

**LAKE NORMAN MARINE COMMISSION
BOAT RENTAL REGULATIONS**

Effective January 1, 2024

SECTION 1. SHORT TITLE. These regulations may be cited as the BOAT RENTAL REGULATIONS.

SECTION 2. JURISDICTIONAL BOUNDARIES. These regulations shall be applicable on the waters of Lake Norman, the boundaries of which are described in Chapter 1089 of the 1969 Session Laws of the State of North Carolina.

SECTION 3. DEFINITIONS

As used in these regulations:

(a) "Advertise" means to make an announcement, and includes, without limitation, the following ways of making an announcement: person to person communications, whether verbal or in writing, including by posting signs, handing out flyers, or sending letters or e-mails; communications by using the radio, communication by publication in a newspaper or magazine or any other type of printed media; electronic communications via a web site or social media; and communications by video or other visual media, such as on television or internet based video services.

(b) "Boat Inspection" means a boat inspection conducted by an inspector approved by the Lake Norman Marine Commission.

(c) "Boat Owner" means any individual, partnership, company, or other entity that (a) Advertises one or more boats as being available for rent, or (b) provides one or more boats for rental, regardless of whether such individual, partnership, company, or entity is the boat's owner of record.

(d) "Charter Boat" means any boat that is (i) hired, or advertised for hire, to carry passengers who have paid a fee for services including, without limitation, sightseeing, fishing, consuming food or beverages, swimming, water skiing, and diving; and (ii) owned, operated, or controlled by a person or entity other than the passengers.

(e) "Marine Liability Insurance" means a liability insurance policy that covers all reasonably predictable liabilities that may arise while boats are rented, including, without limitation, bodily injury and property damage.

(f) "Rental Boat Permit" means the permit issued by the Commission that must be obtained and kept in good standing to rent a boat on Lake Norman.

(g) "Renter" means any individual, partnership, company, or other entity that rents a boat.

(h) "The Lake Norman Marine Commission" has the meaning set forth in Chapter 1089 of the 1969 Session Laws of the State of North Carolina is sometimes referred to in these regulations as the "Commission".

SECTION 4. REGULATIONS FOR RENTING BOATS

(a) Renting a boat on Lake Norman requires a Rental Boat Permit from the Lake Norman Marine

Commission for each boat offered for rent. Each Rental Boat Permit will be accompanied by two stickers, both of which must be prominently displayed on the boat – one on the starboard side and one on the port side. Each Rental Boat Permit must identify the period it is valid and must be renewed by April 1st of the year its due. Boat Owners must inform Renters of, and Renters must abide by, the requirement that any law enforcement officer may, upon request, examine the Rental Boat Permit. A fee will be required for each Rental Boat Permit requested. The fee will be determined annually prior to the distribution of the application material. Among the factors to be considered prior to issuing a Rental Boat Permit are any matters pertaining specifically to public safety or violations of federal, state, or local laws.

(b) Boat Owners wishing to obtain a Rental Boat Permit and operate on Lake Norman must at a minimum satisfy the following requirements:

1. Liability Insurance. Proof of Marine Liability insurance with policy limits no less than \$500,000 per accident.
2. Boat Inspection. Proof of a successful Boat Inspection must be submitted to the Commission. A list of qualified inspectors will be provided when a Rental Boat Permit is requested. Boat Inspections must be completed on a biennial basis (once every two years).

SECTION 5. BOAT OWNER REQUIREMENTS

Each Boat Owner must:

- (a) Ensure all Renters have met North Carolina's minimum boater education requirements; for example, all Renters born on or after January 1, 1988 must show proof of completing an approved NASBLA boating education course.
- (b) Provide all Renters with appropriate training based on the rented boat's complexity and the Renter's prior boating experience.
- (c) Provide all Renters with instruction in the proper and safe navigation on Lake Norman, including the issuance of a navigational chart and/or appropriate navigation app.
- (d) Use, have signed by each Renter, and maintain on file a "Pre-Rental/Pre-Ride Instruction Checklist" acknowledging that the requirements of these Boat Rental Regulations have been reviewed and understood by both parties.
- (e) Comply with all Federal, State, Local, and Duke Energy laws, regulations, and guidelines, including, without limitation, Duke Energy's Lake Permit Guidelines applicable to docks and piers. Violation of Federal, State, Local, or Duke Energy laws, regulations, or guidelines shall be grounds for denial or revocation of a Rental Boat Permit.
- (f) If a boat owner wishes to provide a hired captain to operate the rented boat, then it's considered a "Charter Boat" and places the business under the "Charter Boat Regulations" category. Charter Boats require a different permit with different requirements.

SECTION 6. RENTER REQUIREMENTS

Each Renter must:

- (a) Comply with North Carolina's minimum boater education requirements; for example, all Renters born on or after January 1, 1988 must show proof of completing an approved NASBLA boating education course.
- (b) Ensure that they are appropriately trained based on the rented boat's complexity and the Renter's prior boating experience.

- (c) Demonstrate a familiarity with proper and safe means of navigation on Lake Norman, including the use of a navigational chart and/or appropriate navigation app.
- (d) Sign and maintain on file a "Pre-Rental/Pre-Ride Instruction Checklist" acknowledging that the requirements of these Boat Rental Regulations have been reviewed and understood by both parties.
- (e) Comply with all Federal, State, Local, and Duke Energy laws, regulations, and guidelines, including, without limitation, Duke Energy's Lake Permit Guidelines applicable to docks and piers..

SECTION 7. VIOLATIONS: PENALTY

- (a)) It shall be unlawful to rent any boat on the waters of Lake Norman without a valid Rental Boat Permit prominently displayed as required by these Boat Rental Regulations.
- (b) It shall be unlawful for any person to (i) offer to rent a boat on the waters of Lake Norman; or (ii) Advertise that they have one or more boats available for rental on the waters of Lake Norman unless the Boat Owner has a valid Rental Boat Permit for each rental boat.
- (c) It shall be unlawful for any Boat Owner or Renter to refuse to allow a law enforcement officer to examine a boat's Rental Boat Permit.
- (d) It shall be unlawful for a Boat Owner to rent or offer for rent a boat after having received written notice from the Lake Norman Marine Commission that such boat is operating in violation of these Boat Rental Regulations.
- (e) Any person who violates any of the above provisions shall be guilty of a Class 3 misdemeanor and, upon conviction, shall be subject to a maximum fine of fifty dollars (\$50.00), or imprisonment, or both. Each violation shall be considered a separate and distinct offense, and each day of continued violation shall be considered as a separate offense. In addition, a violator may be subject to appropriate injunctive relief and other applicable legal consequences.
- (f) Any Boat Owner who violates these Boat Rental Regulations may have their Rental Boat Permit revoked and shall not be eligible to apply again for one (1) year.

SECTION 8. ENFORCEMENT. Provisions of these Boat Rental Regulations will be enforced by state and local law enforcement agencies that operate on Lake Norman.

SECTION 9. EFFECTIVE DATE. These Rental Boat Regulations shall take effect on January 1, 2024.