

**81st Meeting
of the
National Boating Safety Advisory Council**

**The Samoset
220 Warrenton Street - Rockport, ME 04856
April 25-27, 2008**

The meeting came to order at 7:30 a.m. in the Bay Point Ballroom of The Samoset, James P. Muldoon, Chairman, presiding.

MEMBERS PRESENT:

JAMES P. MULDOON	Chairman, National Boating Organization Member
CAROLYN V. BELMORE	National Boating Organization Member
ALFONSO CAMPOS	State Member
PETER A. CHISHOLM	Manufacturer Member
THOMAS DAMMRICH	Manufacturer Member
PAMELA DILLON	National Boating Organization Member
CECILIA R. DUER	National Boating Organization Member
RANDY R. EDWARDS	State Member
JOHN FETTERMAN	State Member
LES JOHNSON	National Boating Organization Member
MARCIA KULL	Manufacturer Member
J.J. MARIE	Manufacturer Member
LARRY MEDDOCK	Manufacturer Member
FRED MESSMANN	State Member
RICHARD MOORE	State Member
MARGARET PODLICH	National Boating Organization Member
BRUCE ROWE	Manufacturer Member
DICK ROWE	Manufacturer Member
RAYNOR TSUNEYOSHI	State Member
JOHN UNDERWOOD	National Boating Organization Member

MEMBERS ABSENT:

ED CARTER	State Member
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USCG STAFF:

RDML JAMES WATSON	Director of Prevention Policy
JEFFREY N. HOEDT	Chief, Boating Safety Division
JEFF LUDWIG	NBSAC Executive Secretary, Boating Safety Division
PHIL CAPPEL	Chief, Product Assurance Branch, Boating Safety Division
PHILIPPE GWET	Program Management Branch, Boating Safety Division
MIKE JENDROSSEK	Product Assurance Branch, Boating Safety Division
VANN BURGESS	Program Operations Branch, Boating Safety Division
BARRY NOBLES	Program Management Branch, Boating Safety Division
SUSAN TOMCZUK	Program Management Branch, Boating Safety Division
RACHEL WARNER	Program Management Branch, Boating Safety Division
HARRY HOGAN	Program Management Branch, Boating Safety Division

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MEETING ATTENDEES:

JOHN ADEY, American Boat and Yacht Council
NITA BOLES, Coalition for PWC Safety
BILL DALEY, CED Investigative Technologies, Inc.
JOANNE DORVAL, METCOR
BRIAN DOWNEY, USCG Sector Northern New England
TOM HAYWOOD, National Association of State Boating Law Administrators (NASBLA)
DAVID HORST, Kimberlite
AL JOHNSON, Recreational Boating Safety Specialist, 1st Coast Guard District
JOHN JOHNSON, NASBLA
MATT LONG, NASBLA
WARREN McADAMS, USCG Auxiliary
CAPT JIM RENDON, USCG Sector Northern New England
RON SARVER, NASBLA
DICK SNYDER, Mercury Marine
CINDY SQUIRES, National Marine Manufacturer's Association
KAREN STEELY, Aaron Foundation
ED SWEENEY, USCG Auxiliary
BRENDA WARREN, U.S. Army Corps of Engineers

FRIDAY, APRIL 25, 2008

CALL TO ORDER

Chairman Muldoon called the 81st meeting of the National Boating Safety Advisory Council to order at 7:30 am. He introduced Rear Admiral James Watson, the Director of Prevention Policy for Marine Safety, Security and Stewardship at Coast Guard Headquarters to the Council. RDML Watson thanked the Chairman for his generous introduction and informed the Council about the reorganization of his directorate. He expressed his sentiment that boating safety works well with the other elements of the Coast Guard's prevention organization, including large vessel safety, facility safety, and security and waterways management. RDML Watson thanked the Council for the wonderful venue and said that he looked forward to participating in the meeting.

Following RDML Watson's remarks, Jeff Ludwig read the bios of Council members being sworn-in at the meeting. Members sworn in included: Alfonso Campos, Peter Chisholm, Thom Dammrich, Marcia Kull, J.J. Marie, Margaret Podlich, Raynor Tsuneyoshi, and John Underwood. Subsequent to the swearing-in Chairman Muldoon asked for member introductions.

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PRESENTATION BY JEFF HOEDT

Mr. Hoedt began his presentation by congratulating new and reappointed Council members. In the area of general updates, Mr. Hoedt said that Captain Smith who was the executive director recently retired. His replacement will be Commander Mark Rizzo, who is currently a hearing officer with the Coast Guard. Mr. Hoedt thanked the members for providing the Boating Safety Division with their items prior to the meeting. He asked the Council to continue to focus on recreational boating safety issues, which is the mandate for NBSAC. Under the Federal Advisory Committee Act (FACA) rules NBSAC is forbidden from lobbying. RDML Watson and the Coast Guard are very pleased that the Chairman of NBSAC expressed interest in trying to formalize the structure of liaison between the different committees like the Navigation Safety Advisory Committee (NAVSAC) and the Towing Safety Advisory Committee (TSAC). The committees will be looking at their charters and in the review process the Boating Safety Division will look at building language into the charters for the future that will produce a formal liaison structure.

Speaking about Resolution # 2007-80-01 concerning recreational boating safety funding, Mr. Hoedt said that it is no longer the Wallop-Breaux Trust Fund, but now it is called the Sport Fish Restoration and Boating Trust Fund. The authorization for the program expires in 2009. The Boating Safety Division has developed a legislative change proposal to move forward on this issue and it follows the Council's resolution. The proposal is going to the final clearance process within the Coast Guard. Once it clears the Coast Guard it will go to the Department of Homeland Security (DHS) and then to the Office of Management and Budget (OMB). If the proposal makes it through the OMB process, it would be forwarded by the administration to Congress.

The second resolution was an action item dealing with a potential federal mandate for operator education requirements. This proposal was only 12 words long but stopped at the Hill. At the last meeting the Council reaffirmed its desire for a federal mandate for recreational vessel operator education. A workgroup consisting of 13 individuals from 13 different organizations met on December 3, 2007 to provide guidance. The workgroup advice has been taken into careful consideration in crafting the legislative change proposal. The proposal is now going through final Coast Guard clearance.

Currently, 48 states have an education requirement, but they are all across the spectrum. This lack of uniformity and reciprocity has been a primary concern of the Council. However, most states will accept a certification card from another state if the card is from a NASBLA approved course. Mr. Hoedt expressed confidence that the Council will be pleased with the recommendations from the workgroup once the exact language can be released. On the matter of the Coast Guard authorization act of 2008, Mr. Hoedt said that Congressman Bishop was considering adding an amendment on the bill dealing with security funding for states. Section 331 of the legislation asks the Coast Guard to report on available courses, course materials, course content, etc., within 180 days of enactment

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of the legislation. This is a request for a study, not what the Council has been discussing in its resolution on operator education.

Mr. Hoedt reported on project updates to the Council. Implementation of the strategic plan is going well. Many of the measures are already in place. 19 partner organizations have signed on to the plan. The Sea Scouts expressed their desire to be signed on as a separate entity. Mr. Hoedt indicated that the Council had the full document in their meeting materials. Performance goals relate to casualties (deaths and injuries). The 2007 data will be published in May. Mr. Hoedt said that the Office is aiming to have the data available before National Safe Boating Week. Looking at the preliminary numbers for 2007, there was a probable reduction in deaths. However, that data shows probable increases in accidents, property damage, and injuries.

The Office is waiting for final approval from OMB for the National Boating Survey. Simultaneously the Office is looking to complete the acquisition and get a contractor on board. With the way things stand, it looks like a Fall 2008 implementation of the survey. The plan is to implement the survey every two years. Ideally, a contractor would be chosen for five years, covering a window of three surveys.

Mr. Hoedt mentioned that the Office has an effectiveness measurement project on life jacket wear. Working with the Safe Boating Council, Boat US, State of California, and PCI Communications, the boating safety community has pooled resources in the Delta Region. The California program gave away 1,000 inflatable life jackets and got a commitment card from those who received the jackets saying that they would wear the jacket on the water. The Office is involved in doing this program again in 2008 in California, the official test state. One of the benchmarks is to get past the 14 percent wear rate. The key comparison is seatbelt wear. The National Highway Transportation Safety Administration (NHTSA), unlike the Coast Guard, has different ways of encouraging mandates. NHTSA has the ability to make states eligible for money if they adopt regulation X, Y, or Z. In the first three years of encouraging states to pass seatbelt wear laws by opening up pots of funding, the seatbelt wear rate jumped from 14 percent to 42 percent. It is currently over 80 percent nationally.

Mr. Hoedt said that the Coast Guard acquired 10,000 inflatable life jackets for the vessel examiners in the Coast Guard Auxiliary and the US Power Squadron. In the JSI life jacket wear study, there has not been significant change from the prior nine years. The wear rate has fluctuated so little that it is statistically insignificant. Despite an increase in the wear rate for ages 6-12, what is concerning is that the adult wear rate is under 10 percent. Regarding the State Performance Reports, they are key instruments and data continues to improve. The Division is going to look at what is working, what is not working, and ways to improve the report.

Department of Homeland Security has been working to form new grant policies with the goal of creating uniformity. These new policies aim to enhance the overall management

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and effectiveness of the grants. These changes will impact qualifications, training, and the certification of all grant staff.

Regarding adequate education and approved vessel numbering system and approved marine casualty reporting system: the Boating Safety Division is working to define those terms and intends implement an approval process for state programs beginning October 1, 2008.

Mr. Hoedt identified accident reporting as the primary challenge the Council would need to deal with at this meeting. The Boating Safety Division is under a directive to fill the gaps in reporting. Perhaps the current regulations ask for too much. The Council was asked for its input and assistance. Another challenge area was grants and achieving greater accountability in the grant programs. The Department of Homeland Security did not know where grant money was going or what it was being used for. The objective is to know whether the non-profit grant money being disbursed is going toward effective projects. The Division has a point factoring system in selecting which grant applications get selected that includes the strategic plan objectives. More effectiveness measurements are being pushed into the grant process. The Division held a meeting earlier in the week to discuss what recommendations to provide RDML Watson concerning the 2008 grants. Mr. Hoedt said that RDML Watson should have, for his review, the list of recommended grantees from the Office in a week. There were a lot of projects this year and none could be easily eliminated. When the grant applications arrive at the Office they are vetted for eligibility, sent to five different scorers, and grants are awarded according to the cumulative scores.

On the subject of propeller strike avoidance, Mr. Hoedt noted that Council gave the Division a resolution as well as directives on action items indicating how to proceed. Specifics would be discussed in subcommittee meetings. The education package on propeller strike avoidance was highlighted at the International Boating and Water Safety Summit in San Diego. The response was great and the people were excited to see the product.

A Federal Register notice on the 17-character Hull Identification Number (HIN) was published on March 17, 2008. The next step is to craft a study or a survey to gather the right data. Mr. Hoedt next provided a brief history of the Vessel Identification System (VIS) to the Council. Essentially, the idea of the VIS was to create a national standard for titling. If the Coast Guard approved a state's titling system, boat loans would be eligible for "preferred lending" status. "Preferred status" gives banks and other marine lenders extra security in being able to recover their collateral (the boat) if a borrower defaults on their boat loan. The other critical aspect of the VIS was the creation of a national database of state registrations and titles for vessels. Subsequent to 9/11, VIS has a maritime security benefit that it could provide to law enforcement. Mr. Hoedt said that InfoLink is the contractor for the Coast Guard that is converting the state data into a uniform database. This system became operational in September 2007. Ultimately, VIS's effectiveness is dependent upon the state's participating, since it is not a mandate. So far

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12 states, 5 trust territories, and the District of Columbia have submitted signed MOUs for their participation in the system. Mr. Hoedt said that data in the system is not currently being shared outside of the government.

In the realm of small vessel security, Mr. Hoedt mentioned the Small Vessel Security Summit in June of 2007 in Arlington, VA. Over 500 people were invited and about 300 people attended. He noted for the new members of the Council that anything under 300 gross tons is considered a small vessel. The Boating Safety Division is trying to put together a plan for how to deal with and resolve the security threats and risks involving small vessels. Mr. Hoedt said that he was pleased with the input from the Arlington Summit and regional meetings have been arranged, some of which have already taken place. Despite the good feedback, the Office is not seeing as much participation as it would like. The Secretary of Homeland Security plans to release the small vessel security strategy soon and it will be a public document. Mr. Hoedt said that the implementation plan would be the final document that will be developed. This plan will not be public. Key partners will get parts of the plan. The Coast Guard is already working to enhance America's Waterway Watch. Mr. Hoedt asked the Council for its assistance in identifying what other initiatives should be on the table for consideration.

Before concluding his presentation, Mr. Hoedt reiterated the need for the Council to assist with closing the gaps in accident reporting and to make recommendations for a way to proceed. One of the gaps closed in recent years has been the Coast Guard asking the states to report accidents from permitted marine events. Until two years ago, the policy was not to report these to the Boating Safety Division. Mr. Hoedt indicated that in response to a member item that arose at the last meeting, Vann Burgess would give a detailed presentation on the difference between navigable waters and waters subject to the jurisdiction of the United States.

Mr. Hoedt asked the Council whether the NBSAC enabling statutes should be amended. The question he posed is whether the statute should allow seven of the Council members to be from the boating industry in general and not manufacturers. Mr. Hoedt asked the Council to consider this idea during the meeting.

EXECUTIVE SECRETARY'S REPORT – JEFF LUDWIG

Mr. Ludwig thanked the Council members for their assistance and support as staff pulled things together for the meeting. He also thanked John Adey for taking care of the request for the review of 33 CFR 181 and 183.

NASBLA REPORT – MAJOR FETTERMAN and JOHN JOHNSON

Major Fetterman characterized the National Association of State Boating Law Administrators (NASBLA) this year as the new NASBLA. Major Fetterman said that NASBLA held a strategic planning session in Kentucky and the organization started putting "dots on the wall" to began charting NASBLA's future as a vibrant organization.

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NASBLA is on the way to becoming a stable and forward looking organization. Along with evolving its committee structure, NASBLA is proposing, within a grant program to the Coast Guard, the development of delivery standards for internet courses.

Currently, there are two proposals for the re-authorization of the trust fund. The first proposal was NBSAC's and the second was ratified by NASBLA's membership. NASBLA has moved into dialogue with the Association of Fish and Wildlife Agencies (AFWA) to work toward a consensus agreement proposal for September.

NASBLA has been working with the Coast Guard for the past 20 years on VIS. Major Fetterman said that NASBLA created a special sub-committee within the Vessel ID committee dedicated to VIS to focus on giving member states and territories the ability to fully participate in VIS. NASBLA is particularly concerned that the Coast Guard documentation office's lack of requiring a HIN to be attached to documentation is an obstacle for law enforcement.

Major Fetterman said that NASBLA has been identified as an implementing partner in 58 percent of the National Recreational Boating Safety Program's (RBS) Strategic Plan. In the process of taking on a large share of the implementation responsibility for the plan, Major Fetterman met with the Coast Guard to discuss how to define the NASBLA grant process to link with the goals of the Strategic Plan. Major Fetterman applauded the work of the professional staff in Lexington for their effort on the grant preparation work.

Mr. John Johnson, Executive Director of NASBLA, briefly touched on many items during his report. First was the reauthorization of the Sport Fish Restoration and Boating Trust Fund. NASBLA adopted a three point position changing the match from 50/50 to 75/25, adding a maintenance of effort clause that keeps the states from retreating in terms of the amount of money they bring to the program, and including that the Coast Guard set aside program dollars off the top of the trust fund itself.

In March NASBLA facilitated a meeting with the Association of Fish and Wildlife Agencies (AFWA), US Fish and Wildlife Service, and the Coast Guard at AFWA Headquarters. The meeting went well and NASBLA was invited to make presentations to AFWA members during three separate committee meetings of AFWA's spring meeting in Phoenix.

The RBS Strategic Plan continues to be a key driver in NASBLA's committee charges and grants, with many of its committee charges directly linked to the plan. NASBLA's new committee structure is strongly based on the NBSAC model. It was patterned after other successful injury prevention models where three of the five major policy committees include education, engineering, and enforcement. At this year's conference, NASBLA will be exploring a two-part committee meeting. Part one will be devoted to finalization and explanation of the FY outcomes, and part two will focus on new changes for next year.

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In regards to mandatory education, Mr. Johnson described the current situation as one of diverging growth as states move in different directions while searching for optimal solutions. NASBLA's homeland security and emergency response committee opened a dialogue with FEMA at the winter meeting. NASBLA is also working to develop a relationship with Marine Tactical, which is an online magazine for marine law enforcement. Mr. Johnson said that NASBLA would contribute a regular column in their publication that will be focused on NASBLA's initiatives and homeland security. The Alaska Office of Boating Safety, in collaboration with the University of Manitoba, created an excellent coldwater immersion video. NASBLA is working with the US Power Squadrons who funded a grant for NASBLA to distribute the video nationally to all the flotillas and squadrons.

NASBLA is about to launch a new website. One of the key components of the site will be the new National RBS calendar. The intent is for everybody in the boating safety community to post their dates on the website calendars along with links to their homepages. NASBLA's plan is to launch the site in about 60 days.

NASBLA will kick off its 50th anniversary celebration in Corpus Christi in 2009 and it will run through a 15-month period to conclude with the 2010 conference in Honolulu. This year's conference will be held September 6-10 in Clearwater Beach Florida, which promises to have many engaging and exciting speakers.

Chairman Muldoon noted that the boating share of the trust fund appeared to be shrinking over a five-year period. Mr. Johnson said the scale of the charts that he presented appears to through things off. Chairman Muldoon asked that if there is a growth in the fund, would boating share in the growth. Mr. Johnson responded that on a percentage basis boating would. Chairman Muldoon said that boating did not share in the increase last time.

USACE LIAISON REPORT – BRENDA WARREN

Ms. Warren discussed the Army Corps of Engineers initiatives. She particularly emphasized mandatory life jacket wear and provided the Council with a brief history of the initiative. The project delivery team on mandatory life jacket wear recommended not changing Title 36 to do a nationwide mandate. Another recommendation was to support Coast Guard wear initiatives to pursue voluntary wear of life jackets and target public education activities to promote and encourage life jacket wear. General Riley (Director of Civil Works, U.S. Army Corps of Engineers) is deferring his decision on the recommendations until receiving more information on life jacket wear and subsequent to a district test of a mandatory life jacket requirement. A typical victim at a Corps project is a 36-year old male recreating in an undesignated area. Accidents typically occur on Saturdays or Sundays. Often alcohol is involved. The Coast Guard has offered to partner with the Corps on analyses of the success of mandatory life jacket wear. There is a lot of command interest in seeing the success of the public safety program.

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The Corps is changing its emphasis on the educational products that it develops from school age to mature adult because of where the bulk of fatalities lie. Soon a new charter for an interagency committee on visitor safety will be signed. Some of the members include the Forest Service, Park Service, Bureau of Land Management, and Coast Guard. NASBLA will be participating in the work of the committee as well.

Child life jacket wear is left up to the local Corps command. There is no specific guidance from the headquarters level. However, Title 36 authority allows the district engineer in conversation with Corps' partners to enforce something more stringent at the local level. Ms. Warren said that she has a breakdown of the fatality data on Corps facilities and she would share that with the Council. There is anecdotal information on the Pittsburgh District's mandatory wear policy. Also, Ms. Warren said that the Corps is developing a report on the comments from the various states on implementing a mandatory wear program. Although the Corps has some injury data, their accident record keeping system specifically targets fatalities. As far as getting volunteers for the three test districts for mandatory wear, Ms. Warren said that she hopes to have volunteers identified by the end of May. The study will probably be three to five years in length. Mr. Hoedt added that the Boating Safety Division would be working with JSI to do the wear rate study. The Corps has a database to track visitation down to the individual project level, enabling them to track historic visitation rates versus visitation rates subsequent to the implementation of mandatory wear.

ONLINE BOATING SAFETY COURSE – RICHARD MOORE

Mr. Moore presented Florida's online boating safety course to the Council. Florida law established a requirement for boaters of certain types of boating violations to participate in some type of additional boater education. A violator who continues to operate a boat without taking the boating course can be arrested. The Florida Fish and Wildlife Commission has rule-making authority so they were able to promulgate rules with regard to how the boating safety course would work. Mr. Moore described the myriad types of criminal violations, the commission of which could win one a ticket to the boating safety course.

The course takes four hours and covers three areas: Florida boating laws, the cause of boating accidents, and common sense and courtesy. Boat-Ed won the contract to provide the course on behalf of the state. Ultimately, the goal of the course is to alter behavior. Mr. Moore said that the course is subdivided into 17 units (with video clips) and violators must work through the test unit by unit, skipping from section to section is not allowed. After each unit, the test-taker is presented with a quiz. Each quiz must be passed in order for the test-taker to move on. Occasionally, test-takers will be presented with quizzes in the middle of units as well. The questions are random, so they will not repeat. Before taking the course, each student must register and pay a fee. The cost for registering is \$49.95. The money goes back into the development costs and operation costs of the system.

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To help prevent the phenomenon of multiple test takers, the test will periodically ask for personal information. If the information is entered incorrectly, the test will reset. Mr. Moore emphasized that it is the operator of the boat who will be cited for a violation, not the owner.

Mr. Moore ended his presentation by stating he felt that Boat-Ed had developed an innovative product for the State of Florida and he thanked them for their vigorous level of engagement in this project.

CLOSING

Captain Rendon, the Sector Commander of Northern New England introduced himself and invited members of the Council to visit the Coast Guard Station in Rockland, ME, time permitting.

Chairman Muldoon adjourned the meeting at 11:48 am.

SUNDAY, APRIL 27TH, 2008

CALL TO ORDER

Chairman Muldoon called the meeting of the National Safe Boating Advisory Council to order at 7:34 am and asked for the Boats and Associated Equipment Subcommittee Report.

**BOATS AND ASSOCIATED EQUIPMENT SUBCOMMITTEE REPORT –
PETER CHISHOLM**

Mr. Chisholm presented the Council with two action items and a resolution regarding the use of an all around white light with paddlecraft. Mr. Hoedt requested that the reference from the 2006 Outdoor Industry Association's Participation Report indicating that of the 32 million strong paddling community, 12.6 million paddle kayaks, be formally added to the resolution. **Resolution # 2008-81-01 passed the Council unanimously.**

Mr. Chisholm introduced the following two action items to the Council: 1) the National Boating Safety Advisory Council assemble a regulatory review task force to collect and categorize potential changes to the Federal regulations, with emphases. One, the group would consist of representatives from manufacturers, NASBLA, NBSAC, Coast Guard Legal Group, and the Office of Management and Budget. The task force would concentrate first on regulatory changes key to the National Recreational Boating Safety Program's Strategic Goals. 2) the National Boating Safety Advisory Council requests that NBSAC reaffirm the existing language related to the make-up of the Council. One third of the members are to be selected from recreational boating and associated equipment

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manufacturers, and that this category remain unchanged. Both action items were seconded and passed unanimously.

STRATEGIC PLANNING SUBCOMMITTEE – FRED MESSMANN

Mr. Messmann presented the Dealers and Manufacturers Equipment Marketing Program. Following a brief wordsmithing discussion, **the Council unanimously approved Resolution # 2008-81-03** presented by Fred Messmann.

Mr. Messmann brought the language for the proposed Accident Reporting Rule revision concepts to the Council. Richard Moore moved that the Council adopt the concepts as guidance for the task force as they work on rule revision for boating accidents. **The Council unanimously approved the motion.**

PREVENTION THROUGH PEOPLE SUBCOMMITTEE REPORT – RAY TSUNEYOSHI

Mr. Tsuneyoshi introduced a resolution to congratulate the National Safe Boating Council on their 50th Anniversary. **The Council unanimously passed the Resolution** with the addition of asking the Boating Safety Division to join the Council in congratulating the National Safe Boating Council:

Mr. Tsuneyoshi introduced another resolution to recognize the Suzuki Motor Corporation for their outstanding effort to save lives through the use of product advertising. Members thought that Council should not be in the business of recognizing individual manufacturers and the proposed resolution failed to pass Council.

The final resolution proposed by the subcommittee, **Resolution # 2008-81-02** was to clearly state the intended use of the term life jacket rather than the term PFD for public use. **The Council unanimously passed the resolution.**

Fred Messmann requested an action item regarding a follow-up to Captain Barry Smith's report on PWC off-throttle steering. The action item passed the Council unanimously. Mr. Tsuneyoshi said that at the conclusion of the subcommittee meeting, Margaret Podlich reminded the organizations present that unless the exemption is passed as of December 30, 2008, all recreational boats would require a discharge permit. Ms. Podlich said that she would do her best to help educate the Council on this issue.

Mr. Dammrich moved that NBSAC provide advice to the Coast Guard and to ask the Boating Safety Division to develop a program to recognize manufacturers who effectively model life jacket wear by including life jackets on models in all of their photography. **The motion passed Council unanimously.**

Ms. Steely proposed that the Council, in order to provide easier access to existing data for all boating safety organizations as well as clarify the direction that boating safety

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education programs need to take, that the Coast Guard include in the age of fatality victims the vessel types as well. Council unanimously passed Ms. Steely's proposal as an action item.

MEMBER ITEMS

Mr. Hoedt asked the members to review the copies of the Member Items USCG Response handouts. Mr. Hoedt then asked each member who sent items to the Coast Guard whether the items had been answered appropriately.

Ms. Dillon asked that her item regarding the accident history of rowing sculls be clarified. Mr. Hoedt said that in the last five years the Office had four accidents reported to them and no fatalities, albeit there were some deaths involving chase boats. There is no documented history of why the sculls were exempted. The chase boats are recognized as regular recreational vessels. As far as the states requiring life jackets on sculls, what the Coast Guard has seen in previous court history is that since the regulations specifically exempt those craft, the state is preempted from requiring a life jacket. With regard to chase boats and rescue equipment, states have capabilities of regulating things not regulated by the Coast Guard.

In response to a question by Mr. Edwards, Mr. Hoedt said that the list of grants provided to Council was a complete list of the 2007 grants that were awarded. Some of the dollar amounts were in error in the report. The errors will be corrected and an accurate report distributed to Council.

Mr. Messmann asked about the status of the Coast Guard NBSAC budget. Mr. Hoedt said that the Boating Safety Division gets \$5.5 million annually from the Sport Fish Restoration and Boating Trust Fund for operating expenses, \$2 million of which must be spent on manufacturer compliance. This funding source also pays for the National Boating Survey and our contract staff. The division is also allowed to use up to 2 percent of the grant funds, but that is limited to the administration of the state and non-profit grant programs, and we typically don't utilize all of those funds. Finally, our third source of funding is what we call "OE" money, which comes from the budget provided to the Coast Guard from Congress. Operating money is in the area of \$900,000 for the entire program, of which \$90-100,000 is spent on NBSAC. Operating funds go down each year, so some programs needed to be eliminated or scaled back. Mr. Hoedt noted that it would be inappropriate for him to try to solicit or mention anything regarding the NBSAC budget outside of simply relating the facts. Chairman Muldoon said that the funding for boating safety has been mediocre at best and cannot withstand any of the cuts in the money or projects that the Council is pursuing.

In response to an item presented by Mr. Moore, Mr. Hoedt said that not all of the 2007 grant projects are completed. NBSAC expects better reporting with the 2008 projects. He encouraged Mr. Moore along with Council to let the Office know what specific grant programs they have questions on and an update will be provided. Ms. Dillon agreed with

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Mr. Moore that being provided with copies of final abstracts of the grants would give members much more detail and specific information about results. Mr. Hoedt said that the Office does not have that information from many grantees. Chairman Muldoon emphasized that Council has been saying for years that every grant should have established goals measurable by some approvable measure.

Ms. Dillon noted that the Strategic Plan should consider incorporating language on signage. This idea was spurred by a presentation she saw at the International Boating & Water Safety Summit (IBWSS) on a uniform international signage system by Mr. Peter Schnell that has been accepted as the national standard in England.


ADJOURNMENT

Chairman Muldoon thanked Major Fetterman and his state for their hospitality and expressed his appreciation to his yeoman subcommittee chairs. Chairman Muldoon entertained a motion to adjourn. **The motion was seconded and unanimously approved.** Chairman Muldoon adjourned the meeting at 9:51 am.

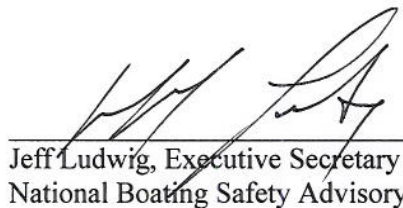
This is to certify that the above are accurate minutes of the eighty-first meeting of the National Boating Safety Advisory Council.




James P. Muldoon, Chairman
National Boating Safety Advisory Council



Date



Jeff Ludwig, Executive Secretary
National Boating Safety Advisory Council



Date

NATIONAL BOATING SAFETY ADVISORY COUNCIL

April 25-27, 2008

Rockport, Maine

Resolution Number 2008-81-01

Supporting Revisions to Inland Navigation Rule 35, *Sound Signals in Restricted Visibility* and Inland Navigation Rule 25, *Sailing Vessels Underway and Vessels Under Oars*

- WHEREAS**, Inland Rule 34 Maneuvering and Warning Signals, paragraphs (b) and (d) allows supplementing an all around white light with a whistle; AND
- WHEREAS**, Inland Rule 35 Sound Signals in Restricted Visibility has no provisions for supplementing a whistle with a synchronized all around white light; AND
- WHEREAS**, Advancements in technology have resulted in higher intensity lights which can easily be synchronized with whistle signals operated while operating in Restricted Visibility; AND
- WHEREAS**, To reduce collisions while operating in restricted visibility Rule 35 should be amended to include use of supplemental all around white light synchronized with the whistle signal; AND
- WHEREAS**, The practice of paddlecraft displaying all-round white lights at night is desirable in order to provide heightened visibility of these craft at night; AND
- WHEREAS**, The paddling community includes over 32 million participants of which 12.6 million paddle kayaks, and represents a rapidly growing segment of recreational boating; AND
- WHEREAS**, Paddlers, especially sea kayakers, recreate on lakes and coastal waters often sharing waterways with power and commercial vessels, AND
- WHEREAS**, The paddling community is actively educating paddlers on the need to enhance their visibility while on the water including use of highly visible boats, life jackets, hats, paddles and outer gear; AND
- WHEREAS**, The powerboat community has expressed concerns about the challenges to see paddlers especially at times of reduced visibility or at night; AND
- WHEREAS**, Inland Rule 25 Sailing Vessels Underway and Vessels Under Oars, paragraph (d), subparagraphs (i) & (ii) provides for use of a flare up lantern by vessels under oars in time to avoid a collision or use of prescribed sailing lights, the paddling community seeks to use other means to light their vessels on a constant and more readily available basis; AND

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Resolution Number 2008-81-01

WHEREAS, The paddling community requests the option for display of an all-around white light in addition to the current lighting patterns in order to enhance visibility; AND

WHEREAS, Inland Rule 25 Sailing Vessels Underway and Vessels Under Oars, paragraph (d), subparagraph (ii) could be amended to improve visibility to read: A vessel under oars may exhibit the lights prescribed in this Rule for sailing vessels, but if she does not, she shall have ready at hand an electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision or one all-around white light of one mile visibility.

NOW, THEREFORE, BE IT RESOLVED that the National Boating Safety Advisory Council, meeting in regular session in Rockport, Maine on April 27, 2008, does hereby support these changes to Rule 35 and Rule 25 to increase the visibility of recreational boats ; AND

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Navigation Safety Advisory Council in support of these changes.


James P. Muldoon, Chairman
National Boating Safety Advisory Council

NATIONAL BOATING SAFETY ADVISORY COUNCIL

April 25-27, 2008

Rockport, Maine

Resolution Number 2008-81-02

Use of the Term "Life Jacket"

WHEREAS, The National Boating Safety Advisory Council (NBSAC) is focused on increasing boating safety and enhancing awareness of safe boating practices, AND

WHEREAS, The federal regulations and many state and local statutes reference the term "personal flotation device" or "PFD" to identify these life saving devices in regulatory language, AND

WHEREAS, After many years of use of the term "PFD" in safety and awareness campaigns it has been observed that the general public remains unfamiliar with the term "PFD," AND

WHEREAS, The general public continues to respond and accept "Life Jacket" as the general term to describe all wearable types of USCG approved "PFDs," AND

WHEREAS, The National Boating Safety Advisory Council wishes to provide a statement of guidance for the U.S. Coast Guard to advise the general public and boating community to use in boating safety marketing campaigns in order to provide a clear recommendation of preferred terminology.

NOW, THEREFORE, BE IT RESOLVED that the National Boating Safety Advisory Council, meeting in regular session in Rockport, Maine on April 27, 2008, does hereby recommend and support use of the term "Life Jacket" in national, regional and local boating safety marketing campaigns, education programs and initiatives in order to communicate effectively with the boating public.

BE IT FURTHER RESOLVED, that a copy of this resolution be made available to members of the greater boating safety community for use in directing a consistent message in national, regional or local boating safety efforts.


James P. Muldoon, Chairman
National Boating Safety Advisory Council

NATIONAL BOATING SAFETY ADVISORY COUNCIL

April 25-27, 2008

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Resolution Number 2008-81-03

Marketing of Safety Equipment

WHEREAS, Objective 8, Operator Compliance-USCG Required Safety Equipment of the National Recreational Boating Safety Program's Strategic Plan contains strategy 8.5 Inclusion with Sale, which encourages manufacturers and dealers to include required safety equipment on each boat sold, including life jackets people are more likely to wear; AND

WHEREAS, Marine dealers and equipment retailers are more likely able to determine all required and optional safety equipment packages needed for their customers; AND

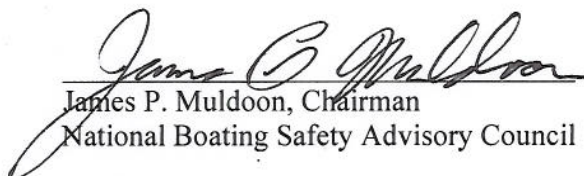
WHEREAS, Marine dealers and equipment retailers could include options from minimal required equipment up to optimal safety packages that could include life jackets that boaters are more likely to wear; AND

WHEREAS, Marine dealers and equipment retailers should provide incentives to purchase the recommended safety equipment package; AND

WHEREAS, Marine dealers and equipment retailers will establish themselves as a community source of boating safety information, education, on property vessel courtesy examinations, boating classes and seminars, and marine products, and provide themselves a market for future sales of related equipment; AND

WHEREAS, The Marine Retailers Association of America (MRAA), the National Marine Manufacturers Association (NMMA), Marine Certification Inc. (MCI), United States Coast Guard Auxiliary (USCGAUX), and the United States Power Squadrons (USPS) are organizations best suited to implement strategy 8.5 with a coordinated effort; AND

NOW, THEREFORE, BE IT RESOLVED that the National Boating Safety Advisory Council, meeting in regular session in Rockport, ME on April 27, 2008, does hereby recommend that the USCG encourage the Marine Retailers Association of America (MRAA), the National Marine Manufacturers Association (NMMA), Marine Certification Inc. (MCI), United States Coast Guard Auxiliary (USCGAUX), and the United States Power Squadrons (USPS) to implement strategy 8.5 with the help of the strategic partners signed onto the strategic plan.


James P. Muldoon, Chairman
National Boating Safety Advisory Council

NATIONAL BOATING SAFETY ADVISORY COUNCIL

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**In Honor and Celebration of the
50th Anniversary of the National Safe Boating Council**

WHEREAS, The National Safe Boating Council (NSBC) was initially formed in 1958 as the National Safe Boating Committee to address issues of national and local boating safety concerns, AND

WHEREAS, The NSBC has grown to a national non-profit organization comprised of over 330 national and regional groups whose mission is "to enhance the safety of the recreational boating experience through education and outreach," AND

WHEREAS, The NSBC conducts a series of ongoing national campaigns to promote safe boating, AND

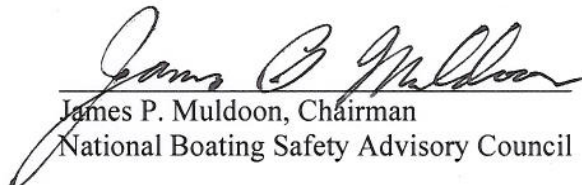
WHEREAS, The NSBC improves the professional development of boating safety educators through implementation of training seminars, conferences, and published materials, and identifies and promotes outstanding and innovative programs for national recognition, AND

WHEREAS, The NSBC is recognized as an important boating safety partner to the United States Coast Guard, the National Association of State Boating Law Administrators, the United States Coast Guard Auxiliary, the United States Power Squadrons, the National Water Safety Congress, and numerous others, AND

WHEREAS, The NSBC announced its 50th Anniversary celebration at the International Boating and Water Safety Summit in San Diego, California in April 2008 and will continue to commemorate this milestone throughout the calendar year.

NOW, THEREFORE, BE IT RESOLVED that the National Boating Safety Advisory Council, meeting in regular session in Rockland, Maine on April 27, 2008, does hereby recognize and congratulate the National Safe Boating Council on its 50th Anniversary and offers wishes of continued success in its boating safety mission for the next 50 years.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Ms. Ruth Wood, NSBC Chair and Mr. Virgil Chambers, NSBC Executive Director with a request that congratulations and thanks be extended to all members of the National Safe Boating Council for exceptional service and dedication to the boaters of North America throughout 50 years of service.


James P. Muldoon, Chairman
National Boating Safety Advisory Council