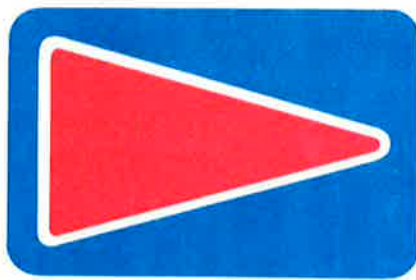


# SMALL CRAFT ADVISORY



*Vol. 2 No. 1*

*National Association of State Boating Law Administrators*

*October/November 1986*



**Funding State Boating Programs**

## PRESIDENT'S CORNER

by Larry Williford

As your president, I pledge a strong commitment to you, the membership, to exercise the authority of this office to the best of my ability, in a manner consistent with the constitution and by-laws and in a cooperative attitude toward other agencies, associations, and interested individuals. Further, I pledge always to consider the proposals, concerns and welfare of the State Boating Law Administrators above all other interests.

In return, I solicit your support and ask that you, the committee chairpersons and committee members, deal with all the issues that face our states, don't avoid "issues of controversy" and don't be held

"hostage" by other people or groups whose primary objective is not truly boating safety.

As we begin a new year of important work in NASBLA, let's review the past and refresh our memories on the constitution and by-laws of the association. Especially important is the purpose of the organization as defined in Article II of the NASBLA constitution:

"The purpose of the Association shall be to promote boating safety by providing a medium for the exchange of views and experiences; by fostering interstate and federal-state cooperation and coordination

in boating problems; by promoting greater uniformity in laws and regulations; by increasing efficiency in administration and enforcement of boating laws; and, to the extent feasible and desirable, by promoting consensus of state views on any subject within the purview of the Association, including the effective presentation and dissemination of such views."

With your help we will continue to serve as the heart and conscience of the national boating safety effort and respond to responsibilities in our respective states and departments as professionals and dedicated public servants. ►

## OBSERVATIONS

by Bill Ladd

As *Small Craft Advisory* starts its second year, I'd like to congratulate Carroll Henneke for an excellent NASBLA annual meeting. Much ground was covered, including several controversial items.

This month's theme is how federal funding is spent throughout the states. As you review the individual state commentaries, you'll see a lot was accomplished.

The Coast Guard Roles and Missions Study of 1982 stated that the states should take the lead in boating safety law enforcement and education. The states have indeed assumed this leadership role with both people and money.

Collectively, they spent more than \$120 million last year on boating safety, far in excess of what the Coast Guard spends and far in excess of federal monies provided the states for boating safety.

Annually more than half the fatal boating accidents occur in sole state water where the Coast Guard has no jurisdiction. Most of the remaining fatal accidents

occur in joint jurisdiction waters where there are few Coast Guard resources.

The 1985 boating statistics published by the Coast Guard show that about five percent of boating fatalities occurred in the ocean, Gulf of Mexico or Great Lakes where the Coast Guard has most of its resources. An additional 14 percent fatalities occurred in bays, sounds, harbors and intracoastal waterway where some Coast Guard resources are found. Another 26 percent occurred in rivers, streams and creeks where there are a few Coast Guard resources, and nearly 52 percent occurred in lakes, ponds, reservoirs, dams and gravel pits where there are no Coast Guard resources.

The Roles and Missions Study's conclusion that states should assume the lead role in boating safety law enforcement and education officially recognized that the states were the only resource in places where most boating was done.

Federal financial assistance provided

through fuel taxes paid by boaters has helped the states meet the growing needs of boaters. This is an effective, efficient operation, one that should continue. ►

*Cover photo—Two patrol boats are put through their final trials before delivery to the New Jersey State Police Marine Bureau. The 32-foot aluminum boats are among several Marine Bureau vessels purchased this year with the help of federal funds. Photo courtesy MonArk Boats, Monticello, Ark.*

## LOOKING AHEAD

### January 7-10

NASBLA Executive Board Meeting  
Marriott Hotel  
Salt Lake City, Utah

### January 14-18

U. S. Power Squadrons  
Annual Meeting  
Fontainebleau Hotel  
Miami Beach, Florida

### March 17-19

National Boating Education Seminar  
Admiral Benbow Inn  
Tampa, Florida

### October 1987

NASBLA National Conference  
Marriott Hotel  
Salt Lake City, Utah



*A publication of the National Association of State Boating Law Administrators—Larry Williford, pres.; Kim Elverum, v.p.; Tom Atkinson, sec./treas., and Nancy Jamerson and Joe Ruelas, members at large.*

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### Congress agrees to \$30 million for states' boating

The full \$30 million in federal financial assistance authorized the states' boating programs was appropriated by Congress as it adjourned Oct. 18. The continuing appropriations bill passed by the Congress was immediately signed by President Reagan. This marks the second year in a row that the state boating safety programs have received the full amount of the authorized funds.

The funding is authorized from the Aquatic Resources Trust Fund, commonly known as the Wallop/Breaux Fund. The fund has two accounts, the Boating Safety Account and the Fisheries Enhancement Account. It receives money from the motorboat fuel tax, an excise tax on fishing equipment and import duties on yachts, pleasure craft and fishing equipment.

The Boating Safety Account authorization was raised during this legislative session from \$45 million to \$60 million. A recently released Treasury Department study concluded that an additional \$31 million of the gasoline excise tax was attributable to motorboat fuel. Of this, \$15 million is authorized for the Boating Safety Account, the rest for the Fisheries Account.

The Coast Guard will receive \$30 million for programs including boating safety

and support of the Coast Guard Auxiliary. The remaining \$30 million will go to the states' boating safety programs.

To be eligible for funding, the states, in agreement with the Coast Guard, must have acceptable enforcement and education programs and an approved boat numbering system.

The allocation is based on a formula that divides one third of the money equally among the states, one third in proportion to the amount the state expended on boating safety the previous fiscal year, and one third in proportion to the number of registered boats in the state. The money the state receives cannot exceed 50 percent of the state's total boating safety program. Up to five percent of the total allocation can be used for grants to the boating safety programs of national non-profit public service organizations.

The full funding was achieved through

### Fall BSAC meeting

James E. Getz, Illinois BLA, will be sworn in as a member of the National Boating Safety Advisory Council at its meeting Nov. 11 and 12 in Seattle.

The council will hear a presentation on new findings on the effects of alcohol on human performance and will hear a report by Sgt. Ron Richardson of the Shasta County (Calif.) Sheriff's Office on alcohol and boating law enforcement. The members will get an update on the federal operating under the influence regulation.

BSAC will discuss the updated fuel hose standards, rescue balloons, the hybrid personal flotation device, buoy guidelines and sport boat regulations.

The council was created by Congress in 1971 to advise the Secretary of Transportation and the Commandant of the Coast Guard on matters related to recreational boating safety. The 21 members are drawn equally from the boating industry, state officials responsible for boating programs, and the boating public.

Other state boating officials on the council are Elizabeth Raymond, Miss.; Kim Elverum, Minn.; William Ivers, Calif.; Gene Spurl, Penn.; George Stewart, Del., and Yvonne Farrell, Wash.

the assistance of Rep. Gerry Studds, D-Mass., chairman of the House Coast Guard and Navigation Subcommittee, and Sen. Mark Andrews, R-N. Dak., chairman of the Senate Appropriations Subcommittee for Transportation.

### Jet boats in Oregon

A series of meetings will be held around Oregon late this fall to discuss recommendations for jet boat regulations on specific state rivers and streams. The recommendations came out of a boating study made this year that assessed the impact of jet boat use on rivers and streams.

The first phase of the study analyzed the operating characteristics of jet boats, assessed the environmental impacts of jet boats on rivers and streams and identified the social conflicts between jet boaters and other user groups.

A number of public workshop meetings were held around the state to hear comments and suggestions about jet boat use. After the comments were heard, a second phase of the study prepared the recommendations for jet boat regulations that will be commented on at the public meetings.

### Alcohol slide show

A full color slide/tape program, *Better Think Twice . . . A Look at Alcohol Use While Boating*, a one projector, synchronized show that explores the problems caused by excessive use of alcohol while boating, is available from Flow Graphics.

Designed for use in educating a variety of audiences, from boating safety professionals to the general public, the program addresses the magnitude of the problem; how alcohol affects the boater's vision, coordination and judgment; how alcohol affects breathing of people in the water, and techniques marine patrol officers use to determine intoxication.

Other audio visual programs available from Flow Graphics are *Navigational Lights: Lives Depend on Them* and *Hazards of Stern Anchoring*.

For further information contact Flow Graphics, P.O. Box 993, Delaware, OH 43015, (614) 363-1699.

### Cal. facility grants

The California Boating and Waterways Commission at its September meeting approved \$1.9 million in loans and \$956,000 in grants to localities for boating facilities.

The loans went to the Port San Luis Harbor District to fund the first phase of development of a boating oriented recreational park and campground and to a commercial venture for improvements to a marina in Contra Costa County.

The grants went to the City of Benicia to improve an existing launching ramp, to the U.S. Forest Service for a launching facility on Lake Pillsbury and to Contra Costa County for improvements to a launching facility on San Pablo Reservoir.

State funds for local boating facility projects are derived from the gasoline taxes paid by boaters.

## Funding State Programs

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*The federal funds are used for much needed equipment allowing us to dedicate our budgeted resources to personnel and overall operations.*  
—Capt. James Momm, New Jersey  
BLA

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The 27-foot aluminum work boat, specifically outfitted to assist in the maintenance of the navigational aids system on Great South Bay, Long Island, was recently purchased by the New York State Office of Parks, Recreation and Historic Preservation. The work boat was fitted with a stern mounted "A" frame with 1,000 pound hoisting capacity. The boat was purchased with federal boating safety funds.

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### Connecticut

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Boating programs in Connecticut received \$1 million from vessel registration fees this year and \$350,394 in federal funds.

Federal money will be used to fund the three officers in the boating investigation section and one officer in the boating education section. Continuing to stress boating education as much as possible, the state will use the federal funds to buy equipment and materials for education.

"If we see stability in the federal funding," said Randy Dill, BLA, "we will expand the law enforcement program." More recreational boats on the water has put a strain on current enforcement efforts.

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### Delaware

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Delaware's boating program received \$516,359 from the state's general fund and this year it received \$272,876 in federal financial assistance.

Next year, to support the activity of the fulltime boating safety educator recently hired, federal funds will be used to purchase a van that will be equipped with movies and other teaching aids. The van will travel to parks, schools, marinas and boat shows. An expanded home study course will be taken to marine dealers.

Federal money will also be used for updating boats and for overtime paid to officers working after hours on such operations as search and rescue.

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### District of Columbia

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This year the District of Columbia boating program received \$1,170,453 from the city's general fund and \$149,889 in federal financial assistance.

Boating officials are hoping operating under the influence legislation will be passed this year. If so, they plan to use federal funds to purchase field testing equipment. They also plan to purchase video equipment for the boating safety education program and community relations. More rescue equipment might be bought.



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## Maine

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The boating program in Maine received \$164,988 from state boat registration fees and \$154,395 in federal funds.

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## Maryland

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Maryland's boating program received \$6,337,700 from the waterway improvement fund, boat registration fees and the state's general fund and \$690,000 in federal financial assistance.

Next year federal funds will be used to increase the operating under the influence special patrol program and to replace boats, electronic equipment, radios and radar. An increased education program will be promoted through radio and television spots and more volunteer instructors will be recruited. The Natural Resources Police is developing a new student manual to be used in the lower grades and is increasing training of school teachers. A recreation safety specialist will be hired to act as a liaison between Natural Resources Police and the schools.

The crime prevention program will be expanded and given more publicity and data processing equipment to help with record keeping will be purchased.

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## Massachusetts

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Massachusetts supports its boating program with \$1,664,113 from the general fund. The program receives \$558,219 in federal funds.

Next year's priority is to use federal funds to develop a statewide radio network. New boats, motors and other equipment for law enforcement will also be purchased.

In an effort to double the number of people boating education programs reach, two video cameras, a large number of boating safety manuals, and audio visual equipment will be purchased.

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## New Jersey

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The boating program in New Jersey received \$4.3 million from the state's general fund and \$703,745 in federal funds.

Federal money is used to update equipment allowing the budgeted resources to be

dedicated to personnel and overall operations. Next year the program proposes to open a new patrol station to increase coverage in areas not routinely covered. Federal money will be used to upgrade and print a 40-page booklet to be used in boating safety courses in the schools. The funds will also be used to expand maintenance capabilities for patrol boats.

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## New York

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New York's state expenditure of \$3.7 million for boating safety programs is divided among five agencies including the Department of Parks, Recreation and Historic Preservation. Most of the money comes from the general fund, a small portion from boat registration fees. The state received \$947,557 in federal funds.

There will be more enforcement patrols at the state level. The federal money will assist state police in providing coverage where the Coast Guard is no longer enforcing boating laws. Seven patrol boats will be purchased for five state boating safety patrols. With the changing of the state canal system and boat channel system on Long Island to include marking for small boats, an education program to inform the recreational boater of navigational aids and safety on the canals and channel will begin.

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## Pennsylvania

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The boating safety program in Pennsylvania received \$4.3 million from boat registration fees and a state marine fuel tax and \$762,900 in federal financial assistance.

Next year federal funds will be used to take a boating safety education program that had been developed for the schools into conservation camps, to Boy Scouts and

other groups. The water rescue training program will be expanded and made available to fire departments, emergency rescue technicians, police departments, and personnel from state parks, U.S. Army Corps of Engineers and national parks. Boating safety will be promoted among sportsmen.

Federal money will be used to modernize boats and equipment for law enforcement and to fund summer deputies used for boating safety patrols.

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## Rhode Island

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Rhode Island's boating program receives \$350,000 in state money, most from boat registration fees and some from the general fund, and \$211,000 in federal funds.

Federal money will be used to advertise boating safety courses in all daily papers in the state. Materials for a Coast Guard Auxiliary instructor who is teaching boating safety in the high schools will be purchased.

Additional patrols have been added and a new boat and four wheel drive vehicle will be purchased.

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## Vermont

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The boating program in Vermont receives \$100,000, money coming from the general fund and transportation fund. If the state can match it, the program has been allotted \$217,000 in federal funds.

This year two 25-foot patrol boats were purchased. Next year will see all two-person patrols.

The state, planning a 20-hour boating safety education program for the winter, is now advertising classes. Many of the summer patrol officers who are school teachers are being trained to teach boating safety. The Marine Retail Association is interested in holding classes in showrooms.

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## Territories

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### Virgin Islands

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The boating program in the Virgin Islands received \$97,797 from the territory's general fund and was allotted \$186,881 in federal financial assistance.

The federal funds will allow the Bureau of Environmental Enforcement to upgrade

water patrols with longer hours and more days. Two shifts on weekends and holidays will be implemented.

A public relations person will be hired to get boating and water safety information to the public. A boating safety booklet, *What Everyone Should Know About Boating Safety*, will be printed and distributed.

## Funding State Programs

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*Federal funds help make enforcement, education and administration more effective. We've had our best safety record ever—the fatality rate is 45 percent below that of last year.—William Garner, Alabama BLA*

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Caven Ransom, West Virginia conservation officer, looks over the new 23-foot heavy gauge aluminum patrol boat on the Kanawha River at St. Albans. The boat, recently purchased with the help of federal funds, will patrol the larger rivers in the state where the water sometimes gets rough. Photo by Chet Hawes, Charleston Daily Mail

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### Alabama

Approximately \$2 million from boat registration fees and state marine fuel tax revenues and \$660,000 in federal funds go into Alabama's boating program.

This year two larger boats were purchased for patrol and search and rescue on the coast. Federal funds will provide six more enforcement officers for the coastal area plus equipment and operating costs for their boats.

To upgrade the educational programs, video equipment will be purchased, public service announcements produced and displays developed for boat shows.

With federal funds data entry operators will be hired and equipment purchased to give more validity and integrity to the boat registration system.

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### Arkansas

Arkansas' boating program receives \$473,600 from boat registration and hunting and fishing license fees and \$473,600 in federal financial assistance.

Because of a change in administration, the plans for the boating program are uncertain at this writing.

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### Florida

The boating program in Florida receives \$4,665,865 from the state's general fund and \$1,439,786 in federal funds.

Existing educational and enforcement programs will continue. Over 131,000 brochures and materials on boating safety were distributed to the public and 6,000 copies of *Florida Basic Boating* were given to outside training organizations.

The state cooperates with local governments by underwriting restrictive zones and speed limits where safety is a problem. The Marine Patrol provided 8,912 water related public services and the auxiliary gave 19,193 safety inspections.

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### Georgia

Georgia's boating program receives \$2,178,000, an amount higher than boat registration fees, from the general fund.



Federal assistance this year was \$607,125.

The state will continue to upgrade the fleet of vessels used for patrol and search and rescue with the purchase of two off-shore boats. The Department of Natural Resources hopes to add two boating safety officers on one of the high use lakes.

Educational films on fires, lights, PFDs and rules of the road and more public service announcements to follow a successful PSA on alcohol will be produced.

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## Kentucky

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Kentucky's boating program is self supported, receiving its \$1.5 million from boat registration receipts. The program receives \$235,000 in federal funds.

Six water patrol officers have become boating safety instructors. Films and other materials they will use are being purchased with federal funds.

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## Louisiana

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This year Louisiana's boating program received \$2.1 million from boat license sales and from the conservation fund, an exclusive department fund derived from oil revenue. Federal funding was \$650,000.

The Department of Wildlife and Fisheries is trying to get the boating safety course qualified as part of the curriculum in the state's high schools. They have held a workshop for public school teachers.

Oil prices were down this year and "without the federal money, we couldn't have had a boating program," said Maj. Charles Clark, BLA.

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## Mississippi

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Money from the motor boat fuel tax, boat registrations and some from hunting and fishing licenses support the boating program in Mississippi. This year the program received \$1,309,000 in state funds and \$425,681 in federal assistance.

Federal funds will be used to buy new patrol boats and completely overhaul all the larger old boats. New enforcement officers will be added to the program.

All educational films are being put on

VHS tapes in an effort to prevent losing out of print films.

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## Missouri

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Missouri's boating program received \$2.5 million from the state's general fund and \$698,537 in federal funds.

With federal funds the Missouri Water Patrol plans to enhance and expand existing programs and equipment.

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## North Carolina

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The boating program in North Carolina received \$861,332 from three state sources—boating registration fees, the state fuel tax and the general fund. Federal financial assistance was \$477,882.

Federal funds will be used to purchase additional waterway markers, patrol boats, motors and trailers, for some of the fuel and oil for equipment and to keep one additional aircraft in operation for patrol and search and rescue.

A boating safety course has been rewritten and an instructor guide for teachers prepared. Safety brochures and posters will be distributed to marinas and stores where boaters congregate. Articles promoting boating safety will be given to the media.

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## Oklahoma

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Oklahoma's boating program received \$1.7 million from the state's general fund and \$546,000 in federal funds.

The Lake Patrol is developing a training program to increase the boat handling skills of patrolmen. The current enforcement level will be maintained next year.

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## South Carolina

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The boating program in South Carolina received \$604,050 from a state appropriation and from boat titling and registration revenue. Federal funding was \$598,602.

Federal funds will be used to supplement the law enforcement program, buying equipment and paying some salaries. One additional officer has been hired for an expanding education program.

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## Tennessee

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From registration fees, marine fuel tax revenues, fines and interest on reserves, Tennessee's boating program received \$1,423,000, and from federal funds, \$209,700.

The big thrust this year is to inform the public of the dangers of operating a boat while drinking. Tennessee Wildlife Agency officers who have been trained are attempting to reach the public with information on the effects of alcohol combined with wind and heat on operating a vessel.

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## Texas

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The Texas boating safety program receives \$4.5 million to \$5 million annually from the game, fish and water safety fund which is supported by boat registration and titling fees, fishing and hunting license sales and other sources. Texas received \$1.3 million in federal funds this year.

The state plans to continue expanding its education and enforcement programs. Presently 39 cadets are in training. Federal funds are a contributing factor to continued expansion in Texas.

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## Virginia

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Virginia's boating program received \$861,000 from boat registration and titling fees and fuel tax revenues. Federal financial assistance this year was \$417,000.

Federal funds will be used to purchase boats, radios and boating equipment and to provide all game wardens who work on the water with breathalyzers.

To extend boating education into areas that have no programs, the Commission will train more volunteer instructors.

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## West Virginia

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West Virginia's boating program received approximately \$120,000 from boat license fees and a portion of hunting and fishing license sales. The program is allotted \$226,000 in federal funds.

Federal money will probably be used to buy new boats and video equipment. More boating safety classes are planned, especially for the schools.

# West Virginia increases educational efforts as recreational boating in state increases

by Maj. Ray D. Shamblin

Boating safety and water patrol in West Virginia is charged to Department of Natural Resources conservation officers who patrol the lakes and rivers in conjunction with their other duties.

Our patrol boats, 17-foot heavy gauge aluminum with 140 horsepower inboard/outboard engines, are equipped with blue lights, radios, sirens and public address systems. A larger, 23-foot boat, recently put into service, has a cabin, is equipped with extra lights and, due to its size, is able to withstand rougher water. We should now be able to patrol in almost any weather, day or night.

To insure uniformity and recognition, these boats are all brown in color and have "Conservation Officer Water Patrol" in large letters printed on each side, making

them visible to the public.

Our patrols check for safety violations and assist boaters in hopes of reducing accidents and saving lives.

Colonel Richard M. Hall, chief of the Law Enforcement Division, is the boating law administrator.

Recreational boating in West Virginia is increasing each year and, in an effort to keep pace, we have started an extensive educational program. Each conservation officer throughout the state is being certified as a boating safety instructor and a new student manual has been developed.

We are teaching classes in volunteer fire departments, marinas, to civic organizations and will try to introduce the program in some public schools this school year.

We are both giving and requesting assistance from Red Cross units, Coast

Guard Auxiliary units and local U.S. Power Squadrons flotillas in an effort to make the public as safety conscious as possible.

We dispatch safety information to local radio and television stations and to newspapers in an effort to keep the public informed of any changes in our laws, rules or regulations.

The U.S. Army Corps of Engineers always cooperates well in marking our lakes and rivers with the proper aids to make the public aware of any unsafe and hazardous conditions which may exist.

We are making efforts to curb the use of alcohol while operating a motorboat on West Virginia waters. At the present time, our law prohibits the operation of a motorboat while under the influence of alcohol or drugs. The law does not, however, provide a mandatory test to determine if a person is under the influence. We hope this will be corrected in a future legislative session.

If our efforts have not been in vain, boating in West Virginia will continue to become a safer sport. ►

## M.E.T. unit added in Maryland



Maryland recently added a seventh Mobile Enforcement Team (M.E.T.) to subsidize regular patrols of the Natural Resources Police.

On the marine side of Natural Resources Police work, boats and trailers are assigned to stations, not to officers. The M.E.T. unit, consisting of two officers, a four wheel drive vehicle, trailer and marked Boston Whaler, supplements operations at the stations.

The mobile teams are based within a region, which is made up of three or four counties, and are assigned by the

regional commander to work where high activity or congestion is expected or where there is a need for search and rescue or other special operations. The units are used for regular patrols, accident investigations, search and rescue, narcotics investigations, and public relations activities.

As the M.E.T. officers work in a region they become familiar with the entire region, which is beneficial to both the officers and the regional supervisor. Because the M.E.T. units have been so effective, the Natural Resources Police hopes in the future to add 11 more units.



*Maj. Ray D. Shamblin was appointed boating safety coordinator of the West Virginia Department of Natural Resources in December 1985 after 27 years service as a conservation officer.*



# NASBLA Annual Conference



## NTSB to investigate boat accidents in targeted states

The National Transportation Safety Board is initiating a systematic program for investigating boating accidents in targeted states. The program was outlined by board member



Joseph Nall

Joseph Nall speaking at NASBLA's annual conference.

The purpose of the NTSB investigations is to provide information on the role of alcohol in boating fatalities and to give added impetus to the enactment of effective operating under the influence legislation in the states, Nall said.

The program is designed to investigate one or two fatal recreational boating accidents involving alcohol in two dozen states. The states targeted will be those without comprehensive OUI laws, he explained.

The investigations will be conducted by field staff with technical assistance from the marine investigators in Washington, D.C. The NTSB investigators will aid local or state authorities. Since each investigation will include on scene investigation, Nall said, it will be critical that the state give prompt notification of boating accidents to the NTSB.

"Since we'll be asking for the states' cooperation in these investigations," he said, "I assure you we will share the results

when the program is completed."

Nall reported that in 1986 NTSB had been in contact with each of the six states that enacted comprehensive OUI laws and the 18 other states where such legislation had been considered. NTSB testified before three state legislatures.

Those states enacting OUI laws in 1986 were California, New Jersey, New York, Minnesota, Wisconsin and Georgia.

Nall said that an area needing improvement was the collection of data on performance of personal flotation devices during accidents. He requested that NASBLA work with the Coast Guard to revise the accident report form to include data that would enable the assessment of PFDs in actual accident circumstances.

In addressing passenger vessel safety on state waters, NTSB recommended that NASBLA promote state regulations covering shallow draft vessels with two or more passenger carrying decks above the waterline.

Nall praised NASBLA for its determination in preventing boating accidents. He has observed that regardless of the differences among its members, "NASBLA always works together for boating safety in the states and these United States."

## Coast Guard reports to NASBLA

"When we do our job properly, the finished product is hard to measure. It's the things that don't happen—accidents and deaths that don't occur, people who are alive and well who wouldn't be if we weren't doing our job well."

These were the words of Capt. Michael Stenger, U.S. Coast Guard, referring to the work of the boating law administrators and the Coast Guard in his report to NASBLA.

He reminded the group of the importance of the reauthorization of Wallop/Breaux funds and urged the administrators to inform headquarters of the accomplishments in their programs made possible with the federal money.

A notice of proposed rulemaking on intoxicated boaters will be published in the federal register early in November. The proposed rule contains a .10 percent blood alcohol content level, criteria for behavioral observation and training for officers. The rule will defer to any state that has a law at least as strict and will not preempt a state from having a more rigid law. Administrators were urged to read the proposed rule and to submit comments.

He reported a final rule eliminating the requirement for forward facing cowls and

one on an alcohol resistant fuel hose will soon be published. The Coast Guard adopted SAE J-1527 as a standard fuel hose.

Capt. Stenger announced a fourth class to be held at the National Safe Boating Course in Yorktown, Va. and urged people to send applications as soon as possible. A separate module for training instructors for state training programs has been added.

## Underwriter Labs develop accident investigation manual

Because, for many years, information on the causes of boating accidents has been incomplete, an accident investigation manual is being developed by Underwriter Laboratories funded by a grant from the Coast Guard.



Robert Loeser

Robert Loeser, who has nearly completed the project, told the conference the manual was to pull together all available information in a readable, complete, but not too technical manner.

It should provide a start, he said, to investigate accidents more in depth and find out specifically what's going wrong.

The manual explains how to use the

information on hand to find out why something happened and to investigate it in depth. It covers fires, electrical fires, carbon monoxide poisoning, propeller accidents and collisions. It addresses systems, problems the investigator faces and provides a guide to follow.

"If the investigator follows the criteria listed in the book," Loeser said, "he should come out with some pretty good answers."

A draft of the manual had been sent to people in the field for comment and is currently in the final stages of review.

The Coast Guard has not yet developed a distribution plan for the completed manual. Capt. Michael Stenger asked for suggestions from members of NASBLA on the appropriate use and distribution of the completed book.

*Cover—The District of Columbia Metropolitan Police Harbor Division fire boat puts on a water show for NASBLA during a demonstration of rescue equipment on the Potomac River at the opening of the 27th annual NASBLA Conference.*



# Resolutions

## *NASBLA to draft guidelines for mandatory boat education*

The president of NASBLA was instructed to appoint a committee to draft model national guidelines for mandatory boat safety education as a requirement to operate a boat as a result of action taken by the members at the 27th annual conference in Washington, D.C. Oct. 1.

During discussion of the resolution that would have NASBLA establish model national guidelines for mandatory boat safety education, Jim Getz, Illinois BLA and co-chairman of the law enforcement committee, emphasized, "This is not operator licensing and this is not an endorsement of mandatory safety education by NASBLA."

Some state legislatures are currently discussing mandatory education and this action, said Getz, "addresses the needs of us back home who are facing these issues so that we can do something about the legislative outcry. We're asking for this body to give us some standards to work with, if that is the need in our state."

In the past, NASBLA established model titling and operating under the influence guidelines. "We owe it to the boating public," Getz said, "to thoroughly address the controversial issues that face us."

The resolution, as it passed, read:

"Whereas, boating on our nation's waterways is a family recreation that is

enjoyed by an estimated 67 million persons, using an estimated 16.1 million boats; and

"Whereas, each year these family outings for a fun filled day far too frequently end in a boating tragedy; and

"Whereas, knowledge of boating safety, boat handling, navigation, rules of the nautical road, and weather conditions can prevent many of these tragedies; and

"Whereas, some states are investigating the possibility of mandatory safety education; and

"Whereas, it is the objective of NASBLA to make safe and enjoyable boating a reality for those who use our nation's waterways and provide uniformity in laws through effective guidance and leadership for the boating public;

"Now, therefore, be it resolved, that the president of NASBLA is hereby instructed to make appropriate committee charges to draft model national guidelines for mandatory boat safety education as a requirement to operate a boat on our nation's waterways to assist those states which desire to implement this requirement on their states' waterways; and

"Be it further resolved, that these guidelines be presented for the membership's consideration by the 1987 NASBLA conference."

This is not operator  
licensing and this is not  
an endorsement of  
mandatory safety  
education by  
NASBLA.  
—Jim Getz, Illinois

## *NASBLA asks Coast Guard to amend HIN, PFD regs*

Members of NASBLA passed resolutions asking the U.S. Coast Guard to amend regulations regarding hull identification numbers (HINs) and personal flotation device (PFD) carriage requirements for certain recreational boats.

NASBLA requested the Coast Guard amend the regulation that requires HINs to be permanently affixed to the transom on all manufactured hulls, attached in such a way that alteration, removal or replacement would be obvious and evident to read, "Hull identification numbers on metal or fiberglass hulls shall be molded or embossed on the hull or stamped on a metal plate. Metal plates shall be attached with a uniquely designed system

available only to boat hull manufacturers."

Currently many manufacturers attach HINs with pressure sensitive tape or attach metal HIN plates with common screws or rivets which makes removal simple, leaving no evidence of removal or replacement. Some manufacturers engrave HINs on hulls with an engraving tool making them difficult to read and simple to alter with no evidence of alteration.

A standard of attaching HINs similar to that employed by the automobile industry would be an important tool for the investigator to identify and recover stolen boats and prosecute criminals who would tamper with HINs.

Resolutions, cont.

## PFD Regulations

NASBLA petitioned the Coast Guard to change the PFD regulation to read: "No person may use a recreational boat unless at least one PFD (Type I, Type II or Type III or their equivalents) is on board for each person; and no person may use a recreational boat 16 feet or more in length, except a canoe or kayak, unless at least one Type IV PFD or its equivalent, in addition to the required PFDs, is on board."

Currently Type IV (throwable) devices do not suffice as a primary PFD on vessels 16 feet or more in length (except canoes and kayaks) but are acceptable on vessels under 16 feet in length (including canoes and kayaks). The vast majority of recreational boating accidents and fatalities involve vessels under 16 feet in length (including canoes and kayaks). This amendment would standardize the PFD carriage requirement by requiring wearable PFDs on all vessels. It retains the

carriage requirement of Type IV as a throwable device on boats 16 feet or longer.

Current Coast Guard regulations do not regulate PFD carriage on sailboards and, believing this condition represents a serious potential hazard to recreational boating safety, NASBLA urged the Coast Guard to adopt regulations requiring carriage requirements of PFDs on all recreational watercraft.

The organization requested the language of the regulation be amended to read: "This subpart applies to all recreational boats that are propelled or controlled by machinery, sails, oars, paddles, poles, or another vessel except sailboards, racing shells, rowing sculls, and racing kayaks when under controlled situations such as races and activities related thereto, and provided such vessels meet special safety provisions and/or permits required by state or federal regulations."

## Attaching Serial Numbers

Members of NASBLA requested that all marine engine manufacturers offering engines for sale in the United States and Canada, in addition to attaching a visible serial number to their engines, devise a method of attaching or stamping a duplicate serial number on a permanent part of the engine in a location not readily observable by those who would tamper with it.

NASBLA also requested that representatives of the marine engine manufacturers meet jointly with representatives of the National Auto Theft Bureau, the National Association of Auto Theft Investigators, the law enforcement committee of NASBLA and the U. S. Coast Guard to implement a program of serialization to help combat the increasing number of

thefts of marine engines and make possible the return of the engines to the owners.

Such a meeting was held in late summer in Chicago, which Jack Reynolds, co-chairman of the law enforcement committee, termed "productive." Although the industry assured NASBLA they would make every effort to comply with the request, no results have been shown.

"Until we have something showing they are complying," Reynolds said, "we will not come before NASBLA telling you the problem is solved. The problem is still there and industry is working on it."

The law enforcement committee is expecting a report from the industry in November and another meeting is planned in Tampa in March.

## Commercial Operator Exams

NASBLA urged the U.S. Coast Guard to develop an examination, with the assistance of applicable states, for the licensing of operators of vessels for hire carrying six or less passengers on non-tidal waters of concurrent (state/federal) jurisdiction. They asked that applicable states be allowed to administer the examinations within their respective jurisdictions.

The need to modify existing requirements for operators of such vessels exists because current examination criteria is not relevant to such waters and it is impractical for prospective operators to travel to existing Coast Guard examination sites.

The license issued by the state examination process would be valid only on non-tidal waters.

# Committees



The BAIRAC Committee reviews the boating session at the NASBLA conference. Committee of the conference reported out many important

## Education Comm

The standing committees of NASBLA met at least once during the year and again during two days of the annual conference in Washington, D.C. On the final day of the conference, committee chairmen gave their reports.

Kim Elverum, Minnesota, chairman of the Education Committee, reported that all the states, except Alaska, Maine and New Hampshire, now have approved boating safety courses. The committee decided that NASBLA would certify only course materials from national organizations or the states.

The states discussed their need for more educational films with Alan Madison, the film producer whose recent film, *Judge*

## Legislative Con

George Stewart, Delaware, chairman of the Legislative Committee, reminded boating law administrators to let their Congressmen know of their concern over the appropriation of the Wallop/Breaux fund.

"We don't have PAC funds like many lobbying groups, but we have the pul



## Boats and Associated Equipment



ment report with the Coast Guard during a working  
ent two days at work on their charges and at the end  
solutions and recommendations.

### ittee

ment on the Water—a lesson on small boat safety, has been viewed by most boating administrators. Subjects suggested by members of the committee were thrill craft, white water canoeing and courtesy on the water. Other suggestions for topics to be covered on film were solicited from all members of NASBLA.

Several television stations and advertisers will be given public service awards for promoting safe boating in the media. The committee is attempting to clarify the meaning and scope of the awards.

The committee also reviewed television and broadcast public service announcements produced by a few of the states and Ontario.

### mittee

beat of the Congressmen as their constituents back home. The people back home will either bring them back to the 100th Congress or defeat them. Don't forget that they know that, they're most concerned with what's happening at home. Each BLA must get the message to his Senator or Representative."

The Boats and Associated Equipment Committee made several recommendations and chairman Jeff Hoedt, Idaho, asked the full body to accept them.

NASBLA recommended that the Coast Guard do further research on the rideability of Type III PFDs in order that such rideability be improved and the finding of the research be made public.

The committee requested NASBLA to recommend that the Coast Guard change regulations to require that fire extinguishers be aboard all powered boats, eliminating the exemption of outboard powered boats of open hull construction under 26 feet in length not carrying passengers for hire.

The committee also recommended that NASBLA request the Coast Guard give further consideration to requiring that fire extinguishers be aboard any boat carrying

any liquid fuels on board.

Under the committee's recommendation, NASBLA will ask that further propeller guard testing be conducted by an independent laboratory to make known the effectiveness of such a device.

NASBLA encourages further research on seat belts for installation on motor driven boats as a safety device.

Hoedt reported that the committee had discussed potential responsibilities of state boating law administrators to inform the boating public of the hazards of alcohol additives in gasoline used by powerboats. The committee concluded, he said, that the ultimate responsibility is with the manufacturers in the boating industry and not with the states. The decision about whether the states should inform the boating public of these hazards is a decision left to the states.

## BAIRAC Committee

Elizabeth Raymond, Mississippi, chairman of the Boating Accident Investigation, Reporting and Analysis Committee, reported that a grant application had been submitted to the Injury Control Research and Demonstration Projects Division in Atlanta to develop a national recreational boating accident reporting system.

The Transportation Research Center at Indiana University would develop, field test and evaluate the system. If the grant is approved, the project will begin Jan. 1, 1987 and run through Dec. 31, 1989.

At the request of the National Transportation Safety Board, the Coast Guard is

making several changes in the boating accident report (BAR) to include more detail on the use of PFDs. The proposed BAR will also meet federal and state requirements for information on alcohol and drug use.

The committee requested that the Coast Guard send every boating law administrator at least one clear, readable copy of the boating accident investigation manual prepared by Robert Loeser. The committee requests the copy be in looseleaf format to enable the BLAs to reprint it and disseminate it to their investigators.

## Law Enforcement Committee

The Law Enforcement Committee developed for final adoption stability criteria guidelines for passenger-for-hire vessels not subject to Coast Guard jurisdiction. Co-chairman James Getz, Illinois, said the National Transportation Safety Board had made a request two years ago for stability guidelines for shallow draft vessels with two or more passenger carrying decks above the waterline, vessels that are extremely vulnerable to sudden wind changes.

The committee recommended that the membership encourage the states to adopt

laws or regulations that would include the guidelines, which comply with Coast Guard stability standards, for vessels operating on sole state waters. The guidelines include that license requirements for operators of such vessels on state waters be equivalent to those prescribed by the Coast Guard.

Getz said the committee continues to endorse the concept of ballistic PFDs and recommended that the president of NASBLA relay the endorsement with consideration given to the device's special use to the Commandant of the Coast Guard.

# Inventory shows most facilities privately owned

Of the facilities available for recreational boats, 91 percent are privately operated and 82 percent are on privately owned land. Many of these are under siege by real estate interests for conversion to non-water dependent development, Neil Ross of International Marina Institute told members of NASBLA.



Neil Ross

The International Marina Institute is

continuing an inventory of boating facilities begun last year by the University of Rhode Island Sea Grant with a grant from the National Marine Manufacturers Association. The project is to inventory every marina, boat yard, dockminium and park that has boats to get a picture of boating facilities in the country. The facilities counted will have 10 or more boats.

At the time of the report, data was available from 38 states and although only a small number of facilities had been put in the data base, a profile of the nation's boating facilities was emerging.

For every 1,900 registered boats, there is one facility and for every 40 boats, one slip. The most common services are fuel, repairs and haulout.

In addition to the facilities that are privately operated (91 percent), 7.2 percent are owned and operated by federal, state or local government, 5.7 percent are yacht clubs or dockminiums and 5.6 percent are in public parks.

Of the boat capacity counted, 83 percent are in commercial marinas and boatyards and 11.5 percent in parks.

Ross reported that every state has an overwhelming development pressure on the shoreline. He made the distinction between water dependent facilities—marinas and fishpiers—and water enhanced facilities—condominiums and restaurants—warning that water enhanced developers are buying up the private sector.

"Increasing pressure will be placed on the public pocketbook to replace the loss of private access to public waters." He predicted in a state like Massachusetts where waterfront property is actively under siege by private real estate developers, "we'll see, in the next five years, a net loss of 25 to 30 percent of boating access."

## More boat launch ramps needed

The early result of a study made by the National Marine Manufacturers Association and the U.S. Forest Service estimates that twice as many boat launch ramps are needed as are presently available. Kevin Kearney of NMMA reported on a current study which is trying to account for all the launch ramps across the country.

So far 16,097 launch ramps have been accounted for and when information is received from all the states, the number is estimated to be between 19,000 and 20,000. Of those accounted for, 14 percent are privately operated, 73 percent publicly

operated and 12 percent is unknown.

Kearney said a single lane ramp would probably accomodate 18 boats between the 6 a.m. and 9 a.m. crunch on a sunny weekend morning. Assuming 30 percent of the boats in the trailerable range (16 to 26-foot) would be using the ramps and the average launch facility is two lanes, twice the number of launch ramps currently available is needed.

NMMA estimates the number of boats in this country will increase 61 percent to 19 million by the year 2000. Planning for the future is critical, said Kearney, if we are to meet the demand for boating access.

## SOBA organized

During a national conference on boating facilities held in Roseville, Mich., Sept. 14-16, common interest in boating access among those attending spawned a new organization, the States Organization for Boating Access (SOBA).

SOBA, made up of engineers, planners and boating program managers will be a medium for an exchange of views and experience. Its purpose is to foster private, state and federal cooperation in boating facility design, construction and financing.

NASBLA was invited to join SOBA with the chairman of NASBLA's facility committee to act as liason between the two organizations.

"The new group," said Paul Gregory, Ohio's boating law administrator, "will not be in competition with, but desires to complement other boating organizations. We should work together to support each other's programs. We have the common goal of better, safer recreational boating."



A seat belt that has a water activated emergency release system was demonstrated at the NASBLA Conference. Bob Duke (second from right) explains the mechanism of the belt to Frank Maher (l.), Ontario, as Al Marmo, U.S. Coast Guard, and Robert Cagle, Life Saver Seatbelts, Inc., look on.



## Awards

During the annual conference in Washington D.C., NASBLA bestowed four awards on people who had made contributions during the year towards the advancement of recreational boating.

**The Legislative Award**, presented each year to a U.S. Senator or Representative who provided outstanding legislative support to NASBLA and demonstrated leadership, initiative and direction in pursuing legislation in the best interest of boating, was presented to Sen. Mark Andrews, R-N.Dak.

Sen. Andrews was the boating public's champion on Capitol Hill. Through his leadership as chairman of the Senate Appropriations Subcommittee for the Department of Transportation, he consistently kept boating's interest in the forefront.

**The Bonner Award**, presented to a government official for outstanding performance in the field of boating safety, was presented to Rep. Gerry Studds, D-Mass. Through his leadership in the U.S. House of Representatives, Rep. Studds aggressively sponsored and promoted legislation to provide direction and funding for the states' boating safety programs.



A model of the 295-foot bark, American Eagle, the sail training vessel of the U.S. Coast Guard, was presented as the Legislative Award. The Eagle was built in Germany for sail training in 1936 and was acquired by the United States as part of Germany's war reparations after having served as a cargo ship during World War II.

**The NASBLA Award**, given to persons who have either given of their time and effort to NASBLA or who are acknowledged nationally, in their state or in their community for notable contributions to boating, was presented to Kim Elverum, Minnesota's BLA. He was cited for his contributions to boating safety education in both NASBLA and his state.

**The President's Award** was given to Carroll Henneke for service this year as president of NASBLA.



Sen. Mark Andrews, R-N. Dak., proudly shows the ship model after receiving the Legislative Award. He is flanked by Paul Donheffner, Ore., Carroll Henneke, Ind., and George Stewart, Del.



Kim Elverum (above l.) wins the NASBLA Award and Carroll Henneke, the President's Award. Adm. Paul Yost (below l.) presents the Anhauser Busch Award to Al Bernardi, UL.



Rep. Gerry Studds, D-Mass. (l.), winner of the Bonner Award, is presented a clock and barometer by NASBLA president Carroll Henneke.



After presenting ship's wheels to NASBLA past presidents, Mike Sculla, BOAT/U.S., introduces Carroll Henneke, Ind.; Gene Spurl, Penn.; Richard Schwartz, BOAT/U.S.; William Garner, Ala.; Dale Morey, Wis.; George Stewart, Del.; Tom Alexander, Ariz.; and Thomas Welch, S.C.



# NASBLA elects officers for coming year

Larry Williford, Texas, was elected to serve as the 1987 president of NASBLA during the annual conference in Washington, D.C. Kim Elverum, Minn., was elected vice president; Tom Atkinson, Nev., secretary/treasurer, and Joe Ruelas, D.C., and Nancy Jamerson, Va., members at large.

Williford, as Captain Game Warden, is supervisor of the Water Safety Law Enforcement Section of the Texas Parks and Wildlife Department. He is past president of the Southeastern States Boating

Law Administrators Association and currently serves on the Department of Transportation's Houston-Galveston Navigation Advisory Committee. He studied criminal justice at Lamar University, Beaumont, Tex. and has attended numerous law enforcement training schools and management seminars.

Elverum, as boat and water safety coordinator for the Minnesota Department of



Larry Williford

Natural Resources, has written Minnesota's boating safety education course and numerous articles for national and regional magazines. He has been chairman of NASBLA's education committee since 1981 and this year was named to serve on the National Boating Safety Advisory Council. He is a graduate of the University of Minnesota.



Kim Elverum

Atkinson has been the boating safety staff specialist since 1981 for the Nevada Department of Wildlife. He began his career as a game warden and became regional law enforcement supervisor before being promoted to his present position. Atkinson is immediate past president of the Western States Boating Administrators Association and chairman of NASBLA's resolutions committee. He has a B.S. degree in wildlife management from the University of Nevada at Reno.



Tom Atkinson

## Industry practices questioned

Who controls the boating industry? was a question asked by Robert Swint of ATA Associates. Speaking before the NASBLA conference on accident reconstruction, Swint, an engineer who is a plaintiff expert reconstructionist, questioned several practices in boating and the industry.

It is the only field, he said, where the operator of a motor driven vehicle, a boat operator, is not limited by age, training, experience, or physical or mental abilities.

It is a field, he said, where the technology of engines, hulls and some equipment is superb—he cited higher horsepower, lower weight engines—but other technology, such as throttles, steering and seating hasn't changed in 15 years.

"The technology has surpassed the boats," he said. "Something has to be done to protect the occupants."

Standards are regulated by such organizations as NASBLA, the Coast Guard, federal and state governments, National Marine Manufacturers Association and the manufacturers themselves. But, he asked, who controls the industry?

There is the boat manufacturer, the engine manufacturer and the dealer. "Where does the responsibility lie to insure that the products are integrated properly and function together?" he asked. How does the information get to the owner—who is responsible for the manuals, for the training?

He cited some of the hazards in design unique to boats. Steering in most cases is

not self centering—if the operator takes his hand off the steering wheel, the boat will quickly go to the right or left, depending on the torque of the engine or where the engine is mounted.

The throttle, a one hand operation, will stay in the last commanded position when unattended. The flat back of the seat will not retain a body. Because of the design of the seats, people tend to sit on seat backs.

He spoke of the circle of death. At a high speed, if the operator should remove his hand from the wheel, the boat may go into a hard turn, the operator ejected, the throttle would remain at the last commanded setting, and the boat would circle over the area of ejection, putting the operator in danger of being hit by the boat.

A hazard, he said, is something that can't be identified, a problem in design, a situation that leads to a hazardous condition. Manufacturers need to design hazards out, and if the hazards can't be designed out, people should be warned of them and trained to avoid them.

The areas he looks at in reconstructing an accident include the trim tabs, position of steering, mounting of the engine, relationship between the seats and the steering system, cable configurations, position of the operator in the boat, throttling, kill switch, and the interior configuration relative to the types of damage.

Through boating accident reconstruction, he said, we can gain important information for boating safety.

## Cruising the Potomac



Tom Atkinson, Nev., and Alan Madison, film producer, talk a little business on the boat cruise of the Potomac hosted by the District of Columbia Metropolitan Police Harbor Division.



# Growing numbers of boats crowd Virginia waters

by Nancy Jamerson

In Virginia, the Commission of Game and Inland Fisheries, an agency under the Secretary of the Department of Natural Resources, is responsible for the enforcement, education, and registration/titling of watercraft. With a staff of 339, the agency provides management of wildlife and inland fish, state-wide enforcement of fish, boating and wildlife laws, public information and education concerning our fish and wildlife resources and training in firearms and boating safety.

Virginia has more than 8 million acres of salt water, which includes the Chesapeake Bay and the Atlantic Ocean, 98 major rivers and 5,000 miles of shoreline. Twenty-six commission owned lakes, totaling 2,474 acres, are available for public fishing and boating.

When our program began in 1960, 35,620 motorboats were registered and there were 66 reported accidents, 15 fatalities and 18 injuries. Currently, our records indicate 162,904 registered motorboats. In 1985, there were 108 reported accidents, 19 fatalities and 65 injuries.

Some of our waters are becoming crowded, and this year the General Assembly directed the Game Commission to make a study of recreational boating to determine how fatalities, injuries and property damage could be reduced.

To date, the Boating Study Committee has mailed 10,000 questionnaires to ran-

domly selected boat owners producing over 5,500 responses. A second questionnaire was sent to those not responding. Aerial photographs have been taken on high-use weekends and counts have been made from the ground and water. A report with recommendations will be finalized in the fall of 1986.

In January 1982, we became the 13th state to require titling of watercraft. We now title all watercraft 15 feet or longer powered by a motor in excess of 25 horsepower, and all sail-powered vessels in excess of 18 feet. To date, 104,000 certificates of title have been issued.

The Virginia boating education program follows the six-hour *Basic Boating Course* designed to teach adults and youths in a school environment. An examination is given upon course completion and the successful student is given a certificate, a wallet card and shoulder patch.

In addition to the state courses, the Game Commission sponsors boating skills and seamanship courses and canoe courses taught by the Coast Guard Auxiliary, U.S. Power Squadrons and the Red Cross. In the

past year, over 5,000 students, including 2,000 youths, completed the state course.

Our Law Enforcement Division, totaling 144 officers, enforce the fish, boating and wildlife laws. During 1985, our officers inspected 39,313 boats and issued 2,556 citations. The greatest number of citations were issued for operating without a certificate of number on board and without required PFD's.

We have 105 boats that range in length from 12 feet to 25 feet. The 25-foot boat, just purchased with the help of federal funds, is to be used on the Chesapeake Bay and Atlantic Ocean.

Our commission recently approved a regulation requiring life preservers in all boats on Virginia's waters, including non-powered vessels, such as jon boats, canoes, kayaks, inflatables and rowboats.

We believe our boating safety program, while adequate for the present, must be continually reviewed and updated. Growing numbers of watercraft are crowding some of our waters and we must continue to seek ways in which the boating public can share the limited waters safely. ►

## Public service announcement shot



A film crew prepares to shoot an anti-drunk boat operation television public service announcement. The Minnesota Department of Natural Resources, using federal boating safety funds is producing a series of informational PSAs intended to alert non-typical boaters, such as hunters and fishermen, to the dangers of drunken boat operation, hypothermia and the use of PFDs. (Photo by Tim Smalley)



Nancy Jamerson, boat registration and titling supervisor of the Virginia Commission of Game and Inland Fisheries, is the state's boating law administrator.

## Funding State Programs

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*The boating safety program seems to be working. We've had more registrations this year but we've had the least number of fatalities ever.*  
—Dale Morey, Wisconsin BLA

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Two of the 22-foot boats purchased by the Wisconsin Department of Natural Resources for use on Lake Michigan are opened up by conservation officers for a test run on the lake. The boats are among those purchased with federal boating safety funds this year.

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### Illinois

To operate its boating programs, Illinois received \$5,221,000 from boat registration and titling fees, the state motor fuel tax fund and fines for boating violations. Federal financial assistance was \$510,415.

The federal funds are added to state funds to enable an expansion of the regular program. The Department of Conservation is in the process of filling all education coordinator positions in its effort to increase the numbers of boating classes and students. Hours spent on the water for boating law enforcement will be increased next year.

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### Indiana

Indiana's boating program received \$780,000 in state funds, \$600,000 from registration and titling fees, the rest from the general fund. Federal financial assistance was \$443,259.

Federal funds will be used to add to and maintain the patrol fleet and to update the film library for the education program. Additional alcohol sensing field test equipment will be purchased. The Department of Natural Resources is requesting additional personnel and equipment for Lake Michigan.

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### Iowa

Boat registration fees and marine fuel tax revenues provided \$1,005,600 for Iowa's boating program and federal financial assistance, an additional \$485,735.

Six new recreational safety officers were hired. Federal funds will pay part of their salaries and provide equipment, such as sailboats, sailboards, canoes, motorboats and films for their boating safety courses. The Department of Natural Resources is training camp directors to be instructors for the Aquanauts Boating Safety program.

Several patrol boats will be purchased



along with breathalyzers and other equipment for law enforcement.

## **Kansas**

Kansas' boating program received \$297,363 from boat registration fees and \$280,496 in federal financial assistance.

The federal funds were used to construct boat ramps and breakwaters on reservoirs and some of the larger lakes. Boathouses for patrol boats are being built to eliminate current storage fees. A boating safety correspondence course has begun.

## **Michigan**

The boating safety program in Michigan received \$3.1 million from boat registration fees and \$1.2 million in federal financial assistance.

This next year the boating program will undergo an evaluation to identify educational and enforcement responsibilities in solving the problems with accidents. Economic and social data along with weather and environmental factors will be applied to accident trends. The evaluation, which will take 12 months, will effect the state program and the county grant programs.

## **Minnesota**

Of the \$6.5 million collected in boat license and registration fees, fines and boat fuel tax in Minnesota, \$2.3 million will be used for boating safety. The boating program received \$1,690,184 in federal financial assistance this year.

A series of four public service announcements on drunk boating, hypothermia, PFDs and lowhead dams is being produced. Federal funds will be used to purchase equipment for the alcohol enforcement program. Federal money will also be put into the river safety program to purchase buoys to mark dams. More patrol equipment will be bought and the funds will finance schools for training boating enforcement personnel.

## **Nebraska**

From the boating registration fees that are paid every three years, the boating program in Nebraska averages about \$275,000 a year. The program received \$83,000 in federal financial assistance this year.

Next year will be the first time boating seminars and workshops will be held for law enforcement personnel. They will be financed with the federal funds. Boating education manuals will be purchased and the Game and Parks Commission is considering paying for television advertising to publicize boating courses. Next summer the commission plans to install wind warning systems on some of the lakes.

## **North Dakota**

The boat registration fees provide North Dakota's boating program \$405,000 every three years, averaging \$135,000 a year. The state was allotted \$216,714 in federal funds this year.

The state will continue safety patrols with higher saturation on lakes that have had the most accidents. After looking at the cause of boating accidents, the Game and Fish Department is trying to stress to the public the effects of cold water, the wearing of PFDs and the problem with alcohol use while boating. Safety classes are given to power companies, sportmen's clubs, 4-H clubs, homemakers groups and to schools.

## **Ohio**

Ohio's boating program received \$6,226,556 from a percentage of the motor fuel tax and from registration and titling fees. Federal financial assistance this year was \$1,013,734.

Federal funds will be used to expand the numbers of law enforcement personnel. Nine new watercraft officers were recently hired.

For the education program new video equipment—a camera, tripod and equipment for editing and duplicating—were purchased, as were some films.

## **Ontario**

In Ontario all funds for boating programs come from consolidated revenue (general fund). There are no federal funds. The police receive a sum for law enforcement, but none of the money is earmarked for boating. In fact, none of the provincial money is specified for boating programs. The work done in boating is an add on to other programs.

## **South Dakota**

South Dakota's boating program received \$430,000 from general funds, boat registration and license fees and state fuel tax revenues and \$215,000 in federal financial assistance.

The education program will go out on the road trying to get to the public with more boating safety programs. Conservation officers will travel to sportsmen clubs and boating clubs to teach cold water survival and other safety subjects. Patrols will be slacked off next year because "we've reached the point of diminishing returns," reported Bill Shattuck, BLA.

## **Wisconsin**

Boat registration fees provided \$1.2 million for Wisconsin's boating program and federal financial assistance, \$775,000.

The federal funds enable the state to expand the education, enforcement and media programs. The Department of Natural Resources will increase the number of Limited Term Employees who will take boating education and enforcement to areas the regular program is unable to reach. Equipment will continue to be upgraded, particularly that on the Great Lakes. Information services for the public will be expanded with the production of more radio and television public service announcements, the distribution of more posters and displays and the development of more articles for the press.



## Funding State Programs

*Our program would be totally non-existent without federal funding. The funds pay all administrative costs, including the boating safety coordinator's position.*  
—Jeffery Hoedt, Idaho BLA



Gordon Boyle, marine deputy with the Bonneville County (Idaho) Sheriff's Department, inspects a boat for safety equipment on Ririe Reservoir. Salaries of marine deputies in Idaho are partially paid with federal boating safety funds.

### Arizona

Arizona's boating program received \$918,000 from boat registration fees this year and \$387,000 in federal financial assistance.

With the federal funds, the aids to navigation program will be expanded. A waterways team of two people will install more markers on rivers and lakes. Two additional boating officer positions are anticipated.

The information officer's program will be expanded with the purchase of equipment for video taping, slide shows and additional printed materials. Educational programs will be developed or updated.

### California

The boating program in California received \$35.8 million from fuel tax revenues, interest on loans and interest on the boating fund and \$1,682,000 in federal financial assistance.

The federal funds will help the state promote the education program that has been developed for the schools.

Boats, radios and boat equipment will be purchased for boating agencies around the state. A law enforcement training program in accident investigation is planned and modules of the open water rescue training program will be continued. Training programs on sound level enforcement and boating under the influence have been produced on video and a video training film on firefighting is planned.

### Colorado

Colorado's boating education and enforcement programs receive about \$300,000 from the Parks Cash Fund, which gets money from park user fees, the lottery and other fees. Federal financial assistance this year was \$271,000.

A professional media consultant will be hired with the federal money to get more safety information and education to the public. Brochures on the safe use of jet skis and sailboards, subjects not dealt with in the past, will be produced. Safety educators will train volunteer teachers to use the new boating safety manuals and the officer training program will be improved.



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## Hawaii

The boating program in Hawaii received \$3,328,000 from the boating special fund, which gets money from the state marine fuel tax, marina permits and fees, rentals of boating facility property and vessel registration fees. Federal financial assistance this year was \$321,000.

With the federal funds the program hopes to establish a fulltime marine casualty investigation position and a boating safety education specialist position. Materials for a statewide program in the schools are being developed.

Four inflatable patrol craft will be purchased and the money will fund a volunteer enforcement officer program, paying the expenses and training of the volunteers and the salary of a supervisor.

The boating program is developing controlled areas on crowded bays to regulate user conflicts.

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## Idaho

Idaho's boating program received \$1 million from the state gas tax, boat license and registration fees and use permits and \$297,785 in federal financial assistance.

The boating safety program would not exist without federal funds, which pay the administrative costs of the program and will assist next year in buying eight patrol and rescue boats, one tow vehicle and help pay the costs of law enforcement personnel in those counties with boating programs that are under contract with the state. The funds helped the state buy a computer which has assisted greatly in the registration of boats.

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## Montana

Montana's boating program received \$124,498 from the state motorboat fuel tax and boat registration fees and was allotted \$230,000 in federal funds this year.

The federal money will pay for two people to go to Yorktown, Va. for the National Boating Safety Course. The Department of State Fish, Wildlife and Parks is trying to have additional enforcement personnel authorized, one who would be only for water safety.

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## Nevada

This year the boating program in Nevada received \$573,000 from boat titling and registration fees, state marine fuel taxes, interest and the sale of surplus items and \$262,346 in federal financial assistance.

Pending legislative authorization of the personnel, the Department of Wildlife plans to add four boating safety officers to the Colorado River system and one supervisory position each for that area and the northern part of the state. The department is trying to hire seasonal officers for northern Nevada.

The education program, which was able to get started because of the federal funds, will continue to be expanded.

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## New Mexico

New Mexico's boating program received \$226,000 from boat registration fees this year and is allotted \$233,600 in federal financial assistance.

The Department of Natural Resources plans to purchase three more boats with the federal funds and might have four additional wind warning lights installed on the lakes.

The present level of education, which has been "pretty good," according to Otis Chappell, BLA, will be maintained.

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## Oregon

During the current biennium, Oregon's boating program received \$4.3 million from license fees and the state motorboat gas tax. This year the program received \$436,000 in federal funds.

"Federal funds have made a difference," said Paul Donheffner, BLA. They were used this year to outfit three jet sleds for high use areas and to provide additional money for patrol hours.

The Oregon Marine Board is developing a statewide law enforcement plan, targeting known problem areas. Worn out patrol boats will be replaced this year, the first improvement in patrol equipment in years.

The water safety program in the schools will continue and safety publications and the film library will be updated.

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## Utah

Utah's boating program received \$582,487 from boat registration fees and the state gas tax this year and \$286,849 in federal financial assistance.

Federal money will be used next year to purchase new boats to replace worn out boats and to purchase new radios. Two officers will be sent to Yorktown, Va. for the National Boating Safety Course and inhouse training will continue to be upgraded.

The boating safety manual will be updated and continued effort will be made to educate the public on boating safety. Additional navigation markers will be put in place, primarily on the reservoirs.

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## Washington

Washington's boating program received \$475,000 from the state's general fund this year and \$473,000 in federal financial assistance.

The federal funds will be used to subsidize 24 local agencies, 16 of them law enforcement and the others educational, enabling them to initiate their own boating safety program.

The state will hire boating safety specialists to investigate boating accidents, train local law enforcement personnel and develop an education program for the state school system.

Patrol boats and boating safety materials will be purchased. "Without federal funds," said Jim French, BLA, "we couldn't have an education program and would have only scattered enforcement on the water."

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## Wyoming

The boating program in Wyoming received \$120,000 from boat registration fees and the game and fish general fund this year and \$120,000 in federal financial assistance.

The federal funds will allow the Game and Fish Department to hire six temporary officers to assist regular patrol officers on the reservoirs next year and will enable the department to plan more boating safety classes for the public.

# A History

## Federal Participation in Boating Safety

by George Stewart

**T**he federal government has been involved in recreational boating safety since 1910, when the motorboat act of that year was enacted. This law subjected motorboats to certain minimum safety standards, such as the display of navigation lights, possession of adequate sound signals, and maintenance on board of life preservers and fire extinguishers.

The Motorboat Act of 1940 expanded the list of items required on motorboats to include, among other things, bilge ventilation systems. A section was added establishing civil and criminal penalties for the reckless or negligent operation of any motorboat or other vessel on navigable waters of the United States. By this time, 300,000 privately operated motorboats were subject to the federal requirement.

A variety of economic and technological factors contributed to the rapid growth of recreational boating in the aftermath of World War II. By 1958, 5.5 million recreational vessels were in use in the United States. The majority were operated solely on state waters in areas where Coast Guard law enforcement efforts were negligible or they were sailboats or other non-self propelled craft not subject to the safety provisions of the motorboat act.

The Federal Boating Act of 1958 initiated an effort to develop a more com-

prehensive approach to boating safety, affecting all recreational vessels, and requiring a cooperative effort between states and the federal government. The mandatory safety requirements of the motorboat act were extended to all recreational vessels on navigable waters. A national vessel numbering system for all vessels over 10 horsepower and an associated vessel casualty reporting system were established. State governments were given the option of developing their own numbering systems, contingent on federal approval and a willingness to recognize vessels numbered in other states. The act expanded the definition of vessel to include all watercraft used as a means of transportation on the water.

The 1958 act encouraged state governments to adopt boating rules and regulations which mirrored comparable federal statutes. This was intended to create relatively uniform national standards for boating safety. The intent was to circumvent the difficulties caused by the shortage of national enforcement resources and the far-flung nature of boating activities. Ultimately, 41 states entered into cooperative agreements with the Coast Guard. In addition, every state except Alaska, Washington, and New Hampshire had developed a vessel numbering system.

By 1971, an estimated 8 million recrea-

tional vessels were in the United States. Boating casualty statistics gathered pursuant to the Boating Act of 1958, indicated that one-half of all boating fatalities occurred on waters under exclusive jurisdiction of the states. While the majority of the accidents could be traced to operator error, problems with equipment stability and flotation contributed significantly to the rate of boating casualties.

**T**he Federal Boat Safety Act of 1971 continued the practice of federal-state cooperation, but with a greatly increased federal role. The regulatory authority of the Coast Guard was expanded to include all recreational vessels and federal law enforcement jurisdiction was extended to all navigable waters of the United States. Federal financial assistance was authorized to encourage the development of comprehensive state boating safety programs.

Finally, the Coast Guard was given authority to establish uniform standards for the performance of recreational boats and associated safety equipment, and state governments were pre-empted from establishing competing requirements.

The model state boating safety programs authorized by the act were intended to respond to the difficult, but fundamental problem of teaching boat operators how to



operate their vessels without causing death or injury to themselves, their passengers, or other boaters. The intent was to use federal support as "seed money" to encourage participating state governments to design unified administrative frameworks and coherent strategies for addressing boating safety, boater education, and boating law enforcement issues. This approach proved popular and 51 of the 55 eligible jurisdictions chose to participate.

It also proved effective. From 1971 to 1978, annual boating fatalities dropped from 1,581 to 1,321. This is particularly impressive because the number of recreational boats in the United States nearly doubled during this period, to 14 million. Congress appropriated approximately \$40 million in assistance to the state programs during these eight years.

Despite the success of the state programs, federal support was not renewed in 1979. This decision was made disregarding the findings of a Congressionally mandated national boating survey in 1976 which concluded that:

"There is a demonstrated need and rationale to continue to improve a most favorable federal/state maritime partnership ... the termination of state financial assistance funds with the 1978 fiscal year appropriation, as is now provided in the act, could only have a deleterious effect upon the overall national boating safety program."

In October 1980, Congress approved and President Carter signed the Recreational Boating Safety and Facilities Improvement Act. This statute established an alternate method of providing a base of federal financial assistance for state boating safety programs.

The Act adopted an approach similar in concept to that of the Highway Revenue Act of 1956 and the Airport and Airway Revenue Act of 1970. These laws utilize federal revenues derived from specialized taxes to create dedicated funds from which money is made available for services to those paying the tax.

**S**ince 1965, tax revenue derived from the federal tax on marine fuels has been diverted from the Highway Trust Fund to the Land and Water Conservation Fund in support of land acquisition and recreation programs of the Department of the Interior. The 1980 Boating Act amended the Boat Safety Act of 1971, by creating a National Recreational Boating Safety and Facilities Improvement fund. The fund, up to \$20

million, was to be derived each year from motorboat fuel tax money in the Highway Trust Fund.

**E**xpenditures from the fund were authorized for fiscal years 1981-1983 and would be available to states on a 50 percent matching basis for boating safety and facilities improvement projects. Each year \$10 million would be allocated for boating safety projects, and \$10 million for the acquisition, construction, and repair of facilities needed for public access to boating. The funds would be divided among states with approved programs in accordance with a three-part formula, taking into account the number of vessels registered and the level of effort each state made towards boating safety.

The purpose of the 1980 law was to continue federal support for a successful federal/state partnership without utilizing funds from the general treasury. Although \$20 million was authorized for the fund, the actual expenditure of money for state programs remained dependent on specific appropriations by Congress.

In both 1981 and 1982, the Administration failed to request an appropriation for boating safety or facilities improvement programs, and no funds were made available by Congress. In 1983, the Administration requested \$5 million for boating safety. This money was included in the Department of Transportation Appropriations Act.

In late 1982, the Reagan Administration proposed an increase in the federal tax on gasoline from four to nine cents a gallon. The additional money was intended to be used for public works projects related to national transportation needs. This proposal was approved and implemented in

the Surface Transportation Assistance Act of 1982.

Section 421 affected the disposition of the motorboat fuel tax. The limitation on the amount eligible to be transferred into the National Recreation Boating Safety and Facilities Improvement Fund was increased from \$20 million a year to \$45 million, to parallel the increase in the tax. Of this amount, two-thirds was intended for use in supporting state boating facilities programs, while one-third would be available for state boating safety programs.

The law authorized the Secretary of Transportation to enter into contracts with state governments to implement the state programs and extended the period during which fuel tax revenue would be diverted into the fund from 1983 to 1988.

**T**he Deficit Reduction Act of 1984 created the Aquatic Resources Trust fund, more commonly known as the Wallop/Breaux fund. This fund has two accounts, the boating safety account and the fisheries enhancement account. A major portion of revenue to the fund comes from motorboat fuel taxes, which have been estimated to be over \$100 million per year.

The first \$15 million in the boating safety account, is authorized to the U.S. Coast Guard for boating safety programs and support of the Coast Guard Auxiliary. The next \$30 million is authorized to the states' boating safety programs.

This law continues and reaffirms Congressional intent that the special user group, the boating public, pay its own way through a dedicated trust fund derived from motorboat fuel tax.

*George Stewart, Delaware's boating law administrator, is legislative chairman of NASBLA.*

#### Annual Appropriation of Federal Boat Safety Funds 1972 to 1986

1972	\$ 3,000,000	1979	\$ 5,000,000
1973	\$ 4,500,000	1980	0
1974	\$ 3,500,000	1981	0
1975	\$ 5,790,000	1982	0
1976	\$ 5,790,000	1983	\$12,500,000
*	\$ 1,450,000	1984	\$12,500,000
1977	\$ 5,790,000	1985	\$13,600,000
1978	\$ 5,790,000	**1986	\$27,992,250

\*Three month period when fiscal year changed from July to October.

\*\*\$30 million with 4.3 percent reduction as result of Gramm-Rudman.

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National Association of State Boating Law Administrators

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## *Rescue Equipment Demonstration*



*The D.C. harbor patrolman being lowered in the Billy Pugh net prepares to pull one of two "victims" from the water during a mock rescue operation on the Potomac River. The District of Columbia Metropolitan Police Harbor Division staged a water*

*demonstration showing airboats, helicopters and other rescue equipment at the opening of NASBLA's 27th annual conference in Washington, D.C. which was held Sept. 28 through Oct. 1.*