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US Department
of Transportation
**United States
Coast Guard**



Commander
Seventeenth Coast Guard District

P.O. Box 3-5000
Juneau, AK 99802 -1217
Staff Symbol: (b)
Phone: (907) 586-7467

16750
12 February 1987

The Honorable B. Cato
Alaska House of Representatives
P. O. Box V
Juneau, AK 99801

Dear Representative Cato:

These statistics were obtained from various states concentrating on when they adopted their Safe Boating Law, annual fatalities, and most important the number of registered boats. In some cases, although the number of fatalities did not decrease, they remained level while the number of registered boats increased drastically.

Year Passed	State, Reg Boats and Fatalities That YR	1985 Reg Boats and Fatalities
1972	Arizona 62,912(6)	111,702(6)
1974	Delaware 27,251(7)	39,875(2)
1974	Florida 248,898(82)	537,086(65)
1977	South Carolina 160,336(41)	221,322(17)

Similar statistics continue for other states. A State Education Program has a positive effect on reducing fatalities even in the face of increased boating activity.

Thank you for any support you can lend to this effort in Alaska. Enclosed are copies of this letter for all House Transportation Committee members.

Sincerely,

G. M. HARBEN
Commander, U. S. Coast Guard
Chief, Boating Safety Division
Seventeenth Coast Guard District

Encl: (1) Copies of CDR HARBEN ltr 16750 of 12 FEB 87

ENCLOSURE(1)

HOUSE TRANSPORTATION COMMITTEE

HB 94

SAFE BOATING BILL.

CDR G. M. HARBEN, USCG

CDR D. M. WALDRON, USCG

Since the turn of the century, boating has steadily grown to become one of the nation's most popular pastimes.

Correspondingly, the boating accident statistics have also grown. As the years went by the Congress enacted several pieces of legislation to deal with the growing problem. Finally, on August 10, 1971, the Federal Boat Safety Act was signed into law establishing minimum standards which would provide the public with reasonably safe boats and equipment. At the same time the Act stressed the need for the individual states to enact equivalent legislation of their own, thus motivating the public to boating safety awareness through public education and operator and equipment requirements.

With the enactment of the Federal Boat Safety Act of 1971, the vast majority of states have recognized the inherent dangers associated with boating and during the ensuing years, 49 states have enacted boating safety legislation which squarely faced the problems head on. Their actions and subsequent programs have significantly turned the tide of rising boating accidents and deaths within their states. These programs have received national acclaim for the advancements that have been made in the field of boating safety education and public protection.

To better coordinate their activities among themselves, the National Association of State Boating Law Administrators (NASBLA) was formed to serve as a viable public forum for reviewing and improving upon the federally approved state boating programs.

In Alaska, the only state where there is no Federally approved state boating program, the Coast Guard acts as the boating law administrator for areas that fall under Federal jurisdiction. Consequently, because of this very limited Federal Boating Safety Program, Alaska's boaters are paying dearly through personal injury, loss of life and loss of property. In 1985 70 people lost their lives in recreational boating accidents, 70% of these tragedies occurred on inland Alaskan waters such as lakes, rivers and sheltered waters.

This was second only to motor vehicle fatalities as the largest category of accidental deaths. When this figure is compared with the rest of the United States, Alaska has by far the worst boating record --- over 40 times the National average. Only California (76) and Texas (72) had more fatalities and these states have 24 times the number of registered boats.

Another thing to be remembered in the case of California, is that the boating season in many areas of the state lasts year round, unlike Alaska, which has a boating season of 6 months or less.

It is evident from these statistics that Alaska has a severe boating problem when compared to the rest of the United States. What can we do to solve this problem or at least bring it under control?

The most effective and proven means for dealing with this problem

would be to legislate a comprehensive state boating safety program.

How is a state boating safety program going to change Alaska's unenviable record of boating activity?

First of all, it will identify and charge a state agency with the responsibility for implementing a coordinated boating safety program. Not just another law enforcement program of the Department of Public Safety, but more importantly a means to implement a comprehensive public education program.

Why an education program?

With a state as vast as Alaska the emphasis needs to be focused on public education. The resources and expertise of the Department of Education would be utilized to assist in the development and operation of a public education program. In addition, the Coast Guard can be called upon for assistance, training and advice for program development in order to establish effective programs.

How would public protection be handled with the new law?

In addition to the education program, incorporation of the Federal boating regulations into the state boating law would provide procedures and policies for dealing with violators, as well as provide for the minimum operator requirements for safety equipment

and boat operation. Specific sections of the act will empower state law enforcement officials with the necessary authority to carry out its provisions. Existing manpower from the Alaska State Troopers and the Fish and Wildlife Protection could be utilized for public protection purposes without the necessity of recruiting more personnel to enforce boating laws.

The Coast Guard does not have access or jurisdiction to the inland areas where most of the fatalities occur. Each year the number of complaints received by the Alaska State Troopers, the Coast Guard and other state and federal agencies concerning the negligent operation of boats continues to mount, especially along the inland rivers.

With the passage of a state boating safety act, where will the revenues come from to administer these programs?

There is a National Recreational Boating Safety Financial Assistance program, for these states with a federally approved safe boating program.

In-state revenue available would be would be moneys generated by a state operated boating registration program. At the present time this program is administered on behalf of the Federal government by the Coast Guard in Juneau, with all the revenues from this program being deposited in the U. S. Treasury. None of the revenues remain in Alaska!!

What advantages are there to numbering boats?

Most importantly, boats need to be numbered to aid in search and rescue. For example, if a boat is found adrift or capsized, in just a matter of minutes the boat owner can be identified through the numbers on the hull and a check can be made with owner, relatives or neighbors to if there was anyone on board or if the boat was just adrift.

The boat registration program also provides an added benefit for the prospective boat buyer. Financial institutions will more readily lend money for the purchase of boats if some form of previous ownership can be provided.

Boat numbers also fulfill other useful purposes. Among them law enforcement, educational contact, accident reporting and consumer defect notification. Whether used for tracing a person for the negligent operation of a boat, to provide boating safety materials, or notify a consumer of a possible product defect, it helps protect and serve the public welfare.

With the passage of a comprehensive state boating safety program won't the Coast Guard reduce its efforts in boating safety in Alaska?

Quite the contrary, the Coast Guard has a dedicated commitment to boating safety in Alaska. The presence of a state boating safety

program would lend a new dimension to the Coast Guard's role in this area. Specifically, the Coast Guard would assist the State in establishing its own program, provide training to State law enforcement officers and work hand in hand with State and local agencies.

But what if the legislature fails to enact a state boating safety law, what will the consequences be?

With no possibility of the Coast Guard expanding their boating program, the number of boating accidents and fatalities will continue to soar as the boating population grows.

Without a doubt the proposed state boating law will provide the boaters of Alaska with a program designed to meet their special needs without burdening the non-boater.

COAST GUARD ASSISTANCE

1. Training and assistance will be provided by the Coast Guard for initial development of educational programs.
2. Initial training of law enforcement officers to assist in the development of an effective public protection program.
3. The Coast Guard will continue its coastal boarding program for enforcement of boating safety laws.

4. The Coast Guard will continue with present educational programs --- in relation to the Coast Guard Auxiliary.

5. The Coast Guard will remain a viable support agency for state assistance.

ADVANTAGES TO STATE IN ESTABLISHING A BOATING SAFETY PROGRAM

1. The State will assume management, administration and control of the program.

2. Revenues will remain in Alaska, available for state usage, instead being deposited with the Federal government.

3. Offers programs and protection to the entire state, not just coastal areas.

4. The means of reducing Alaska's tragic boating fatality statistic.



U.S. Department of Transportation
United States Coast Guard



Does Alaska need a safe boating law?

CCGD 17 (b) 13 NOV 8

One dead, one lost as skiff overturns Kodiak Man Lost Overboard

Fishing boat still missing

1 dead, 1 missing in skiff accident

Two Lost In Boat Accident At Ketchikan

Boater Drowns

Search goes on for missing skipper

Coast Guard searches for Sitka seiner Camel

Search on for family in dinghy

ated on the west side of Uyak Bay, ab... village, troopers said... volunteers, organized by village... ground and shore search... of Public Se... suspended their... 17-year... had been in Alaska... week Wednesday... 14-foot skiff... with you... tional notation may... impossible to dive down... get out of a flooded compa... If caught in this situ... it out of the suit, swi... the space and hudd... others or climb on top... The Associated Press... JUNEAU — The U.S. Coast Guard and Alaska State... search... The weather was excellent during the entire search. There were no sightings whatsoever of anything," said Farmer, "The maritime Safety Agency... Lance...

2 teen-agers missing after raft trip

Fishing vessel sinks; crew missing

Search on for family in dinghy

Search on for family in dinghy

Search on for family in dinghy

Search on for family in dinghy

Search on for family in dinghy

Search for boy, suspended

Officer Glenn Rosenhol... the Coast Guard office... Tackett, of Hillsboro... had been in Alaska... week Wednesday... 14-foot skiff... with you... tional notation may... impossible to dive down... get out of a flooded compa... If caught in this situ... it out of the suit, swi... the space and hudd... others or climb on top... The Associated Press... JUNEAU — The U.S. Coast Guard and Alaska State... search... The weather was excellent during the entire search. There were no sightings whatsoever of anything," said Farmer, "The maritime Safety Agency... Lance...

Two lost at sea near Cape St. Elias

Search on for family in dinghy

Search on for family in dinghy

Search on for family in dinghy

Search on for family in dinghy

Search on for family in dinghy

Search on for family in dinghy



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

P.O. Box 7, State Capitol
Juneau, Alaska 99811-3100
Mail Stop 3100
(907) 465-3991

January 27, 1987

MEMORANDUM

TO: Representative Robin Taylor

ATTN: Elsa Froehlich Demeksa

FROM: Mary Jennings *mg*
Legislative Analyst

RE: State Assumption of Boat Registration and Safety Programs
Research Request 87.090

You requested that we provide: 1) an estimate of costs and revenues that would result if the State were to begin a boat registration program; 2) a discussion of the benefits of a State boating safety program; and 3) a discussion of costs and revenues of boat registration and boating safety programs in Washington, Oregon, Texas and California.

Background

In other states, the fees generated from registration and titling of undocumented or pleasure boats are used to provide boating safety programs. These programs enforce registration of boats in both inland and coastal waters, enforce safe boating regulations, and provide education to the public on safe boating practices. Alaska is the only state that does not require statewide registration of undocumented boats and, as a result, does not have a boating safety program. According to the U.S. Coast Guard, the minimal enforcement of boating safety regulations that occurs in Alaska results in improperly equipped pleasure boats and a general lack of safe boating practices. The Coast Guard notes that Alaska has the highest boating fatality rate in the nation.

Federal law requires all boats that operate in coastal waters to be numbered. In Alaska, the Coast Guard presently registers undocumented power boats used in coastal waters. The Coast Guard charges a two dollar renewal fee, which is deposited into the U.S. treasury. The Coast Guard provides this service for an estimated annual cost of \$53,000. Registration generates approximately \$70,000 in annual revenues.

Registration Fees. The Coast Guard estimates that if boating registration were enforced by the State in both coastal and inland waters, approximately 50,000 boats would be registered. Fees for registration in other states range from one dollar to \$50. An annual fee of \$10 dollars

(\$30 per three years) is recommended by the Coast Guard. At present, there are 1,200 vessels with Alaska numbers from Washington, Oregon, and other west coast states. The Coast Guard recommends that out-of-state boats be charged \$50 per year.

Operating Cost and Revenues. If Alaska were to initiate a boat registration program, the Coast Guard stated that the present boat registration computer system could be used by the State. (Software changes would be required to provide titling capability.) The Coast Guard estimates that costs to start the registration operation would be \$35,000 and that annual operating costs would be approximately \$95,000. Based upon the number of boats estimated to be eligible for registration and the suggested fees, the Coast Guard estimates that annual revenues would be \$550,000 (for a breakdown of data, see Attachment A).

Federal Funds. States with boating safety programs are eligible to receive federal funds to enhance their programs. One-third of a \$30 million dollar fund, which is appropriated annually by Congress, is divided equally among states and the remainder is distributed based upon the number of vessels registered in the state and the amount of money spent by the state for boating safety. The Coast Guard estimates that Alaska would receive approximately \$250,000 in federal funds if a boating safety program were initiated.

Benefits. A program that enforced boating regulations and provided education on safe boating practices would likely result in greater safety in Alaska's waters. In addition, the initiation of a State boat registration and a boating safety program would likely result in the creation of several jobs. Based upon the number of boats, the Coast Guard estimates that 2.2 positions would be needed to administer registration. Personnel would also be needed for enforcement and for safety education. Funding for these jobs could come from registration fees and federal funds.¹

Washington

Boating registration and boating safety programs in Washington are administered by the Department of Parks and Recreation. The department reports that approximately 150,000 boats are registered in the state. An annual registration fee of \$6 is charged. In addition to this fee, an excise tax based on 0.5 percent of the depreciated value of a boat is charged. The title fee is \$5. Revenues are deposited into the state's general fund. Counties in Washington are allowed to charge an additional 50 cents per foot; these revenues are kept at the county level. Washington collects approximately \$5 million in annual registration fees. The state's boating safety program has an annual operating cost of approximately \$300,000, which includes the cost of registration administration, educational programs, and some limited enforcement of regulations.

¹Although the State Constitution prohibits and dedication of user fees to a program's budget, the legislature has routinely appropriated program receipts to the program that generated the revenue.

Robert Porterfield, of the Washington Department of Parks and Recreation, stated that revenue raised from boat registration is viewed as a means of providing money to the state's general fund in addition to providing funds to operate the boating safety program. He added that because funding is not appropriated to local governments for the enforcement of boating registration, compliance is poor. He felt that only about half of all eligible boats in the state were registered.

Oregon

Oregon, which has 143,000 registered boats, collects approximately \$1.5 million annually in boat registration and title fees. Registration fees are based upon a sliding scale and range from \$11 for a boat less than 12 feet to \$21 for a boat over 20 feet. A \$7 fee is charged to title boats. Revenue generated from boat registration is dedicated to the Marine Board Fund, which is used for the boating safety program and construction of boating facilities. The state spends approximately \$500,000 annually to operate its boating safety program. The Oregon State Marine Board, which administers the program, stated that these operating costs include registration administration, law enforcement, and safety education.

Paul Donhuffner, of the State Marine Board, stated that because Oregon dedicates boat registration fees to a fund for boating-related functions, compliance with registration is excellent. He said that this was because Oregonians feel the fees are justified because they are used to improve aspects of boating in Oregon.

Texas

Boating registration and safety in Texas is administered by the State Department of Parks and Wildlife. Approximately 605,000 boats are registered in Texas. Fees for registration range from \$12 for a 16-foot boat to \$30 for a boat over 40 feet. A title fee of \$5 dollars is charged for all boats over 14 feet. All revenue is deposited to the State Parks and Wildlife Fund which is used for boating safety and other related programs. The department was not able to provide operating and revenue data, but stated that 23 full-time and 12 seasonal employees are utilized to operate the registration and safety program.

Jim Ramsey, of the department, stated that the boating safety program utilizes game wardens who are specifically assigned to water safety patrol and enforcement of safety regulations. He added that state law requires that each boat registration document be accompanied by a pamphlet on boating safety when mailed to the boat owner.

Representative Taylor
January 27, 1987
Page 4

California

The California Department of Boating and Waterways reports that approximately 650,000 boats are registered in the state. A \$9 fee is charged to initially register undocumented boats and thereafter a \$5 annual renewal fee is charged. The department reports that \$4.8 million is collected annually in boat registration fees. All revenues are deposited into the Harbor and Water Craft Fund, which is used for the boating safety program.

The operating cost of the boating safety program, which includes registration administration, enforcement, facility construction, and education programs, is approximately \$6.1 million. According to David Johnson, the legislative coordinator for the department, the program also receives revenue from a boat gasoline tax. Mr. Johnson stated that California has good compliance with its registration and safety laws.

I hope you find this information useful. I have requested a copy of the boat registration fee schedules in the other states from the National Association of Safe Boating Law Administrators. I will send it to you when I receive it. Please feel to contact me if you have any questions.

MJ

Attachment

U.S. Department
of Transportation
**United States
Coast Guard**



Commanding Officer
Marine Safety Office

612 Willoughby Ave
Juneau, AK 99801
(907) 586 7349

16750
9 Jan 87

The Honorable Robin Taylor
House of Representatives
P.O. Box V
Juneau, Alaska 99811

Dear Representative Taylor:

All States except Alaska received at least \$200,000 in federal funds for boating safety last year. Alaska's share would have been about \$250,000. The recreational (not commercial) boating accident death rate in Alaska is forty times the national average. Alaska is the only state that has the Federal Government selling boat registration to its citizens with the funds going to the U.S. Treasury.

I hope that I have sufficiently aroused your interest enough to review the attached information. One or more of your colleagues will be entering legislation this session regarding boating safety and registration for the State of Alaska. The potential benefit to the citizens of Alaska is quite evident, as well as the need for state involvement in the safety and welfare of thousands of boaters.

If you are interested in discussing this area of mutual concern, please call me at 586-7349 or feel free to stop by at 612 Willoughby Street.

Sincerely,

A handwritten signature in cursive script, appearing to read "D. M. Waldron".

D. M. WALDRON
Commander, U. S. Coast Guard
Marine Safety Office Juneau, Alaska
Commanding Officer

COST/BENEFIT ANALYSIS
BOAT REGISTRATION, STATE OF ALASKA

Background:

The Coast Guard presently registers undocumented power boats used in the coastal waters of Alaska. Estimated costs for this service is as follows:

Personnel 1.1 man years	\$35K
Computer Generated Forms	8K
Postage	5K
Overhead (office space, computer, etc.)	<u>5K</u>
Estimated costs based on 30,000 boats, renewals every 3 years	
	\$53K

Renewal Fees at \$2 per year have averaged about \$70K to the U.S. Treasury.

Proposal: That the State of Alaska establish a boating registration program and eventually a boating safety program. All power boats in the state would be required to be registered, not just in coastal (Federal) waters. It is estimated that this would be at least 50,000 vessels. Fees for other states range from \$1 per year to over \$50 per year. An annual fee of \$10 (\$30 for 3 years) is suggested. At present there are about 1200 vessels with Alaska numbers from Washington, Oregon, and other west coast states. It is recommended that out of state boats be charged \$50 per year. The present computer system's use could be negotiated for use by the state. Software changes would be required to provide titling capability and would cost about \$25K. Costs are estimated as follows: (based on 50K boats, 3 year renewal)

Operating Costs

Personnel 2.2 man years	\$60K
Forms	15K
Postage	10K
Overhead	<u>10K</u>
	95K

Startup Costs

Furniture, Setup Costs	\$ 5K
Software Changes	25K
Computer Terminals	3K
Misc Expenses	<u>2K</u>
	35K

Total first year expenses \$130K.

First year estimated revenues (at \$10/boat, \$30 for 3 years)

1/3 X present 50K boats	10Kx\$30 =	300K
New Vessels (not presently registered)	10Kx\$30 =	300K
Out of State Vessels (\$150 for 3 yrs)	400x\$150 =	<u>60K</u>
	TOTAL	660K

Second year

1/3 present vessels (10K)	300K
New Vessels (5K)	150K
Out of State Vessels (.4K)	<u>60K</u>
	TOTAL
	510K

Third year

1/3 present vessels (10K)	300K
New Vessels (3K)	90K
Out of State (.4K)	60K
TOTAL	450K

Fourth year

Registered Vessel (20K)	600K
New Vessels (2K)	60K
Out of State (.4K)	60K
TOTAL	720K

Revenues should tend to stabilize (at about 50K boats) at \$500-600K.

There are many other benefits that are not easily quantified as follows:

- a. Enforcement of boating safety regulations - At present, federal enforcement is minimal in most areas of Alaska resulting in pleasure vessels not properly equipped for Alaskan waters.
- b. Fee for present registration not remaining in the state.
- c. Federal funds in excess of \$250K are being lost because of lack of boating safety program.
- d. Present fatality rate for a summer month recreational boating season is 40 times the national average. An equivalent death rate in Minnesota per 100,000 boats would be 1694 deaths! The loss of 70 Alaskans last year is hard to ignore or put a price tag on.
- e. The creation of jobs for boating registration and boating safety utilizing revenue from the registration program and federal funds would benefit Alaska especially at this time.
- f. The mechanism for assessing local user fees based on the zip code of the boat owner could be implemented in the software changes. This would provide equitable, low cost collection of local user fees.
- g. Alaskans would have a vested interest in having vessels comply with safety standards and registration requirements.
- h. Harbormasters would have better control over vessels in their harbors and enforcement authority to require vessels to comply.
- i. Excess registration and federal grant funds would be available for law enforcement equipment and for hiring additional personnel.
- j. Federal enforcement would probably remain at current levels.

SAFE BOATING BILL

Questions and Answers

Q. Why does the Coast Guard want Alaska to pass a Boating Bill?

A. Because Alaska has the highest boating death rate in the U.S.

Because the Coast Guard does not have jurisdiction over all waters of the state and there is no law applicable to many Alaskan boats.

Because a law forms the basis from which to educate people on a local level, on how they should equip their boats for their own safety.

Because an acceptable law will allow the federal government, through the Coast Guard, to enter into a mutual agreement with the state for conducting a coordinated educational program (and enforcement when and where necessary) throughout the state.

Because the state can receive federal funds to assist in boating safety activities.

Q. How can you legislate safety on boats?

A. You can't really. People must be simultaneously educated regarding the NEED for safety. A good example is traffic laws. They don't prevent all the accidents and deaths on the road - but they do give most people a safe guideline by which to drive.

Q. Would the state law be similar to federal law?

A. Yes. It would require boats to carry the same equipment required by Federal law. At present in Alaska there is no law requiring such things as red and green lights at night, fire extinguishers on boats of appropriate size and type, Coast Guard approved life-saving devices, etc.. In 61% of the 1985 fatalities, either there were no personal flotation devices on board or approved devices that were accessible were not used.

Q. Why would the state want to take over the job of boat registration from the Coast Guard?

A. Net revenues to the state could amount to over 300K. This is

A. If past statistics can prove a point . . . YES!. Since the passage of the Safe Boating Law of 1971, fatalities have decreased across the nation by 30% while the number of boats has increased by 50%. This statistic has to prove that a better educated public is a safer public. The Bill will provide a springboard for education and reasonable enforcement to the safety of all, and by this it will hopefully reduce our tragically high boating accident fatalities.

Q. Where can answers be obtained to questions not listed here?

A. Contact: Chief, Boating Safety Division
Seventeenth Coast Guard District
Box 3-5000
Juneau, AK 99802-1217
PH: 907 586 7072

FY 1986
\$27992250.00

FEDERAL GRANTS FOR
STATE BOATING SAFETY FY 86

state	total authorized	percentage of total	boats registered	percentage of boats	amount for boats	state funds expended	percentage of expended	amount for expended	equal amounts
1 AL	\$660020.97	2.36%	229890	2.44%	\$227265.89	\$2126989.00	2.79%	\$259963.41	\$172791.67
4 AZ	\$387272.55	1.38%	112047	1.19%	\$110768.02	\$848566.00	1.11%	\$103712.86	\$172791.67
5 AR	\$536281.27	1.92%	309831	3.28%	\$306294.39	\$467964.25	0.61%	\$57195.21	\$172791.67
6 CA	\$1682130.42	6.01%	619087	6.56%	\$612020.34	\$7341750.00	9.62%	\$897318.41	\$172791.67
8 CO	\$271690.89	0.97%	66016	0.70%	\$65262.45	\$275212.00	0.36%	\$33636.78	\$172791.67
9 CT	\$350394.07	1.25%	72591	0.77%	\$71762.40	\$865970.00	1.13%	\$105840.00	\$172791.67
10 DE	\$272876.86	0.97%	37402	0.40%	\$36975.07	\$516559.33	0.68%	\$63110.12	\$172791.67
11 DC	\$284246.60	1.02%	3391	0.04%	\$3352.29	\$884499.00	1.16%	\$108104.64	\$172791.67
12 FL	\$1439786.27	5.14%	517365	5.48%	\$511459.46	\$6181696.52	8.10%	\$755535.14	\$172791.67
13 GA	\$607124.94	2.17%	225812	2.39%	\$223234.44	\$1777185.00	2.26%	\$211098.84	\$172791.67
15 HI	\$321305.30	1.15%	13112	0.14%	\$12962.33	\$1109064.25	1.45%	\$135551.30	\$172791.67
16 ID	\$297765.24	1.06%	67471	0.71%	\$66700.84	\$476944.00	0.62%	\$58292.73	\$172791.67
17 IL	\$510455.30	1.82%	275470	2.92%	\$272325.61	\$534260.51	0.70%	\$65298.03	\$172791.67
18 IN	\$443259.69	1.58%	173006	1.83%	\$171031.20	\$813520.00	1.07%	\$99436.23	\$172791.67
19 IA	\$594735.79	1.73%	175470	1.86%	\$173467.07	\$1133002.38	1.49%	\$139477.05	\$172791.67
20 KS	\$280495.71	1.00%	83305	0.88%	\$82354.10	\$207410.11	0.27%	\$25349.94	\$172791.67
21 KY	\$474225.22	1.69%	114546	1.21%	\$113238.50	\$1539789.05	2.02%	\$168195.06	\$172791.67
22 LA	\$648080.05	2.32%	312119	3.31%	\$308556.27	\$1364131.86	1.79%	\$166732.11	\$172791.67
23 ME	\$339453.59	1.11%	117842	1.25%	\$116496.88	\$464989.00	0.22%	\$20165.05	\$172791.67
24 MD	\$1358420.31	4.65%	142795	1.51%	\$241165.05	\$815674.00	11.19%	\$1244463.50	\$172791.67
25 MA	\$558219.87	1.99%	184140	1.95%	\$182038.11	\$1664113.00	2.18%	\$203390.10	\$172791.67
26 MI	\$1215350.24	4.34%	665540	7.05%	\$657943.10	\$3146877.00	4.12%	\$384615.48	\$172791.67
27 MN	\$1049184.96	3.82%	629291	6.67%	\$622107.87	\$2244170.00	2.94%	\$274285.43	\$172791.67
28 MS	\$425481.03	1.52%	122237	1.30%	\$120841.71	\$1080397.83	1.42%	\$132047.65	\$172791.67
29 MO	\$695537.58	2.50%	328440	3.48%	\$324690.97	\$1645007.09	2.15%	\$251054.94	\$172791.67
30 MT	\$234935.52	0.84%	34395	0.36%	\$34002.39	\$230250.00	0.30%	\$28141.46	\$172791.67
31 NE	\$232723.61	0.83%	54913	0.58%	\$54286.19	\$46192.89	0.06%	\$5645.76	\$172791.67
32 NV	\$262346.78	0.94%	31288	0.33%	\$30930.86	\$479656.49	0.43%	\$58624.25	\$172791.67
33 NH	\$229804.24	0.82%	0	0.00%	\$0.00	\$466469.96	0.61%	\$57012.58	\$172791.67
34 NJ	\$703745.56	2.51%	140284	1.49%	\$139275.86	\$3204662.00	4.20%	\$391678.04	\$172791.67
35 NM	\$233612.00	0.83%	34114	0.36%	\$33724.60	\$221694.00	0.29%	\$27095.73	\$172791.67
36 NY	\$947557.07	3.39%	331742	3.51%	\$327955.28	\$3655746.00	4.79%	\$446815.12	\$172791.67
37 NC	\$477882.78	1.71%	202908	2.15%	\$200591.88	\$855000.00	1.12%	\$194499.23	\$172791.67
38 ND	\$210357.37	0.75%	33723	0.36%	\$33338.06	\$34590.00	0.05%	\$4227.64	\$172791.67
39 OH	\$1013734.56	3.62%	338184	3.58%	\$334323.75	\$4145096.13	5.43%	\$506619.14	\$172791.67
40 OK	\$545640.47	1.95%	193022	2.05%	\$190818.72	\$1489348.00	1.95%	\$182030.09	\$172791.67
41 OR	\$436772.76	1.56%	140003	1.48%	\$138404.92	\$1027449.00	1.35%	\$125576.18	\$172791.67
42 PA	\$726693.31	2.60%	217293	2.30%	\$214812.68	\$2774384.61	3.63%	\$339088.96	\$172791.67
44 RI	\$211159.29	0.75%	31231	0.33%	\$30874.51	\$61307.76	0.08%	\$7493.12	\$172791.67
45 SC	\$598602.20	2.14%	221339	2.35%	\$218812.49	\$1693632.72	2.22%	\$206998.04	\$172791.67
46 SD	\$215001.93	0.77%	33091	0.35%	\$32713.28	\$77703.17	0.10%	\$9496.98	\$172791.67
47 TN	\$467556.32	1.67%	196446	2.08%	\$194203.64	\$822778.00	1.08%	\$100561.02	\$172791.67
48 TX	\$1305017.00	4.66%	599591	6.35%	\$592746.88	\$4413947.00	5.78%	\$539478.45	\$172791.67
49 UT	\$286849.57	1.02%	51781	0.55%	\$51189.94	\$514378.00	0.67%	\$62867.96	\$172791.67
50 VT	\$217448.48	0.78%	29774	0.32%	\$29434.14	\$124550.03	0.16%	\$15222.67	\$172791.67
51 VA	\$417509.76	1.49%	148999	1.58%	\$147298.23	\$797077.48	1.04%	\$97419.87	\$172791.67
53 WA	\$472885.41	1.69%	253980	2.69%	\$251989.91	\$401017.08	0.53%	\$49012.84	\$172791.67
54 WV	\$226136.76	0.81%	38742	0.41%	\$38299.77	\$123099.09	0.16%	\$15045.32	\$172791.67
55 WI	\$779879.92	2.79%	436221	4.62%	\$431241.69	\$1438747.00	1.89%	\$175945.56	\$172791.67
56 WY	\$203470.90	0.73%	19831	0.21%	\$19604.64	\$90611.00	0.12%	\$11074.60	\$172791.67
57 AZ	\$172868.78	0.62%	78	0.00%	\$77.11	\$0.00	0.00%	\$0.00	\$172791.67
72 PR	\$215220.98	0.77%	23083	0.24%	\$22819.52	\$160445.00	0.21%	\$19609.20	\$172791.67
75 PT	\$172979.50	0.62%	190	0.00%	\$187.63	\$0.00	0.00%	\$0.00	\$172791.67
78 VI	\$124981.47	0.47%	3425	0.04%	\$3325.90	\$87578.00	0.11%	\$10703.90	\$172791.67
<hr/>									
	\$27992250.00		9438487		\$9330750.00	\$76343060.40		\$9330750.00	\$7330750.00

* Based on non federal share in Budget Information Section of FY 85 Application.

STATE OF ALASKA THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
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POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

H. JUD.	4-15-87	Mary Van Nimwegen 1:30p.m.
H. JUD	4-7-87	12:30p.m.
H. JUD.	3-31-87	1:30p.m.

HOUSE COMMITTEE REPORT

(7)

Date referred: 3/11/87

FURTHER REFERRALS: Finance

DATE: 4-15-87

The Judiciary Committee has considered HB 94

"An Act relating to boat numbering, accidents, and safety; and providing for an effective date."

RECOMMENDS:

- replace with CS HB 94 (508) the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

[Signature]

[Signature]

[Signature]

SIGNING OTHER RECOMMENDATIONS:

[Signature]

[Signature]

Chairman's signature

A M E N D M E N T #1

Offered in the HOUSE

TO: CSHB 94(Trsp)

By Sund

Adopted

Page 14, after line 22:

Insert a new bill section to read:

"* Sec. 2. AS 05.25.210(a), as enacted by sec. 1 of this Act, is repealed and reenacted to read:

(a) The owner of a boat that is operated principally on state water, or a dealer who wishes to demonstrate one or more boats on state water, shall apply to the department for an identifying number. The application must include the true name of the owner, the residence or business address of the owner, a description of the boat or boats, and other information required by the department or under United States Coast Guard regulations. The application shall contain a statement by the applicant, made under penalty of perjury, that the boat has not been painted in violation of AS 46.03.715. The application shall be signed by the owner and must be accompanied by the prescribed fee."

Renumber the following bill section accordingly.

Page 14, line 26:

Delete "Sec. 3. This Act takes"

Insert "Sec. 4. Sections 1 and 3 of this Act take"

Page 14, after line 26:

Insert a new bill section to read:

"* Sec. 5. Section 2 of this Act takes effect January 1, 1988, but only if a version of an Act regulating the sale and use of TBT-based marine antifouling paints and coatings has taken effect before that date."

WORK DRAFT

WORK DRAFT

WORK DRAFT

5-0314X
Hein
3/31/87

Original sponsor: Taylor

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 94 ()

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to boat numbering, accidents, and
7 safety; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 05.25 is amended by adding new sections to read:

10 ARTICLE 1. NUMBERING AND REGISTRATION.

11 Sec. 05.25.200. CERTIFICATE OF NUMBER REQUIRED ON BOAT. (a) A
12 person may not operate a boat on state water, and an owner of a boat
13 may not knowingly allow another to operate the owner's boat on state
14 water, unless

- 15 (1) the owner of the boat holds a current, valid certifi-
16 cate of number issued in the owner's name as owner
 - 17 (A) under this chapter;
 - 18 (B) by an agency of the federal government; or
 - 19 (C) by the state of principal use that issued the
20 certificate of number under a federally approved numbering sys-
21 tem; and

22 (2) the certificate of number is carried on the boat in a
23 manner that protects the certificate from the elements, and is avail-
24 able for inspection by a state, federal, or municipal law enforcement
25 officer.

26 (b) A certificate of number for a boat less than 26 feet in
27 length and leased or rented to another for the latter's noncommercial
28 operation of fewer than seven days may be retained on shore by the
29 boat's owner or representative at the place from which the boat

1 departs or returns to the possession of the owner or the owner's rep-
2 resentative. If the certificate of number is retained on shore, then
3 a copy of the lease or rental agreement must be carried on the boat.
4 The lease or rental agreement must

5 (1) be signed by the owner of the boat or the owner's
6 representative, and by the person leasing or renting the boat; and

7 (2) specify the period for which the boat is leased or
8 rented.

9 Sec. 05.25.205. PLACEMENT OF IDENTIFYING NUMBER AND DECAL. (a)
10 A person may not operate a boat on state water unless there is painted
11 on or permanently attached to each side of the forward half of the
12 boat a current, valid identifying number awarded to the boat

13 (1) under this chapter;

14 (2) by an agency of the federal government; or

15 (3) subject to the provisions of AS 05.25.215, by another
16 state that awards identifying numbers under a federally approved
17 numbering system.

18 (b) An identifying number shall be painted on or permanently
19 attached to each side of the forward half of the vessel in a position
20 that provides clear legibility for identification. Each number must
21 read from left to right and must be in plain vertical block characters
22 of good proportion not less than three inches in height. The number
23 must be of a color that contrasts with the color of the background and
24 shall be maintained so that it is clearly visible and legible. Each
25 number must have spaces or hyphens that are equal to the width of a
26 letter other than "I" or a number other than "1" between the letter
27 and number groupings.

28 (c) On boats so configured that a number on the hull or super-
29 structure would not be easily visible, the number shall be painted on

1 or attached to a backing plate that is attached to the forward half of
2 the boat so that the number is visible from each side of the boat.

3 (d) A number other than the identifying number may not appear on
4 the forward half of the boat.

5 (e) A decal issued under AS 05.25.225 shall be placed three
6 inches to the rear of the identifying number.

7 Sec. 05.25.210. APPLICATION FOR CERTIFICATE OF NUMBER. (a) The
8 owner of a boat that is operated principally on state water, or a
9 dealer who wishes to demonstrate one or more boats on state water,
10 shall apply to the department for a certificate of number. The appli-
11 cation must include

12 (1) the true name of the owner;

13 (2) the residence or business address of the owner;

14 (3) a description of the boat, or in the case of a dealer a
15 description of the lengths and types of boats, to be operated under
16 the certificate; and

17 (4) other information required by the department or under
18 United States Coast Guard regulations.

19 (b) The application shall be signed by the owner and must be
20 accompanied by the prescribed fee.

21 (c) A certificate of number may be issued to a dealer for use on
22 more than one boat.

23 Sec. 05.25.215. APPLICATION BY OWNER HAVING NUMBER AWARDED BY
24 FEDERAL GOVERNMENT OR ANOTHER STATE. The owner of a boat covered by a
25 certificate of number that is still in effect and that has been issued
26 under federal law or a federally approved numbering system of another
27 state shall apply to the department for an identifying number within
28 10 days after the expiration of the applicable reciprocity period
29 provided in AS 05.25.240(6) or (7).

1 Sec. 05.25.220. CERTIFICATE OF NUMBER FEES. (a) The commis-
2 sioner shall adopt regulations establishing fees for original, renew-
3 al, and duplicate certificates of number, and for dealer demonstration
4 certificates of number.

5 (b) The fee for a certificate of number shall be prorated ac-
6 cording to the number of months the certificate will be in effect.

7 (c) The fees in this section are in addition to any other tax or
8 license fee for a boat.

9 Sec. 05.25.225. ISSUANCE OF CERTIFICATE OF NUMBER AND VALIDATION
10 DECALS. (a) If the application is in order, the department shall
11 issue to the owner a certificate of number that shall state the iden-
12 tifying number awarded to the boat, the name and address of the owner,
13 the state of principal use, the normal use of the boat, the descrip-
14 tion of the boat, the manufacturer's hull identification number if one
15 exists, make, year, length, type of hull material, type of propulsion
16 and type of fuel, the issue date, and the expiration date of the
17 certificate of number. The certificate of number must be wallet size.

18 (b) The department shall issue a set of validation decals bear-
19 ing the year through which the certificate of number is issued. The
20 year shall be indicated by the colors blue, international orange,
21 green, and red, in rotation beginning with red for stickers that
22 expire in 1988. A validation decal must be approximately three inches
23 square.

24 Sec. 05.25.230. EXPIRATION OF CERTIFICATE OF NUMBER; RENEWAL OF
25 CERTIFICATE AND DECALS. (a) A certificate of number expires three
26 years after the last day of the month in which the certificate is
27 issued.

28 (b) The department may require the surrender of the expired
29

1 certificate of number before issuing a new certificate of number.

2 (c) The identifying number awarded to a boat by the department
3 remains the same.

4 (d) An application for renewal of a certificate of number shall
5 be made in the same manner as provided in AS 05.25.210. The applica-
6 tion shall be accompanied by the fee required under AS 05.25.220. The
7 department shall renew certificates of number and issue validation
8 decals in the same manner as provided in AS 05.25.225.

9 (e) A certificate of number issued under this chapter is invali-
10 dated if

11 (1) the boat is subsequently documented or required to be
12 documented;

13 (2) the boat is sold, destroyed, or abandoned;

14 (3) the applicant supplies false information in the appli-
15 cation for the certificate;

16 (4) the fees for issuance or renewal of the certificate are
17 not paid;

18 (5) 60 days have passed since the boat ceased to be used
19 principally in the state; or

20 (6) the owner, through legal process, involuntarily loses
21 the ownership interest in the boat for which the certificate is is-
22 sued.

23 Sec. 05.25.235. REPORT OF TRANSFER, ABANDONMENT OR DESTRUCTION
24 OF BOAT, OR CHANGE OF ADDRESS OF OWNER. (a) The owner of a boat for
25 which a certificate of number has been issued under this chapter shall
26 notify the department of any of the following events within 15 days
27 after the event occurs:

28 (1) the transfer of all or a part of the ownership interest
29 in the boat;

- 1 (2) the theft or recovery of the boat;
2 (3) the destruction of the certificate of number; or
3 (4) an event described in AS 05.25.230(e).

4 (b) Within 15 days after a change of address, the owner of a
5 boat for which a certificate of number has been awarded under this
6 chapter shall report the change to the department.

7 Sec. 05.25.240. EXEMPTIONS. The following classes of boats are
8 exempt from the provisions of AS 05.25.200 - 05.25.235:

9 (1) a boat that has a valid marine document issued by the
10 United States Coast Guard;

11 (2) a foreign boat operated only temporarily in state
12 water;

13 (3) a boat, other than a recreational type public boat,
14 owned and operated by the United States or an entity or political
15 subdivision of the United States, or owned and operated for government
16 purposes by a state or an entity or political subdivision of a state;

17 (4) a ship's lifeboat;

18 (5) a boat belonging to a class of boats that has been
19 exempted from the provisions of AS 05.25.200 - 05.25.235 by the de-
20 partment under AS 05.25.910;

21 (6) a boat with a certificate of number issued by the
22 United States Coast Guard, for a period of one year after the date of
23 issuance;

24 (7) a boat with a current, valid certificate of number
25 issued by another state having a federally approved numbering system,
26 for a period of 60 days after arriving in the state; and

27 (8) a boat that is not propelled by machinery.

28 ARTICLE 2. BOATING ACCIDENTS.

29 Sec. 05.25.300. DUTIES OF OPERATORS AND WITNESSES AT ACCIDENTS.

1 (a) The operator of a boat involved in an accident that results in
 2 injury or death to a person or causes damage to property immediately
 3 shall stop the boat as close as possible to the scene of the accident
 4 and shall remain at the scene of the accident until the operator has
 5 fulfilled the requirements of (b) of this section.

6 (b) The operator of a boat involved in an accident resulting in
 7 injury or death to a person or damage to property shall

8 (1) give to the other operator, to the owner or a surviving
 9 occupant of the other boat or damaged property, or to another appro-
 10 priate person, the name, address, and identifying number of the boat
 11 that the operator is operating, and the name and address of any other
 12 occupants of the boat; and

13 (2) render reasonable assistance to every person injured in
 14 the accident, including the conveying or the making of arrangements
 15 for the conveying of the person to a physician, surgeon, or hospital
 16 for medical or surgical treatment, if it is apparent that treatment is
 17 necessary or if conveyance is requested by an injured person.

18 (c) A witness to the accident shall furnish to the operator,
 19 occupant, or injured person, the name and address of the witness.

20 Sec. 05.25.305. NOTICE OF ACCIDENT RESULTING IN DEATH OR DISAP-
 21 PEARANCE; DUTIES OF PASSENGERS. (a) When, as a result of an occur-
 22 rence that involves a boat or its equipment, a person dies or disap-
 23 pears from a boat, the operator shall, without delay, by the quickest
 24 means available, notify the department of the

- 25 (1) date, time, and exact location of the occurrence;
- 26 (2) name of each person who died or disappeared;
- 27 (3) number and name of the boat; and
- 28 (4) names and addresses of the owner and operator.

29 (b) When the operator of a boat cannot give the notice required

1 under (a) of this section, each person on board the boat shall notify
2 the department or determine that the notice has been given.

3 Sec. 05.25.310. ACCIDENT REPORT REQUIRED. (a) The operator of
4 a boat involved in an accident shall submit a report of the accident
5 to the department in the form and manner the department prescribes if
6 the accident results in

7 (1) the death of a person;

8 (2) injury to a person requiring medical treatment beyond
9 first aid;

10 (3) the disappearance from the boat of a person under
11 circumstances indicating death or injury;

12 (4) damage to the boat or other property in an aggregate
13 amount of more than \$200; or

14 (5) complete loss of the boat.

15 (b) The department may require a person who submits an insuffi-
16 cient report under this section to file a supplemental report, and may
17 require a witness to the accident to submit a report to the depart-
18 ment.

19 (c) If the operator of a boat is incapable of submitting a
20 required accident report, the owner of the boat, if different from the
21 operator, shall submit the report or cause the report to be submitted.

22 (d) A report required under this section shall be submitted

23 (1) within 48 hours after the accident if a person dies
24 within 24 hours after the accident;

25 (2) within 48 hours after the accident if a person is
26 injured and requires medical treatment beyond first aid, or disappears
27 from a boat; and

28 (3) within 10 days after the accident or death if an earli-
29 er report is not required under this subsection.

1 Sec. 05.25.315. FORM OF REPORT; SENDING DEATH CERTIFICATE TO
2 DEPARTMENT. (a) The department shall prepare and make available to
3 the public forms for accident reports required under AS 05.25.310.
4 The report form must call for the information required in casualty and
5 accident reports under United States Coast Guard regulations and other
6 information the department may require. The form must provide that
7 the person who completes the form shall sign and date it upon com-
8 pletion.

9 (b) The state registrar of vital statistics shall, on or before
10 the 15th day of each month, forward to the department a copy of the
11 death certificate covering each death that occurred during the second
12 preceding calendar month and that resulted from a boat accident in
13 state water.

14 Sec. 05.25.320. CONFIDENTIAL NATURE OF REPORT. (a) An accident
15 report submitted to the department shall be without prejudice to the
16 individual reporting and shall be for the confidential use of adminis-
17 trative and enforcement agencies only.

18 (b) The department upon written request, shall, if available,
19 disclose the following information to a party involved in the acci-
20 dent, or, in the event of the party's death, to a member of the par-
21 ty's family, or to the party's personal representatives:

22 (1) the identity of the owner, operator, and occupants, and
23 the identifying number of a boat involved in an accident;

24 (2) the names of companies insuring the owner or operator;
25 and

26 (3) the identity of witnesses to the accident.

27 (c) A report under AS 05.25.310 - 05.25.320 may not be used as
28 evidence in a civil or criminal trial arising out of the accident.
29 The department shall furnish, upon demand of a person who has or

1 claims to have made a report or upon demand of a court, a certificate
2 showing that a specified accident report has or has not been made to
3 the department, solely to prove a compliance or a failure to comply
4 with the requirement that a report be submitted to the department.

5 (d) The department shall compile and may analyze all accident
6 reports and shall publish annually, or at more frequent intervals,
7 statistical information relating to boat accidents.

8 (e) In response to a request from an authorized official or
9 agency of the United States, or in compliance with United States Coast
10 Guard regulations or any requirement under 46 U.S.C. 6101 - 6103, the
11 department shall transmit information compiled or otherwise available
12 to the department from the accident reports required under AS 05.-
13 25.310.

14 Sec. 05.25.325. APPLICATION OF AS 05.25.300 - 05.25.320. (a)
15 Except as otherwise provided in this section or under AS 05.25.910,
16 the provisions of AS 05.25.300 - 05.25.320 apply to all boats operated
17 in state water, except when inconsistent with an applicable law or
18 regulation of an agency of the United States, in which case the fed-
19 eral law or regulation shall prevail.

20 (b) The provisions of AS 05.25.300 - 05.25.320 do not apply to

21 (1) a boat that has a valid document issued by the United
22 States Coast Guard and that is operated only for nonrecreational
23 purposes;

24 (2) foreign boats operated temporarily in state water only
25 for nonrecreational purposes;

26 (3) a boat owned and operated for government purposes by
27 the United States or by an entity of the United States; or

28 (4) a ship's lifeboat.

1 Sec. 05.25.400. BOATING SAFETY EDUCATION. The department, in
2 cooperation with the Department of Education, shall offer public
3 education programs designed to reduce boating accidents.

4 Sec. 05.25.405. SAFETY EQUIPMENT. (a) A boat operated on
5 nonnavigable water shall carry and exhibit between sunset and sunrise
6 at least one white light to show all around the horizon.

7 (b) A boat operated on inland water shall carry at least one
8 readily accessible life preserver, lifebelt, ring buoy, or other
9 device of the type approved by the United States Coast Guard for each
10 person on board. A boat carrying passengers for hire shall carry at
11 least one readily accessible life preserver of the type approved by
12 the United States Coast Guard for passenger-carrying boats for each
13 person on board.

14 Sec. 05.25.410. ADDITIONAL EQUIPMENT. The commissioner may
15 require by regulation that a boat or class of boats when operated on
16 inland water shall carry additional equipment necessary for the safety
17 of persons and property. To the extent considered by the commissioner
18 to be consistent with the safety of persons and property, the regula-
19 tions must conform to the regulations of the United States Coast Guard
20 for water subject to the jurisdiction of the United States.

21 Sec. 05.25.415. DIVER'S FLAG. (a) A person who is in the water
22 using an underwater breathing device may display a diver's flag con-
23 structed of rigidly supported material at least 12 inches by 12 inches
24 in area of red background with a white diagonal stripe. The diver's
25 flag may be displayed on a boat or surface float and must extend a
26 minimum distance of three feet from the surface of the water. The
27 diver's flag shall be placed at or near the point of submergence and
28 constitutes a warning that a diver is submerged and may be within 100

1 flag while at or near the surface. A diver's flag shall be displayed
2 only while diving operations are underway.

3 (b) A boat operator within sight of a diver's flag shall proceed
4 with caution, steering clear of the flag by a distance of at least 100
5 feet. If, because of the location of the diver's flag, it is impossi-
6 ble to steer clear of the flag by at least 100 feet, then the boat
7 operator shall proceed at no-wake speeds or five miles per hour,
8 whichever is necessary to maintain steerage in the seaway.

9 (c) A diver's flag under this section may be used with, but not
10 in place of, an International Code flag "A" if required under 33
11 U.S.C. following 1602 (Rule 27, International Regulations for Prevent-
12 ing Collisions at Sea, 1972).

13 Sec. 05.25.420. PROHIBITED OPERATION. (a) A person may not
14 operate a boat or manipulate water skis, a surfboard, or a similar
15 device on state water in a reckless or negligent manner so as to
16 endanger the life or property of another person.

17 (b) A person may not operate or give permission for another
18 person to operate a boat that is not equipped as required under this
19 chapter and regulations adopted under this chapter.

20 ARTICLE 4. GENERAL PROVISIONS.

21 Sec. 05.25.900. ACCOUNTING AND DISPOSITION OF FEES. The commis-
22 sioner of administration shall separately account for fees collected
23 under this chapter that the department deposits in the general fund.
24 The annual estimated balance in the account may be used by the legis-
25 lature to make appropriations to the department to carry out the
26 purposes of this chapter.

27 Sec. 05.25.910. EXEMPTIONS. Except when inconsistent with
28 federal laws and regulations, the commissioner may exempt from a

1 determines that the safety of persons and property will not be mate-
2 rially promoted by the applicability of the provision to the class of
3 boats. The commissioner may not exempt a class of boats from the
4 numbering requirements of this chapter unless the commissioner deter-
5 mines that the numbering will not materially aid in their identi-
6 fication and unless the United States Secretary of Transportation has
7 exempted from numbering the same boats or class of boats.

8 Sec. 05.25.920. ENFORCEMENT. A peace officer may enforce this
9 chapter and in the exercise of enforcement may stop and board boats
10 that the officer reasonably believes are or may be subject to this
11 chapter.

12 Sec. 05.25.930. PENALTIES. A person who violates a provision of
13 this chapter is guilty of a misdemeanor and is punishable by a fine of
14 not more than \$500, or by imprisonment of not more than six months, or
15 by both.

16 Sec. 05.25.940. REGULATIONS. The commissioner shall adopt
17 regulations necessary for the implementation of this chapter.

18 Sec. 05.25.990. DEFINITIONS. In this chapter, unless the con-
19 text requires otherwise,

20 (1) "boat" means every type of watercraft used or capable
21 of being used as a means of transportation on water, but does not
22 include aircraft equipped to land on water;

23 (2) "commissioner" means the commissioner of the Department
24 of Public Safety;

25 (3) "dealer" means a person who engages wholly or in part
26 in the business of buying, selling, or exchanging boats, either out-
27 right or on conditional sale, bailment lease, chattel mortgage, or
28 otherwise;

Issue re: Fab re Steaming boat 58' limit.

1 (5) "inland water" means water that is inland of the terri-
2 torial sea baseline and not subject to the jurisdiction of the United
3 States;

4 *??* (6) "length" means the length of a boat measured from end
5 to end over the deck excluding sheer;

6 (7) "motorboat" means a boat propelled in whole or in part
7 by machinery, including boats temporarily equipped with detachable
8 motors;

9 (8) "nonnavigable water" means lakes, rivers, and other
10 waterways in the state that are not classified under federal law or
11 regulation as navigable water of the United States and to which
12 33 U.S.C. 1601-1608 do not apply;

13 (9) "operate" means to navigate or otherwise use a boat on
14 water;

15 (10) "owner" means a person who has a property interest
16 other than a security interest in a boat and the right of use or
17 possession of the boat, but does not include a lessee unless the lease
18 is intended as security;

19 (11) "ownership" means a property interest other than a
20 security interest;

21 (12) "passenger" means a person on board a boat who is not
22 the master, operator, crew member, or other person engaged in a capac-
23 ity in the business of the boat;

24 (13) "state of principal use" means the state on whose water
25 a boat is used or is to be used during most of a calendar year;

26 (14) "state water" means water within the territorial limits
27 of the state.

WORK DRAFT

WORK DRAFT

WORK DRAFT

1 repealed.

2 * Sec. 3. This Act takes effect January 1, 1988.

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5-0314L ✓
Hein
2/27/87

Original sponsor: Taylor

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 94 ()

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to boat numbering, accidents, and
7 safety; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 05.25 is amended by adding new sections to read:

10 ARTICLE 1. NUMBERING AND REGISTRATION.

11 Sec. 05.25.200. CERTIFICATE OF NUMBER REQUIRED ON BOAT. (a) A
12 person may not operate a boat on state water, and an owner of a boat
13 may not knowingly allow another to operate the owner's boat on state
14 water, unless

15 (1) the owner of the boat holds a current, valid certifi-
16 cate of number issued in the owner's name as owner

17 (A) under this chapter;

18 (B) by an agency of the federal government; or

19 (C) by the state of principal use that issued the
20 certificate of number under a federally approved numbering sys-
21 tem; and

22 (2) the certificate of number is carried on the boat in a
23 manner that protects the certificate from the elements, and is avail-
24 able for inspection by a state, federal, or municipal law enforcement
25 officer.

26 (b) A certificate of number for a boat less than 26 feet in
27 length and leased or rented to another for the latter's noncommercial
28 operation of fewer than seven days may be retained on shore by the
29 boat's owner or representative at the place from which the boat

1 departs or returns to the possession of the owner or the owner's rep-
2 resentative. If the certificate of number is retained on shore, then
3 a copy of the lease or rental agreement must be carried on the boat.
4 The lease or rental agreement must

5 (1) be signed by the owner of the boat or the owner's
6 representative, and by the person leasing or renting the boat; and

7 (2) specify the period for which the boat is leased or
8 rented.

9 Sec. 05.25.205. IDENTIFYING NUMBER ON FORWARD HALF OF BOAT. (a)
10 A person may not operate a boat on state water unless there is painted
11 on or permanently attached to each side of the forward half of the
12 boat a current, valid identifying number awarded to the boat

13 (1) under this chapter;

14 (2) by an agency of the federal government; or

15 (3) subject to the provisions of AS 05.25.215, by another
16 state that awards identifying numbers under a federally approved
17 numbering system.

18 (b) An identifying number shall be painted on or permanently
19 attached to each side of the forward half of the vessel in a position
20 that provides clear legibility for identification. Each number must
21 read from left to right and must be in plain vertical block characters
22 of good proportion not less than three inches in height. The number
23 must be of a color that contrasts with the color of the background and
24 shall be maintained so that it is clearly visible and legible. Each
25 number must have spaces or hyphens that are equal to the width of a
26 letter other than "I" or a number other than "1" between the letter
27 and number groupings.

28 (c) On boats so configured that a number on the hull or super-
29 structure would not be easily visible, the number shall be painted on

1 or attached to a backing plate that is attached to the forward half of
2 the boat so that the number is visible from each side of the boat.

3 (d) A number other than the identifying number may not appear on
4 the forward half of the boat.

5 Sec. 05.25.210. APPLICATION FOR BOAT NUMBER. (a) The owner of
6 a boat that is operated principally on state water, or a dealer who
7 wishes to demonstrate one or more boats on state water, shall apply to
8 the department for an identifying number. The application must in-
9 clude the true name of the owner, the residence or business address of
10 the owner, a description of the boat or boats, and other information
11 required by the department or under Coast Guard regulations. The
12 application shall be signed by the owner and must be accompanied by
13 the prescribed fee.

14 (b) A certificate of number may be issued to a dealer for use on
15 more than one boat.

16 Sec. 05.25.215. APPLICATION BY OWNER HAVING NUMBER AWARDED BY
17 FEDERAL GOVERNMENT OR ANOTHER STATE. The owner of a boat covered by a
18 number that is still in effect and that has been issued under federal
19 law or a federally approved numbering system of another state shall
20 apply to the department for an identifying number within 10 days after
21 the expiration of the applicable reciprocity period provided in
22 AS 05.25.240(6).

23 Sec. 05.25.220. CERTIFICATE OF NUMBER FEES. (a) The commis-
24 sioner shall adopt regulations establishing fees for original, renew-
25 al, and duplicate certificates of number, and for dealer demonstration
26 certificates of number.

27 (b) The fee for a certificate of number shall be prorated ac-
28 cording to the number of months the certificate will be in effect.

29 (c) The fees in this section are in addition to any other tax or

1 license fee for a boat.

2 Sec. 05.25.225. ISSUANCE OF CERTIFICATE OF NUMBER AND VALIDATION
3 STICKERS; STICKERS PLACED ON BOATS. (a) If the application is in
4 order, the department shall issue to the owner a certificate of number
5 that shall state the identifying number awarded to the boat, the name
6 and address of the owner, the state of principal use, the normal use
7 of the boat, the description of the boat, the hull identification num-
8 ber, make, year, length, type of hull material, type of propulsion and
9 type of fuel, the issue date, and the expiration date of the certifi-
10 cate of number. The certificate of number shall be wallet size.

11 (b) The department shall issue a set of validation stickers
12 bearing the year through which the certificate of number is issued.
13 The year shall be indicated by the colors blue, international orange,
14 green, and red, in rotation beginning with red for stickers that
15 expire in 1988. A validation sticker must be approximately three
16 inches square. The stickers shall be placed three inches to the rear
17 of the identifying number placed on the boat as required under AS 05.-
18 25.205.

19 Sec. 05.25.230. EXPIRATION OF CERTIFICATE OF NUMBER; RENEWAL OF
20 CERTIFICATE AND STICKERS. (a) A certificate of number expires three
21 years after the last day of the month in which the certificate is
22 issued.

23 (b) The department may require the surrender of the expired cer-
24 tificate of number before issuing a new certificate of number.

25 (c) The identifying number awarded to a boat by the department
26 remains the same.

27 (d) An application for renewal of a certificate of number shall
28 be made in the same manner as provided in AS 05.25.210. The applica-
29 tion shall be accompanied by the fee required under AS 05.25.220. The

1 department shall renew certificates of number and issue validation
2 stickers in the same manner as provided in AS 05.25.225.

3 (e) A certificate of number is invalidated if

4 (1) the boat is subsequently documented or required to be
5 documented;

6 (2) the boat is sold or destroyed;

7 (3) the applicant supplies false information in the appli-
8 cation for the certificate;

9 (4) the owner, through legal process, involuntarily loses
10 the ownership interest in the boat for which the certificate is is-
11 sued.

12 Sec. 05.25.235. REPORT OF TRANSFER, ABANDONMENT OR DESTRUCTION
13 OF BOAT, OR CHANGE OF ADDRESS OF OWNER. (a) Within 15 days after the
14 transfer of all or a part of the interest of the owner in a boat, or
15 the abandonment or destruction of a boat, for which a certificate of
16 number has been awarded under this chapter, the owner shall notify the
17 department of the transfer of interest, destruction, or abandonment.

18 (b) Within 15 days after a change of address, the owner of a
19 boat for which a certificate of number has been awarded under this
20 chapter shall report the change to the department.

21 Sec. 05.25.240. EXEMPTIONS. The following classes of boats are
22 exempt from the provisions of AS 05.25.200 - 05.25.235:

23 (1) a boat that has a valid marine document issued by the
24 United States Coast Guard;

25 (2) a foreign boat operated only temporarily in state
26 water;

27 (3) a boat owned and operated by the United States or a
28 state or by an entity or political subdivision of the United States or
29 a state, except recreational type public vessels;

1 (4) a ship's lifeboat used solely for lifesaving purposes;

2 (5) a boat belonging to a class of boats that has been
3 exempted from the provisions of AS 05.25.200 - 05.25.235 by the de-
4 partment as provided in AS 05.25.910;

5 (6) a boat already covered by a number that is still in
6 effect and that has been issued to it under

7 (A) federal law and the boat has not been in this
8 state for more than one year; or

9 (B) a federally approved numbering system of another
10 state and the boat has not been in this state for more than 60
11 consecutive days; and

12 (7) a boat that is not propelled by machinery.

13 ARTICLE 2. BOATING ACCIDENTS.

14 Sec. 05.25.300. DUTIES OF OPERATORS AND WITNESSES AT ACCIDENTS.

15 (a) The operator of a boat involved in an accident that results in
16 injury or death to a person or causes damage to property immediately
17 shall stop the boat as close as possible to the scene of the accident
18 and shall remain at the scene of the accident until the operator has
19 fulfilled the requirements of (b) of this section.

20 (b) The operator of a boat involved in an accident resulting in
21 injury or death to a person or damage to property shall

22 (1) give to the other operator, to the owner or a surviving
23 occupant of the other boat or damaged property, or to another appro-
24 priate person, the name, address, and identifying number of the boat
25 that the operator is operating, and the name and address of any other
26 occupants of the boat; and

27 (2) render reasonable assistance to every person injured in
28 the accident, including the conveying or the making of arrangements
29 for the conveying of the person to a physician, surgeon, or hospital

1 for medical or surgical treatment, if it is apparent that treatment is
2 necessary or if conveyance is requested by an injured person.

3 (c) A witness to the accident shall furnish to the operator,
4 occupant, or injured person, the name and address of the witness.

5 Sec. 05.25.305. ACCIDENT REPORT REQUIRED. (a) The operator of
6 a boat involved in an accident shall submit a report of the accident
7 to the department in the form and manner the department prescribes if
8 the accident results in

9 (1) the death of a person;

10 (2) injury to a person requiring medical treatment beyond
11 first aid;

12 (3) the disappearance from the boat of a person under
13 circumstances indicating death or injury;

14 (4) damage to the boat or other property in an aggregate
15 amount of more than \$200; or

16 (5) complete loss of the boat.

17 (b) The department may require a person who submits an insuffi-
18 cient report under this section to file a supplemental report, and may
19 require a witness to the accident to submit a report to the depart-
20 ment.

21 (c) If the operator of a boat is incapable of submitting a
22 required accident report, the owner of the boat, if different from the
23 operator, or a person who was in the boat at the time of the accident
24 who is capable of submitting a report, shall submit the report or
25 cause the report to be submitted.

26 (d) A report required under this section shall be submitted

27 (1) within 48 hours after the accident if a person dies
28 within 24 hours after the accident;

29 (2) within 48 hours after the accident if a person is

1 injured and requires medical treatment beyond first aid, or disappears
2 from a boat; and

3 (3) within 10 days after the accident or death if an earli-
4 er report is not required under this subsection.

5 Sec. 05.25.310. FORM OF REPORT; SENDING DEATH CERTIFICATE TO
6 DEPARTMENT. (a) The department shall prepare and make available to
7 the public forms for accident reports required under AS 05.25.305.
8 The report form must call for the information required in casualty and
9 accident reports under United States Coast Guard regulations and other
10 information the department may require. The form must provide that
11 the person who completes the form shall sign and date it upon com-
12 pletion.

13 (b) The state registrar of vital statistics shall, on or before
14 the 15th day of each month, forward to the department a copy of the
15 death certificate covering each death that occurred during the second
16 preceding calendar month and that resulted from a boat accident in
17 state water.

18 Sec. 05.25.315. CONFIDENTIAL NATURE OF REPORT. (a) An accident
19 report submitted to the department shall be without prejudice to the
20 individual reporting and shall be for the confidential use of adminis-
21 trative and enforcement agencies only.

22 (b) The department upon written request, shall, if available,
23 disclose the following information to a party involved in the acci-
24 dent, or, in the event of the party's death, to a member of the par-
25 ty's family, or to the party's personal representatives:

26 (1) the identity of the owner, operator, and occupants, and
27 the identifying number of a boat involved in an accident;

28 (2) the names of companies insuring the owner or operator;

29 and

1 (3) the identity of witnesses to the accident.

2 (c) A report under AS 05.25.300 - 05.25.315 may not be used as
3 evidence in a civil or criminal trial arising out of the accident.
4 The department shall furnish, upon demand of a person who has or
5 claims to have made a report or upon demand of a court, a certificate
6 showing that a specified accident report has or has not been made to
7 the department, solely to prove a compliance or a failure to comply
8 with the requirement that a report be submitted to the department.

9 (d) The department shall compile and may analyze all accident
10 reports and shall publish annually, or at more frequent intervals,
11 statistical information relating to boat accidents.

12 (e) In response to a request from an authorized official or
13 agency of the United States, or in compliance with United States Coast
14 Guard regulations or any requirement under 46 U.S.C. 6101 - 6103, the
15 department shall transmit information compiled or otherwise available
16 to the department from the accident reports required under AS 05.-
17 25.305.

18 Sec. 05.25.320. NOTICE OF ACCIDENT RESULTING IN DEATH OR DISAP-
19 PEARANCE; DUTIES OF PASSENGERS. (a) When, as a result of an occur-
20 rence that involves a boat or its equipment, a person dies or disap-
21 pears from a boat, the operator shall, without delay, by the quickest
22 means available, notify the department of the

23 (1) date, time, and exact location of the occurrence;

24 (2) name of each person who died or disappeared;

25 (3) number and name of the boat; and

26 (4) names and addresses of the owner and operator.

27 (b) When the operator of a boat cannot give the notice required
28 under (a) of this section, each person on board the boat shall notify
29 the department or determine that the notice has been given.

1 Sec. 05.25.325. APPLICATION OF AS 05.25.300 - 05.25.320. (a)
2 Except as otherwise provided in this section or under AS 05.25.910,
3 the provisions of AS 05.25.300 - 05.25.320 apply to all boats operated
4 in state water, except when inconsistent with an applicable law or
5 regulation of an agency of the United States, in which case the fed-
6 eral law or regulation shall prevail.

7 (b) The provisions of AS 05.25.300 - 05.25.320 do not apply to

8 (1) a boat that has a valid document issued by the United
9 States Coast Guard;

10 (2) foreign boats operated temporarily in state water;

11 (3) a boat owned and operated by the United States or by an
12 entity of the United States;

13 (4) a lifeboat used solely for lifesaving purposes; or

14 (5) a boat required to have a certificate of inspection
15 under 46 C.F.R., Chapter I.

16 Sec. 05.25.330. OWNER'S CIVIL LIABILITY. An owner of a boat is
17 liable for injury or damage caused by the negligent operation of the
18 boat, whether the negligence consists of a violation of a state stat-
19 ute or failure to observe ordinary care in the operation of the boat
20 as the rules of the common law require. The owner is not liable,
21 however, unless the boat is used with the owner's express or implied
22 consent. It is rebuttably presumed that the boat is being operated
23 with the knowledge and consent of the owner if, at the time of the
24 injury or damage, it is under the control of the owner's spouse,
25 father, mother, brother, sister, son, daughter, or other member of the
26 owner's immediate family. This chapter does not relieve any other
27 person from a liability that the person would otherwise incur, and
28 does not authorize or permit recovery in excess of injury or damage
29 actually incurred.

ARTICLE 3. BOATING SAFETY.

1
2 Sec. 05.25.400. BOATING SAFETY EDUCATION. The department, in
3 cooperation with the Department of Education, shall offer public
4 education programs designed to reduce boating accidents.

5 Sec. 05.25.405. SAFETY EQUIPMENT. (a) A boat operated on
6 inland water shall carry and exhibit between sunset and sunrise at
7 least one white light to show all around the horizon.

8 (b) A boat operated on inland water shall carry at least one
9 readily accessible life preserver, lifebelt, ring buoy, or other
10 device of the type approved by the United States Coast Guard for each
11 person on board. A boat carrying passengers for hire shall carry at
12 least one readily accessible life preserver of the type approved by
13 the United States Coast Guard for passenger-carrying boats for each
14 person on board.

15 (c) A motor-driven boat operated for hire shall carry a fire
16 extinguisher capable of promptly and effectively extinguishing burning
17 gasoline.

18 Sec. 05.25.410. ADDITIONAL EQUIPMENT. The commissioner may
19 require by regulation that a boat or class of boats shall carry or
20 install additional equipment necessary for the safety of persons and
21 property. To the extent considered by the commissioner to be consis-
22 tent with the safety of persons and property, the regulations must
23 conform to the regulations of the United States Coast Guard for inland
24 water.

25 Sec. 05.25.415. DIVER'S FLAG. A person who is in the water
26 using an underwater breathing device may display a diver's flag con-
27 structed of rigidly supported material at least 12 inches by 12 inches
28 in area of red background with a white diagonal stripe. The diver's
29 flag may be displayed on a boat or surface float and must extend a

1 minimum distance of three feet from the surface of the water. The
2 diver's flag shall be placed at or near the point of submergence and
3 constitutes a warning that a diver is submerged and may be within 100
4 feet of the flag. A diver shall remain within 100 feet of the diver's
5 flag while at or near the surface. A boat operator within sight of a
6 diver's flag shall proceed with caution, steering clear of the flag by
7 a distance of at least 100 feet. If, because of the location of the
8 diver's flag, it is impossible to steer clear of the flag by at least
9 100 feet, then the boat operator shall proceed at no-wake speeds or
10 five miles per hour, whichever is necessary to maintain steerage in
11 the seaway. A diver's flag shall be displayed only while diving
12 operations are underway.

13 Sec. 05.25.420. WATER SKIS AND SURFBOARDS. A person may not
14 operate a boat on the inland waters of this state for towing a person
15 on water skis, or a surfboard, or similar devices unless

16 (1) the boat is equipped with a rearview mirror in which the
17 person being towed can be viewed; or

18 (2) there is in the boat a person 12 years of age or older,
19 in addition to the operator, in a position to observe the progress of
20 the person being towed.

21 Sec. 05.25.425. PROHIBITED OPERATION. (a) A person may not
22 operate a boat or manipulate water skis, a surfboard, or a similar
23 device on state water in a reckless or negligent manner so as to
24 endanger the life or property of another person.

25 (b) A person may not operate or give permission for another
26 person to operate a boat that is not equipped as required under this
27 chapter and regulations adopted under this chapter.

28 ARTICLE 4. GENERAL PROVISIONS.

29 Sec. 05.25.900. ACCOUNTING AND DISPOSITION OF FEES. The

1 commissioner of administration shall separately account for fees col-
2 lected under this chapter that the department deposits in the general
3 fund. The annual estimated balance in the account may be used by the
4 legislature to make appropriations to the department to carry out the
5 purposes of this chapter.

6 Sec. 05.25.910. EXEMPTIONS. Except when inconsistent with
7 federal laws and regulations, the commissioner may exempt from a
8 provision of this chapter a class of boats if the commissioner deter-
9 mines that the safety of persons and property will not be materially
10 promoted by the applicability of the provision to the class of boats.
11 The commissioner may not exempt a class of boats from the numbering
12 requirements of this chapter unless the commissioner determines that
13 the numbering will not materially aid in their identification and
14 unless the Secretary of Transportation has exempted from numbering the
15 same boats or class of boats.

16 Sec. 05.25.920. ENFORCEMENT. A peace officer may enforce this
17 chapter and in the exercise of enforcement may stop and board boats
18 that the officer reasonably believes are or may be subject to this
19 chapter.

20 Sec. 05.25.930. PENALTIES. A person who violates a provision
21 of this chapter is guilty of a misdemeanor and is punishable by a fine
22 of not more than \$500, or by imprisonment of not more than six months,
23 or by both.

24 Sec. 05.25.940. REGULATIONS. The commissioner shall adopt
25 regulations necessary for the implementation of this chapter.

26 Sec. 05.25.990. DEFINITIONS. In this chapter, unless the con-
27 text requires otherwise,

28 (1) "boat" means every type of watercraft used or capable
29 of being used as a means of transportation on water, but does not

1 include aircraft equipped to land on water, boathouses, or personal
2 flotation devices;

3 (2) "commissioner" means the commissioner of the Department
4 of Public Safety;

5 (3) "dealer" means a person who engages wholly or in part
6 in the business of buying, selling, or exchanging boats, either out-
7 right or on conditional sale, bailment lease, chattel mortgage, or
8 otherwise;

9 (4) "department" means the Department of Public Safety;

10 (5) "length" means the length of a boat measured from end
11 to end over the deck excluding sheer;

12 (6) "motorboat" means a boat propelled in whole or in part
13 by machinery, including boats temporarily equipped with detachable
14 motors;

15 (7) "operate" means to navigate or otherwise use a boat on
16 water;

17 (8) "owner" means a person who has a property interest
18 other than a security interest in a boat and the right of use or
19 possession of the boat, but does not include a lessee unless the lease
20 is intended as security;

21 (9) "ownership" means a property interest other than a
22 security interest;

23 (10) "passenger" means a person on board a boat who is not
24 the master, operator, crew member, or other person engaged in a capac-
25 ity in the business of the boat;

26 (11) "state of principal use" means the state on whose water
27 a boat is used or is to be used during most of a calendar year;

28 (12) "state water" means water within the territorial
29 limits of the state, the marginal sea adjacent to the state, and the

1 high seas when navigated as part of a journey or ride to or from the
2 shore of the state.

3 * Sec. 2. AS 05.25.010, 05.25.012, 05.25.020, 05.25.030, 05.25.040,
4 05.25.050, 05.25.060, 05.25.070, 05.25.080, 05.25.090, and 05.25.100 are
5 repealed.

6 * Sec. 3. This Act takes effect January 1, 1988.
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STATE OF ALASKA

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

P.O. BOX N
JUNEAU, ALASKA 99801-2200
PHONE: 465-4322

March 9, 1987

The Honorable Robin Taylor
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representative Taylor:

We have the following suggestions for CSHB94.

Section 05.25.200(a)(2) states, "The certificate of number is carried on the boat in a manner that protects the certificate from the elements, and is available for inspection by a state, federal, or municipal law enforcement officer."

If we want a certificate carried on open boats, we should design it so it could be kept on board and protected from the elements. Perhaps a card embossed on plastic like a credit card would be appropriate.

Section 05.25.210, entitled "Application for Boat Number," should probably be entitled "Application for Dealer Certificate." I do not believe it is possible to describe the boat or boats (see line 10, page 3 of the working draft dated 3/06/87). Instead, this certificate should identify the dealer and the lengths of vessels which can be operated or demonstrated under the certificate. This would also allow us to charge different dealers different fees.

Section 05.25.225 should be entitled "Issuance of certificate and validation decals."

I find 05.25.200, 05.25.205, and 05.25.225(b) confusing as written. Section 05.25.225(b) should be broken down and include display of decals, placement of numbers, and carrying and displaying certificate, under Section 05.25.200.

Section 05.25.230 should be entitled "Expiration and Renewal of Certificates." We do not need to address "stickers" in any event; they should be addressed as "decals."

The Honorable Robin Taylor

-2-

March 9, 1987

If we charge an appropriate fee of \$10.00 per year for an outboard, we would collect \$30.00 for the certificate. However, if we charge \$100.00 or more for a \$100,000.00+ yacht, they may have to pay \$300.00 up front. Unless the Coast Guard's computer cannot handle it, perhaps it would be more reasonable to propose a two-year certificate, at \$15.00 per year, particularly since the certificate becomes void if the vessel is transferred.

Section 05.25.320 should be renumbered to 05.25.305.
Section 05.25.305 should be renumbered to 05.25.310.
Section 05.25.310 should be renumbered to 05.25.315, and
Section 05.25.315 should be renumbered to 05.25.320.

We agree that this is an important bill. We are attempting to be very conservative in our fiscal note. The Coast Guard is attempting to sell this bill as something that will save lives. If that is true, then there must be enforcement.

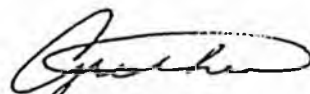
Our Fish and Wildlife Protection Troopers are attempting to protect the resources. That is their primary responsibility. There is a conflict when you think these officers can patrol effectively for both. In most cases, sport fishing enforcement will suffer the most by our present budget reductions. There will be few state enforcement officers to tackle this added responsibility. We need this modest fiscal note to provide a minimal enforcement presence.

As Deputy Commissioner Vaden said, "If you just want a registration and numbering program, let's not take the federal money. We can register the boats for about \$50,000.00 a year and collect \$300,000.00."

However, if we are going to take the federal dollars, then we must provide for a "boating safety program" which complies with federal mandates. This would be a minimal enforcement effort.

To do this job correctly and save lives would cost the State a tremendous amount of money.

Sincerely,



Gretchen A. Derr
Special Assistant



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Health & Social Services	DIVISION Public Health, Emergency Medical Svcs.	BILL NUMBER HB 94	SPONSOR Representative Taylor
DEPARTMENT POSITION The Department of Health and Social Services supports this legislation			
PREPARED BY Mark Johnson	DATE 2/10/87	COMMISSIONER'S SIGNATURE <i>Myra H. Meason</i>	DATE 2/11/87

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Department of Public Safety	CONSTITUENT GROUP(S) AFFECTED BY BILL Boat owners and manufacturers
ORGANIZATIONAL SUPPORT FOR BILL	ORGANIZATIONAL OPPOSITION TO BILL

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

This Act amends AS 05.25 by adding sections requiring boats to register with the Department of Public Safety, to display registration numbers on the boat, and to maintain a current registration on the boat when in operation. This bill also contains provisions for the reporting of accidents and boating safety requirements.

ANALYSIS OF BILL/PROGRAM EFFECTS

The Department of Health and Social Services supports the passage of HB 94 and its intent to reduce boating accidents and their associated deaths and injuries. Unintentional injuries are the leading cause of death in Alaska. Among the causes of these injuries, water transport related deaths are second only to deaths from motor vehicle accidents. In 1985 there were 94 deaths reported related to water transport accidents and 25 additional deaths due to drowning were recorded.

This bill includes the provision of boating safety education programs. DHSS has developed a water safety curriculum for children ("Cold Water Winners"). In cooperation with the Dept. of Public Safety, the University of Alaska's Marine Advisory program, and various private agencies, DHSS has also developed an extensive marine safety and survival curriculum. The continuation of these activities should be supported by the passage of this bill. Appropriations made to carry out the purposes of this bill should specifically include the provision of boating safety training as well as the administration of registration and accident reporting functions.

AMENDMENTS PROPOSED

N/A

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

JAN 04 1988
Address reply to:
Commander (b)
Seventeenth Coast Guard District
P. O. Box 3-5000
Juneau, Alaska 99802-1217
(907) 586-7467

16790

DEC 16 1987

Representative John L. Sund
Alaska State Legislature
P.O. Box V (MS 3100)
Juneau, Alaska 99811

Dear Representative Sund:

During the last legislative session House Bill 94 was introduced, a bill concerning recreational boating safety. This Bill easily passed through the Transportation and Judiciary Committees before reaching the Finance Committee at the end of the 1987 session.

Alaska remains the only state in the union that does not have a Boating Safety Law. Alaska also leads the nation in recreational boating deaths, 28 times the national average in 1986. Fifty-three people died in Alaska in 1986 with 40 reported deaths so far in 1987. I feel many of these deaths could have been prevented through a proper education and enforcement program that would make boaters aware of the dangers inherent in boating and by requiring minimum safety equipment to be carried in boats.

The Coast Guard and the CG Auxiliary try to reach as many boaters as possible through our safe boating programs and classes. However, we are usually restricted to federal waters and coastal communities. Seventy percent of Alaska's fatalities occur in the inland regions where no boating safety programs exist and where the State alone has responsibility and authority.

The Department of Public Safety has submitted a positive fiscal note for this bill (enclosure 1). Funds for this program would come from a State Boating Registration Program and from the Federal Government through the National Recreational Boating Safety Financial Assistance Program. Presently, the Coast Guard handles boat registration with the fees going to the General Fund of the Federal Government, and because Alaska does not have a safe boating program it loses approximately 250 thousand dollars per year from the Financial Assistance Program.

The boating fatalities in your area from 1985 to the present are listed in enclosure (2). As you examine this list keep in mind that some of these fatalities may have been prevented if Alaska had its own boating safety program. If you have any questions concerning this Bill, please contact Commander G. M. Harben of the Boating Safety Division at 586-7467.

Sincerely,



E. NELSON, JR.

Rear Admiral, U.S. Coast Guard
Commander, Seventeenth Coast Guard District

Encl: (1) Positive fiscal note
(2) Boating fatalities from 1985 to present

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

DRAFT

Bill Version: CSHB 94 (TRSP)

Publish Date: _____

REQUEST

Revision Date: _____

Title: An Act relating to boat numbering...

Sponsor: Rep. Taylor

Requestor: House Transportation

Agency Affected: Public Safety

BRU: DPS Administration

Components: Boating & Water Safety

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		192.2	395.8	407.7	419.9	432.5
TRAVEL		19.9	41.0	42.2	43.5	44.8
CONTRACTUAL		113.5	117.0	120.5	124.1	127.8
SUPPLIES		49.5	51.0	52.5	54.1	55.7
EQUIPMENT		132.0	7.2	7.4	7.6	7.8
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	507.1	612.0	630.3	649.2	668.6
CAPITAL						
REVENUE	0	515.0	515.0	515.0	515.0	515.0

FUNDING:: (Thousands of Dollars)

GENERAL FUNDS	0	257.1	322.0	340.3	359.2	378.6
FEDERAL FUNDS		250.0	290.0	290.0	290.0	290.0
OTHER						
TOTAL	0	507.1	612.0	630.3	649.2	668.6

POSITIONS:

FULL-TIME	0	4	4	4	4	4
PART-TIME		13	13	13	13	13
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This fiscal note contains a 3% inflation factor. Equipment costs on five boats are one-time costs and will not continue beyond FY 88.

FY 88 funding level in Personal Services and Travel lines assumes start-up of January 1, 1988.

Prepared by: Gretchen Derr, Special Ass't
Division: Commissioner's Office

Phone: 465-4322
Date: 3/06/87

Approved by Commissioner: [Signature]
Agency: Public Safety

Date: 3/9/87

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary

RECREATIONAL BOATING FATALITIES

NAME	DATE	LOCATION	CAUSE
Donna Loch	23JAN85	Fredrick Sound	Flooding, Sinking, No Life No Life Jacket used .
R. T. Johnson	8JUN85	Ketchikan, AK (Gateway)	Capsizing, No Life Jacket on Vessel
Robert C. Crowder, Jr.	6AUG85	Ward Cove, Ketchikan, AK	Capsizing, No Life Jacket on Vessel
LeCrissa Rae Walker Joseph L. Walker	26OCT85	Clover Pass	Capsizing, No Life Jacket on Vessel
Warren C. Pellett, Sr.	25DEC85	Thorne Bay - Kaasaw Bay	Capsizing, Fell overboard, No Life Jacket on Vessel
Eric Walter Finke	28MAR86	Wrangell Narrows	Capsizing, No Life Jacket on Vessel
Richard D. Shaw	6AUG86	Bradfield Canal	Capsizing, No Life Jacket on Vessel, Hazardous waters
Maynard M. Geiger	14JUL87	Coffman Cove, Ketchikan	Fell overboard, No Life Jacket on Vessel
		ENCLOSURE(2)	

BILL NO: CSHB 94 (Trsp)

DATE: 3/31/87

TITLE: "An Act relating to boat numbering, accidents, and safety..."

CONTACT: James D. Vaden
Deputy Commissioner

DEPARTMENT OF PUBLIC SAFETY

This bill was drafted to allow the State of Alaska to receive federal funds for registering boats in Alaska.

This bill would require the Department of Public Safety to:

1. Develop a boating numbering system;
2. develop and maintain a record keeping system;
3. develop an accident reporting system;
4. develop and present a boating safety education program;
5. promulgate regulations.

As a result of this bill, extensive public information and education would be required prior to implementation or enforcement.

Federal funding is available until April 1, 1989. These funds are distributed to the states using the following criteria:

- a. one-third of funds are allocated equally each fiscal year among eligible states;
- b. one-third of funds based on reported number of vessels registered;
- c. one-third of funds based on state obligations and expenditures for RSB programs during the prior fiscal year.

This would give the state approximately \$250.0 for the first year, and up to \$290.0 thereafter.

In order to receive funds from the Aquatic Resource Trust Fund, the Department must provide the following:

1. There are sufficient state matching funds available from general revenues, vessel numbering and licensing fees, state marine fund tax, or from a fund established from those funds to finance a state recreational boating safety program.
2. An approved vessel numbering system.

3. Cooperative boating assistance program between the U.S. Coast Guard and the state to include:
 - a. law enforcement,
 - b. accident investigation,
 - c. search and rescue,
 - d. marine events,
 - e. Coast Guard Auxiliary assistance on state waters.
4. Adequate patrol to insure laws are enforced to include:
 - a. sufficient uniform patrol to insure compliance with all aspects of boating and regulations,
 - b. that the individuals have received in-service training,
 - c. procedures to selectively assign individuals to vessel traffic.
5. Adequate boating education programs:
 - a. must meet or exceed minimum standards established by the National Association of State Boating Law Administrators,
 - b. classes must be offered both in classroom and through correspondence.
6. Approved system for reporting marine fatalities.

As with most federal funds which require certification that the grantee has complied, the requirements and audits become more stringent with the passage of time. In this case, boat registration and record keeping could be accomplished with one or two clerks. Analyzing accident data would initially require the collection and input of the data, the analysis, and an Annual Report. If the number of accidents reported remain constant (62 in 1985), this could be accomplished by a part-time clerk. However, this bill requires all accidents with more than \$200.00 damage be reported; there are few accidents that would not involve \$200.00 damage. If those are reported, it could result in a significant quantity of work.

The Coast Guard requires uniformed officers to patrol and enforce the state's laws and regulations concerning boating safety. This could create a tremendous responsibility if we are expected to patrol all state waters, to include the three-mile limit and virtually all streams and lakes.

Certainly we could be asked why we are not patrolling the Kenai River during peak salmon runs, or Big Lake during the summer. Neither the Troopers nor Fish and Wildlife Protection have the manpower available for these patrols. Additionally, the bill requires in-service training for officers who are assigned these enforcement responsibilities.

Position Paper
CSHB 94 (Trsp)
Page 3

In order to fully comply with the bill and the Coast Guard's requirements, we would need some level of enforcement officer assigned to nearly every community which enjoys recreational boating activities.

Proposed Amendments are as follows:

AS 05.25.210. Should be retitled "Application for Certificate of Number." I do not believe it would be possible for a dealer to describe the 'boat or boats' to be operated or demonstrated under a certificate. Instead, a dealer's certificate should specify the length of vessels to be operated under a certificate. This would allow the Department to charge different dealers different fees.

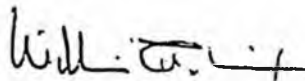
The term "stickers" is an incorrect term and should be replaced with "decals" throughout the bill.

AS 05.25.205(b). Add "The decal issued under AS 05.25.225 should be placed three inches to the rear of the identifying number". Delete sentence reading, "the sticker should be placed three inches...under As 05.25.205" from Sec. 05.25.225(b). By doing this, the placement of numbers and decals is listed in one area of the bill.

AS 05.25.225. Should be entitled "Issuance of Certificate of Number and Validation Decals."

Section 05.25.320 should be renumbered to 05.25.305; .305 should be renumbered to .310; .310 should be renumbered to .315; .315 should be renumbered to .320. This would make the requirements for accident reporting easier to understand and follow.

The Department of Public Safety is neutral on this legislation.



William R. Nix
Acting Commissioner

JOHN SUND, REPRESENTATIVE

2504 2nd Avenue
Ketchikan, Alaska 99901
(907) 225-5552

While in Juneau
P. O. Box V
Juneau, Alaska 99811
(907) 465-4919

January 14, 1988

Mr. Doug Ensley, Director
Port and Harbors Department
City of Ketchikan
334 Front Street
Ketchikan, AK 99901


Dear Doug:

Thank you for your letter regarding the federal boating safety registration and safety regulations program in Alaska. I share your interest in these programs.

I scheduled HB 94 in the Judiciary Committee and it passed out on April 17, 1987. It is currently waiting to be heard by the House Finance Committee. Senator Sturgulewski sponsored the companion bill SB 265. It has been stuck in the Senate Transportation Committee where it was first heard on April 21, 1988.

I appreciate your thoughtful comments Doug, and look forward to working with you on this and other important issues.

Sincerely,


John Sund
Representative



**City of
Ketchikan**

January 11, 1988

Representative John Sund
P. O. Box V
Mail Stop 3100
Juneau, Alaska 99811

Dear Representative Sund:

As Harbormaster for the City of Ketchikan I am dismayed with the diminishing effectiveness of the federal boating safety registration and safety regulations program in Alaska. Our friends and neighbors are dying and nothing is being done other than reporting statistics.

House Bill 94, when passed, will provide the state with legislation that requires boat numbering; the reporting of accidents; and, most importantly, a safety program which should help reduce the number of lives lost each year in boating accidents.

As Harbormaster, the numbering of boats is important for collecting use fees and maintaining up-to-date records of our harbor users. As an Alaskan, I am concerned for the safety of all those persons who work or recreate on our lakes, streams, and coastal waters. The sea is a cruel mistress who will claim even the most experienced and prepared boater. The sad fact is that too many Alaskan boaters are not prepared due to the lack of an effective boating safety program.

The State presently has the infra-structure to implement the provisions of House Bill 94. The Department of Motor Vehicles computer system could handle the numbering system. The State's law enforcement network, which could be expanded to include Harbormasters, could be used for enforcement of the statute. Educating the public could possibly be accomplished by the University of Alaska Sea Grant Program, regional community colleges, and the State by use of the state satellite program, as well as the enforcement divisions.

HW (7)

JAN 12 1988

334 Front Street
Ketchikan, Alaska 99901
907-225-3111

The bill passed
through Judiciary
last year -
Is presently in House Finance

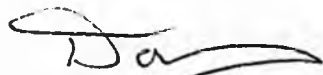
Representative John Sund

-2-

January 11, 1988

I urge you to support House Bill 94 and ask that you encourage the Senate to pass unanimously this important Bill for the betterment of our boating public.

Sincerely,



A. D. Emslev II, Director
Port & Harbors Department

ADE:sd

2.01

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

DRAFT

Bill Version: CSHB 94 (TRSP)

Publish Date:

Agency Affected: Public Safety

BRU: DPS Administration

REQUEST

Revision Date:

Title: An Act relating to boat numbering..."

Sponsor: Rep. Taylor

Requestor: House Transportation

Components: Boating & Water Safety

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		192.2	395.8	407.7	419.9	432.5
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LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	507.1	612.0	630.3	649.2	668.6
CAPITAL						
REVENUE	0	515.0	515.0	515.0	515.0	515.0

FUNDING:: (Thousands of Dollars)

GENERAL FUNDS	0	257.1	322.0	340.3	359.2	378.6
FEDERAL FUNDS		250.0	290.0	290.0	290.0	290.0
OTHER						
TOTAL	0	507.1	612.0	630.3	649.2	668.6

POSITIONS:

FULL-TIME	0	4	4	4	4	4
PART-TIME		13	13	13	13	13
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This fiscal note contains a 3% inflation factor. Equipment costs on five boats are one-time costs and will not continue beyond FY 88.

FY 88 funding level in Personal Services and Travel lines assumes start-up of January 1, 1988.

Prepared by: Gretchen Derr, Special Ass't
Division: Commissioner's Office

Phone: 465-4322

Date: 3/06/87

Approved by Commissioner: *[Signature]*
Agency: Public Safety

Date: 3/9/87

Distribution (by preparer):

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary

JNR
3/7/87

CONTINUATION OF FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSHB 94 (TRSP)

* FY 88 - with program implementation effective on January 1, 1988 - budget estimates include start-up costs for equipment: 5 boats, \$125.0; 5 vehicles, \$41.4; enforcement and training position costs, \$192.2. FY 89 (and each fiscal year continuing) salary and benefit costs are summarized: Administrative Officer, Accounting Clerk, Education Specialist, Publication Specialist, 2 Data Processing Clerks, Clerk Typist; and 10 Coast Guard Officers (Seasonal): \$395.8. Space will come from currently available facilities; utilities, communications, travel, commodities, and office equipment needs are estimated for each position.

Costs are derived from broad-brush estimates due to short time-frame preparation. A 3% inflation rate is added.

I. Restricted

Federal funds for boat safety training may be available in the sum of \$250.0 for the first year and approximately \$290.0 for subsequent years.

II. Unrestricted Revenues (see chart pg. 3)

CONTINUATION OF FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSHB 94 (TRSP)

Revenue estimates:

II. Unrestricted

	Registered Boats 30,000	Boats Currently Not Registered Carried Through the Triennial Cycle					Fines Aprox. \$17.0 Year	TOTAL REVENUE
		6,600 1st Yr \$30 X	6,600 2nd Yr \$30 X	6,600 3rd Yr \$30 X	6,600 4th Yr \$30 X	6,600 5th Yr \$30 X		
Number of Boats to Register By Year	\$30 X							
1st Year (88) 10000+6600	\$300.0	\$198.0	- - -	- - -	- - -	- - -	\$17.0	\$515.0
2nd Year (89) 10000+6600	300.0	- - -	\$198.0	- - -	- - -	- - -	17.0	515.0
3rd Year (90) 10000+6600	300.0	- - -	- - -	\$198.0	- - -	- - -	17.0	515.0
4th Year (91) 10000+6600	300.0	- - -	- - -	- - -	\$198.0	- - -	17.0	515.0
5th Year (92) 10000+6600	300.0	- - -	- - -	- - -	- - -	\$198.0	17.0	515.0

Notes:

1. Boat registration fee, average, is \$30 triennial.
2. According to our estimates, by the fourth year there will be approximately 50,000 boats registered.
3. Of the 30,000 boats already registered, we estimate 33 1/3% (or 10000 boats) will register during the 1st year, 10000 in the 2nd year, and the remainder (10000) in the 3rd year.
4. Register 6,600 boats currently not registered during each year for three years (Coast Guard estimates 20,000 boats not registered). Anticipate three-year period before majority of citizens would be in compliance.
5. Estimate \$17.0 in fines levied per year.

Position Title Clerk Typist II		No. of Positions 1	Range/Step 7A	Barg. Unit GGU	
Time Status PFT	Staff Months 12.0 months	Location Juneau		Election District 4	
Type of Expenditure		Justification			
Amount		This position will provide clerical support needed through the typing and filing of correspondence, training materials and related documents.			
1	2				3
Salary	18.5				////
Benefits	6.0				////
Premium Pay					////
Other					////
Other Personal Services	////				24.5
Travel					
Contractual					6.0
Commodities					2.5
Equipment		2.0			
Other					
Total Cost		35.0			
Funding Source for Total Cost					
Federal Receipts	1002	17.3			
G.F. Match	1003				
General Fund	1004	17.7			
I-A Receipts	1006				
CIP Receipts	1061				
Other					
////					

REQUEST FOR
NEW POSITION

Agency Public Safety
 BRU DPS Administration
 Component Boating and Water Safety

Page 4 of 13
 Revised Date

FY 88

Position Title Data Processing Clerk II		No. of Positions 2	Range/Step 9A	Barg. Unit GGJ
Time Status PFT	Staff Months 12.0	Location Juneau		Election District 4
Justification				
Type of Expenditure		Amount		
1	2	3		
Salary	41.5	////////////////////		
Benefits	13.5	////////////////////		
Premium Pay		////////////////////		
Other		////////////////////		
Other Personal Services	////////////////////	55.0		
Travel				
Contractual		6.0		
Commodities		2.0		
Equipment				
Other				
Total Cost		63.0		
Funding Source for Total Cost				
Federal Receipts	1002	31.1		
G.F. Match	1003			
General Fund	1004	31.9		
I-A Receipts	1006			
CIP Receipts	1061			
Other				
////////////////////				

These positions will be responsible for the accepting and processing data on boating and watercraft material, i.e. registration and accident data. These positions will also be responsible for maintenance of data.

Support costs include minimal contractual and supply costs.

REQUEST FOR
NEW POSITION

Agency Public Safety
 BRU DPS Administration
 Component Boating and Watercraft Safety

Page 5 of 13
 Revised Date

FY 88

Position Title Compliance Officers			No. of Positions 4	Range/Step 12A	Barg. Unit GGJ
Time Status S	Staff Months 6.0 months		Location Juneau	Election District 4	
Type of Expenditure			Justification		
			<p>These positions will be responsible for the seasonal enforcement of the statutes modified by HB 94. These positions will verify compliance with registration requirements; participate in safety and educational programs; followup on boating accident reports, investigating accidents as necessary; inspect boats for required safety equipment and navigation lights; verify compliance with ski observer requirements; patrol marine events; investigate reports of reckless or negligent vessel operation; and, cite suspected violators.</p> <p>Approximately 10 hours of overtime for each month of position funding will be required.</p> <p>Support costs include travel funds necessary to aid investigations, etc. Contractual costs include funds for 5 H&CF pickup expenses. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of 5 18-21' Boston Whaler type boats to be used by Compliance Officers (one-time expense).</p>		
Amount					
1	2	3			
Salary	49.7	////			
Benefits	18.8	////			
Premium Pay	8.0	////			
Other		////			
Other Personal Services	////	76.5			
Travel		12.0			
Contractual		20.6			
Commodities		14.0			
Equipment		50.0			
Other					
Total Cost		173.1			
Funding Source for Total Cost					
Federal Receipts	1002	85.3			
G.F. Match	1003				
General Fund	1004	87.8			
I-A Receipts	1006				
CIP Receipts	1061				
Other					
////					

REQUEST FOR
NEW POSITION

Agency Public Safety
BRU DPS Administration
Component Boating & Watercraft Safety

Page 6 of 13
Revised Date

FY 88

Position Title Compliance Officers		No. of Positions 2	Range/Step 12A	Barg. Unit GGU
Time Status S	Staff Months 6.0 months	Location Fairbanks		Election District 20
Justification				
Type of Expenditure		Amount		
1	2	3		
Salary	28.2	////////////////////		
Benefits	10.5	////////////////////		
Premium Pay	4.0	////////////////////		
Other		////////////////////		
Other Personal Services	////////////////////	42.7		
Travel		4.0		
Contractual		10.3		
Commodities		7.0		
Equipment		25.0		
Other				
Total Cost		89.0		
Funding Source for Total Cost				
Federal Receipts	1002	43.9		
G.F. Match	1003			
General Fund	1004	45.1		
I-A Receipts	1006			
CIP Receipts	1061			
Other				
////////////////////////////////////				
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These positions will be responsible for the seasonal enforcement of the statutes modified by HB 94. These positions will verify compliance with registration requirements; participate in safety and educational programs; followup on boating accident reports, investigating accidents as necessary; inspect boats for required safety equipment and navigation lights; verify compliance with ski observer requirements; patrol marine events; investigate reports of reckless or negligent vessel operation; and, cite suspected violators.

Approximately 10 hours of overtime for each month of position funding will be required.

Support costs include travel funds necessary to aid investigations, etc. Contractual costs include funds for 5 HwCF pickup expenses. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of 5 18-21' Boston Whaler type boats to be used by Compliance Officers (one-time expense).

REQUEST FOR
NEW POSITION

Agency Public Safety
BRU DPS Administration
Component Boating & Watercraft Safety

Page 8 of 13
Revised Date

FY 88

Position Title Compliance Officers			No. of Positions 2	Range/Step 12A	Barg. Unit GGU
Time Status S	Staff Months 6.0 months		Location Soldotna		Election District 5
Type of Expenditure			Justification		
Amount					
1	2	3			
Salary	26.5	////	<p>These positions will be responsible for the seasonal enforcement of the statutes modified by HB 94. These positions will verify compliance with registration requirements; participate in safety and educational programs; followup on boating accident reports, investigating accidents as necessary; inspect boats for required safety equipment and navigation lights; verify compliance with ski observer requirements; patrol marine events; investigate reports of reckless or negligent vessel operation; and, cite suspected violators.</p> <p>Approximately 10 hours of overtime for each month of position funding will be required.</p> <p>Support costs include travel funds necessary to aid investigations, etc. Contractual costs include funds for 5 HwCF pickup expenses. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of 5 18-21' Boston Whaler type boats to be used by Compliance Officers (one-time expense).</p>		
Benefits	9.9	////			
Premium Pay	4.0	////			
Other		////			
Other Personal Services	////	40.4			
Travel		4.0			
Contractual		10.3			
Commodities		7.0			
Equipment		25.0			
Other					
Total Cost		86.7			
Funding Source for Total Cost					
Federal Receipts	1002	42.7			
G.F. Match	1003				
General Fund	1004	44.0			
I-A Receipts	1005				
CIP Receipts	1061				
Other					
////					
////					
////					
////					
////					

REQUEST FOR
NEW POSITION

Agency Public Safety
BRU DPS Administration
Component Boating & Watercraft Safety

Page 9 of 13
Revised Date

FY 88

Position Title Publication Specialist I		No. of Positions 1	Range/Step 13A	Barg. Unit GGJ
Time Status PPT	Staff Months 6.0	Location Juneau		Election District 4
Type of Expenditure		Justification		
1	2	3		
Salary	13.2	//////		
Benefits	4.3	//////		
Premium Pay		//////		
Other		//////		
Other Personal Services	//////	17.5		
Travel				
Contractual		31.0		
Commodities		3.0		
Equipment		1.0		
Other				
Total Cost		52.5		
//////				
Funding Source for Total Cost				
Federal Receipts	1002	25.9		
G.F. Match	1003			
General Fund	1004	26.6		
I-A Receipts	1006			
CIP Receipts	1061			
Other				
//////				

This position would be responsible for assisting in designing a boating safety printed program in coordination with Federal, State and local authorities, as well as with private organizations. Contractual costs include funds needed for video and printed material for the boating safety program. Additional minimal support costs are included.

REQUEST FOR
NEW POSITION

Agency Public Safety
 BRU DPS Administration
 Component Boating and Watercraft Safety

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Position Title Accounting Clerk III			No. of Positions 1	Range/Step 9A	Barg. Unit GGU	
Time Status PPT	Staff Months 6.0		Location Juneau		Election District 4	
Type of Expenditure			Justification			
			<p>This part-time position will perform all accounting duties for the division, including the three field offices. Duties will include vendor payments, research and communications, document filing, petty cash, reconciliation of statements, travel payments, record keeping and reports required for adequate administrative controls.</p>			
1		2				3
Salary		10.4				////
Benefits		3.4				////
Premium Pay						////
Other						////
Other Personal Services		////				13.8
Travel						
Contractual						1.0
Commodities						2.0
Equipment						1.0
Other						
Total Cost						17.8
Funding Source for Total Cost						
Federal Receipts 1002			8.7			
G.F. Match 1003						
General Fund 1004			9.1			
I-A Receipts 1006						
CIP Receipts 1061						
Other						

REQUEST FOR
NEW POSITION

Agency Department of Public Safety
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Position Title Administrative Officer I		No. of Positions 1	Range/Step 17A	Barg. Unit GGU
Time Status PPT	Staff Months 6 Months	Location Juneau		Election District 4
Type of Expenditure		Justification		
1	2	3	This position will manage all aspects of contracting with other agencies for performance of registration and record keeping; will provide oversight of activity, reporting statistics, federal training grants, accounting and other fiscal responsibilities of the new division. The Administrative Officer I will supervise the Accounting Clerk III and the Data Entry Clerk II and be responsible for the collection and analyzing of data and the preparation of annual reports.	
Salary	17.4	////////////////////		
Benefits	5.6	////////////////////		
Premium Pay		////////////////////		
Other		////////////////////		
Other Personal Services	////////////////////	23.0		
Travel		.8		
Contractual		3.0		
Commodities		2.0		
Equipment		2.0		
Other				
Total Cost		30.8		
Funding Source for Total Cost				
Federal Receipts	1002	15.2		
G.F. Match	1003			
General Fund	1004	15.6		
I-A Receipts	1006			
CIP Receipts	1061			
Other				
////////////////////////////////////				

REQUEST FOR
NEW POSITION

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HOUSE COMMITTEE REPORT

3/11

(5)

Date referred: 1/30/87

FURTHER REFERRALS:

Judiciary
Finance

DATE: March 9, 1987

The Transportation Committee has considered HB 94

"An Act relating to boat numbering, accidents, and safety; and providing for an effective date."

RECOMMENDS:

- replace with CS HB 94 (Transportation) the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

Bill Hodge

Ch. A. Boush

Hermin Springer

Bette Cato

SIGNING OTHER RECOMMENDATIONS:

Walter Keane - Joker

Bette Cato
 Chairman's signature