



**TOMMY THOMAS**  
Sheriff of Harris County



**Harris County**  
**Water Safety Rules and Regulations**

**Provided as a courtesy from the**  
**Harris County Sheriff's Department and**  
**Harris County Commissioner's Court**

## FREQUENTLY-VIOLATED LAWS

The following summary describes water safety laws that are most often violated.

### *Swimming Areas:*

It is unlawful to swim across a “mariner navigation path” (see definition, *infra*) without being accompanied by a support boat. Many swimmers who violate this law misjudge the distance of the width of a river. A substantial number of drowning deaths can be avoided by obeying this law.

### *Boating:*

#### No-Wake Zones

No-wake zones are established to prevent damage to property; including bulkhead erosion and other boats in mooring. In a no wake zone, the maximum speed at which a boat may operate is “headway speed” or just enough speed to maintain course and steerage without creating a wake. The boat owner and the boat operator are both responsible for the wake being created by the boat. If idle speed on your boat creates a wake, go in and out of gear if necessary. Having a fast boat is no excuse for violating this law.

#### Hazardous Wake

When boating, you are always responsible for your wake. If you pass another boat while creating a wake that poses a hazard to that boat or other surrounding property, you have violated the law. When passing, always be considerate of other boaters and boats which are docked.

#### Personal Floatation Device (PFD) or Life Jackets

You must have 1 PFD aboard for each person on your vessel (better yet, please have them worn). We have never recovered a drowning victim who was wearing a PFD!

### *Jet Skis/Personal Water Craft (PWCs):*

Jet Skis or Personal Water Craft (PWCs) have additional operating restrictions, some of which are:

#### 50 Foot Rule

PWCs may not be operated within 50 feet of another PWC, motorboat, vessel, platform, person, object, or shore except at headway speed without creating a swell or wake.

#### Wake Jumping

PWCs may not be operated so as to jump the wake of another boat or be operated in a dangerous or reckless manner.

# **HARRIS COUNTY WATER SAFETY RULES AND REGULATIONS**

**SECTION 1. TITLE.** This order of the Commissioners Court of Harris County, Texas, shall be referred to as the "Harris County Water Safety Rules and Regulations."

**SECTION 2. DEFINITIONS.** As used in the Harris County Water Safety Rules and Regulations, unless the context clearly requires a different meaning:

(A) "**Boat**" means any watercraft, other than a seaplane on water, used or capable of being used as transportation on water;

(B) "**Boat Dock**" means any dock that is used to secure or service boats on the water.

(C) "**Boat Ramp**" means any ramp that is operational and used to launch boat;

(D) "**Mariner Navigation Path**" means any navigable channel, stream, creek, bayou, river, man-made cut or waterway, or the Houston Ship Channel or the San Jacinto River;

(E) "**Motorboat**" means any vessel propelled or designed to be propelled by machinery, whether or not the machinery is permanently or temporarily affixed or is the principal source of propulsion;

(F) "**Operate**" means to navigate or otherwise use a boat on water;

(G) "**Person**" means an individual, partnership, firm, corporation, association, or other entity;

(H) "**Sheriff**" means the Sheriff of Harris County Texas;

(I) "**Vessel**" means same as boat;

(J) "**Water Safety Officer**" means any peace officer of the State of Texas or its political subdivisions who has been certified as a Marine Safety Enforcement Officer (MSEO) by the Texas Parks and Wildlife Department, or any game management officer;

**SECTION 3. APPLICATION OF RULES AND REGULATIONS.** These Rules and Regulations shall be applicable to, and enforceable on, all public water within the territorial limits of the County of Harris and the Harris County Flood Control District that is outside of the limits of an incorporated city or town.

## **SECTION 4. NO-WAKE ZONES**

(A) The following areas are designated as no-wake zones:

(1) The following portions of the San Jacinto River:

(a) Banana Bend Subdivision - four hundred (400) yards upstream and downstream of a perpendicular from the east bank of the San Jacinto River at the "Banana Bend," including the channel into Banana Bend Subdivision;

(b) Magnolia Gardens - four hundred (400) yards upstream and downstream of both ends of the sand beach of Magnolia Gardens; and

(2) Any area of public water designated by the Sheriff and marked as a “No Wake” zone.-

(B) **Maximum allowable speed inside no-wake zones.** When in a no-wake zone, no person shall operate a boat above headway speed. Headway speed is the speed needed to maintain course and steerage without creating a wake. Wakes that would violate this provision include, but are not limited to:

1. Hazardous wakes;
2. Wakes that cause damage to the adjacent shoreline, fixtures or boats moored; and
3. Wakes that have breaking caps.

## **SECTION 5. SAFETY PROVISIONS, OPERATION OF MOTORBOATS.**

(A) **Overtaking, passing and turning near bridges, trestles or viaducts.** No person, while operating a motorboat, shall overtake or pass another boat or make a turn of 90 degrees or more within one hundred fifty (150) feet of any bridge, trestle or viaduct.

(B) **Overhanging legs.** No person shall sit with legs overhanging the outside of any vessel that is being operated at a speed greater than five (5) miles per hour.

(C) **Overtaking and passing in mariner navigation path.** No person, while operating a motorboat, shall operate a vessel to the left of center of a mariner navigation path or make a turn of 170 degrees or more within two hundred (200) feet of any curve, bend or visibility obstruction.

(D) **Overtaking, passing and turning in front of overtaken vessel.** No person, while operating a motorboat, shall overtake or pass another boat and make a turn of 90 degrees or more in front of the vessel being overtaken until a distance of two hundred (200) feet separates the overtaking vessel and vessel being overtaken.

## **SECTION 6. SKI AND AQUAPLANE RESTRICTED AREAS.**

(A) No person shall operate a boat which is towing a person on water skis, aquaplane or paraglide or other similar device in public waters within one hundred fifty (150) feet of a boat ramp, boat dock, bridge, trestle, viaduct or intersection with another mariner navigation path.

(B) No person shall manipulate any water skis, aquaplane or similar device in public waters within one hundred fifty (150) feet of a boat ramp, boat dock, bridge, trestle, viaduct, or intersection with another mariner navigation path.

## **SECTION 7. SWIMMING AREAS.**

(A) The Sheriff is hereby authorized to designate areas of water as swimming areas. No person shall operate a boat within a swimming area which has been marked by buoys or some other distinguished identifying device. Any such designation shall not be construed as an assurance or indication that such area is safe from hazards.

(B) No person may swim across from bank to bank or into any “Mariner Navigation Path” without a support boat accompanying the swimmer.

#### **SECTION 8. REGATTAS, RACES AND SPECIAL ON-THE-WATER EVENTS.**

(A) The Sheriff may authorize holding of regattas, boat races, tournaments or exhibitions. Whenever a regatta, boat race, tournament or exhibition is proposed to be held, the person in charge thereof shall, at least thirty (30) days prior thereto, file an application with the Sheriff for permission to hold such regatta, boat race, tournament or exhibition. The application shall set forth the date, time and location where it is proposed to hold such regatta, boat race, tournament or exhibition, and it shall not be conducted without the prior written authorization of the Sheriff.

(B) Nothing in these Rules and Regulations shall be construed to apply to the operator of a boat when competing in a race, regatta, tournament or exhibition duly authorized by the Sheriff.

(C) Compliance with these Rules and Regulations does not exempt persons from complying with the U.S. Coast Guard Rules and Regulations.

**SECTION 9. FINES AND PENALTIES.** A person who violates or fails to comply with the Harris County Water Safety Rules and Regulations, or any part thereof, for which no other penalty is applicable, shall be guilty of a misdemeanor, and on conviction, is punishable by a fine of not more than FIVE HUNDRED DOLLARS (\$500), or the maximum amount specified in V.T.C.A., Parks & Wildlife Code §31.127, as the same may be hereafter amended, whichever is greater.

**SECTION 10. SEVERABILITY.** If any provision, section, subsection, sentence, clause or phrase of the Harris County Water Safety Rules and Regulations or the application to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid (or for any reason unenforceable), the validity of the remaining portion of the Harris County Water Safety Rules and Regulations or their application to other persons or set of circumstances shall not in any way be affected thereby, it being the intent of the Commissioners Court of Harris County, Texas, in adopting the Harris County Water Safety Rules and Regulations, that no portion hereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion or provision, and to this end all provisions of the Harris County Water Safety Rules and Regulations are declared to be severable.

WHILE THIS DOCUMENT PRIMARILY ADDRESSES WATER SAFETY RULES AND  
REGULATIONS PROMULGATED BY THE HARRIS COUNTY COMMISSIONERS  
COURT, OTHER APPLICABLE RULES, REGULATIONS AND LAWS MAY BE FOUND  
AT:

**A DIGEST OF THE TEXAS WATER SAFETY ACT**  
Available from the Texas Parks and Wildlife Department.  
<http://www.tpwd.state.tx.us/boat/wsdigest.phtml>

**FEDERAL INLAND NAVIGATION RULES  
(RULES OF THE ROAD)**

Available from the United States Coast Guard.  
[http://www.uscgboating.org/regulations/nav\\_rules.htm](http://www.uscgboating.org/regulations/nav_rules.htm)

rules is essential to safe boating.

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Another useful source of information on boating safety is available through the Texas Boater Education Program courses sponsored by the Texas Parks and Wildlife Department. We strongly urge you to consider taking these courses. Additional information about various boating courses and course sponsors are listed below:

**Texas Boater Education**  
<http://www.boat-ed.com/tx/>

**U.S. Power Squadron (not affiliated with the government)**  
<http://www.usps.org/>

**U.S. Coast Guard**  
[http://www.uscgboating.org/safety/safety\\_courses.htm](http://www.uscgboating.org/safety/safety_courses.htm)

If you notice damaged or missing warning signs or buoys, any marine vessel being operated dangerously, a boat operator who appears intoxicated, or witness a boating accident, please report it immediately to the Harris County Sheriff's Marine Division at (281) 471-4782. When reporting a dangerous boat operator, please try to provide us with their registration number located on the bow of the boat.

**Our goal is to provide a safe and enjoyable boating environment for the citizens of Harris County.**