

# STATE OF NEW YORK

6124

2023-2024 Regular Sessions

## IN SENATE

March 30, 2023

Introduced by Sen. SCARCELLA-SPANTON -- read twice and ordered printed,  
and when printed to be committed to the Committee on Cultural Affairs,  
Tourism, Parks and Recreation

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 Assem-  
bly, do enact as follows:

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

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

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

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

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

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

24 Class 2 motor boats shall carry two [~~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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1 Class 3 motor boats shall carry three [~~B-1~~] 5-B fire extinguishers.

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

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

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

11 (d) No fire extinguishers of the toxic vaporizing liquid type, includ-  
12 ing those containing carbon tetrachloride and chlorobromomethane extin-  
13 guishing agents shall be approved by the commissioner.

14 (e) Disposable fire extinguishers are considered expired twelve years  
15 after their date of manufacture. Expired or previously used fire extin-  
16 guishers do not meet the requirements of paragraph (a) of this subdivi-  
17 sion.

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

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

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