a blast of two seconds or more in duration and of such strength as to be heard plainly for a distance of at least one-half mile in still weather. A siren whistle may only be attached to a vessel operated by a police department, fire department or public utility company, and used only on emergency calls. On vessels less than thirty-nine feet in length, a mouth whistle capable of producing a blast of two seconds or more in duration, which can be heard for at least one-half a mile, may be used.

§ 2. Subdivision 6 of section 40 of the navigation law, as amended by chapter 186 of the laws of 1962, is amended to read as follows:

6. Fire extinguishers required. (a) Every mechanically propelled vessel as classified and defined by subdivision one of section forty-three of this article, except outboard motor boats less than twenty-six feet in length, of open construction, shall carry United States coast guard approved fire extinguishers in accordance with the following:

Class A motor boats shall carry one [~~B-1~~] **5-B** fire extinguisher.

Class 1 motor boats shall carry one [~~B-1~~] **5-B** fire extinguisher.

Class 2 motor boats shall carry two [~~B-1~~] **5-B** fire extinguishers.

Class 3 motor boats shall carry three [~~B-1~~] **5-B** fire extinguishers.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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Class 4 motor boats shall carry fire extinguishers and other fire fighting equipment as required by the federal navigation law and rules and regulations made by the United States coast guard for uninspected vessels.

(b) One class [~~B-2~~] **20-B** fire extinguisher may be substituted for two class [~~B-1~~] **5-B** fire extinguishers.

(c) When the engine compartment of the motor boat is equipped with a fixed fire extinguishing system of a United States coast guard approved type, one less class [~~B-1~~] **5-B** fire extinguisher is required.

(d) No fire extinguishers of the toxic vaporizing liquid type, including those containing carbon tetrachloride and chlorobromomethane extinguishing agents shall be approved by the commissioner.

(e) Disposable fire extinguishers are considered expired twelve years after their date of manufacture. Expired or previously used fire extinguishers do not meet the requirements of paragraph (a) of this subdivision.

§ 3. Section 40 of the navigation law is amended by adding a new subdivision 13 to read as follows:

13. The operator of a vessel under twenty-six feet in length equipped with an engine cut-off switch shall use the engine cut-off switch when the vessel is operating on plane or above displacement speed. The use of an engine cut-off switch shall not be required when the operator is in a fully enclosed cabin.

§ 4. This act shall take effect January 1, 2024.