

Proposed regulation:

**Regulation [xx xx] 2013 on the use of personal watercrafts and similar motorized vessels.**

Determined by the Norwegian Ministry of the Environment pursuant to section 40 of the Act of 26 June 1998 no. 47 relating to recreational and small crafts.

**Section 1. Scope**

The regulation applies to personal watercrafts and similar motorized vessels designed to carry persons.

The regulation applies in Norway's territorial waters and domestic waters, including rivers, canals and lakes.

**Section 2. Definitions**

In this regulation, the following words are defined as follows:

- a. *Personal watercrafts*: small, motorized vessels designed to carry persons, and which cannot be considered as boats according to the ordinary sense of the word, see section 40, subsection 1 of the Act of 26 June 1998 no. 47 relating to recreational and small crafts.
- b. *Land*: the mainland as well as islands, islets and rocks that are larger than 200m<sup>2</sup>.

**Section 3. General prohibited zones where the use of personal watercrafts is not allowed**

The use of personal watercrafts is not allowed:

- a. At sea:
  - in a 400-metre belt from land
  - in protected areas
  - in a 400-metre belt around any protected area
- b. In inland watercourses, including lakes:
  - in a 500-metre belt from land
  - in protected areas
  - in a 500-metre belt around any protected area
  - in lakes which are smaller than 2 km<sup>2</sup>, see section 4, subsection 3 of the Act of 10 June 1977 no. 82 relating to motor traffic on uncultivated land and in watercourses

**Section 4. Driving through prohibited zones to reach areas open for use of personal watercrafts**

Driving through the prohibited zones in order to get from land to areas outside the prohibited zones is allowed. Such driving must primarily take place along marked fairways. If there is no marked fairways near to the personal watercraft's point of departure, driving out through the prohibited zone outside a marked fairway is allowed on the following conditions:

- The shortest possible route through the prohibited zone shall be chosen.
- A distance of at least 30 metres from land must be maintained, including when passing islands and islets, etc, unless it is necessary to pass land at closer distances through narrow straits in order to get out through the prohibited zone.

- The maximum distance allowed for driving outside a marked fairway is limited to 1,000 metres.

Driving in a prohibited zone, both within and outside a marked fairway, shall not take place at a speed faster than 5 knots. During such driving, a steady course must be maintained and turning or jumping on waves, etc, is not allowed. When driving takes place in a fairway, there is to be no zig-zag driving between other vessels in the fairway.

Driving is in any case prohibited in the following areas:

- Protected areas
- River stretches
- Between the swimming buoys in marked swimming areas, see Section 3 of the Regulation of 24 February 1983 no. 624.

### **Section 5.** *General rules concerning the use of personal watercrafts*

Drivers of personal watercrafts undertake to act with due care so that no risk of dangerous situations arises.

When personal watercrafts are used, the more detailed provisions regarding the use of recreational and small crafts stipulated in and pursuant to the Act of 26 June 1998 no. 47 relating to recreational and small crafts apply. In connection with this, reference is made to the Regulation of 3 March 2009 no. 259 relating to requirements regarding the minimum age and certificate of boatmanship, etc, applicable to those in charge of recreational crafts.

Reference is also made to the Regulation for Preventing Collisions at Sea of 1 December 1975 no. 5 relating to the prevention of collisions at sea, including the special rules concerning the obligation of vessels to give way to each other.

### **Section 6.** *General exceptions*

Irrespective of the prohibitions stipulated in this regulation, the use of a vessel referred to in Section 1 is allowed in connection with:

- a) police, rescue and ambulance services, as well as supervisory and inspection services established pursuant to law,
- b) military exercises, movements and transport,
- c) marine archaeological and other scientific research, and
- d) organised training and competition driving which takes place in accordance with the requirements stipulated in Section 6 of the Regulation of 3 March 2009 no. 259 relating to requirements regarding the minimum age and certificate of boatmanship, etc, applicable to those in charge of recreational crafts

### **Section 7.** *Opportunity to determine additional restricted areas*

In special cases, where justified on grounds of nature, industry, safety or noise, the Ministry may prohibit or restrict the use of such vessels in areas other than those which are prohibited pursuant to Section 3.

The Ministry may delegate the authority stipulated in the first paragraph to the municipality.

**Section 8.** *Supervision and penalties*

The Police and the Norwegian Nature Inspectorate ensure that the provisions stipulated in or pursuant to the regulation are complied with.

Anyone who wilfully or negligently contravenes the provisions of this regulation or assists in this will be punishable by fines.

**Section 9.** *Entry into force*

This regulation enters into force on xx.xx 2013.