

# National Boating Federation

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SUBJECT: **National Boating Safety Advisory Council  
Las Vegas, NV, 1-5 April 2006**

ATTACHEMNETS: 1. Summary of New Resolutions  
2. Status of Selected Previous Resolutions

## **GENERAL**

The good news is that Jeff Hoedt is now **officially** the Chief, Office of Boating Safety and National Recreational Boating Safety (RBS) Coordinator, USCG. His three immediate subordinates are: Jeanne Timmons, Chief, Program Management Division and Executive Director, NBSAC; John Malatak, Chief Program Operations Division; and Phil Cappel, Chief, Recreational Boating Product Assurance Division. The Office of Boating Safety is now in the Inspections & Compliance Directorate, under Prevention along with the Coast Guard Auxiliary, Vessel Activities, Port & Facility Activities, and others. This completes a key portion of the USCG restructuring and there appears to be a lot less tension.

A presentation by Charlie Sledd, BLA, VA, and President of NASBLA discussed NASBLA's restructuring and new operational procedures. He also indicated that there was confusion between state BLAs, USCG auxiliary, and USCG regarding their respective roles in boater education and requested clarification.

Bill Gossard, National Transportation Safety Board (NTSB) discussed a variety of safety issues that NTSB is working on; the recent four boat/water taxi accidents, doing investigative reports of recreational boating accidents in selected states, and the results of the recent PFD Forum. Letters with recommendations have been sent to the Commandant, USCG, the President of NASBLA, the National Marine Manufacturers Association (NMMA), and The Marine Retailers Association of America (MRAA). He also addressed NTSB's continued emphasis for mandatory boater education and mandatory PFD wear for all under age 13.

On Tuesday we had a field trip to Lake Meade where we had a demonstration of an arrest and testing for operating under the influence by the Nevada marine patrol, a review of the issues concerning carbon monoxide and tightly docked houseboats, a demonstration of new engine cut-off devices when someone falls overboard, and some of the new generator technology available. It was awesome to see Lake Meade some 80 plus feet below its former level!

## **Recreational Boating Safety Strategic Planning Subcommittee**

Following up on the three day meeting in February, the objectives were reviewed and modified as needed given new information. You should note that I have highlighted items 7, 8, and 10 since they would involve educational programs. The adopted objectives are as follows:

1. For 2006, stabilize (no decrease) in the observed PFD wear rate. Starting in 2007, increase the observed PFD wear rate in open motorboats by 3% from the previous year's observed PFD wear rate for the succeeding 5 years.
2. Decrease recreational boat manufacturer discrepancies by 5% annually given baseline data gathered in 2005 by the Office of Boating Safety
3. Create a system to evaluate data annually from Coast Guard vessel boardings via the MISLE database and State vessel boardings via a redesigned Performance Report Part II form. This data would be used to evaluate the

percentage compliance of safety equipment carriage requirements as a national average and then to establish targets for compliance.

4. Establish a baseline of BARD data accuracy and completeness using boating accident reports investigated in 2005 on State-by-State basis. Then reduce the occurrence of inaccurate and/or incomplete accident reports (investigated) by an average of 5% per year from 2006 to 2010.

5. Create a measurement system using the following 3 data systems: 1) BARD alcohol "caused" accidents, 2) BUI violations from USCG form 4100 and State Performance Report part II reports, and 3) the National Boating Survey, to create a baseline measurement for tracking trends in alcohol use in boating.

6. Consolidate five categories of navigation rules compliance (Reckless/Negligent, Excessive Speed, Improper Lookout, Operator Inattention, and Rules of the Road) into a single measure, "Operator of Vessel," using State accident data. Reduce fatalities due to navigation rules violations from 24% of total fatalities in 2004 to 19% of total fatalities in 2011 in equal annual decrements.

**7. Create a database by 2007 to track the number of NASBLA approved boating safety education certificates issued annually. This information should be compiled on a State-by-State basis. NASBLA approved boating safety education certificate historical information should be included where available by State on a year-by-year basis.**

**8. Create a database to measure boat operator knowledge and experience through the capture of "hours of experience" via BARD, the National Survey on Recreation and the Environment, and the National Boating Survey, by 2008.**

9. Establish a baseline measurement through the Coast Guard National Survey of the boating public's awareness of safe boating practices by 2008, and use that data to establish a measurement to increase the level of awareness of safe boating practices by 2010.

**10. Create a database by 2007 to track the number of individuals who 1) completed an advanced boating education course and/or 2) an on-the-water skill based course of instruction. This information should be compiled annually with a future objective to increase the number of those completing this type of training.**

Between the February meeting and this meeting the 95 strategies developed in February were prioritized by the panel members, forward to the Office of Boating Safety, tabulated and ranked. The next phase will be to select those strategies that appear to best achieve the goals and objectives. A special meeting is contemplated between now and the October meeting, probably during the summer, to further this process.

## Attachment 1

### **National Boating Safety Advisory Council Resolutions – New, April 2006**

#### **1. Resolutions regarding Propeller Strike injuries.**

**A. Pre-Rental Education Package** – NBSAC recommends that the USCG develop a draft pre-rental education package for all rental motorboats for the general public.

**B. Boat Builder Engine Cut-off Switch Installation Requirement** – NBSAC recommends that USCG begin the rule making process that would require manufacturers of new recreational motorboats (size/type determination to be supported by the Boating Accident Reporting Database analysis) to install an engine cut-off device that prevents continued operation in the event of the operator being displaced from the helm.

**C. Required Use of Engine Cut-Off Switch Link** – NBSAC recommends that USCG begin the rule making process that would require the wearing of engine cut-off switch link by the operator of a boat, so equipped with an engine cut-off switch link, while the engine is running. This does not apply while assisting with docking or departure of the vessel, while exiting or entering the vessel or while the vessel is engaged in law enforcement or emergency rescue activity.

**D. Operator Requirements Concerning In-Water Activities** – NBSAC recommends that USCG begin the rule making process that would require the operator of a motorboat to shut off the engine if a swimmer is in

close proximity to the boarding ladder of the boat. This does not apply while the vessel is engaged in law enforcement or emergency rescue activity.

## **2. General Resolutions**

**A. National Boating Federation 40<sup>th</sup> Anniversary** – NBSAC congratulates the National Boating Federation on its 40<sup>th</sup> Anniversary, and express its sincere appreciation for the Federation’s tireless efforts on behalf of all of America’s recreational boaters.

**B. Congratulations to the Boat Owners Association of the United States on its 40<sup>th</sup> Anniversary** - NBSAC congratulates the Boat Owners Association of the United States on its 40 years of exceptional service to the nation’s millions of recreational boaters.

**C. Innovations Life Jacket Design Competition** – NBSAC recognizes and applauds Boat U.S. Foundation and the Personal Flotation Device Manufacturers Association for their initiative in improving the design of PFDs and making boating safer through encouraging wear of PFDs.

**D. Bill O’Loughlin and Peter O’Loughlin, O’Loughlin Trade Shows** – NBSAC recognizes and applauds the O’Loughlin family for their dedication to the safety of children in boating, and promotion of boating as family fun. [Provided 10,000 children with Mustang Survival PFDs.]

**E. Captain Tred Barta and the Outdoor Life Network** – NBSAC wishes to commend Tred Barta and the Outdoor Life Network for their outstanding effort to educate recreational boaters and anglers on the very serious issue of abandoning a vessel in order that, one day, such knowledge may save someone’s life. [An entire program entitled “Abandon Ship”]

**F. Mr. Scott P. Swanby** – NBSAC does hereby recognize and applaud Mr. Scott P. Swanby for his dedication, innovation, and dogged persistence in the development, approval, and distribution of inflatable life vests, and further recognizes the exceptional contribution his work has made to the safety of mariners, hunters, and anglers throughout the United States and the world.

## **Attachment 2**

### **National Boating Safety Advisory Council Resolutions of Interest to NBF**

(The following are verbatim excerpts from the NBSAC Resolutions status summary – April 2006)

#### **A. 2003- 72-02 Request for mandatory boater education**

**Description** – NBSAC requests the U.S. Coast Guard work with NASBLA and the National Transportation Safety Board to promote the accelerated development of state boater education programs by:

1. Conducting a campaign to encourage those states that lack boater education laws to enact such laws;
2. Tailoring statistics on boating accidents to those states that lack boater education laws that meet the NASBLA model act;
3. Reviewing the efficacy of existing state boater education laws;
4. Establishing a program of new incentives for states to develop mandatory boater education laws; and
5. Reporting back to NBSAC in six months, or periodically as needed, on the progress in developing this campaign and program.

#### **Year-Action**

2004 – Solicited for FY05 grant proposals and, if no proposals received, will commence contract action.

2005 – A grant has been awarded to the National Water Safety Congress to complete this project.

**Status** – Action continuing – Working with the States, USCG Auxiliary and other organizations in promoting and implementing education programs. Seeking alternatives for proposing and enacting education legislation.

#### **B. 2003- 72-06 United States international certificate of competency (ICC) for pleasure craft.**

**Description** – NBSAC requests that the U.S. Coast Guard provide a presentation to NBSAC on UN Resolution No. 40 and the reasons why it has not been adopted, and identify the actions and/or steps required to provide acceptable certificates of competency for U.S. citizen recreational boaters in Europe.

**Year-Action**

2004 – Presentation provided at April 2004 NBSAC Meeting

2005 – Currently the U.S. Coast Guard doesn't have the statutory authority to set and enforce standards for operation of pleasure craft. As this relates to UN Resolution No. 40, the Coast Guard cannot officially comment on the resolution as it has not yet been forwarded to the Coast Guard from the Department of State as of this writing.

2006 – A legislative change proposal (LCP) has been proposed to give the USCG statutory authority to require "proof of proficiency" for operators of recreational vessels.

**Status** – Action Continuing - A legislative change proposal (LCP) has been proposed to give the USCG statutory authority to require "proof of proficiency" for operators of recreational vessels.

**C. 2004- 73-02 Statutory authority for USCG to require boat operator proof of proficiency**

**Description** – NBSAC advises the USCG to seek statutory authority that would require that a boat operator, on waters subject to jurisdiction of the United States, possess a certificate showing completion of an instructional course or its equivalent, which meets the NASBLA Standards on Boating Safety Education and the elements of the NASBLA Model Act.

**Year-Action**

2004 – Seeking alternatives for proposing and enacting such legislation

2005 – Currently the U.S. Coast Guard doesn't have the statutory authority to set and enforce standards for operation of pleasure craft. The Office of Boating Safety continues to actively support and encourage those states that are seeking mandatory education through their state legislatures. That support includes looking at the correlation between the accident and fatality data of those states based on a quick phase in process vs. a phase in over a longer time frame. The office also continues to work closely with Coast Guard's Office of Legislation to determine whether or not statutory authority is desirable, or attainable.

2005 - The Coast Guard is considering the proposal of a legislative amendment to accomplish this recommendation.

2006 – The Office continues to actively work with the Coast Guard's Office of legislation on this issue. A legislative change proposal (LCP) has been proposed to give the USCG statutory authority to require "proof of proficiency" for operators of recreational vessels.

**Status** – Action Continuing – The Office continues to actively work with the Coast Guard's Office of Legislation on this issue. A legislative change proposal (LCP) has been proposed to give the USCG statutory authority to require "proof of proficiency" for operators of recreational vessels.

**D. 2005-72-05 Interagency Committee for Marine Transport System (ICMTS)**

**Description** – NBSAC recommends that the USCG act as the lead agency to resurrect a modified version of the ICMTS and that ICMTS include the appropriate representatives of NASBLA and all state, federal and private interests including federal agencies that have the greatest impact on recreational boating. Modify the charter and goals of the ICMTS to serve recreational boaters in addition to commercial enterprise.

**Year-Action** – 2005 – An Office of Boating Safety staff member has been assigned this responsibility and has begun initial planning. In addition, the staff has met with a NOAA staff member who has been delegated the task of drafting desirable near-term improvements to the MTS that CMTS should consider, with an intent of adding RBS issue to the list.

**Status** – Action Continuing – A list of desirable near-term improvements to the MTS Has been forwarded to the Executive Secretariat of CMTS as well as an issue paper on RBS issues within MTS. A copy of this resolution has also been forwarded. Active liaison continues to follow-up on RBS issues addressed by CMTS.