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# SCA

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The official publication of  
the National Association  
of State Boating Law Administrators

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Ice rescue crews from different agencies train together, allowing the teams to increase familiarity with the capabilities of the other agency.

U.S. Coast Guard photo/  
Petty Officer Etta Smith

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# Are you (or someone you know) ready to join...

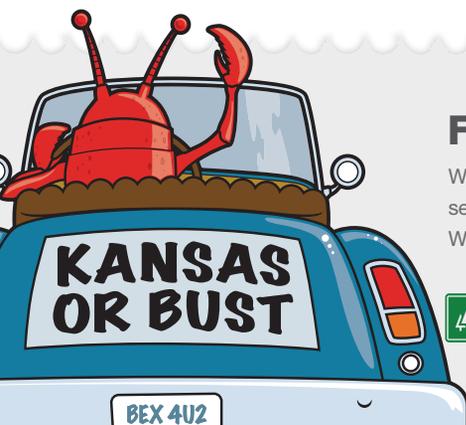
## ★ THE BOATSEY CLUB ★



Nominate yourself or another worthy boating safety educator at [www.boaterexam.com/award](http://www.boaterexam.com/award) for a chance to win an all-expense paid trip to the upcoming NASBLA conference and a shot at this year's **Boatsey** (*Boating Safety Educator of the Year Award*). It's an exclusive club, and membership has its privileges (*OK we're still working on those green lifejackets*).

### Follow along as we claw our way to Wichita!

We had a real lobster of a time last year in Maine. Now our 2014 NASBLA mascot is hitching a ride as we set our sights on the 2015 conference. What adventures await *Barry the Claw* on the long road to Kansas? Will he miss the salty air of Bar Harbor? Did he pack enough shoes? Do lobsters wear shoes? **Stay tuned!**



# NASBLA NEWS

## NASBLA launches new website



NASBLA has given its website a comprehensive overhaul. Visit [www.nasbla.org](http://www.nasbla.org) to take a look.

The new website contains most of the same information that was housed on the old site: directories, committee information, model acts, training and resource information. Some items may be labeled in new categories that we hope help you with navigation through the site. However, there are also some new areas which you might like to spend some time exploring as well as some new ways in which we're presenting old information.

For more information on the new website, please visit [www.nasbla.org/new](http://www.nasbla.org/new).

The new website is being treated as a Beta. There are a few things left to move across and we're sure there are some snags we haven't yet spotted. If you find a navigation problem or something that you think is an obvious error, please let us know. [More](#)

## NASBLA welcomes new staff member



NASBLA has hired Rick Barrera, who recently retired from the **Ohio Department of Natural Resources**, as committee staff. Rick joined the ODNR Watercraft Division in February 1980 as an inventory control specialist. In 1998, he was promoted to the role of watercraft titling supervisor where he oversaw the issuance of boat and outboard motor titles for Ohio. In 2000, he became the Watercraft Registration & Titling Manager overseeing the title and registration functions for ODNR'S Division of Watercraft. He has been a member of NASBLA's **Vessel Identification, Registration & Titling Committee** since 2001 and has served as either chairman, vice chairman or a sub-chairman of this committee for 10 years.

## Santi Ayala named Instructor of the Year



After being named Instructor of the Year, Santi Ayala receives a framed plaque from NASBLA CEO John Johnson (left) and NASBLA BOAT Program Director Mark DuPont.

During the **Recreational Boating Safety Instructor Development Workshop**, offered by the **Boat Operations and Training program** in December in Jacksonville, Florida, NASBLA named Santi Ayala as the 2014 Instructor of the Year.

Santi Ayala has made a significant impact on our nation's maritime capabilities and readiness through the delivery of more than 35 courses throughout the U.S. He often volunteered his own personal time, traveling sometimes across the country with no prompting in order to ensure that the BOAT Program continued to grow and improve, that his fellow instructors had the support that they needed and that the goals in service to the maritime law enforcement and emergency response community were not only met but exceeded. Santi's dedication, commitment and devotion to duty are in the highest standing, and he is the epitome of a NASBLA BOAT Instructor.

## NASBLA Executive Board meets in Jacksonville

NASBLA's Executive Board met Dec. 11-12 in Jacksonville, Florida, in conjunction with NASBLA's second annual BOAT Instructor Workshop. The Executive Board heard organizational reports from committees; were briefed on progress by Capt. Jonathan C. Burton, Director of Inspections and Compliance at U.S. Coast Guard, and Deputy Chief Jeff Wheeler, U.S. Coast Guard Office of Boat Forces; and discussed budgets, national boating education standards grants and grant strategies for the coming year.

## NASBLA holds instructor development workshop

The week of Dec. 10, 2014, NASBLA hosted its second annual National Instructor Development Workshop. Expanded from last year's workshop, this year's event, held in Jacksonville, Florida, included a four-day Methods of Instruction Course for recreational boating safety instructors.

The Methods of Instruction Course is designed to promote general instructional excellence and for the student to attain NASBLA recognition to teach marine-related educational offerings. It addresses the basic elements necessary for the effective preparation, implementation and evaluation of training, with the aim of that training "to get the message and skills across."

## Education Standards Panel welcomes new members

NASBLA would like to welcome four new members to the **National Education Standards Panel** for the 2015-2017 term:

- Tim Spice, Texas Parks & Wildlife Department, representing the State interest category.
- Shelby Love, Brunswick, representing the Commercial interest category.
- Robin Pope, Sylva, North Carolina, representing the Public interest category.
- Rich Jepsen, US Sailing, representing the Non-government Organization/ Nonprofit interest category.

Joe Gatfield has been appointed as the chair of the Panel through the end of his term (2015).

NASBLA would like to thank four members whose terms on ESP ended with the close of 2014:

- Jeff Johnson, Chair (Alaska), State member
- Mike Gladhart, Clear Water County (Idaho) Sheriff office, State member
- Bob Sweet, Public member
- Terry Leitz, Bennington Marine, Commercial member

These members each served two terms and left due to term limits set by the Panel rules. NASBLA would like to thank these departing members for volunteering their time and expertise to the panel. We sincerely appreciate your work.



The 15-member National Education Standards Panel is charged with reviewing, developing and revising the **National Boating Education Standards** using open, consensus-based procedures conforming to the Essential Requirements for Due Process of American National Standards Institute. Interest categories are *Public, Commercial, State Boating Agency, Federal Boating Agency and Non-Governmental/Nonprofit Organization*.

## Alaskan boater receives recreational boating life-saving award



*Alaska Boating Education Program Coordinator Joe McCullough presents Blake Riekena with the NASBLA Award of Commendation.*

The **Alaska Office of Boating Safety** recently presented the **NASBLA Award of Commendation** to Blake Riekena. The award was presented in recognition of Riekena's rescue of a boater on Lake Lucille in Wasilla, Alaska, last summer.

In the early hours of July 16, 2014, Riekena awoke to someone yelling on Lake Lucille. He grabbed a life jacket and his canoe and paddled furiously for about a mile where he found a 24-year old male in distress and holding on to a partially submerged canoe. He rescued the 24-year old male, who had been drinking, was not wearing a life jacket and didn't know how to swim.

Created in 2008, the **NASBLA Award of Commendation** is given in recognition of persons who have exhibited heroism and faced risks to their own lives in saving another person involved in a recreation boating incident. ✱

# We're Certifiable!

By John Malatak  
NASBLA Program Manager

NASBLA's newly formed Commission for Certified Recreational Boating Professionals (an independent, certifying body comprised of 13 professionals with diverse backgrounds and experience in recreational boating, approved by NASBLA's Executive Board after an extensive application and review process) is busy developing and planning the implementation of a national certification/credentialing program for the recreational boating professional. This new venture will recognize professionals (paid and volunteer) qualified by a combination of education and experience, adherence to high standards of integrity, and an assessed commitment to lifelong learning and professional development.

Candidates will be recognized by NASBLA through a peer review credentialing process. This self-directed program offers an opportunity for interested recreational boating professionals to quantify the unique expertise they bring to their respective organizations, states and the national Recreational Boating Safety (RBS) Program. The certification program will also assist volunteer and paid staff focusing and reflecting upon their lifelong professional development experience.

Individuals who participate in the program may earn the designation of **CRBP (Certified Recreational Boating Professional)** granted by the Commission for Recreational Boating Professionals and the NASBLA Executive Board. The *CRBP* certification is a voluntary credential for recreational boating professionals offered by NASBLA. The credential is broad-based and addresses boating professionals' knowledge, performance and career achievements in the identified 10 over-arching program domains that encompasses the boating program:

- Boating Safety Education
- Marine Law Enforcement
- Boating Safety Training and Program Development
- Vessel Numbering, Titling and Vessel Identification System (VIS)
- Waterways Management and Access
- Management, Leadership, Ethics and Character Building
- Boating Safety Marketing, Outreach and Public Relations
- Federal Programs
- Partnerships
- Boating Law Administration

Individuals who wish to pursue the credential must meet program eligibility requirements and pass various examinations and evaluation processes.

Those who achieve success earn the right to display the *CRBP* designation after their name.

The *CRBP* program is dedicated to enhancing and promoting the profession of recreational boating by providing the premier credential in the industry. The *CRBP* program assists in accomplishing the national program mission by:

- establishing standards for professional practice;
- creating a fair, valid, and reliable examination process by which professionals can demonstrate their knowledge and skill;
- granting certification to those who meet the program's standards; and
- communicating the value of the credential to consumers, administrators, and other key constituencies.

## What Is the Value of the Program?

- The credential will be the de facto evidence of knowledge, experience and competence.
- Individuals who hold the certification/credential will be sought out for leadership positions in government, nonprofit and for-profit recreational boating agencies and organizations.

- Would-be candidates for jobs or other advancement opportunities in recreational boating will greatly benefit by holding this designation.
- Goal is to “brand” *CRBP as the preeminent professional recognition* for anyone working in the field of recreational boating.



So, why would you want to become a *Certified Recreational Boating Professional*? How about to improve your opportunities for career advancement and increased earnings? To differentiate yourself in a competitive job market. To increase and validate your skills and knowledge? You'll support continued personal professional development and demonstrate a high level of commitment to the national boating program. You'll earn recognition by peers and associates. You'll enhance your professional reputation while communicating credibility. And, you'll achieve personal accomplishment.

Our desired outcomes of advancing the credentialing and certification program for state employee, federal government members, and national nonprofit and for-profit members will be to continue to build professional competency and future leaders for the national RBS Program. Key leaders who have retired

(or are retiring) and taken their legacy knowledge with them have created a real need to develop, train and position the next generation of professionals. NASBLA has a vested interest in committed, trained and certified professionals to ensure a sustainable member organization. This credential, *CRBP*, benefits individuals, states, organizations and federal government, as well as the 'end customer' – the recreational boater.

All of us know the importance of continuous learning. NASBLA's Credentialing Program will give us an easy way to focus and structure that learning, as well as become involved in mentoring and coaching new professionals. This program encourages

participants to reflect on their learning, and receive feedback and recognition.

NASBLA applied for and was accepted as a member by the *Institute for Credentialing Excellence (ICE)*. ICE is a professional membership association that provides education, networking, and other resources for organizations and individuals who work in and serve the credentialing industry. The organization is a leading developer of standards for both certification and certificate programs. ICE is also both a provider of and a clearinghouse for information on trends in certification, test development and delivery, assessment-based certificate programs, and other information relevant to the credentialing community.

Please consider beginning the credentialing process once we implement the program and join your colleagues in enhancing the national recreational boating safety program, as well as your personal resume. Specific implementation dates are not available at this time as we are still in the developmental stages of the program. For additional information, contact me at [John.Malatak@nasbla.org](mailto:John.Malatak@nasbla.org), 859.225.9487 ext. 7373. ✱

# Pride and Proficiency

By Kimberly Jenkins  
NASBLA Editor



Since 2011, eleven agencies have been accredited through the National Association of State Boating Law Administrators' (NASBLA) BOAT Program. So, what does this accreditation mean? First, a little history.

## **BOAT Program establishes national standard**

The **Boat Operations and Training (BOAT) Program** was established by NASBLA through the efforts of its interagency Council of Partners to provide a national standard for the training, qualification, credentialing and typing of marine law enforcement and emergency first responders. Standardization ensures maritime agencies can interact together and bolsters their ability to act as force multipliers nationwide. Adoption and implementation of the program provides a true national standard for maritime interoperability at all government levels.

In May 2012, NASBLA and the U.S. Coast Guard signed a **memorandum of understanding** that formally recognizes NASBLA as the holder of the national standard for the training and credentialing of state, county, local and tribal maritime law enforcement officers and rescue personnel. This means that the BOAT program is recognized by the U.S. Coast Guard as the national standard of training and certification.

While the training NASBLA provides is top-notch, it's impossible for a single entity to train every single officer and first responder in the country. Reaching the nation's hundreds of thousands of officers and first responders requires a unity of effort with NASBLA's state partners and other local, state, federal, and private learning institutions.

However, for this to work, there had to be a way to ensure that every course

would be delivered the exact same way every single time, whether delivered directly by NASBLA or an approved agency. Hence, accreditation.

## **Accreditation allows for replication**

"Accreditation has provided our officers with pride and proficiency in our skills," said Deputy Chief Kurt Blanchard with the Rhode Island Department of Environmental Management.

Accreditation creates a system that allows an agency to replicate the same quality of delivery by ensuring that the agency's training curricula, policies, qualification processes and documentation for crew members, boat operators for search and rescue, and tactical operators meets the BOAT Program's National Standards. Accreditation also allows an agency to train and qualify all of its officers internally, as well as its partners on the water.

The process requires an in-depth audit of an agency's internal training regimen, including policies, training procedures, qualification standards, currency maintenance and documentation, to determine the agency's ability to fully implement the NASBLA BOAT Program and train under a single national standard.

"Accreditation allows the agency to provide a set of nationally recognized training standards for boat operation training and practices," said Capt. Merri Walker, the boating law administrator (BLA) for the state of Massachusetts.

After earning accreditation, an agency is positioned to conduct training internally to the NASBLA standard. After receiving training, an officer is entered into the national database of boat crew members, boat operators for search and rescue, and tactical operators. In essence, an accredited agency is deemed self-sustaining and able to carry forward the BOAT Program to its officers, its region and its state.

“Agencies who choose to adopt this national standard of training can assure their ability to conduct missions on our nation’s waterways safely and effectively and operate seamlessly with their federal, state and local partners on the water,” said John Fetterman, deputy executive director with NASBLA.

To learn more about the accreditation process, visit <http://www.nasbla.org/accreditation>.

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“Accreditation has provided our officers with pride and proficiency in our skills.”

**Deputy Chief Kurt Blanchard, Rhode Island Department of Environmental Management**

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### What accredited agencies are saying

To date, 11 agencies have achieved accreditation under NASBLA’s BOAT Program, and two more agencies are undergoing the process right now. These agencies went through the accreditation process for a number of reasons.

Wisconsin’s BLA Roy Zellmer said, “Our agency decided to pursue accreditation to open additional opportunities to training for our officers, to add to our core of instructors in a more cost effective and practical manner and to expand the trainings we provide to other marine law enforcement agencies. Those opportunities and improved training has enhanced not only our agency but numerous other agencies within the state and their capabilities for on the water response and patrol.”

Sgt. Andy Fitch said the Charleston County Sheriff’s Office had already been working closely with local, state and federal partners and was looking for a training program that met some type of national standards when they discovered NASBLA’s BOAT Program. “After we attended a NASBLA course, we realized

that it was exactly what we were looking for. Once we learned about the related accreditation, it seemed to fit in with our goals,” he added.

The accreditation process takes about six months to a year to complete and pays off with some impressive dividends, including increased training opportunities, agency recognition, and training alignment with partners.

Following accreditation, the Wisconsin Department of Natural Resources has expanded its corps of instructors, allowing the agency to train more staff and offer more training to external partners.

The Massachusetts Environmental Police now enjoys recognition for providing nationally recognized training practices. Capt. Walker, added, “The outreach to outside agencies with the accreditation process has provided a professional perception of [the Massachusetts Environmental Police] and our instructor cadre.”

A more personal benefit can also come from such recognition. “Morale is better throughout our agency just knowing that we are now among an elite group of professionals,” said Lt. Kenton Turner, BLA for Indiana.

Another benefit Capt. Walker pointed out is that “officer participation in standardized training provides a safer and more competent work force.”

Major Spencer Cole with the Louisiana Department of Wildlife and Fisheries Enforcement Section, added, “Training and certifying to a national standard not only benefits multi-agency and multi-state interoperability, but it also establishes a foundation of training that can be expanded on throughout an officer’s career.”

Accreditation also works to improve and strengthen partnerships. “Being accredited through NASBLA has provided us with more opportunities to train together which has helped develop strong professional relationships that have proven very beneficial during actual incidents,” said Sgt. Fitch.

For some states, the accreditation process has also facilitated improved delivery of

grant monies to the agency. This allows for a better trained and professional work force and outreach to provide the same for partnering agencies.

### What to expect

Since accreditation serves as a comprehensive audit of an agency’s training program, there have been some hurdles for agencies to overcome on their way to achieving accreditation.

*(Continued on page 8)*

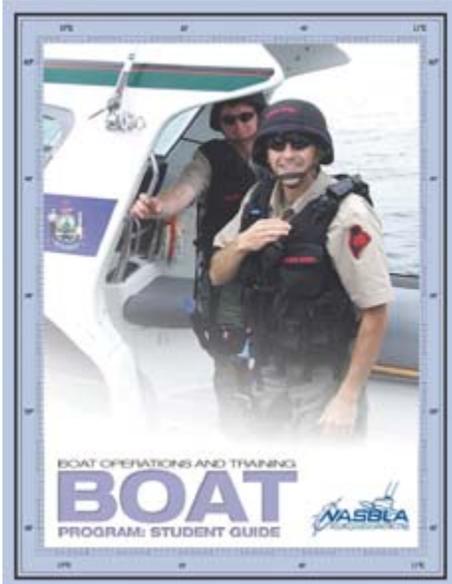


### Accredited Agencies

*(as of January 2014)*

- Louisiana Department of Wildlife and Fisheries (LDWF) Enforcement Division (2011)
- Massachusetts Environmental Police (2012)
- Texas Parks and Wildlife Department (2013)
- Wisconsin Department of Natural Resources, Bureau of Law Enforcement (2013)
- Ohio Department of Natural Resources, Division of Watercraft (2013)
- Charleston County Sheriff’s Office, Metro Marine Unit (2013)
- Rhode Island Department of Environmental Management (2013)
- Georgia Department of Natural Resources (2014)
- Indiana Department of Natural Resources (2014)
- New Jersey State Police (2014)
- South Carolina Department of Natural Resources (2014)

## Pride and Proficiency *(continued)*



Cindy Bellar with the Ohio Department of Natural Resources' Division of Watercraft initially found obstacles in obtaining buy-in from others in her agency. "An obstacle for us was understanding the benefits and discovering how accreditation would fit with our program and trying to convey that to others."

Some accreditation candidates have found crafting an agency's new NASBLA BOAT Training policy and developing the BOAT currency reports to meet the accreditation guidelines to be time-consuming and meticulous. Others have been challenged by consolidating prior practices into departmental policy and procedures.

"Drafting policy was the biggest hurdle, but it was not that difficult," said William Poole with the South Carolina Department of Natural Resources. "Comparing what we already do to what the standards are was time-consuming, but the fact that we already did almost all of the requirements made it relatively easy," he added.

Whatever obstacles an agency faces, NASBLA staff are here to help.

"The accreditation process is a very fluid undertaking. It is designed to fit the needs of your particular agency. In our case, we are an inland state with needs much different than a coastal state. The NASBLA staff worked very hard to help us come up with the right program to fit our agency needs," added Lt. Turner.

And in the end, each agency has found the efforts they put in to become accredited to be more than worthwhile.

"The BOAT Program accreditation process is an excellent opportunity to look at your agency and strategically plan what marine law enforcement skills are necessary to be an active partner with external agencies either at the federal, state or local level," said Zellmer. "It provides the ability to improve capabilities for consistent response to a variety of different law enforcement scenarios on the water."

### Interested in accreditation?

For more information about the BOAT Program and accreditation, please contact NASBLA BOAT Program Director Mark DuPont at [mark.dupont@nasbla.org](mailto:mark.dupont@nasbla.org) or NASBLA Deputy Executive Director John Fetterman at [john.fetterman@nasbla.org](mailto:john.fetterman@nasbla.org) \*

## BOAT program develops online modules to provide more on-water time

By Dave Considine  
NASBLA BOAT Program Manager

One of the most repeated comments in our [Boat Operations and Training](#) course evaluations has been "More time on the water."

The BOAT program director, program managers, and instructors have grappled with that issue. On one hand, we need to cover an immense amount of information in a short period of time in order to keep our course offerings to three- to five-day classes. Some of the rudimentary information we cover on the first few days of classes can sometimes be dry, or may be common knowledge to students with a strong maritime background or experience level. To help provide more on-water time, we have opted to provide some of the introductory information through an online e-learning segment that must be completed by students

prior to the beginning of class. All the information contained in the e-learning segment would be covered again during the class delivery, whether in class or on the water with NASBLA NICP credentialed instructors.

NASBLA reached out to its trusted Mission Partner, [Kalkomey Enterprises Inc.](#) (also known as Boat-Ed), to tailor an online Boat Crew Member course to cover modules that will eventually replace "in-classroom" modules. Kalkomey is North America's leading provider of recreational safety education and produces print and Internet courses that have provided official safety education since 1995. Kalkomey offers safety courses in boating, hunting, bowhunting, and off-road vehicle and snowmobile operation. It was an easy bridge to include them in this

endeavor. The resulting online course is an outstanding way to cover information required for certification, but did not necessarily require in classroom instruction.

We currently have four modules included in the online learning section:

- Unit 1: Crew Efficiency, Risk Factors, and Team Coordination
- Unit 2: Terminology, Stability, Marlinspike, and Anchoring
- Unit 3: Survival
- Unit 4: Rules of the Road and Watch Standing

While the online modules haven't been launched to the public yet, they are going live in the near future. We will also be building more online learning modules from other courses. \*



# 1st Biennial International Ice Rescue Operations & Training Meeting

February 26 - 27, 2015  
Bay City, Michigan

## Cold Weather, Cold Water: Understanding and Preparing for Its Effect on Rescuers, Victims and Equipment

### FOR THE FIRST TIME!

All public agencies, first responders, EMS, and law enforcement officers are invited to join NASBLA, in partnership with the U.S. Coast Guard, in a national discussion forum to reduce risk and save lives on the ice and to share "best practices" in ice rescue techniques and equipment used by federal, state and local first responders.

### HIGHLIGHTS

- Effects of Cold Water Injuries, presented by RADM (USCG Ret) Alan Steinman, M.D., M.P.H. Former Chief Medical Officer, Chief Safety Officer, U.S. Coast Guard
- Challenges of Dynamic Ice and Swift Water, presented by Jim Lavalley, Managing Director, Rescue Canada
- Responder's Perspective, presented by Butch Hendrick, President and Founder, Life Guard Systems
- Interactive panel discussions and demonstrations by subject matter experts and vendors to enhance first responders' understanding and preparation for effects of cold water on victims and rescuers
- Pre meeting Ice Rescuer Course (23-25 Feb) taught by U.S. Coast Guard and NASBLA experts at the CG National Ice Rescue School. This course meets and exceeds the NFPA 1670 Standard on Operations and Training for Technical Search and Rescue Incidents.

**FEB. 23-25 PRE-MEETING COURSE  
CANCELED**

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*— Dennis Morris, President & CEO, SAFE Boats International*



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# Ice Rescue – Some Basic Tips for First Responders

By George C. Drees, Water Rescue Instructor Trainer  
Pennsylvania Fish & Boat Commission



With the advent of better insulating materials and extreme-type sports, more and more people are turning to winter water outings. And whether it's ice fishing, skating, ice sailing, snowmobiling or just curious kids, people will fall through the ice.

There's no such thing as safe natural ice. Many conditions affect ice consistency, such as:

- Water movement from currents, fish and fowl;
- Chemicals from farms, fertilizers and other sources;
- Vegetation, such as algae and aquatic plants;
- Wind currents;
- Underground springs or culverts; and
- Snow coverage.

Approach an ice rescue similar to a normal water rescue with minor exceptions. The Boy Scouts' rule still applies today—reach, throw, row and go—with one caveat: Coach the victim to rescue him- or herself.

## Build your own ice rescue tool

You don't have to spend thousands of dollars to be proficient in ice rescue. For example, you can construct a cheap but effective ice rescue tool with just the following:

- One 14' aluminum roof ladder;
- One truck-tire inner tube (deflated normally to save space);
- Rescue rope; and
- 20 feet of webbing.

To construct your tool on scene, inflate the inner tube and lash it to the ladder with webbing four rungs down from the roof hooks. Then, tie rope to the ladder's hook end.

## One way to conduct an ice rescue

During a rescue, extend the ladder to the victim. Let the victim pull the ladder to and subsequently under him- or herself. (Remember: The victim may be hypothermic and probably can't hold onto a rescue rope. The victim can hold a ladder rung easier than a rope and may even be able to get his or her feet on the rungs.) When the victim has pulled the ladder under him- or herself, tell the victim to hold on while team members on shore pull slowly and steadily. As the victim is pulled over the ice mantle, the ladder will break the ice until the mantle is strong enough to support the weight of the water-logged victim. The ladder then acts as a lever, lifting the victim free of the water and distributing the weight better. Should conditions change and the ice break, the inner tube's flotation will keep the victim's head up as rescuers pull him or her to shore. If the victim can't get on the ladder, a trained rescuer can enter the water and assist.

## Practice makes perfect

Train for ice emergencies when ice starts to form. Contact a recognized water rescue instructor, organization or team prior to doing any training. The more you train, the more proficient you will become and will be better prepared to engage in real-world incidents. \*



### About the Author

George C. Drees is retired from Baltimore County Fire Department's technical rescue station. He's a member of the PA-Helicopter Aquatic Rescue Team, Pennsylvania Task Force 1, and an instructor trainer with the Pennsylvania Fish & Boat Commission.

## Ice Rescue Facts

Physics: A 200-lb. person in winter clothes who falls through the ice will weigh roughly 220 lbs. trying to exit. He will attempt to lift himself out using the now fissured mantle. His strength weakening from the cold, he almost makes it out when the ice rejects his increased weight and he goes crashing back through the ice face first.

Resuscitation: Victims have been resuscitated past one hour of submersion. Treat all as trauma patients and transport them to a trauma or cardiac care hospital. Heart-bypass machines are a recognized method of re-warming hypothermic patients in cardiac arrest and post-arrest.

First responders should receive formal training before attempting any ice rescues. For more information on ice safety, visit the Commission's water and ice safety webpage: <http://fishandboat.com/safety.htm> and water rescue webpage: <http://fishandboat.com/waterrescue.htm>.



# COLD WEATHER, COLD WATER

## Understanding and preparing for its effects on rescuers, victims, and equipment

By William Lusk  
Homeland Security Outlook

From the warmth of your office, coffee in hand, you gaze out the window at the beauty of the snow flurries falling softly to the ground. It is a frigid day outside, but calm so far. Instantly that changes – a dispatcher on the radio frantically advises that a man has fallen through ice. You are the first on scene, and see a man half submerged in a lake as he uses every ounce of remaining strength to cling to a ledge of ice. Your mind races and you ask yourself, “Do I know what to do, do I have the right equipment, and am I trained for this?”

Law enforcement officers, fire fighters and first responders across the country are tasked with scenarios just like this every winter. Understanding the need to share ice rescue “best practices” and the latest in tools and technologies to augment them, the National Association of State Boating Law Administrators (NASBLA) has partnered with the U.S. Coast Guard to host the 1st Biennial International Ice Rescue Operations & Training Meeting. This two-day symposium will be held February 26-27, 2015, in Bay City, Michigan.

The decision to locate this event in Bay City takes advantage of the U.S. Coast Guard’s nearby National Ice Rescue School (NIRS) in Essexville.

Commander Karl Willis (USCG Ret.), Search and Rescue Program Manager at the USCG Ninth District, said, “For almost 15 years the Coast Guard on the Great Lakes has honed their ice rescue skills, implementing, testing and evaluating equipment, processes, and the skills necessary to save lives on the ice – absolutely one of the toughest environments to operate in.

A symposium will be convened February 26-27 in downtown Bay City to share best practices and learn from key speakers. Capt. John Little, chief of staff of the



*A Coast Guard officer demonstrates an ice rescue technique using the Rapid Deployment Craft during a joint agency ice rescue training on the Milwaukee Harbor. USCG photos*

U.S. Coast Guard Ninth District, will be representing RADM Fred M. Midgette, commander of the Ninth Coast Guard District, as he is a strong supporter of the program and its efforts.

Another key speaker at the meeting is Butch Hendrick, president and founder of Lifeguard Systems. In the last 50 years, he has trained more than 40,000 divers and water rescue teams in 15 countries. Further, Hendrick has famous innovations critical to ice rescue such as the Rescue Throw Rope Bag, the Diver Do-Si-Do Rescue Procedure, the Ice Rescue Staff, and more.

The agenda for the February 26-27 meeting is ambitious and will cover topics such as the effects of cold water

injuries, dynamic ice, training to a national standard, ice search techniques, and the way ahead for ice rescue. Panel discussions by leading experts will supplement presentations and lectures to foster an interactive and educational atmosphere.

The symposium has an exciting element added to the agenda: an outdoor demonstration segment allowing several vendors to showcase their products and technologies in an actual ice rescue environment. Exhibitors including American Airboat Corp., Atlas Outfitters, MARSARS Water Rescue Systems, and WISE Technology will be on-site to answer questions as they have the opportunity to demonstrate in the adjacent Saginaw River.

The Indiana Department of Natural Resources is one of the many agencies that will be represented at the symposium. Lt. Kenton Turner, boating law administrator for Indiana, sees enormous benefit for the state by sending multiple representatives to the International Ice Rescue Operations & Training Meeting.

“Indiana is a state that fluctuates in winter temperature from north to south, creating an environment of uncertainty with regards to ice formation on our bodies of water. Invariably, our conservation officers are called to ice rescue situations because of misinterpretations and unpredictability of the ice by our recreating public. Indiana conservation officers have a history of success in ice rescue responses. A national ice rescue operations discussion will provide opportunity for our agency to learn from other first responding agencies, to examine our current policies and response attitude, and to use our experience to contribute to federal procedures and instruction,” said Lt. Turner.

For registration information, please visit [www.internationalicerescue.com](http://www.internationalicerescue.com). A special discount of \$25 is afforded to all NASBLA members for all levels of registration.

Emphasizing the value for NASBLA members to participate, Mark DuPont, director of NASBLA’s BOAT Program, said, “Ice rescue is a mission in which our members and emergency responders throughout North America are engaged. And the mission of NASBLA’s BOAT Program is to prepare those rescuers through the recognition of best practices, the sharing of critical information, and the subsequent development of a professional national standard of training. February in Bay City, Michigan, is an opportunity to bring it all together.” \*



*Members of Coast Guard response crews participate in ice rescue training and a Ready For Operations Course, which included the use of a MARSARS board.*



*Coast Guard personnel prepare an ice rescue sled during ice rescue training on frozen Buffalo Harbor.*



*A Coast Guard seaman conducts an ice rescue drill.*

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# Ohio offers women adventures in the outdoors

By Officer Valerie E. Cox  
Boating Education Coordinator, Ohio Division of Watercraft

The Ohio Department of Natural Resources (ODNR) recently kicked off its first-ever Ohio Women's Outdoor Adventures (OWOA) weekend at the scenic Burr Oak State Park Lodge and Conference Center in Glouster, Ohio.

This three-day event, hosted by the ODNR Division of Watercraft was held August 22-24, 2014, and offered a special opportunity for women to explore boating and paddlesports along with numerous other outdoor education and athletic events. Boating workshops included canoeing, kayaking, stand-up paddle boarding, Jon Boat handling, power boating basics, trailering, and launching and loading. Kayak fishing and a peaceful evening canoe/kayak trip on the lake were also a part of the agenda.

Though the emphasis of the OWOA weekend was on boating and paddling, there were plenty of other programs available for the land-dwellers, including tree identification, bird watching, stream quality monitoring, geocaching, orienteering, archery, outdoor photography, and numerous fishing and fish identification workshops.

As evening descended on the park, the participants were able to simply kick back and enjoy their surroundings, or participate in any of the nighttime activities. Options included roasting marshmallows at the bonfire, viewing Saturn through a telescope during the astronomy workshop, or getting up close and personal with an Eastern Screech Owl on the Owl Prowl.

One of the biggest attractions of the weekend was the ODNR Division of



ODNR photos

Watercraft's new, custom-made personal watercraft (PWC) simulator. Enclosed within a mobile trailer, the PWC simulator is a real jet-powered watercraft mounted on a motion platform, giving the rider a virtual and realistic on-the-water adventure. The simulator not only provides participants with a fun and interactive experience, but it also educates riders on the unique operating characteristics of a jet-propelled watercraft in different situations.

The inaugural Ohio Women's Outdoor Adventures weekend proved to be an overwhelming success with more than 80 participants. One participant, Eva Airhart (North Canton, Ohio) said that the best part of the program was that it, "... was a comfortable environment where everyone could be themselves." Eva added that, "All the instructors and staff were knowledgeable, friendly, and excellent in working with all ages and all abilities."

Another participant, Bonnie Dailey (Mt. Vernon, Ohio) stated, "The weekend at Burr Oak was absolutely wonderful ... I was especially impressed with the enthusiasm and caliber of all the presenters who made every minute fun and informative."

Finally, Donna Campbell (Cincinnati, Ohio) was enthusiastic in her review of the weekend, "Loved it! Everything from start to finish ... I can't wait until the next one."

The ODNR Division of Watercraft is eagerly looking forward to OWOA 2015 and has already initiated preliminary coordination efforts. For additional information on the program, and to stay informed of next year's dates and location, please visit <http://watercraft.ohiodnr.gov/owoa>. \*

# Choosing the proper personal flotation device



**CWO4 Steve Norquist**  
US Coast Guard

There are two things you need to understand when choosing your personal flotation device (PFD): buoyancy and density. Buoyancy is the power of a fluid to exert an upward force. Density is the mass of a substance per unit volume. If the weight of an object is less than the weight of the displaced fluid, then the object will float when fully submerged. If you tie a rope around any solid heavy object, and then attach a hanging scale to the end of the rope, and then slowly lower the object into water, you will see that the reading on the scale decreases by a large amount as the object sinks into the water. This is because the water exerts an upward (buoyant) force on the object equal to the weight of the water which is displaced by the object.

Here's an exercise that you can try to see how this all works. Fill a pot half way with water and then make a mark at the waterline. Now put in enough rocks to make the waterline go up a few inches. Make another mark where the waterline is now. Take the rocks out and fill the pot with water to your upper mark. Now pour enough water out of the pot into a separate container until the water level is at the lower mark. Now weigh the water you removed from the pot less the weight of the separate container you placed the water in. Now weigh the rocks that you used to raise the water level. Subtract the weight of the water from the weight of the rocks and that is how much buoyancy is needed to keep those rocks afloat. When you use denser materials such as lead or gold, they require more buoyancy to float than your average rock. It's important to know this because if you add all the

combined weight from the gear you will be wearing (let's say that weight is 60 pounds), you can't just grab 60 pounds of lead to simulate the weight. If you do that, it's important for you to be able to hold your breath indefinitely!

The information above is to educate people on how much buoyancy is needed. When deciding what gear you need to wear for your job or activity, you need to be aware of how that extra gear weight could add buoyancy, be neutrally buoyant, or require more buoyancy to keep you afloat.

Below is an example of common gear that could require more flotation if law enforcement officers find themselves in the water:

- uniform
- law enforcement belt
- handcuffs
- firearm
- extra magazines with bullets
- keys
- body armor
- flashlight
- pepper spray
- taser
- baton
- rifle

*When wearing a PFD, how much flotation do I need to stay afloat?*

Most adults in a bathing suit need 7 to 12 pounds of extra flotation to keep their heads out of the water. People with more muscle will require more flotation because their bodies are denser – muscle is heavier than fat. The more flotation in a life jacket, the higher you float and the faster you pop to the surface. Below are the five

types of PFDs and their intended uses. The minimum pounds of buoyancy listed for type I, II and III PFDs are established by the Code of Federal Regulations, but manufacturers can and do provide more than the minimum.

### **Type I**

Provides a minimum of 22 pounds of buoyancy. It is effective for all waters, especially open, rough or remote waters where rescue may be delayed. It is designed to turn most unconscious wearers in the water to a face-up position.

### **Type II**

Provides a minimum of 15 pounds of buoyancy. Intended for calm, inland water or where there is a good chance of quick rescue. Inherently buoyant PFDs of this type will turn some unconscious wearers to a face-up position in the water, but the turning is not as pronounced as a Type I inflatable model. The Type II inflatable turns as well as a Type I foam PFD.

### **Type III**

Provides a minimum of 15 pounds of buoyancy. Good for conscious users in calm, inland water, or where there is a good chance of quick rescue. It is designed so wearers can place themselves in a face-up position in the water. The wearers may have to tilt their heads back to avoid turning face-down in the water. The Type III foam vest comes in many styles, colors, and sizes, and is generally the most comfortable type for continuous wear. Float coats, fishing vests, and vests designed with features suitable for various sports activities are examples of this type PFD. The Type III inflatable turns as well as a Type II foam PFD.

### **Type IV**

Intended for calm, inland water with heavy boat traffic, where help is always



present. It is designed to be thrown to a person in the water and grasped and held by the user until rescued – it is not designed to be worn. Type IV devices include buoyant cushions, ring buoys, and horseshoe buoys. There are no inflatable Type IV devices.

### **Type V**

Intended for specific activities, a Type V PFD may be carried in place of another PFD only if used according to the approval condition(s) on its label. A Type V PFD provides the performance of a Type I, II, or III PFD (as marked on its label). If the label says the PFD is “approved only when worn,” the PFD must be worn, except by persons in enclosed spaces, and must be used in accordance with the approval label to meet carriage requirements. Some

Type V devices provide significant hypothermia protection. Varieties include deck suits, work vests, and board sailing vests. \*

**Editor’s Note:** Type coding was removed as a USCG requirement as of October 22, 2014. However, manufacturers will continue to use Type I-V coding until newer labels are designed and approved, and new standards are adopted.

Removing type coding is the first step in a multi-year process, which includes designing new labels and developing new, ‘harmonized’ standards.

# Training

## – What’s the point?



**W. Vann Burgess**  
Senior RBS Specialist  
Boating Safety Division  
Office of Auxiliary & Boating Safety  
U.S. Coast Guard

I would be willing to bet that everyone who reads this magazine has taken part in some sort of training. I would also be willing to bet that in many cases most hear the word “training” and roll their eyes saying, “Here we go again. Why do I need to have training? I’m well educated. I know what I’m doing. I know more about this than they do.” We all know the litany from those about to be trained. What’s the point of all this training?

Well, let’s first look at what training is, and what it is not. While it can be argued that training is a part of education, training is not about being educated. Education is about learning the theory and principles of how or why something works. Training is about attaining the skills necessary to perform a specific task or operation.

As an illustration, let’s say you are flying out of LaGuardia in New York to Paris (the one in France, not Texas). Who would you rather have at the controls of the plane – a world-famous and highly educated aerospace engineer who is an expert in aerodynamics and the theory of how an aircraft stays aloft, or Captain Sullenberger, a highly trained pilot of the A320 aircraft you are riding in? While the difference is subtle, the effect can be significant.

So the question becomes, why do we train? The surface answers are easy. We train to do our jobs well and efficiently. We train to be safe, and to protect ourselves, our colleagues, and those we serve. The reality of why we train goes a bit deeper, and as we go

deeper we understand why how we train is just as important as why we train. So let’s go a bit deeper.

We all have to sit through civil rights training, sexual harassment and rape prevention training, suicide prevention training, and basic critical incident management training. Most of us have to do this annually. It tends to be the same thing over and over again. It is not just a mandate for mandate’s sake, nor is it all about protecting the agency from lawsuits. It is about protecting those we care about and work with every day.

Is that joke you just heard an indication of a dangerous and racist attitude? Are comments and the uncharacteristic sad demeanor of your coworker a sign that they may be thinking of suicide? Is the “good ol’ boy” attitude in your work group setting up one of your female coworkers for sexual harassment or an assault? Are you really prepared to act if a lone gunman were to enter your building and start shooting? There is a very real reason this type of training is repetitive. Some of the more subtle issues can grow over time and escape our recognition, while others are so impactful when they occur we can be overwhelmed and have to rely on our ability to react. Reaction only comes about by repetitive training.

Now let’s talk about the operational training we do. That gets pretty repetitive too, doesn’t it? I mean really, how many times do you have to be trained to drive your boat, check a fire extinguisher, fire your weapon,



## US Coast Guard Office of Auxiliary and Boating Safety launches redesigned Boating Safety website

The U.S. Coast Guard's Office of the Auxiliary and Boating Safety has launched redesigned Boating Safety website to provide easier navigation to information the recreational boating community can leverage.

"The newly designed website has a fresh look that is aligned with our strategic partners' visions for what is important to the recreational boating public," said Capt. F. Thomas Boross, chief of the Office of the Auxiliary and Boating Safety at U.S. Coast Guard Headquarters, Washington, D.C. "This new design is our first enhancement in over five years."

The redesign of [www.uscgboating.org](http://www.uscgboating.org) offers users – whether a manufacturer, a boating safety partner or a recreational boater – a more streamlined route to quickly find the content or information they seek with a minimum number of keystrokes.

Three main sections each focus on information specific to recreational boaters, product manufacturers or boating safety partners. Drop-down menus for regulations, product defects and safety recalls, statistics and other divisions provide conduits to broader data selections, laws, grant information and imagery libraries on the site, as well as information on the Coast Guard's Federal Advisory Committee, the National Boating Safety Advisory Council.

"The Coast Guard's Boating Safety website has long been one of the most heavily visited websites in the United States for data and information concerning recreational boating safety," said Boross. "We strive and will continue to provide a premier compendium of informational assistance to the boating community."

or handcuff and search a suspect? I operated boats for the Coast Guard for nearly all of my 20+ years of service, yet I had to constantly train and prove every six months that I knew how to operate the boat to which I was assigned. That is countless man overboard drills, on-board fire drills, loss of steering drills, fog navigation...and the list goes on. It was monotonous, and it was boring. It was frustrating because the person grading your performance would make you do it all over again if you missed even one small thing! That's the way I felt until one dark, storm-tossed night when one of my crewmen was swept overboard over 20 miles offshore. Every single person responded that night as we were trained, and that man survived.

How we train is as important as why we train. When under extreme stress, people will respond and react based on how they trained. There are countless studies that support this axiom. One such study from the FBI changed the way officers train at the range. During the 1960s and '70s, a study of officers shot in the line of duty revealed that many officers were shot when they left available cover or concealment, and in their pockets were found empty shell casings. This was due to the fact that common

practice then was to police your brass immediately after a string of fire was completed at the range. So, in a gun fight, officers would empty their weapon, eject their brass or magazine, leave cover, and immediately pick up the brass because that is what they were trained to do.

Let's take this one more step. Of what importance is how we train to the boating public we serve? Not only do they have the expectation that we will be there when they call, but that we can find them quickly and we will resolve whatever situation they are facing expertly. They need to see us operating our boats with expertise and confidence so they know they're safe. They also expect us to keep them safe from those who operate dangerously or are operating under the influence of alcohol or drugs. And when they have a question about life jackets or fire extinguishers, they need to know we are the source they should come to.

Another over-used axiom is, "Practice makes perfect!" The problem is that practice can make for perfect success, or it can make for perfect failure. The moral of the story is this: Make sure you train to the desired outcome. Perfect practice makes perfect! Training is how you get to perfect. See you in the training room. \*

# Boating Briefs

## FLIR Systems launches new products

FLIR Systems, a world leader in the design, manufacture, and marketing of sensor systems that enhance perception and awareness, announced three new products at the Consumer Electronics Show designed to enhance personal awareness at home, work and play: A second generation FLIR ONE for Android and iOS devices, the C2 Compact Professional Thermal Camera, and new additions to the Raymarine Dragonfly Fishfinder product line. These products embody FLIR's mission to develop products and services that provide a sixth sense for a variety of applications and environments.

"We are proud to be launching the next generation of FLIR products that translates our heritage of innovating the world's most advanced imaging and sensing technology into easy-to-use consumer products," said Andy Teich, CEO and President of FLIR. "Whether at home, work, or play, FLIR technology provides valuable imaging, measurement, and detection capabilities."

To learn more about these products, visit [FLIR.com](http://FLIR.com).



## Michigan sets alcohol limit for boats, snowmobiles at .08

Michigan Gov. Rick Snyder has signed laws subjecting boaters and snowmobilers to the same blood-alcohol limit as drivers. The measures set the legal limit at 0.08 instead of 0.10.

When Michigan changed the legal alcohol limit for driving from 0.10 to 0.08 in 2003, it didn't do so in snowmobile, watercraft and off-road vehicle statutes. Snyder said Tuesday that the "common-sense" legislation will help keep waterways and other recreational areas safe.



## Register now for International Boating & Water Safety Summit

The 19th [International Boating & Water Safety Summit](#) will be held in Sandestin, Florida, March 29-April 1, 2015. [Registration](#) is now open.

This is the premier event for training, awareness, meeting and networking for anyone involved in boating and water safety. General sessions cover a broad spectrum of national and international concerns with a focus on The Strategic Plan of the National Recreational Boating Safety Program and implementation opportunities. Breakout sessions allow the individual to attend classes geared toward their profession including Education, Risk Management, Law Enforcement, Communication and Outreach.

# Northern Region

## State Boating Law Enforcement Officers of the Year



**Liam O'Brien**  
OFFICER  
Connecticut

Officer Liam O'Brien has been assigned to the Marine district, central sector, since being hired by the Department of Energy and Environmental Protection in the summer of 2012. Prior to coming to the division he was employed as a municipal police officer for several years. Officer O'Brien quickly adapted to his new duties within the division, which includes boating investigations and enforcement.

In 2013, Officer O'Brien was one of the more active officers in the Marine District. He investigated three abandoned vessel complaints and one lengthy boating accident that resulted in the operator being charged with reckless boating, first degree while under the influence. He also issued 17 other boating citations, most of which were for insufficient flotation devices as well as several reckless boating charges, and participated in Operation Dry Water during the summer of 2013. He conducted boating enforcement activity both on the water and at the numerous state boat launches in one of the busiest summertime patrol sectors.

Officer O'Brien is constantly seeking training to further his boat handling and investigation skills. He is applying for his U.S. Coast Guard captain's license and is well respected by his coworkers for his cooperation and dedication to the division.



**Brian Pollock**  
CORPORAL  
Delaware

Cpl. Brian Pollock has worked as a Fish and Wildlife Agent with the Delaware Department of Natural Resources & Wildlife Enforcement since 2005. In 2013, he dedicated 918 hours toward recreational boating safety, conducted 273 boating safety compliance boardings, and spent 200 hours underway on Delaware's waterways. Cpl. Pollock made 365 arrests, 26 of which were for recreational boating safety violations, including two arrests for Operating Under the Influence (OUI), one of which involved a repeat offender. During the course of the year, Brian investigated three serious property value boating incidents which led to the successful prosecutions of negligent operators.

Cpl. Pollock strives through the changing seasons to be an active promoter of boating safety. He routinely devotes his time to public events including the department's annual youth fishing tournament where he successfully promotes the spirit of fishing and boating. His positive attitude coupled with a strong work ethic has allowed Cpl. Pollock to be one of the highest statistical producing officers in the Enforcement Section.

During his career, Cpl. Pollock has taken advantage of training opportunities afforded to him. Most recently he completed NASBLA's Boating Under the Influence Train-the-Trainer Course and will be playing a key role in preparing his department's current and future officers in the enforcement of the state's OUI laws.



**Officer Tony Petreikis**  
CONSERVATION  
POLICE  
Illinois

Conservation Police Officer (CPO) Tony Petreikis is a 21-year veteran of the Illinois Conservation Police. His patrol areas include the Mississippi River and the Rock River. These areas are heavily used by recreational boaters, and CPO Petreikis diligently provides a law enforcement presence to ensure safety in his area of operation. His passion for protecting those who seek to use the waterways for recreation is evident in his daily work.

During the 2013 boating season, CPO Petreikis concentrated on alcohol enforcement, leading the region with five operating under the influence arrests. He also issued 20 citations and numerous written warnings addressing boating safety violations.

CPO Petreikis is well versed in investigating boating accidents. In 2013, he investigated three major accidents, two of which involved fatalities. One example of CPO Petreikis' dedication involved the investigation of a fatal accident involving two personal watercraft operators, who intentionally operated over a lowhead dam and then attempted to return upstream over the dam. One operator drowned and the other clung to a tree branch. After rescuing the survivor, CPO Petreikis began interviewing the PWC operator. His investigation led to charges and guilty pleas for Unlawful Operation of a Watercraft in Restricted Waters and Reckless Operation of a Watercraft.

*(Continued on page 22)*

# Boating Briefs *(continued)*



## Kentucky agency develops mobile app for boater safety

The Kentucky Department of Fish and Wildlife Resources' new Boat Sober mobile app for smartphones and tablets informs boaters about boating under the influence and overall boating safety.

"It is an awareness campaign of boating under the influence with other boater education components," said Maj. Shane Carrier, assistant director of law enforcement for Kentucky Fish and Wildlife. "This app is just one additional tool we can provide to help keep our Kentucky waterways a safe and enjoyable destination for everyone to visit."

The app is free for download. Users of Android systems can download the app from Google Play and those with Apple iOS systems can download this app from the Apple Store.

## National Law Enforcement Museum launches Officer Roll Call

The National Law Enforcement Museum recently presented *Officer Roll Call*, an interactive portion of the museum in which officers, or friends and family of officers, can tell their stories. Go to [OfficerRollCall.org](http://OfficerRollCall.org) and read fascinating law enforcement histories or post your own. Your story will be shared through the Museum website and in the Museum after it opens.



## 49 agencies attend RBFF State Marketing Workshop



The Recreational Boating & Fishing Foundation (RBFF) held its 2014 State Marketing Workshop in Atlanta, Dec. 9-11, hosting a record-breaking 126 people representing 49 agencies. Focused on the importance of implementing customer engagement strategies, and marketing and communicating with anglers and boaters to increase participation in fishing and boating overall, attendees networked with their peers and heard from marketing and branding experts about how they can engage tomorrow's customer today.

"There was a lot of discussion around the demographic changes taking place in our country, and how we can keep fishing and boating relevant and top-of-mind," said RBFF President and CEO Frank Peterson. "We're collaborating with state agencies to boost participation among current, lapsed and new participants so we can not only meet our mission, but also generate critical funds for state conservation projects."

During the two-day workshop, attendees also learned about the state of our **current fishing and boating retail environment** and improving the **online fishing license purchase process**. In addition, they received tips on how to use email to drive engagement with their customers and got the latest on **RBFF programs and resources**.

The State Marketing Workshop was established in 2008 to bring the participants of RBFF's State Marketing Programs to increase fishing license and boat registration sales, together to share successes and ideas.

## Report shows more access, education on launching a boat needed

A national study on quality of boating access including surveys of more than 3,000 boaters and nearly 200 industry agencies and representatives shows that the amount of boating access in the U.S. is inadequate and that boaters typically will not travel more than an hour to an access point. Additionally, the report reveals that more education on preparing and launching a boat is necessary.

The report was conducted under a grant by the U.S. Fish & Wildlife Service and Association of Fish & Wildlife Agencies by the States Organization for Boating, NMMA, Recreational Boating & Fishing Foundation, Association of Marina Industries, BoatUS and Responsive Management. The report can be accessed online by **NMMA** members in the **Research Library**. For more information, contact Vicky Yu, NMMA's assistant director of Industry Research & Statistics, at [vyu@nmma.org](mailto:vyu@nmma.org).

## Positive outlook for outdoor recreation in 2015

Outdoor recreation leaders report good sales and activities for 2014 and expectations of still stronger activity in 2015, according to a new report from the American Recreation Coalition, Outdoor Recreation Outlook 2015. Americans spend more than \$650 billion annually on equipment ranging from skis and tents to RVs and boats and on services ranging from fishing licenses to whitewater outings, supporting millions of jobs in manufacturing, sales and service.

The year 2015 will be an exciting year for recreational boating, according to the **National Marine Manufacturers Association**. The industry continues to see healthy growth with retail expenditures increasing 3.2 percent in 2013 to \$36.9 billion. Spending is expected to grow 8 percent in 2014. If it does, 2014 will represent a new all-time high. \*

# Title branding for watercraft: A compelling initiative under UCOTVA

By E.M. Miller Jr., Life Member  
Uniform Law Commission

The **Uniform Law Commission** adopted the **Uniform Certificate of Title for Vessels Act** (UCOTVA) in 2011 and the Uniform Act was subsequently adopted by the National Association of State Boating Law Administrators (NASBLA) as its model titling act shortly thereafter. However, only two states, Virginia (2013) and Connecticut (2014), have adopted the act, and only Virginia, at this date, in its entirety. The District of Columbia embraced UCOTVA on November 21, 2014, with no opposition appearing before the Council Committee when considering the act. The act is now on the D.C. Mayor's desk awaiting his signature.

In Connecticut a major stumbling block to enactment involved the issue of "title branding," an often misunderstood principle that is intricate to this uniform act. Connecticut, a former non-boat-titling state, eventually passed UCOTVA, but only after the mandatory branding provision was deleted from the bill. Language was added, however, that provided for the retention of a brand on the Connecticut title if it was included on a title received from another state to be subsequently retitled in Connecticut. Why is there so much controversy over branding a title? Why has branding in the watercraft community gotten such a bad rap?

In the automobile industry, the branding of a title is commonplace. Vehicle title branding is the use of a permanent designation on a vehicle's title, registration or permit documents to indicate that a **vehicle** has been **written off** due to **collision**, fire or flood damage or has been sold for **scrap**. The designation or brand is mandatory in most provinces and states in North America when an insurer or vehicle owner writes off a vehicle as a "total loss." Typically this means the cost to repair the vehicle would equal or exceed the car's value, although legal definitions vary. The practice has proven to be a

tremendous advantage and protection for both businesses and consumers. The biggest issue states have experienced with automobile branding, generally, is that brand designations are not uniform among the states. For example, these designations are sometimes exploited through schemes popularly known as "title washing," in which a vehicle branded as 'junk' in one jurisdiction is registered in another, moving from state to state until one state either does not brand at all or brands with a slightly different designation, such as, 'salvage' but repairable.

This difference allows such a vehicle title to be "cleansed" or washed. This happens often when a weather disaster such as Hurricane Katrina makes many water-damaged vehicles available to those unscrupulous persons trying to make fast dollars. The UCOTVA drafters made a concerted effort to avoid the "title washing" practice by providing for a single uniform brand designation for vessels. This designation addresses only the most vital safety issue for a watercraft, the potential for the unexpected "taking on of water" in open sea.

## What exactly is branding under UCOTVA?

Two sections of UCOTVA must be reviewed, the definition of "Hull Damaged" (section 2) and "Title Brand" (section 10), to have a clear understanding of the significance of branding a vessel. A vessel is "Hull Damaged" if it is "compromised with respect to the integrity of a vessel's hull by a collision, allision, lightning strike, fire, explosion, running aground, or similar occurrence, or the sinking of a watercraft in a manner that creates a significant risk to the integrity of the vessel's hull." Note first that the definition only relates to a vessel's hull. Second, that the integrity of the vessel's hull must be compromised by one of several stated occurrences:

1. Collision
2. Allision
3. Lightning strike
4. Fire
5. Explosion
6. Running aground
7. Sinking of the vessel in a manner that creates a significant risk to the integrity of the vessel's hull.

And then there is the proverbial catchall "or similar occurrence." The catchall results in the biggest gray area painted by the act.

For example, I recently spoke to a group of marina operators and retail boat dealers at the Virginia Marine Trades Association and Association of Marina Industries conference and workshop and the following incident was described. A fork-lift operator was moving a large vessel around the boat yard and, while loading the craft onto the lift, ran the forks of his lift through the side of the boat. **(1)** Does this vessel have to be branded, **(2)** who has to brand it, and **(3)** will a potential brand remain on the vessel's title forever? To fully answer this question, one must also look to section 10 of the act.

Section 10 provides that at or before the time the owner of record transfers an ownership interest in a hull-damaged vessel, if the damage occurred while that person was an owner of the vessel and if that owner had notice of the damage at the time of transfer, then the owner must retitle the vessel as a hull-damaged vessel. Should the owner be an insurance company, a similar requirement is specifically provided for. Failure to comply with this retitling process results in the owner being subject to a civil penalty of \$1,000.

The drafting committee discussed at great length whether a \$1,000 penalty would be a sufficient deterrence should a vessel's value be many thousands of dollars. The committee concluded that

a purchaser possessed other remedies for redress. However, having a civil penalty imposed upon a defendant, regardless of amount, may very well bolster the plaintiff's bargaining position to negotiate a fair settlement with a defendant.

Section 10 mandates several caveats for applicability. The possessor of the vessel must be the certificated owner of the vessel, the damage to the vessel must have occurred while the possessor owned the vessel, and the owner must have knowledge of the hull damage at the time of transfer. Insufficient facts were available from the fork lift factual example to draw a definitive legal answer to the question posed previously.

First, the fork-lift operator was an employee of the marina where the vessel was being stored and painted. The marina was not the titled owner of the vessel. At this point, neither the owner, because he or she does not have notice, nor the marina, since they are not the owner,

must brand a new title. Also, we have no information regarding whether the damage to the vessel compromised the integrity of the vessel. If the hull was not compromised.....end of story.

But for discussion purposes, let's assume the hull was compromised. Does the marina have a duty to inform the owner of the damage to the vessel, if they repair the vessel to better shape than when the vessel entered the yard? If there is no such duty, then the owner does not have notice and, therefore, no branding requirement applies. If the marina has a duty to inform and in turn notifies the owner, and the damage impacted the integrity of the hull, then the owner of the vessel must have the title reissued and branded prior to a transfer of the vessel. A duty to inform, it should be emphasized, does not trigger the branding requirement in this scenario. But, the owner must have actual knowledge for the branding requirement to attach to the owner.

Secondly, the owner would also have a potential cause of action against the marina for the diminishment in value to the vessel as a result of the branding of the title. The success of such litigation would be determined by expert testimony.

### Why should we brand a hull-damaged vessel?

Branding protects unsuspecting consumers who purchase a vessel by requiring that the title to a boat disclose whether the integrity of vessel's hull has been compromised. This is applicable to an unsuspecting bona fide purchaser for value or an experienced and knowledgeable dealer taking a used vessel as a trade toward the purchase of another vessel. It is a simple warning to thoroughly check the vessel before purchasing. It is no different than buying an automobile that has notices attached to a CARFAX report. In cases of a large and expensive vessel purchase, a smart consumer may insist on a marine survey prior to executing a sales contract.

Branding promotes boating safety by requiring the disclosure of important information concerning the seaworthiness of vessels. Consumers will purchase watercraft with a greater confidence and comfort level. It could make the insuring and financing process for vessels easier and less costly. It will certainly help keep unsafe boats out of the marketplace.

Only the unscrupulous seller of boats would have opposition to branding a severely damaged vessel. No one wants to purchase the boat or, as a dealer, take a boat as a trade-in that may have been beached and dragged across a highway by a powerful storm with subsequent and serious damage to its hull. At least not without knowing what has occurred and without proof that the watercraft has been properly repaired by a responsible shipyard.

Branding under UCOTVA is certainly a concept that everyone in any facet of the boating industry can and should embrace. ✱



Contact Us: 312.450.6600

### Legislative Enactment Status Certificate of Title for Vessels Act

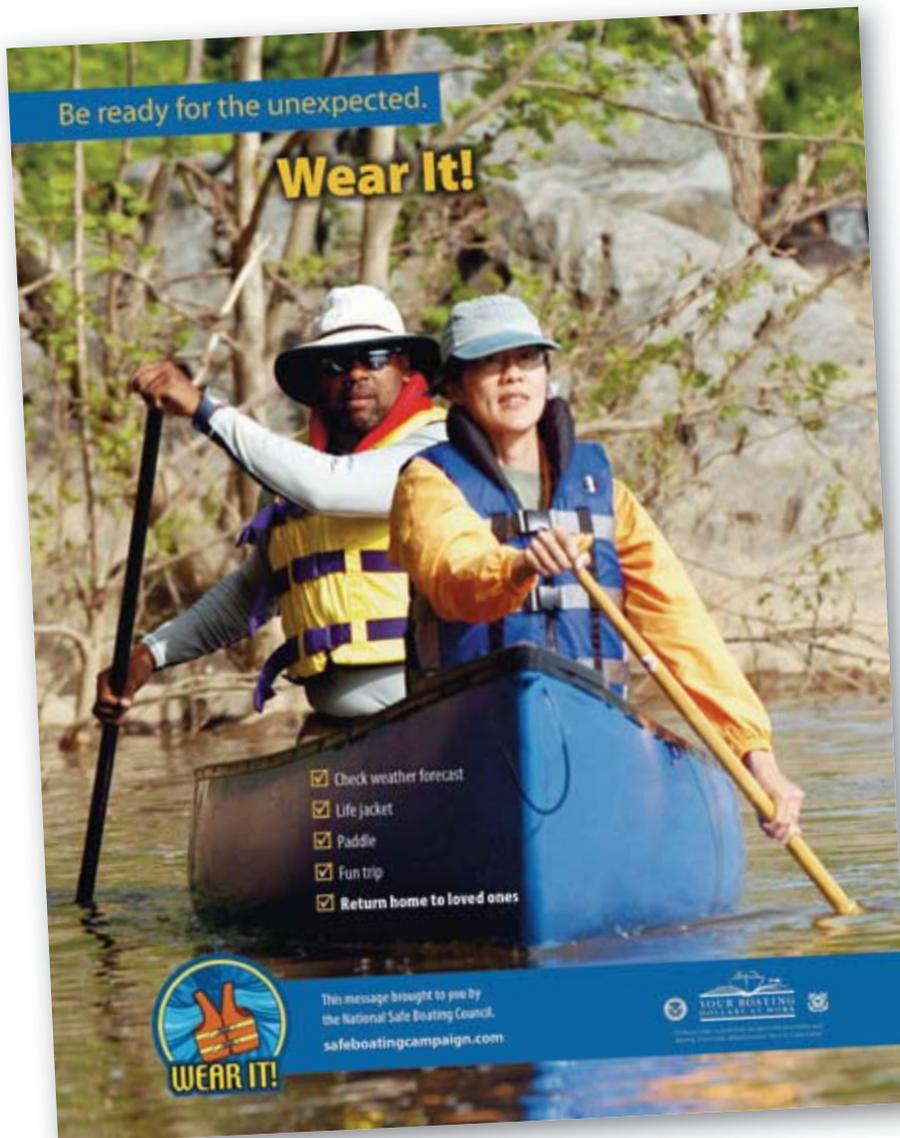


# Wear it! shares dos and don'ts of winter and early spring boating

Boaters need to take extra precautions during the boating off-season

By Rachel Johnson

Executive Director, National Safe Boating Council



While many boaters enjoy spending a bright and sunny day on the water in the winter and early spring, what looks like a perfect day can quickly become hazardous if you end up in frigid waters.

“It’s important for boaters to understand the extra precautions to take during the off-season,” said Rachel Johnson, executive director of the **National Safe Boating Council**, the lead organization for the **North American Safe Boating Campaign**.

The yearlong campaign promotes safe and responsible boating and the value of voluntary life jacket wear by recreational boaters through the theme, Wear It!

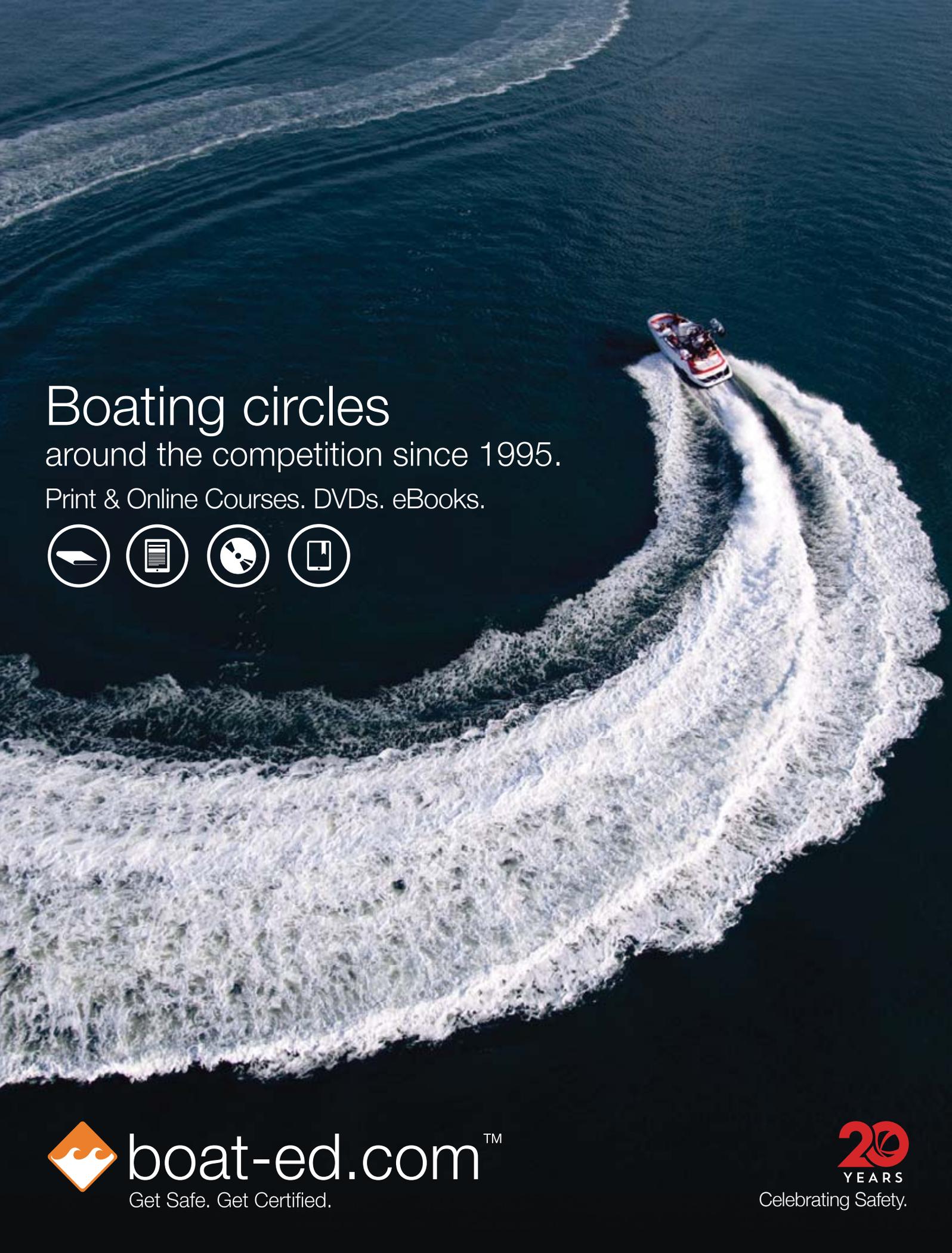
“Simply taking a few extra minutes to make sure everyone on board is wearing a life jacket and that you filed a float plan can make a difference in keeping you and your loved ones safe in the event of an emergency,” continued Johnson.

Wear It! shares a few dos and don'ts of cold weather boating. For more information, please visit [www.safeboatingcampaign.com](http://www.safeboatingcampaign.com).

- Do make sure everyone is wearing a life jacket. Even experienced swimmers can experience shock within one minute in the frigid water and may lose muscle control within 10 minutes.
- Do file a float plan with someone you trust. Float Plans include details about the trip, boat, passengers, towing or trailer vehicle, communication equipment, and emergency contacts.
- Do dress properly for the weather, always wearing layers, and bring an extra set of clothes in case you get wet.
- Don't panic if you fall into the water. Stay afloat with the help of your life jacket, regain control of your breathing, and keep your head above water. Stay with the boat if possible.
- Look for ways to increase your buoyancy. If you're in the water with others, huddle together with everyone facing inwards to help everyone stay afloat and keep warm.
- Don't apply heat to extremities like arms and legs of a rescued victim. This sudden change in temperature may cause cardiac arrest.
- Do carry some communication devices (e.g., marine vhf radio, cell phone, satellite phone) and signaling devices (e.g., personal locator beacon, whistle, signal mirror, pencil flares) on your person.

Wear It! unites the efforts of a wide variety of boating safety advocates and is produced under a grant from the Sports Fish Restoration and Boating Trust Fund, administered by the U.S. Coast Guard. Follow [twitter.com/BoatingCampaign](https://twitter.com/BoatingCampaign) and [facebook.com/SafeBoatCampaign](https://facebook.com/SafeBoatCampaign).

You can download the Wear It! PSAs at <http://safeboatingcampaign.com/camp-ads.htm>



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Lexington, KY 40511



Produced under a grant from the Sport Fish Restoration and Boating Trust Fund, administered by the U.S. Coast Guard.



# 2015 RECREATIONAL BOATING SAFETY CALENDAR

February  
21

### American Canoe Association Board of Directors Meeting

Fredericksburg, Virginia  
americancanoe.org  
wblackwood@americancanoe.org

26-27

### NASBLA and US Coast Guard International Ice Rescue and Training Meeting

Bay City, Michigan  
internationalicerescue.com

March  
1-4

### International Association of Marine Investigators Annual Training Seminar

Mobile, Alabama  
iamimarine.org/iam

2

### NASBLA Executive Board Meeting

Lexington, Kentucky  
nasbla.org  
ron@nasbla.org

3

### NASBLA Enforcement & Training Committee Meeting

Lexington, Kentucky  
nasbla.org  
john.fetterman@nasbla.org

4-5

### NASBLA BLA Workshop Lexington, Kentucky

nasbla.org  
info@nasbla.org  
859.225.9487

6

### NASBLA Engineering, Reporting & Analysis Committee Meeting

Lexington, Kentucky  
nasbla.org  
deb@nasbla.org

6

### NASBLA Vessel Identification, Registration & Titling Committee Meeting

Lexington, Kentucky  
nasbla.org  
rick@nasbla.org

10-12

### Homeland Security Outlook Maritime Security East

Jacksonville, Florida  
maritimesecurityeast.com/

25

### National Recreational Boating Safety Coalition Spring Meeting

Washington, D.C.  
NRBSCoalition@aol.com  
202.257.2836

28-29

### NASBLA Education & Outreach Committee Meeting

Sandestin, Florida  
nasbla.org  
pam@nasbla.org

29-April 1

### National Safe Boating Council National Water Safety Congress International Boating & Water Safety Summit

Sandestin, Florida  
ibwss.org

May  
11-13

### American Boating Congress Washington, D.C.

nmma.org

13

### Congressional Reception

Washington, D.C.  
safeboatingcouncil.org

15

### Wear Your Life Jacket to Work Day

readysetwearit.com

16

### “Ready, Set, Wear It!” Life Jacket World Record Day

readysetwearit.com

16-22

### National Safe Boating Week

SafeBoatingCampaign.com

June  
17

### National Recreational Boating Safety Coalition Summer Meeting

Washington, D.C.  
NRBSCoalition@aol.com  
202.257.2836

26-28

### Operation Dry Water

operationdrywater.org

August  
25-30

### United States Power Squadrons Governing Board Meeting

San Diego, California  
usps.org

August  
27-30

### U.S. Coast Guard Auxiliary National Convention

San Antonio, Texas  
cgauxa.org/nacon

September  
13-16

### NASBLA Annual Conference Wichita, Kansas

nasbla.org  
info@nasbla.org  
859.225.9487

21-24

### States Organization for Boating Access

Annual Conference  
Vergennes, Vermont  
sobaus.org

October  
9

### American Canoe Association Swiftwater Rescue Conference

Dillsboro, North Carolina  
americancanoe.org  
whitewatersam@gmail.com

24

### American Canoe Association Board of Directors Meeting

Charleston, South Carolina  
americancanoe.org  
wblackwood@americancanoe.org

28

### National Recreational Boating Safety Coalition Fall Meeting

Washington, D.C.  
NRBSCoalition@aol.com  
202.257.2836

November  
16-19

### National Working Waterfront Network National Working Waterfronts & Waterways Symposium

Tampa, Florida  
http://conference.ifas.ufl.edu/nwwws