Safe Boating: National Trends, Mandatory Education, and the Prevention of Boating Under the Influence

September 3rd, 2014
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Presenters

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Education director
National Association of State Boating Law Administrators (NASBLA)
Safe Boating: National Trends, Mandatory Education and Prevention of Boating Under the Influence

Pamela Dillon, Education Director
National Association of State Boating Law Administrators
Fatality Rate per 100,000 Boats

- Federal Boating Act of 1958
- ABYC voluntary manufacturing standards
- Federal Boat Safety Act of 1971 enacted
- Federal mandatory manufacturing standards
- Aquatic Resources Trust Fund created 1984
- Drunk boating laws and enforcement enhanced
- States begin enacting education mandates
- Wearable life jackets required on smaller boats

1958, 1971 & 1984 Acts led to significant enhancements of state boating laws and enforcement

2013 – Record Low 560 Deaths
The chart illustrates the decline in boating fatalities per 100,000 boats from 1960 to 2010. Key developments highlighted include:

- **Federal Boating Act of 1958**: ABYC voluntary manufacturing standards.
- **Federal Boat Safety Act of 1971**: Enacted, leading to significant enhancements of state boating laws and enforcement.
- **Aquatic Resources Trust Fund created 1984**: Drunk boating laws and enforcement enhanced.
- **States begin enacting education mandates**: Wearable life jackets required on smaller boats.

The chart notes that the acts of 1958, 1971, and 1984 led to significant enhancements of state boating laws and enforcement.
Fatalities/100,000 Boats

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Registered Vessels and Deaths 1962-2013

Federal Boat Safety Act of 1971

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Fatalities/100,000 Boats

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2013 – Record Low 560 Deaths
NEVER BOAT UNDER THE INFLUENCE!

June 27-29, 2014

operationdrywater.org

Boaters >
Take the pledge.
Learn about BUI.

Law Enforcement >
Report your ODW weekend activity.

Media >
Spread the word!
Download resources.
Fatalities/100,000 Boats

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NASBLA Model Acts for Education:

**EDUCATION**

- Model Act for Mandatory Boating Safety Education
- Vessel Operator Licensing
- Mandatory Boating Safety Course for Certain Violations
As of October 18, 2013

States Requiring Motorboat Operator or PWC Proof of Certification

Note that each state has unique requirements that may impact different age operators. Some states have additional requirements for PWC or non-motorized operation which may not be reflected in this illustration.
Title: Basic Boating Knowledge

Scope: This is the minimum required standard that applies to all basic boating courses in the U.S. states and territories and District of Columbia.

Purpose: To establish the national standard for use by course providers to meet the needs of recreational boaters for basic boating knowledge in order to identify and reduce primary risk factors and mitigate their effects on recreational boating.
State Education Standards (since 1999)

* NASBLA-103-2015 Basic Boating Knowledge - Power
  * Approved and authorized for publication.
  * Effective for courses approved in 2015.
NASBLA Course Approvals
- Approx. 400 Approved courses
- Over 100 Approved Course Providers

2013 NUMBER OF STUDENTS EARNING BOATING EDUCATION CERTIFICATE BASED ON NATIONAL STANDARDS
509,443*

National Boating Education Standards

Education Standards Panel at http://esp.nasbla.org/esp/
Fatalities/100,000 Boats


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Drunk boating laws and enforcement enhanced

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2013 – Record Low 560 Deaths
560
Goal: 0
Questions??

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Presenters

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New York State (NYS) Office of Parks and Recreation and Historic Preservation
NEW YORK STATE BOATING EDUCATION REQUIREMENTS

Brian Kempf, BLA State of New York

NEW YORK SAFE BOATING
History of Boater Education

- New York boater education requirement established in 1959 for youths
- PWC operators phased in from 1999 to 2004
- All boat operators born after May 1, 1996
Anyone born on or after May 1, 1996. (Eff 5/1/14)

• Youths less than 18 years of age may operate a motor boat without a certificate when accompanied by an adult 18 years of age or older who is either:
  – A holder of a boating safety certificate
  – Born before May 1, 1996

• Adults 18 years of age or older, who are required to hold a certificate, may operate a motor boat without a certificate when accompanied by someone 18 years of age or older who is the holder of a certificate
Personal Watercraft Operators

- 14 years of age and complete a boating safety course
- Or accompanied by someone 18 years of age or older who has a boating safety certificate
What satisfies these requirements?

- US Coast Guard Auxiliary Boating Safety Course
- US Power Squadron Boating Safety Course
- New York Safe Boating Course
Exemptions

- NY Safe Boating Course Instructors
- USCGA or USPS Members
- NYS licensed Public Vessel Operators
- US or Canadian Coast Guard licensed operators
Exemptions

- Police Officers, Peace Officers, Firefighter, lifeguard and Emergency Rescue Personnel when acting pursuant to their duties
- Out of state residents with an approved boating safety certificate from their home state
- Owner of a boat purchased within the previous 120 days
Livery Exemption

- Liveries may rent a boat to an operator without a certificate provided:
  - The person is at least 18 years of age
  - The livery demonstrates the operation of such vessel and location of safety equipment
  - The renter is able to demonstrate the information back to the livery
  - The vessel is not rented to the same person for a period exceeding 60 days
PWC Rentals

• Must be 16 to rent with a boating safety certificate

• Persons without a boating safety certificate may rent and operate a personal watercraft if:
  – They are at least 18 years of age.
  – Remain within 2500 feet of the rental business or within 500 feet of a provided guide
Commissioner of OPRHP is authorized to approve internet-based boating safety courses at his or her discretion

On-line options being examined
States Requiring Motorboat Operator or PWC Proof of Certification

As of October 18, 2013

Education Req – Birthday-based

Education Req – Certain Ages Only
(Usually preteens &/or teens &/or young adults only)

Education Req – PWCs Only; for Certain Ages Only; or Rentals Only

Short-Term Phase-In & May Require Operator’s License

No Boating Education Requirements

Note that each state has unique requirements that may impact different age operators. Some states have additional requirements for PWC or non-motorized operation which may not be reflected in this illustration.
Age of Operator in Fatal Accidents 2005-2013

- Under 21: 9%
- 21-30: 17%
- 31-40: 18%
- 41-50: 28%
- 51-60: 16%
- Over 60: 12%
New York Safe Boating Course

- Students Under 18 Years of Age
- Students Taught

Graph showing the number of students taught and the number of students under 18 years of age from 2000 to 2013.

- PWC Law Takes Affect 2004
- Born on or After Law Takes Affect 2014
Wade Alonzo
Boating Program Manager
Washington State Parks and Recreation Commission
Boating Safety in Washington State

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Boating Program Manager
Washington State Parks and Recreation Commission
Robert Miller, US Power Squadrons
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Jan Visser, Pac. Int’l Yachting Assoc.
Peter Schrappen, NW Marine Trade Assoc.
Raymond Williams, Unaffiliated Boaters
Sheriff Bill Benedict, Wa. Assoc. of Counties
Gerald Hodge, Wa. Water Trails Assoc.

Bonita M. Harding, USCG Auxiliary
Frances Troje, Kayakers
Bonney Lake Police Chief, Dana Powers
Paul Wenzel, Anglers & Hunters
Nigel Malden, Personal Watercraft Owners
Mary Roberts, Educators
Kathy Williams, Injury Prevention, WA DOH

Poll: How many of you are involved in your states boating safety program?
Fatality Data (1984–2013)

Poll: What is the month with most fatalities?

Washington State Recreational Boating Statistics
Total Fatalities and Registered Vessels 1984 to 2013

*1 Note that in 1984, vessels were still registered by the USCG. The number of vessels registered is a combination of actual registered vessels and estimates of those vessels that were required to register but were not. The actual number was likely much closer to 125K.
Fatality Data (2001 – 2013)
High Priority Customers

- Men over 40
- High Impact Counties
- Boats less than 20 feet
- Freshwater Boaters
- New & Casual Boaters
- Paddle Sports
- Youth

Poll: Which audience do you think Washington paddling experts and ACA pointed out as a priority for injury prevention efforts?
High Priority Issues

- Over Confidence
- PFD Wear
- Cold Water Shock
- Capsizing and Overboard
- Safety Gear
- Alcohol and BUI
BUI more dangerous than DUI?
Affects exaggerated on the water
BUI vs. DUI....different cultural norms.
How do you conduct a field sobriety test on a moving platform?

What do you do with the boat if the operator is impaired?

Time intensive…one BUI can end an officers day of patrol.

Unfamiliar to prosecutors and judges.
From 2005 – 2011 alcohol involved in 30% of WA boating fatalities (probably more) and 18% of injury accidents.

From 2000-2009 at least 26% of child and youth fatalities involved alcohol.
Prior to 2013, WA had the weakest BUI law in the West.

Washington’s BUI Law

2012

- May - policy discussion with WASPC BSC
- June & July - Meeting of state partners...What would be a deterrent?
- September - Stakeholder outreach
- November - WASPC and agency support
- December - Legislative sponsors, meetings...off to the races
Final Law

- Gross misdemeanor – Up to $5K / 364 days in jail
- Implied Consent = $2K fine for refusing breathalyzer test
- Includes references to marijuana
- NO tie to drivers license or elevating penalty scheme
Keys to success

- Start with common, deeply held values
- Have data to back up your position
- Consensus of stakeholders
- Division of labor
- Over communicate...transparency
- Surround yourself with amazing partners (like WA DOH, Children’s Hospital and WDFW)
We’re not done....

Kathy Williams (WA DOH) leading an effort to evaluate our law

Working with Celeste Chung (Children’s Hospital) & Marla Peters (WA DOH)

Developing:

• A Logic model
• Formal evaluation plan
• Survey Monkey for prosecutors
• Key informant interviews for MLE, Judges, others
• Survey of our boaters
• BUI Bench book
• Communication plan
Thank You!

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Thank you for your participation

Please take a moment to complete our short evaluation

https://www.surveymonkey.com/s/KC9N8BM