

January 2002

**ACTION ON RESOLUTIONS
ADOPTED BY THE
NATIONAL BOATING SAFETY ADVISORY COUNCIL (NBSAC)
*(April 1996 to October 2001)***

**Chairman: James P. Muldoon
Executive Director: Albert Marmo**

ACTION ON RESOLUTIONS ADOPTED BY NBSAC (4/96-10/01)

RESOLUTION	SUBJECT	PAGE	STATUS
[96-(57)-01]	Recreational Boating Risk Matrix	5	Action Continuing
[96-(57)-02]	Increase Boating Safety Funding	5	Completed
[96-(57)-03]	Life Saving Index Development	5	Action Continuing
[96-(58)-01]	Navigation Lights Visibility	6	Action Continuing
[96-(58)-02]	Sailing School Instructor Licensing	6	Completed
[96-(58)-03]	Carbon Monoxide Detectors	6	Action Continuing
[97-(59)-01]	Navigation Light Standards	7	Completed
[97-(59)-02]	PFD Conspicuity	7	Completed
[97-(59)-03]	1-Meter Separation for All-round White Lights	8	Completed
[97-(59)-04]	ALAB Support of Wallop-Breaux Reauthorization	8	Completed
[97-(60)-01]	Boat Model Year in Hull Identification Numbers	9	Completed
[97-(60)-02]	Inflatable PFD Cylinder Seal Indication	9	Completed
[98-(61)-01]	Attendance at International Standards Meetings	10	Completed
[98-(61)-02]	Regulatory Control of Navigation Lights	10	Completed
[98-(62)-01]	PFD Wear Requirements	10	Action Continuing
[98-(62)-02]	Mandatory Education	11	Completed
[98-(62)-03]	PFD Public Awareness Campaign	11	Completed
[99-(63)-01]	Recall of Noncompliant Navigation Lights	12	Completed
[99-(63)-02]	Propeller Injury Prevention Performance Standard	12	Action Continuing
[99-(64)-01]	Support for Coast Guard Boat Inspection Program	13	Completed
[99-(64)-02]	Support for National Boating Safety Education Standard	13	Completed
[00-(65)-01]	PFD Wear Requirement for Children	14	Action Continuing

RESOLUTION	SUBJECT	PAGE	STATUS
[00-(65)-02]	Promote Child PFD Wear State Laws	14	Action Continuing
[00-(65)-03]	Evaluate Boating Accident Reporting Criteria	15	Completed
[00-(65)-04]	Liferaft Safety Recall Authority	15	Completed
[00-(65)-05]	Support of Full Funding for Recreational Boating Safety	15	Action Continuing
[00-(66)-01]	PFD Wear for PWC Riders and Towed Behind Activities	16	Action Continuing
[00-(66)-02]	Promote PFD Wear for PWC Riders and Towed Behind Activities Laws	16	Action Continuing
[00-(66)-03]	Life Raft Servicing	17	Action Continuing
[00-(66)-04]	Adopt State and Other Public Service Announcements	17	Completed
[00-(66)-05]	4-Stroke Outboard/Maximum Horsepower Ratings	17	Action Continuing
[00-(66)-06]	Inflatable Boat Construction Standards	18	Action Continuing
[00-(66)-07]	Equitable Funding for State Recreational Boating Safety Programs	18	Action Continuing
[00-(66)-08]	Tug and Towed Barge Lighting	18	Action Continuing
[01-(67)-01]	Propeller Injury Prevention	19	Action Continuing
[01-(67)-02]	75/25 State/Federal Matching Dollar Amount	19	Action Continuing
[01-(67)-03]	Radar Reflectors Petition	20	Completed
[01-(67)-04]	NAVSAC Discussion on COLREGS Discussion	20	Action Continuing
[01-(67)-05]	Defect Recall Period	21	Action Continuing
[01-(68)-01]	Thanking Coast Guard for War on Terrorism	21	Completed
[01-(68)-02]	Risk Analysis and/or Prospective Cost Benefit in Rulemaking	21	Action Continuing
[01-(68)-03]	Carriage of Inflatable Life Vests on Commercial Airliners	22	Action Continuing
[01-(68)-04]	Allow Country Code Prefix in Hull Identification Number	22	Action Continuing
[01-(68)-05]	Include Recreational or Non-Approved Life Rafts in Recreational Vessel Recall Authority	22	Completed

RESOLUTION	SUBJECT	PAGE	STATUS
[01-(68)-06]	State Flare Disposal Capability Information Request	23	Action Continuing
[01-(68)-07]	Boat Factory Inspector Sensitivity to Carbon Monoxide Issue	23	Completed
[01-(68)-08]	Pursue Rulemaking for Child Under 13 PFD Wear	23	Action Continuing
[01-(68)-09]	Fixed NBSAC Subcommittee Mission Statements	24	Completed
[01-(68)-10]	Reduce Propeller Injury Prevention Rulemaking Comment Period	24	Completed
	NBSAC Resolutions – Rulemaking Actions	25	

ACTION ON RESOLUTIONS ADOPTED BY NBSAC (4/96-10/01)

1996

RESOLUTION	1996/1997	1998	1999	2000/2001	STATUS
[96-(57)-01] NBSAC recommends that the Coast Guard set priorities to reduce fatalities specifically on boats less than 26 feet regarding capsizings, swampings, sinkings, & falls overboard.	The Coast Guard proposed a Recreational Boating Risk Matrix in response. The concept was reviewed with the Boat Occupant Protection Subcommittee.	A FY 1998 grant was awarded concerning Human Factors and Risk Management in Recreational Boating Applications. Results of FY 1996 grant on Boat Occupant Protection (Phase III) reviewed with the subcommittee. Seat back height, handhold placement, & boarding ladder portions bear on falls overboard & capsizings	FY 1998 grant work resulted in methodology for analyzing human factor causes of accidents. A fiscal year 1999 follow on grant was awarded. Work being performed to develop a database of accident causes for further analysis.	An FY 2000 grant was awarded to expand and complete the accident cause database and to develop a methodology to analyze the data. Interim grant report received December 2000. Accident database completed.	Analysis continues. Boat Occupant Protection (Phase III) Study information to be considered in the scheduled review of appropriate ABYC standards.
[96-(57)-02] NBSAC recommends that the Coast Guard seek and provide additional funds for the Recreational Boating Safety Program in order to increase public outreach and awareness programs.	Coast Guard top management was apprised of the resolution. Given the tight budget climate during period of downsizing and streamlining no new funds were obtained. Innovative approaches to public outreach and awareness, partnering, nonprofit grants and use of technology initiated to increase outreach.	Recreational Boating Safety Program funds provided through the Transportation Equity Act for the 21 st Century (TEA-21) legislation.			Completed.
[96-(57)-03] NBSAC recommends that the Coast Guard initiate a regulatory project for the development and definition of the Life Saving Index for innovative product needing approval under the current PFD standards.	LSI project plan was developed and Council advice sought on the LSI project statement and objectives. FY 1997 grant awarded.	Grantee presented an overview of grant work to the Council. Grant report reviewed by subcommittee; follow-on recommended.	Risk-based LSI analytical model developed.	Follow-on contract awarded to refine model to employ it as a practical tool for PFD approval. Refined model developed in workable format, but lacks several data points.	Contract awarded for final phase of project – calibration and beta testing, and development of data points.

1996 (Cont.)

RESOLUTION	1996/1997	1998	1999	2000/2001	STATUS
<p>[96-(58)-01] NBSAC recommends that the USCG dedicate grant moneys to study ways to improve the visibility and display of navigation lights focusing on hardware issues including minimum sidelight lens size, glare minimization, corrosion resistance, and “smart-system” technology, and that the Coast Guard consider including navigation lights as safety equipment in the equipment “approval” process.</p>	<p><i>Regarding approval process:</i></p> <p>Legal opinion sought concerning options. Notice of Request for Comments published in the Federal Register 10/19/97.</p> <p><i>Regarding study:</i></p> <p>FY 1998 nonprofit grant proposals solicited.</p>	<p>FY 1998 grant not awarded pending completion of research from an automotive tail light technology study.</p> <p>FY 1999 nonprofit grant projects solicited.</p>	<p>FY 1999 nonprofit grant project awarded.</p>	<p>Final report received. Results were inconclusive. Further study needed.</p>	<p>Additional work superceded by higher priority issues.</p> <p>See table for rulemaking actions. [97-(59)-01].</p>
<p>[96-(58)-02] NBSAC recommends that the Coast Guard look into issues of sailing school instructors, and whether or not they can be given an exemption from the licensing requirement.</p>	<p>Issue reviewed with commercial vessel side of Coast Guard responsible for licensing. Determined that there was no means for the Coast Guard to issue an exemption from statutory requirement for the vessels in question, which operate under motor at any time. Availability of a limited license geared to the operations of sailing schools was pointed out. User fee exemption for volunteer or part-time employees of charitable, nonprofit and youth oriented organizations also pointed out.</p>				<p>Completed.</p>
<p>[96-(58)-03] NBSAC recommends that the Coast Guard use the appropriate resources to explore the issue of carbon monoxide detectors and why they are not functioning very well on boats, either through a contract or the grant process.</p>	<p>Coast Guard reviewed ongoing ABYC technical committee activities regarding carbon monoxide issues.</p> <p>FY 1997 grant awarded.</p>		<p>Final grant report received. No current technology found suitable for the marine environment. Education considered the most effective intervention at this time</p>	<p>FY 2001 grant awarded to investigate levels of CO build-up relative to vessel designs and equipment configuration. Marine CO detectors will be tested via contract vice a grant.</p>	<p>Draft final report received. Further study needed. Memorandum of Understanding with the National Institute for Occupational Safety and Health awarded to conduct further studies. Contract awarded to test marine-rated CO detectors.</p>

1997

RESOLUTION	1997	1998	1999	2000/2001	STATUS
[97-(59)-01] NBSAC recommends that the Coast Guard commence a rulemaking process in order to place navigation lights for recreational vessels under regulatory control as safety equipment.	Request for Comments regarding Standards for Navigation Lights on Recreational Boats was published in the Federal Register on 10/19/97.		Regulatory Work Plan approved by the Marine Safety Council	Notice of Proposed Rulemaking published and comment period closed 10/3/00. Comments reviewed. Final Rule published 11/1/01.	Completed.
[97-(59)-02] NBSAC requests that the USCG conduct a research study to investigate and evaluate the factors that contribute to the conspicuity of PFDs used by the recreational boater when the wearer is in the water, and that the Office of Search & Rescue or Assistant Commandant for Marine Safety and Environmental Protection provide a report, and if requested, a presentation at the October 1997 meeting on any past research or information regarding the conspicuity of PFDs or persons in the water.	FY 1998 nonprofit grant solicited. Information on past research was sought from the Office of Search and Rescue and the Assistant Commandant for Marine Safety and Environmental Protection. Copies of past reports were provided to PFD-LSI Subcommittee members. The information was summarized in a presentation to the Council.	Decision not to award grant. Felt no new information would be gained based on review of previous studies as well as results of recent PWC conspicuity grant project.			Completed.

1997 (Cont.)

RESOLUTION	1997	1998	1999	2000	STATUS
<p>[97-(59)-03] NBSAC recommends that the USCG examine the requirement for sidelights and all-round white lights to be vertically separated by 1 meter, as applicable to recreational vessels under 12 1/2 feet, and that in its examination, look at the feasibility of modifying or exempting this requirement for such small boats to allow an all-round white light, such as mounted on the aft engine cowling, without the 1 meter vertical separation.</p>	<p>Issue put before NAVSAC per NBSAC Executive Director request. NAVSAC concluded no change required and that the 1-meter separation was necessary to permit distinction, as the lights tend to merge even with the current requirements. Felt that small boats should not be exempt because more confusion and accidents would occur.</p>				Completed.
<p>[97-(59)-04] NBSAC requests that the Coast Guard lend its support to the American League of Anglers and Boaters consensus position with respect to those provisions [of Wallop-Breaux reauthorization legislation] which provide stable increased funding to State boating safety efforts and which designate increased funding for the Coast Guard's Recreational Boating Safety Program.</p>	<p>Chairman, NBSAC letter sent to ALAB Co-Chairs forwarding the Council resolution and reinforcing NBSAC support.</p>	<p>Passage of the Transportation Equity Act for the 21st Century fulfilled the efforts of all parties in obtaining stable State funding.</p>			Completed.

1997 (Cont.)

RESOLUTION	1997	1998	1999	2000/2001	STATUS
<p>[97-(60)-01] NBSAC recommends that the Coast Guard withdraw the section of the proposed Hull Identification Number regulations pertaining to change in model year.</p>	<p>Coast Guard maintained that model year is not a safety issue, but more of a consumer issue.</p>	<p>Coast Guard sent letter to Federal Trade Commission requesting assistance in resolving boat model year issue. FTC had no specific advice re boats.</p>	<p>Consultation with NASBLA and other partners.</p>	<p>Rulemaking action terminated.</p>	<p>Completed.</p>
<p>[97-(60)-02] NBSAC recommends the Coast Guard require all automatically inflating PFDs have effective full system indication, including cylinder seal indication.</p>	<p>Resolution sent to UL for inclusion in Industry Advisory Council and the PFDMA's Annual Conference.</p>	<p>Action referred to UL Standards Technical Panel (STP) for action.</p>	<p>UL's STP took affirmative action requiring that all manual/automatic inflators used on Type II and Type III inflatable PFDs have a cylinder seal indicator mounted on the PFD so the indicator can be viewed during and after donning the PFD. This requirement became effective on September 29, 1999 for publication, UL1180 "Fully Inflatable Recreational Personal Flotation Devices." FY 1999 grants awarded to test indicators to promote and facilitate development and approval.</p>	<p>Grants completed...show that it is feasible to meet the new standards. UL and the Coast Guard approved the first manual/automatic inflator with single point cylinder seal indication on July 24, 2001. Separate regulatory action is not necessary, since for approval, all inflatable PFDs must be UL listed, but an update to the incorporation by reference section of the regulations will be done.</p>	<p>Completed. The Coast Guard expects to see Type I, II, and III inflatable PFDs become available within the next boating season using manual/automatic inflators with cylinder seal indication.</p>

RESOLUTION		1998	1999	2000/2001	STATUS
<p>[98-(61)-01] NBSAC encourages the Coast Guard to pursue the necessary authorization and funding to attend international standards development meetings to participate in the development of an international standard on navigation lights.</p>			<p>An Office of Boating Safety representative attended the 2/99 International Organization for Standardization meeting, and expects to attend subsequent international meetings.</p>	<p>An Office of Boating Safety representative attended the 1/00 International Organization for Standardization meeting.</p> <p>Attendance at pertinent international meetings will continue.</p>	<p>Completed.</p>
<p>[98-(61)-02] NBSAC requests that the Coast Guard initiate a rulemaking process to place navigation lights for recreational vessels under regulatory control involving third-party certification.</p>		<p>Comments received in response to 10/97 Request for Comments reviewed with Council.</p>	<p>Regulatory Work Plan approved by the Marine Safety Council.</p>	<p>Notice of Proposed Rulemaking published and comment period closed 10/3/00. Comments reviewed.</p> <p>Final Rule published 11/1/01.</p>	<p>Completed.</p>
<p>[98-(62)-01] NBSAC recommends federal rulemaking requiring wearing of personal flotation devices by children 12 years of age and under, riders of personal watercraft, and persons engaged in tow-behind water sports activities.</p>		<p>Coast Guard indicated that these groups are not the problem and their PFD wear is covered by state regulations in most places.</p>	<p>Coast Guard issued a Request for Comments that went beyond the Council resolution to include a PFD wear requirement for all occupants of boats less than 16 feet.</p>	<p>Comment period closed 4/3/00. Over 500 public comments received and reviewed.</p> <p>NBSAC resolution at 5/00 meeting reduced wear requirement scope to children 12 and under.</p>	<p>See table for rulemaking actions. [00-(65)-01]</p>

1998 (Cont.)

RESOLUTION		1998	1999	2000/2001	STATUS
<p>[98-(62)-02] NBSAC requests that the Coast Guard coordinate with NASBLA and boating organizations to develop, and return to NBSAC for consideration, a Coast Guard program to encourage and support adoption of mandatory education laws at the state level. This program is to include strategies for federal funding.</p>		<p>Coast Guard and NASBLA are developing a “national standard of care and criteria-based learning objectives” through a nonprofit grant.</p>	<p>Phase 3 grant awarded for national standard development.</p> <p>Coast Guard is pursuing with NASBLA a common goal of uniform, State mandatory education with reciprocity.</p>	<p>Grant work completed. National Boating Education Standard approved by NASBLA in September 1999.</p> <p>Coast Guard and NASBLA are promoting State adoption of Standard when implementing a mandatory education program.</p>	<p>Completed.</p>
<p>[98-(62)-03] NBSAC recommends that the Coast Guard go ahead with public awareness campaigns on PFDs with due consideration of the targeted risk groups identified in the Council PFD survey, and have a progress report at the next meeting.</p>			<p>FY 1999 grants target some of the identified areas.</p> <p>Additional targeting being done in the current campaign, and considered in solicitation for future campaign development.</p>	<p>Hunters, anglers, paddlers and PWC operators to be targeted in 2000 national campaign.</p> <p>Targeting will continue.</p>	<p>Completed.</p>

RESOLUTION			1999	2000/2001	STATUS
<p>[99-(63)-01] NBSAC recommends that the Coast Guard notify the manufacturer of such lights (a new navigation light which includes blue lighting along with red and green) that the lights are not in compliance with the federal regulations and to direct them to cease and desist from marketing the lights, and that an immediate recall of vessels so equipped be conducted. NBSAC also recommends that the Coast Guard notify state boating agencies of known non-compliant navigation lights that have been marketed and installed on recreational boats.</p>			<p><i>Regarding manufacturer Notification:</i></p> <p>Letter sent.</p> <p><i>Regarding State notification:</i></p> <p>Information provided to States. Information published in Boating Safety Circular 81 (Dec 99).</p>		<p>Completed.</p>
<p>[99-(63)-02] NBSAC recommends that the Coast Guard proceed with the development of a performance standard to prevent and minimize the occurrence of propeller strikes. NBSAC also recommends that the Coast Guard initiate the widest possible distribution of the Marine Technology Society report for the immediate improvement of protection against propeller strikes.</p>			<p><i>Regarding rulemaking:</i></p> <p>A new rulemaking action will be initiated.</p> <p><i>Regarding report distribution:</i></p> <p>Report widely distributed. Report information also included in Boating Safety Circular 81.</p>	<p>Notice of Proposed Rulemaking published 12/10/01.</p>	<p>See table for rulemaking actions. [01-(67)-01]</p> <p>Completed.</p>

RESOLUTION			1999	2000	STATUS
<p>[99-(64)-01] NBSAC supports the NASBLA boating safety education standards and encourages the use of these standards to promote effective boating safety educational courses through an efficient and informed approval process. NBSAC also strongly advocates reciprocity between the States regarding boating safety education.</p>			<p>Resolution brought to the attention of the Secretary of Transportation and the Commandant. Resolution provided to the President of the National Association of State Boating Law Administrators. Resolution provided to NAVSAC as part of response to NAVSAC resolution regarding mandatory education. Resolution will be referred to in other Coast Guard policy positions.</p>		<p>Completed.</p>
<p>[99-(64)-02] To enable the U.S. Coast Guard to fulfill its mandated charge to ensure that boats comply with Federal standards and do not contain substantial safety risk defects, we move that the National Boating Safety Advisory Council unanimously endorse and support all efforts of the Coast Guard to reinstate, staff and police factory inspections of boat manufacturers for compliance with all existing Federal regulations and standards.</p> <p>In the broadest of terms, this committee supports the full inspection of all classes of boats through a viable, effective, and permanent inspection program as a critical effort to ensure boating safety and to save lives.</p>			<p>Resolution brought to the attention of the Secretary of Transportation and the Commandant.</p> <p>Phase I of the recreational boat factory visit contract has been completed. Phase I included the development of a comprehensive plan for a contractor operated recreational boat factory visit program. The plan forms the basis for the statement of work for award of phase II - an 18 month pilot factory visit program.</p> <p>NBSAC support will be reflected in any justification associated with reauthorization that would continue \$5 million to the Coast Guard for recreational boating safety.</p>	<p>Factory visit program implemented.</p>	<p>Completed.</p>

RESOLUTION	2000	2001			STATUS
<p>[00-(65)-01] NBSAC recommends and requests that the U.S. Coast Guard expand section 175.15 of the Code of Federal Regulations, or add a new section to Part 175 for Federal Personal Flotation Device (PFD) wearing requirements. The new provision would require children age 12 and under to wear a Coast Guard approved life jacket while onboard a vessel that is underway, except when the child is below deck or in an enclosed cabin.</p>	<p>Rulemaking process initiated.</p>	<p>Notice of Proposed Rulemaking published 5/1/01. Public comments being reviewed.</p>			<p>See table for rulemaking actions</p>
<p>[00-(65)-02] NBSAC recommends and requests that the U.S. Coast Guard work with the National Recreational Boating Safety Coalition to assist in any way possible with the introduction of State laws requiring life jacket wear for persons 12 and under. This assistance should include, but not be limited to, providing data, letter of support, etc.</p>	<p>Resolution presented to the National Recreational Boating Safety Coalition. The Coalition included the resolution in the minutes of the meeting where the resolution was discussed, and distributed.</p>	<p>State laws monitored.</p>			<p>Further opportunities for coordination and support being explored.</p>

2000 (Cont.)

RESOLUTION	2000	2001			STATUS
<p>[00-(65)-03] NBSAC recommends and requests that the U.S. Coast Guard work with the National Association of State Boating Law Administrators and its Boating Accident Investigation, Reporting and Analysis Committee to reevaluate the current criteria for determining those boating accidents that are reportable and those that are not reportable.</p>	<p>A special meeting of the NASBLA Boating Accident Investigation, Reporting, Reporting and Analysis Subcommittee (BAIRAC) was held 06/23/00 to reevaluate the accident reporting criteria.</p>	<p>BAIRAC reviewed BSAC input at its February 2001 meeting. BAIRAC made appropriate refinements to the criteria. Criteria provided to all State boating law administrators to review and comment. NASBLA approval at October 2001 Annual Conference.</p>			<p>Completed.</p>
<p>[00-(65)-04] NBSAC recommends and requests that the U.S. Coast Guard institute rulemaking allowing it to require recall of life rafts which may present a danger to recreational boaters.</p>	<p>Regulatory Work Plan under development. Problem with definition of “recreational” life raft.</p>	<p>Request for comments published. Comment period closed. Comments reviewed.</p>			<p>Completed. Rulemaking not needed. CG will include recreational life rafts within definition of vessel for recall authority.</p>
<p>[00-(65)-05] NBSAC recommends and requests that the Coast Guard work with the National Association of State Boating Law Administrators, the Department of Transportation and the Congress to find a final resolution to the current funding dilemma by either solving the “scoring” issue or finding another way to secure full funding for the RBS program, and that a copy of this resolution be forwarded to Rear Admiral Terry M. Cross, Director of Operations Policy, and to Admiral James M. Loy, Commandant, U.S. Coast Guard.</p>	<p>NBSAC resolution was provided to the Commandant and RADM Cross. RADM Venuto and NASBLA Executive Director met with Senator Breaux to discuss the funding situation. Funding strategies are being explored.</p>	<p>Discussions with partners and boating interests continue. Funding strategies considered.</p>			<p>Funding strategies discussions continue in anticipation of Transportation Equity Act for the 21st Century reauthorization of Wallop-Breaux.</p>

2000 (Cont.)

RESOLUTION	2000	2001			STATUS
<p>[00-(66)-01] NBSAC, meeting on October 23, 2000 in Clearwater Beach, Florida does hereby recommend and request that the U.S. Coast Guard expand section 175.15 of the Code of Federal Regulations, or add a new section for Federal Personal Flotation Device (PFD) Wearing Requirements when operating or riding on a personal watercraft and/or while being towed behind a vessel for activities such as waterskiing, aquaplaning or similar activities. An inflatable PFD would be excluded from compliance to this requirement; USCG Approved Types I, II, III, or V would be considered compliant.</p>	<p>Rulemaking process initiated,</p>	<p>Workplan being developed.</p>			<p>See table for rulemaking actions.</p>
<p>[00-(66)-02] NBSAC, meeting on October 23, 2000 in Clearwater Beach, Florida does hereby recommend and request that the U.S. Coast Guard work with the National Recreational Boating Safety Coalition to assist in any way possible with the introduction of State laws requiring life jacket wear when operating or riding on a personal watercraft and/or while being towed behind a vessel for activities such as waterskiing, aquaplaning or similar activities. An inflatable PFD would be excluded from compliance to this requirement; USCG Approved Types I, II, III, or V would be considered compliant.</p>	<p>Resolution presented to the National Recreational Boating Safety Coalition. The Coalition included the resolution in the minutes of the meeting where the resolution was discussed, and distributed.</p>	<p>State laws monitored.</p>			<p>Further opportunities for coordination and support being explored.</p>

2000 (Cont.)

RESOLUTION	2000	2001			STATUS
<p>[00-(66)-03] NBSAC requests that the U.S. Coast Guard develop regulations to require that any recreational life raft be serviced per manufacturers' requirements by the manufacturers' approved facilities.</p>		<p>A Notice of Request for Comments published 11/9/01.</p>			<p>See table for rulemaking actions.</p>
<p>[00-(66)-04] Recognizing that the state boating agencies and other advocates have developed highly effective public service announcements addressing boating safety issues, NBSAC urges the U.S. Coast Guard to obtain from the states and other advocates, copies of their public service announcements, and adopt their "boating under the influence" public awareness campaign.</p>	<p>Various public service announcements were reviewed. A very effective State of Minnesota PSA was selected. The PSA will be reproduced using USCG/NASBLA tag line and sent to all of the states and a number of specially selected television stations based on the target audience. It will also be included in a Turn-Key BUI kit that will also be distributed to states.</p>	<p>PSA produced for BUI Campaign.</p>			<p>Completed.</p>
<p>[00-(66)-05] NBSAC requests that the U.S. Coast Guard examine the relationship of 4-stroke outboard characteristics to maximum horsepower ratings and adjust the rating process accordingly.</p>		<p>Comparison of results of compliance testing using both old and new weight tables underway.</p>			<p>Rulemaking action pending results of compliance testing program and updating of table by the American Boat and Yacht Council (ABYC).</p>

2000 (Cont.)

RESOLUTION	2000	2001			STATUS
<p>[00-(66)-06] NBSAC requests that the U.S. Coast Guard adopt existing American Boat and Yacht Council (ABYC)/International Organization for Standardization (ISO) standards for construction and certification of inflatable boats and rigid hulled inflatable boats.</p>		<p>ABYC and ISO standards under review. Monitoring accident data.</p>			<p>See table for rulemaking actions.</p>
<p>[00-(66)-07] NBSAC recommends and supports a 50-50 split of the Federal motorboat fuel taxes between the Boat Safety Account and the Sport Fish Restoration Account for the reauthorization of Wallop-Breaux in 2003; and that the U.S. Coast Guard work with the boating community to fully support this resolution and resolve the scoring issue during the negotiations and the drafting of the reauthorizing legislation.</p>	<p>NBSAC resolution called to the Secretary's and the Commandant's attention. Resolution also provided to NASBLA, the American League of Anglers and Boaters and the National Recreational Boating Safety Coalition. Coast Guard working with these groups on funding strategies.</p>	<p>Interface continues.</p>			<p>The Coast Guard, NASBLA and others are working on this issue.</p>
<p>[00-(66)-08] NBSAC requests that the Coast Guard, through NAVSAC, address the problem of the adequacy of tug and towed barge lighting with an effective solution to increase awareness of the presence of barges by making them more visible and readily identifiable, and improve the tug lighting, so that the towing operation is clearly recognizable when viewing the towing operation from any angle.</p>	<p>Resolution and amplifying information provided to the Executive Director of the Navigation Safety Advisory Council.</p>	<p>Action deferred at spring NAVSAC meeting. Issue discussed at December 2001 NAVSAC meeting.</p>			<p>Results of NAVSAC review will be considered and discussed in continuing dialog on this issue.</p>

RESOLUTION	2001				STATUS
<p>[01-(67)-01] NBSAC recommends and requests that the Coast Guard institute rulemaking addressing requirements to prevent and minimize the occurrence of boat propeller strike accidents pertaining to : 1)- All propeller driven vessels 12 feet and longer with propellers aft of the transom; 2)- New planing vessels 12 – 26 feet with propellers aft of the transom; 3) New non planing vessels 12 feet and longer with propellers aft of the transom; and 4) All non planing rental boats with propellers aft of the transom. (Alternative means of compliance specified in resolution.).</p>	<p>The Coast Guard is considering the individual parts of the NBSAC resolution and plans to address them in independent regulatory projects. A Notice of Proposed Rulemaking concerning regulations that would apply to all existing non-planing houseboats with propellers aft of the transom was published 12/10/01. The Coast Guard plans to develop independent regulations policy and planning documents addressing the other recommendations affecting owners of other non-planing recreational vessels, including pontoon boats, owners of planing recreational vessels, and manufacturers of new recreational vessels.</p>				<p>See table for rulemaking actions.</p>
<p>[01-(67)-02] NBSAC recommends that the U.S. Coast Guard support of a 75/25 Federal to State Matching Funds Formula for the Boating Safety Account of the Aquatic Resources Trust Fund (Wallop-Breaux), and a “maintenance of effort” clause for the Boat Safety Account to create a baseline that future boating safety efforts will be built upon.</p>	<p>The NBSAC resolution was provided to the National Association State Boating Law Administrators, the American League of Anglers and Boaters and the National Recreational Boating Safety Coalition.</p>				<p>The Coast Guard is working with NASBLA and others regarding Transportation Equity Act for the 21st Century (TEA-1) Wallop-Breaux reauthorization issues.</p>

2001 (Cont.)

RESOLUTION	2001				STATUS
<p>[01-67-03] It is moved that the U.S. Coast Guard abandon efforts in response to the Recreational Boating Association of Washington petition for rulemaking to establish national standards for radar reflectors. The organization should be informed of actions being taken by the Lifesaving and Fire Safety Division of the Coast Guard regarding development of a program to approve radar reflectors and other navigation equipment for use on ships under 100 gross tons, which substantially satisfies the petition, and be notified upon completion of that work.</p>	<p>The petitioner was informed that the petition was denied in May 2001, but would essentially be satisfied through the related Coast Guard action specified in the NBSAC motion.</p> <p>The Navigation and Vessel Inspection Circular on approval of Navigation Equipment was signed on 26 Sep 2001. The Coast Guard will now approve radar reflectors meeting ISO standard ISO 8729. The approval series will be 165.160. In order to have the first approvals, at least one independent laboratory must apply and be accepted by the Coast Guard for testing and evaluating radar reflectors. Then manufacturers may go to the accepted laboratory or laboratories to have their products evaluated for Coast Guard approval</p>				<p>Completed.</p>
<p>[01-(67)-04] It is requested that the Navigation Safety Advisory Council report on COLREGS (International Regulations for Prevention of Collisions at Sea) discussions involving recreational vessels or affecting recreational vessels to the National Boating Safety Advisory Council in a timely manner.</p>	<p>Resolution provided to Executive Director, Navigation Safety Advisory Council.</p>				<p>Information on applicable NAVSAC COLREGS discussions will be reported.</p>

2001 (Cont.)

RESOLUTION	2001				STATUS
<p>[01-(67)-05] With regard to the discussion and the National Marine Manufacturers Association position paper handed out, it is moved that the members of the National Boating Safety Advisory Council oppose a proposal for extending the time for vessels and associated equipment recall from 5 to 10 years and maintain the current language.</p>	<p>CG considered and did not concur with the resolution.</p>				<p>Provision to extend recall period is being considered by Congress as a part of the Coast Guard Authorization Act.</p>
<p>[01-(68)-01] NBSAC salutes and thanks the men and women of the Coast Guard Family, the Active Duty, Reserve and Auxiliary Coast Guard and its Civilian Employees, for their outstanding dedication and work to ensure the public safety of the American people during these critical times of our War on Terrorism.</p>	<p>NBSAC resolution was provided to the Commandant, Chief of Staff and Assistant Commandant for Operations, and the included in weekly report to the Secretary of Transportation.</p>				<p>Completed.</p>
<p>[01-(68)-02] NBSAC asks the U.S. Coast Guard to explore and report on the opportunities to pursue Boating Safety rule making through Risk Analysis and/or Prospective Cost Benefit as well as through Cost Benefit Analysis.</p>	<p>Practical application of risk analysis and prospective cost benefit in rulemaking being sought. Proposed by CG in response to Congress asking what legislation or regulations are needed.</p>				<p>Opportunities for use of risk analysis and prospective cost benefit in boating safety regulations application will be reviewed.</p>

2001 (Cont.)

RESOLUTION	2001				STATUS
<p>[01-(68)-03] NBSAC requests the Department of Transportation to immediately require the USA commercial airline industry to allow the carriage of personal, Coast Guard approved, inflatable life vests in checked luggage aboard commercial aircraft, and that the Department of Transportation provide suitable notification for uniform enforcement of the requested rule.</p>	<p>Executive Director discussed the issue with Federal Aviation Administration and Research and Special Programs Administration (RSPA) representatives in DOT. RSPA has responsibility for the applicable regulations and will respond to the NBSAC resolution.</p>				<p>Awaiting RSPA response to the resolution.</p>
<p>[01-68-04] NBSAC requests that the U.S. Coast Guard immediately pursue rulemaking for an <u>exception</u> to current regulations to allow the USA H.I.N. system to conform to the ISO H.I.N. standard while allowing the states to not require the “Country Code” in their registration process.</p>	<p>The most expedient option for minimal rulemaking action to satisfy request is being explored.</p>				<p>See table for rulemaking actions.</p>
<p>[01-(68)-05] NBSAC recommends that the U.S. Coast Guard include all recreational or non-approved life rafts within their recreational vessel recall authority as an alternative to recreational or non-approved life raft specific rule making for recall authority.</p>	<p>Resolution reviewed by RBS program and CG legal staff to develop CG position. CG decision to interpret recall authority to include recreational life rafts as vessels subject to recall.</p>				<p>Completed. CG will use the interpretation of recall authority to include recreational life rafts.</p>

2001 (Cont.)

RESOLUTION	2001				STATUS
<p>[01-68-06] It is moved that the National Boating Safety Advisory Council request that the U.S. Coast Guard ask the National Association of State Boating Law Administrators to poll State Boating Law Administrators regarding the existence of flare disposal capability within their jurisdiction and submit back to the NBSAC Executive Director for assembly and dissemination.</p>	<p>At Executive Director's request, NASBLA Headquarters transmitted the request for flare disposal information to all State Boating Law Administrators.</p>				<p>State Boating Law Administrator responses will be compiled.</p>
<p>[01-(68)-07] NBSAC asks the U.S. Coast Guard to instruct factory inspectors to be more sensitive of the Carbon Monoxide issue and designs relating to carbon monoxide danger.</p>	<p>Factory inspectors instructed regarding Carbon Monoxide.</p>				<p>Completed.</p>
<p>[01-(68)-08] NBSAC recommends that the U.S. Coast Guard pursue rulemaking for personal flotation device wear by children under 13 years of age, as proposed.</p>	<p>NBSAC recommendation and public comments in response to a Notice of Proposed Rulemaking being considered for final rulemaking.</p>				<p>See table for rulemaking actions.</p>

2001 (Cont.)

RESOLUTION	2001				STATUS
<p>01-(68)-09] It is moved that mission statements for three fixed National Boating Safety Advisory Council subcommittees – Prevention Through People; Boats and Associated Equipment; and After-Market Marine Equipment – be adopted.</p>	<p>The three NBSAC standing committees have been established and will be tasked to address respective issues.</p>				<p>Completed.</p>
<p>01-(68)-10] It is moved that the U.S. Coast Guard is strongly encouraged to speed up the regulatory project on propeller injury prevention on houseboats by reducing the notice of proposed rulemaking comment period.</p>	<p>The public comment period was reduced by 30 days in the Notice of Public Rulemaking published 12/10/01.</p>				<p>Completed.</p>

NBSAC RESOLUTIONS (4/96-10/2001) RECOMMENDING RULEMAKING ACTION

NBSAC Recommendation Project	Action Dates Taken/Projected						Comments
	NBSAC Resolution	Notice of Request for Comments	Workplan/ Workplan Change	ANPRM	NPRM/ SNPRM	Final Rule	
Navigation Lights for Recreational Vessels [97-(59)-01] [98-(61)-02]	Apr 1997 Apr 1998	Oct 1997	Nov 1999	None	Aug 2000	Nov 2001 Jan 2002	Completed. Effective November 1, 2002. Notice to delay effective date until November 1, 2003 published 1/17.)
Inflatable PFD Standards [97-(60)-02]	Oct 1997	None	None	None	None	None	Completed. Industry Std UL 1180 effective September 29, 1999; applies to all Type I, II & III inflatable PFDs; expect PFDs availability in 2002.
Federal Requirements for Children 12 and Under to Wear PFDs [98-(62)-01] [00-(65)-01] [01-(68)-08]	Oct 1998 Apr 2000 Oct 2001	Sep 1997* Oct 1999*	Nov 2000	None	May 2001	Feb 2002	Pending review of comments and developing final rule.
Propeller Injury Prevention Aboard Rental Boats [99-(63)-02]	Apr 1999	May 1995** Apr 1997**	Feb 1996**	Mar 1996**	<i>None</i>	Nov 2001	Completed. Notice of Withdrawal effective on date of publication, November 10, 2001.
Life Raft Recall Authority [00-(65)-04] [01-(68)-05]	Apr 2000 Oct 2001	Jul 2001	None	None	None	None	Completed. Recall of inflatable life rafts as recreational vessels is within our authority.

NBSAC Recommendation Project	Action Dates Taken/Projected						Comments
	NBSAC Resolution	Notice of Request for Comments	Workplan/ Workplan Change	ANPRM	NPRM/ SNPRM	Final Rule	
Federal Requirements for Persons on PWCs and Being Towed Behind to Wear PFDs [00-(66)-01]	Oct 2000	Sep 1997* Oct 1999*	Feb 2002	None	Jun 2002	Dec 2002	Pending development of Workplan.
Federal Requirements for servicing any life raft per manufacturers' requirements by the manufacturers' approved facilities [00-(66)-03]	Oct 2000	Nov 2001	Undetermined	None	Undetermined	Undetermined	Notice published November 9, 2001; comment period closes on March 11, 2002.
Adopt ABYC/ISO standards for Construction and Certification of Inflatable and RHI Boats [00-(66)-06]	Oct 2000	Undetermined	Undetermined	None	Undetermined	Undetermined	Reviewing standards and accident statistics to determine appropriate course of action.
Federal Requirements for Propeller Injury Avoidance Measures [01-(67)-01] [01-(68)-10] [houseboats]	Apr 2001 Oct 2002	None	Jun 2001	None	Dec 2001	Aug 2002	NPRM published December 10, 2001; comment period closes on March 11, 2002.

NBSAC Recommendation Project	Action Dates Taken/Projected						Comments
	NBSAC Resolution	Notice of Request for Comments	Workplan/ Workplan Change	ANPRM	NPRM/ SNPRM	Final Rule	
Boat Propeller Injury Avoidance Standards [01-(67)-01] [manufacturer]	Apr 2001	Undetermined	Undetermined	None	Undetermined	Undetermined	Developing Workplan.
Federal Requirements for Propeller Injury Avoidance Measures [01-(67)-01] [rental displacement & labels]	Apr 2001	Undetermined	Undetermined	None	Undetermined	Undetermined	Pending development of Workplan.
Adopt ISO HIN system "Country Code" prefix [01-(68)-04]	Oct 2001	Undetermined	Undetermined	None	Undetermined	Undetermined	Pending development of Workplan.

Note: **ANPRM** - Advance Notice of Proposed Rulemaking.

NPRM - Notice of Proposed Rulemaking.

SNPRM - Supplemental Notice of Proposed Rulemaking.

None - Action is not intended for project.

Undetermined - Next Action and/or Date has not been set.

* Federal Register Notice of Request for Comments regarding Federal Requirements for Wearing PFDs.

** Notices initiated previously to obtain information on the number and nature of injuries from vessel propellers and to get comments on injury prevention strategies. Researched the boating accident database for reported accidents involving propeller strikes in calendar years 1995-1998; research continues to help define the problem and determine the costs and benefits of possible regulatory solutions. Intend to include results of a FY 1998 grant to study emergency department records for injuries and fatalities involving propeller strikes that may not have been reported as boating accidents.