



Rules of
Department of Public Safety
Division 50—Missouri State Highway Patrol
Chapter 3—Aids to Navigation and Regulatory
Markers

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**Title 11—DEPARTMENT OF
PUBLIC SAFETY**
**Division 50—Missouri State Highway
Patrol**
**Chapter 3—Aids to Navigation and
Regulatory Markers**

**11 CSR 50-3.010 Aids to Navigation and
Regulatory Markers**

PURPOSE: This rule regulates the placement of aids to navigation and regulatory markers on the waterways of the state of Missouri to ensure that such aids and markers are uniform and promote the public safety and welfare.

(1) All persons requesting permission to place or have placed an aid to navigation or regulatory marker as defined in section 306.124, RSMo. on the waterways of the state of Missouri may submit a completed application form supplied by the Missouri State Highway Patrol, Water Patrol Division. Applications are due forty-five (45) days prior to the hearing date. The application will be reviewed by the Water Patrol Division, at a public hearing after notice of the hearing has been published in the county paper at least ten (10) days before the hearing.

(2) Applications for buoys one hundred feet (100') from a dock are as follows:

(A) Applications must include a copy of the applicant's dock permit (section 306.903, RSMo);

(B) Applications should indicate the proposed placement of the buoy(s) requested in relationship to the applicant's dock. The preferred placement of individual buoys is one hundred feet (100') from the dock and centered;

(C) "No wake-idle speed" buoys are impermissible for docks that are less than three hundred feet (300') from a dock on the opposite side of the waterway due to constriction and increased potential for accidents. If no dock is present, the measurement from the applicant's dock to the opposite shoreline would be utilized; and

(D) Generally, a buoy permit will not be issued if a dock within three hundred feet (300') of the applicant's dock is already permitted a buoy. Exceptions due to the contour of the shoreline and/or the positioning of docks may be allowed when boating safety in the area is enhanced by the placement of a buoy.

(3) Applications to buoy the full width of a cove includes:

(A) Applications to buoy the full width of

a cove may be approved only after a public hearing;

(B) The width of the waterway is determined by the distance between docks on the opposing shorelines, unless no docks are present. This method of measurement represents the actual navigational width of the proposed area;

(C) If the width of the waterway is such that the distance between docks on opposite sides of the waterway exceeds four hundred feet (400'), the waterway may be buoyed if the volume of boating traffic is significantly disproportionate to similar areas on the same body of water, or boating accident data support the need for "no wake-idle speed" buoys. If the distance between opposing docks is disputed, the applicant, at his/her expense, may have an official survey conducted by a Missouri registered surveyor to determine the exact distance;

(D) Applications to buoy the full width of any portion of a waterway, should include a plot map of the area with all affected owner names on their plot;

(E) The applicant is responsible for submitting proof of property ownership and signed petitions which document that seventy-five percent (75%) or more of property owners in the affected area are in favor of the proposal. A sample petition may be requested from the Water Patrol Division;

(F) Property ownership by those in the affected area is determined by submission of a copy of the property owner's dock permit, or if no dock is present, a copy of the property owner's real estate property tax receipt;

(G) For individually owned real property bordering the affected waterway, there is to be a one (1) property, one (1) vote rule applied; however, owners with multiple properties within the affected area may cast only one (1) vote. Marinas are considered the same as individually owned real property. Property easements bordering the waterway are considered one (1) eligible vote if there is a permitted dock associated with the easement. As with all eligible voters, proof of ownership is necessary;

(H) For real property containing multifamily housing, such as condominiums, a one (1) boat dock, one (1) vote rule applies, with a maximum of five (5) eligible votes. Multifamily housing property ownership is determined by providing a copy of each dock permit. The vote(s) are to be cast by the association or entity possessing authority to do so;

(I) For all other community docks, a one (1) boat dock, one (1) vote rule applies, with a maximum of five (5) eligible votes per community. Community dock(s) ownership is

determined by providing a copy of each dock permit. The vote(s) are to be cast by the association or entity possessing authority to do so;

(J) Final determination on voting eligibility will be made by the Water Patrol Division when circumstances exist which are not clearly defined by buoy guidelines;

(K) Placement of buoys in a diagonal pattern across a no wake cove or no wake zone, rather than a straight line, may be permitted if the shoreline and situation necessitate such a pattern;

(L) If there are permitted buoys within the affected area, the permit number of the existing buoys should be submitted with the application. If the application is approved, all existing buoy permits within the affected area may be revoked, unless the Water Patrol Division determines it is in the interest of public safety to retain some or all existing permitted buoys;

(M) Owners of property within a permitted no wake cove, no wake zone, or otherwise restricted area may, by signed petitions, request a revocation of the permit. Revocation may only be considered, however, if twenty-six percent (26%) or more of property owners favor the revocation. Eligible votes and proof of property ownership are determined in the same manner as the process used for new applications;

(N) Generally, the buoy line for a no wake cove or no wake zone consists of a minimum of three (3) buoys. Depending on the width of the waterway and volume of boating traffic, a floating sign(s) conforming to prescribed markings may be permitted in conjunction with buoys. The buoy line is to be installed in accordance with the approved permit. The buoy line generally will not be approved to be placed more than one hundred feet (100') out from the location of measurement used to determine the width of the waterway. Agreement is to be reached in writing with the owner of any dock located at the proposed buoy line and the owner of any dock located within one hundred feet (100') outside of the proposed buoy line regarding the placement of the proposed buoys; and

(O) Applications may be submitted by property owners located on a waterway narrowing to less than eight hundred feet (800') in width to restrict vessels forty feet (40') in length or greater to no wake. To ensure uniformity, the eight hundred feet (800') width eligibility applies to coves or main channel areas. Waterways eight hundred feet (800') or greater in width will not be considered for this restriction unless the volume of boating traffic is significantly disproportionate to similar areas on the same body of water, or



boating traffic accident data support the need for the restriction. This restriction may be indicated by buoy markers, signage on docks, or signage on the shoreline, as specified in the permit by the Water Patrol Division. Applications where signage is a requirement on docks or shoreline property, are to include proof of ownership and written consent from each owner where signs will be posted. Applications under this clause will be heard by the Water Patrol Division at a public hearing. Petitions from property owners in the affected area are unnecessary for this limited no wake restriction. Approval is based on the enhancement of public safety in the proposed area and testimony provided at the hearing. If approved, the permit holder is responsible for maintaining the buoys and/or signage as indicated in the permit.

(4) Displaying of buoy permit number includes:

(A) A buoy's permit number is to be displayed legibly on the side of the buoy and within three inches (3") of the top of the buoy;

(B) A sign's permit number is to be displayed legibly on the upper left corner of the sign, as facing the sign, and within three inches (3") of the top of the sign; and

(C) Permit numbers will be a minimum of one inch (1") block style, black numbers, and hyphenated as indicated on the permit.

(5) Display of lighting on buoys and signs includes:

(A) Flashing lights for permitted buoys may be approved only if deemed necessary for safe navigation. Flashing lights for buoys will be solar, white flashing lights, fifteen flashes per minute (15FPM); and

(B) Flashing lights for permitted signs will be solar, amber flashing lights, fifteen flashes per minute (15FPM). Each sign is to display a minimum of two (2) lights.

(6) Modification(s) to an existing buoy permit must be approved by the Water Patrol Division. A request to modify an existing permit may require a new application and public hearing if the modification would have a significant effect on boating traffic in the immediate area as determined by the Water Patrol Division. Permit holders are to notify the Water Patrol Division if they have a change of mailing address or transfer of property ownership.

(7) Buoy permits for individual docks are non-transferable. New property owners may re-apply for a buoy based on current buoy

guidelines.

(8) Buoy applications for the same general area may be considered not more than two (2) times within any twelve (12) consecutive month period.

(9) Applicants who have been rejected twice within a twelve (12) month period for the same general area may submit a letter of appeal to the superintendent of the Missouri State Highway Patrol.

(10) Temporary buoy permits for regattas, construction sites, etc., are to each be considered on their own merits.

(11) It is the responsibility of the permit holder to purchase, install, and maintain all approved buoys and signs. All approved buoys and signs are to be installed and in place from April 1 through October 1 each year. Permitted buoys and signs may remain installed the remainder of the year, if they are maintained according to the permit. Buoys and signs approved for new applications during the May hearings are to be installed within thirty (30) days of the approval date. All buoys and signs are to be reflective and compatible with the Uniform State Waterway Marking System as established by the United States Coast Guard. The director of the Water Patrol Division may revoke the permit of any permit holder upon failure to abide by these rules.

(12) An existing permit may be revoked, if in the opinion of the Water Patrol Division, the permit or placement of the buoy(s) is no longer necessary or warranted due to modifications in development of the affected area, or boat traffic no longer warrants such a permit.

(13) The Water Patrol Division retains, pursuant to section 306.124, RSMo, sole discretion to provide for the uniform marking of the waterways of this state through the placement of aids to navigation and regulatory markers. The Water Patrol Division may approve or revoke regulatory markers and navigational aids on any area of the waterways of this state when public safety is enhanced by the regulation or deregulation of boating traffic. The Water Patrol Division may consider boating density, traffic patterns, accident data, and other pertinent criteria prior to approval of an application or revocation of a permit.

(14) Nothing in this rule may be construed to create in any other party any right or entitlement to the privilege of placing such aids or

markers on behalf of the Water Patrol Division.

AUTHORITY: section 306.124, RSMo 2016, and section 306.125, RSMo Supp. 2018. This rule originally filed as 11 CSR 80-5.010. Original rule filed Dec. 18, 1975, effective Dec. 28, 1975. Amended: Filed Aug. 25, 1977, effective Jan. 13, 1978. Amended: Filed Sept. 13, 1983, effective Jan. 13, 1984. Amended: Filed May 31, 1984, effective Sept. 14, 1984. Amended: Filed Oct. 29, 1999, effective April 30, 2000. Amended: Filed Nov. 7, 2003, effective April 30, 2004. Moved to 11 CSR 50-3.010 and amended: Filed Feb. 7, 2019, effective Aug. 30, 2019.*

**Original authority: 306.124, RSMo 1969, amended 1985, 1989, 2002 and 306.125, RSMo 1989, amended 1995, 1997, 2008.*

Op. Atty. Gen. No. 292, Bolinger, 6-25-71. The Missouri Boat Commission is authorized to establish speed limit zones on the waterways of Missouri and to enforce compliance with such regulations.