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SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER SB 111

SPONSOR Sturgulewski

BILL TITLE Boating Safety

DATE REFERRED 1-13-89

HEARING SCHEDULED 3-6-89

FISCAL NOTE PREPARED ✓

SPONSOR CONTACTED Frank Homan 3818

INTERESTED PARTIES CONTACTED

Don Sherwood, Pres AK Boating Assoc  
1640 Brink Dr, Anch 99504  
333-6268

instead to gather  
revised, transfer to AK  
USCG auxiliary  
other states

✓ Philip Gray 586-6913.

✓ Public Safety <sup>Gail Homan</sup> 4322 { Gretchen Pence 4322 for questions

✓ USCG, <sup>Commander Frost</sup> Harben 586-7467

✓ DHSS, Div Public Health EMS ~~3027~~ John Manning  
AK Marine Safety Assoc.

OTHER ✓ Doug Smiley, Ketchikan  
Harbormasters  
Joe Graham, Inn

Jerry Duggan  
747-3287

Arless had in 87-88 died Sen Fin  
'86-Taylor-died H Fin

↓  
Halford opposed  
'cause new state  
program

Issue: \$!!

Possible to scale down  
program so totally  
federally funded?

Dropped DOE involve-  
ment - enough other  
groups (Marine Safety)  
to work with.

Sander

- Per Coast Guard -  
Kotz boat registrations:

52

52

Barrow:

363

363

P

3-10-89

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 5-DAY NOTICE \_\_\_\_\_  
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER

FINANCE

\*\*FISCAL NOTE(S) MUST BE ATTACHED  
IN ACCORDANCE WITH AS 24.08.035

DATE TURNED INTO OFFICE 2-22-89

1/13/89

Mr. President:

STATE AFFAIRS

Committee considered

SB 111

boating safety, boating accidents, and boat numbering; efd

and recommended:

replace with CS SB 111 (St Aff)  same title

attached amendment(s) and

new title

\_\_\_\_\_ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

FISCAL NOTE(S) attached  zero  
 appropriation no FN attached

fiscal impact  
 Gov. FN introduced w/ bill

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Al Adams - DO NOT PASS  
Jan Fitch - DO NOT PASS  
Tim Kelly - No Rec

[Signature]  
Chairman signature and recommendation

Committee backup attached

FISCAL NOTE

REQUEST:

Revision Date: 12/12/89 Agency Affected: Public Safety  
Title: "An Act relating to boating safety..." BRU: Fish & Wildlife Protection  
Sponsor: Senator Sturgulewski Component: Boating & Water Safety  
Requestor: Senate State Affairs

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	168.5	376.1	376.1	376.1	376.1	376.1
TRAVEL	13.0	29.5	29.5	29.5	29.5	29.5
CONTRACTUAL	75.0	171.5	171.5	171.5	171.5	171.5
SUPPLIES	22.9	54.0	54.0	54.0	54.0	54.0
EQUIPMENT	168.2	51.0	17.5	17.5	17.5	17.5
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	447.6	682.1	648.6	648.6	648.6	648.6

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	249.0	498.0	530.0	530.0	530.0	530.0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	247.6	432.1	398.6	398.6	398.6	398.6
FEDERAL FUNDS	200.0	250.0	250.0	250.0	250.0	250.0
OTHER						
TOTAL	447.6	682.1	648.6	648.6	648.6	648.6

POSITIONS:

FULL-TIME	4	4	4	4	4	4
PART-TIME	10	12	12	12	12	12
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill would establish boating safety, boating accident, and boat numbering requirements for the state. The responsibility for implementing and enforcing this law would be with the Department of Public Safety's Division of Fish and Wildlife Protection. The administrative headquarters for this new "Boating Safety Section" would be in Anchorage.

(continued on page 2)

*JNR*  
*12/13/89* Prepared by: Gretchen Pence, Special Assistant  
Division: Commissioner's Office

Phone: 465-4322  
Date: 12/12/89

Approved by Commissioner: G.A.H. English  
Agency: Department of Public Safety

Date: 12-15-89  
Page 1 of 15

Department of Public Safety

CONTINUATION OF FISCAL NOTE ANALYSIS  
FOR CSSB 111 (SA)

In order to implement this bill, the Department would hire a total of 16 new employees (4 full-time and 12 part-time). These positions are: Education Specialist I, Publication Specialist I, Clerk Typist II, two Data Processing Clerks, Accounting Clerk, and 10 Compliance Officers (seasonal safety and enforcement officers; eight of the Compliance Officers will be hired the first year, and an additional two [Soldotna] the second year).

The equipment costs for vessel purchases are one-time costs; these costs are spaced over two years because the Compliance Officers will be hired over two years. Equipment start-up costs also include vehicles and radios.

Office space for the "Boating Safety Section" will come from current facilities; utilities, communications, travel, commodities, and office equipment needs are estimated for each position.

The boating safety and boat numbering program will be self-supporting; the revenues received from vessel registration will be greater than the general fund appropriation. In fact, beginning the second year of the program, it will generate approximately \$65.0 in additional revenues, and up to \$130.0 in future years.

All costs in this fiscal note assume a start-up date of January 1, 1991.

I. Restricted

Anticipate \$200.0 in federal funds for the first year, and approximately \$250.0 for subsequent years. Federal grant award monies can fund no more than 50% of the total appropriation. The above stated numbers are the maximum anticipated to be available.

II. Unrestricted Revenues (see chart on page 3)

Vessel Registrations

Department of Public Safety

CONTINUATION OF FISCAL NOTE ANALYSIS  
FOR CSSB 111 (SA)

Revenue Estimates:

II. <u>Unrestricted</u>	Registered Boats 30,000 \$30 X	Boats Currently Not Registered Carried Through the Triennial Cycle						Fines Approx. \$32.0 Year	TOTAL REVENUE
		6600 1st Yr \$30 X	6600 2nd Yr \$30 X	6600 3rd Yr \$30 X	6600 4th Yr \$30 X	6600 5th Yr \$30 X	6600 6th Yr \$30 X		
Number of Boats to Register By Year									
1st Year (91) 10000+6600	\$300.0	\$198.0	--	--	--	--	--	\$ --	\$498.0
2nd Year (92) 10000+6600	300.0	--	\$198.0	--	--	--	--	--	498.0
3rd Year (93) 10000+6600	300.0	--	--	\$198.0	--	--	--	32.0	530.0
4th Year (94) 10000+6600	300.0	--	--	--	\$198.0	--	--	32.0	530.0
5th Year (95) 10000+6600	300.0	--	--	--	--	\$198.0	--	32.0	530.0
6th Year (96) 10000+6600	300.0	--	--	--	--	--	\$198.0	32.0	530.0

Notes:

1. Boat registration fee is \$10.00 per year; registrations are issued for three years, therefore, \$30.00 triennial fee.
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 10,000 boats) will register during the first year, 10,000 in the second year, and the remainder (10,000) in the third 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 \$32.0 in fines levied per year, beginning in 1993.
6. During the first year of the program, the State will be registering vessels for only six months; therefore, only approximately 1/2 of the anticipated revenues will be available.

Department of Public Safety

CONTINUATION OF FISCAL NOTE ANALYSIS  
FOR CSSB 111 (SA)

SUMMARY OF PERSONNEL

Education Specialist I (PFT)

The Education Specialist would be responsible for designing the State's boating safety program in coordination with Federal, State, and local authorities, as well as with private organizations.

This position will train, or be responsible for training, departmental employees on how to conduct boating safety education training. This individual will be the unit supervisor.

Publication Specialist I (PPT)

The part-time Publication Specialist will be responsible for re-designing all forms (from Federal to State) for the boating safety program, reviewing all available boating safety printed materials and adapting selected materials to be specific for Alaska, as well as producing boating safety public service announcements and video spots.

Clerk Typist III (PFT)

This position will provide clerical support needed through the typing and filing of correspondence, training materials and related documents. Will also be responsible for distributing the boating safety correspondence training materials.

Data Processing Clerk II (2 PFT)

These positions will be responsible for processing vessel registrations as well as accepting and processing all data concerning boating and watercraft material, i.e. accident data and statistics. These positions will also be responsible for maintenance of data.

Accounting Clerk III (PPT)

This part-time position will perform all accounting duties for the boating safety unit. Duties will include: accounting for and depositing all vessel registration fees, vendor payments, research and communications, document filing, record keeping, and reports required for adequate administrative controls.

DPS/CONTINUATION OF FISCAL NOTE ANALYSIS  
CSSB 111 (SA)

SUMMARY OF PERSONNEL, continued

Compliance Officers

(10 PPT, Seasonal)

These 10 seasonal Compliance Officers will work in teams of two (for safety reasons), and will be assigned to Juneau, Palmer, Homer, Fairbanks, and Soldotna (the team in Soldotna will start in FY 92). The five Compliance teams will provide roving patrols and will be responsible for the seasonal enforcement of the statutes modified by CSSB 111 (SA). They will verify compliance with registration requirements; participate in safety and educational programs; follow-up on boating accident reports, investigate 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.

They will also offer training classes in areas where classes are not currently offered by the Coast Guard Auxiliary or another organization.

Position Title Education Specialist I		No. of Positions 1	Range/Step 19A	Barg. Unit GGU	
Time Status PFT	Staff Months 12.0	Location Anchorage		Election District 7	
Type of Expenditure		Justification			
Amount		<p>The Education Specialist would be responsible for designing a boating safety program in coordination with Federal, State, and local authorities, as well as with private organizations. Further, this position will manage all aspects of contracting with other agencies for performance of registration, record keeping, and education; will provide oversight of activity, reporting of statistics, federal responsibility of the new section.</p> <p>This position will train, or be responsible for training, departmental employees on how to conduct boating safety education training. This individual will be the unit supervisor.</p> <p>Contractual monies included with this position are for contracting with private groups to provide boating safety education programs in some areas of the state. \$26.0 is budgeted for FY 91.</p>			
1	2				3
Salary*	40.0				////
Benefits*	15.6				////
Premium Pay (Included in Above)	////				////
Other	////				////
Total Personal Services	////				55.6
Travel					9.0
Contractual					60.0
Commodities					3.0
Equipment					1.0
Other					
Total Cost					128.6
Funding Source for Total Cost					
Federal Receipts	1002		62.9		
G.F. Match	1003				
General Fund	1004		65.7		
Program Receipts/GF	1005				
I-A Receipts	1007				
CIP Receipts	1061				
Other					
* Personal Services Salary and Benefits Costs are from PACS.					

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
 BRU Fish and Wildlife Protection  
 COMPONENT Boating and Watercraft Safety

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FY 91

Position Title Publication Specialist I			No. of Positions 1	Range/Step 13A	Barg. Unit GGU
Time Status PPT	Staff Months 6.0		Location Anchorage		Election District 7
Type of Expenditure			Justification		
		Amount	<p>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.</p>		
1	2	3			
Salary*	13.2	////////////////////			
Benefits*	4.8	////////////////////			
Premium Pay (Included in Above)	////////////////////	////////////////////			
Other	////////////////////	////////////////////			
Total Personal Services	////////////////////	18.0			
Travel					
Contractual		31.0			
Commodities		3.0			
Equipment		1.0			
Other					
Total Cost		53.0			
Funding Source for Total Cost					
Federal Receipts	1002	25.5			
G.F. Match	1003				
General Fund	1004	27.5			
Program Receipts/GF	1005				
I-A Receipts	1007				
CIP Receipts	1061				
Other					
* Personal Services Salary and Benefits Costs are from PACS.					

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Position Title Clerk Typist II		No. of Positions 1	Range/Step 7A	Barg. Unit GGU	
Time Status PFT	Staff Months 12.0	Location Anchorage		Election District 7	
Type of Expenditure		Justification			
Amount		<p>This position will provide clerical support needed through the typing and filing of correspondence, training materials, and related documents.</p> <p>Additional minimal support costs are included.</p>			
1	2				3
Salary*	18.6				////////////////////
Benefits*	9.7				////////////////////
Premium Pay (Included in Above)	////////////////////				////////////////////
Other	////////////////////				////////////////////
Total Personal Services	////////////////////				28.2
Travel					
Contractual					6.0
Commodities					2.5
Equipment					2.0
Other					
Total Cost					38.7
Funding Source for Total Cost					
Federal Receipts	1002		18.0		
G.F. Match	1003				
General Fund	1004		20.7		
Program Receipts/GF	1005				
I-A Receipts	1007				
CIP Receipts	1061				
Other					
* Personal Services Salary and Benefits Costs are from PACS.					

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Position Title Data Processing Clerk II		No. of Positions 2	Range/Step 9A	Barg. Unit GGU
Time Status PFT	Staff Months 12.0	Location Anchorage		Election District 7
Type of Expenditure		Justification		
		These positions will be responsible for the accepting and processing of data on boating and watercraft material, i.e. registration and accident data. These positions will also be responsible for maintenance of data.		
Amount		Additional minimal support costs are included.		
1	2	3		
Salary*	41.5	//////		
Benefits*	20.6	//////		
Premium Pay (Included in Above)	//////	//////		
Other	//////	//////		
Total Personal Services	//////	62.1		
Travel				
Contractual		6.0		
Commodities		2.0		
Equipment				
Other				
Total Cost		70.1		
Funding Source for Total Cost				
Federal Receipts	1001	34.9		
G.F. Match	1003			
General Fund	1004	35.2		
Program Receipts/GF	1005			
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS.				

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
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Position Title Accounting Clerk III		No. of Positions 1	Range/Step 10A	Barg. Unit GGU	
Time Status PPT	Staff Months 6.0	Location Anchorage		Election District 7	
Type of Expenditure		Justification			
Amount		<p>This part-time position will perform all accounting duties for the boating safety unit. 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> <p>Additional minimal support costs are included.</p>			
1	2				3
Salary*	11.0				//////
Benefits*	4.2				//////
Premium Pay (Included in Above)	//////				//////
Other	//////				//////
Total Personal Services	//////				15.2
Travel					
Contractual					1.0
Commodities					2.0
Equipment		1.0			
Other					
Total Cost		19.2			
Funding Source for Total Cost					
Federal Receipts	1002		9.9		
G.F. Match	1003				
General Fund	1004		9.3		
Program Receipts/GF	1005				
I-A Receipts	1007				
CIP Receipts	1061				
Other					
* Personal Services Salary and Benefits Costs are from PACS.					

REQUEST FOR  
NEW POSITION

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FY 91

Position Title Compliance Officers		No. of Positions 2	Range/Step 12A	Barg. Unit GGU
Time Status S	Staff Months 6.0	Location Juneau		Election District 4
Type of Expenditure		Amount		
1	2	3		
Salary*	24.9	////////////////////		
Benefits*	12.0	////////////////////		
Premium Pay	2.3	////////////////////		
Other		////////////////////		
Total Personal Services		//////////////////// 39.2		
Travel		5.0		
Contractual		13.5		
Commodities		8.3		
Equipment		45.2		
Other				
Total Cost		111.2		
Funding Source for Total Cost				
Federal Receipts	1002	54.3		
G.F. Match	1003			
General Fund	1004	56.9		
Program Receipts/GF	1005			
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS.				
Justification				
<p>These positions will be responsible for the seasonal enforcement of the statutes modified by CSSB 111 (SA). These positions will verify compliance with registration requirements; participate in safety and educational programs; follow-up 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 included travel funds necessary to aid investigations, etc. Contractual costs include funds for HWCF pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of a 20' Boston Whaler type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time FY 91 expenses).</p>				

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
 BRU Fish and Wildlife Protection  
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FY 91

Position Title <b>Compliance Officers</b>		No. of Positions 2	Range/Step 12A	Barg. Unit GGU	
Time Status S	Staff Months 6.0	Location Palmer		Election District 16	
Type of Expenditure		Justification			
Amount		<p>These positions will be responsible for the seasonal enforcement of the statutes modified by CSSB 111 (SA). These positions will verify compliance with registration requirements; participate in safety and educational programs; follow-up 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 included travel funds necessary to aid investigations, etc. Contractual costs include funds for HWCf pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of a 18' river type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time FY 91 expenses).</p>			
1	2				3
Salary*	24.9				////
Benefits*	12.0				////
Premium Pay	2.3				////
Other	////				////
Total Personal Services	////				39.2
Travel					3.5
Contractual					13.5
Commodities					8.3
Equipment					33.5
Other					
Total Cost					98.0
Funding Source for Total Cost					
Federal Receipts	1002	46.2			
G.F. Match	1003				
General Fund	1004	51.8			
Program Receipts/GF	1005				
I-A Receipts	1007				
CIP Receipts	1061				
Other					
* Personal Services Salary and Benefits Costs are from PACS.					

REQUEST FOR  
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Position Title Compliance Officers			No. of Positions 2	Range/Step 12A	Barg. Unit GGU
Time Status S	Staff Months 6.0		Location Homer		Election District 5
			Justification		
Type of Expenditure			Amount		
1	2	3			
Salary*	24.9	////////////////////			
Benefits*	12.0	////////////////////			
Premium Pay	2.3	////////////////////			
Other		////////////////////			
Total Personal Services		////////////////////	39.2		
Travel			5.0		
Contractual			13.5		
Commodities			8.3		
Equipment			51.0		
Other					
Total Cost			117.0		
Funding Source for Total Cost					
Federal Receipts	1002		55.2		
G.F. Match	1003				
General Fund	1004		61.8		
Program Receipts/GF	1005				
I-A Receipts	1007				
CIP Receipts	1061				
Other					
* Personal Services Salary and Benefits Costs are from PACS.					
			<p>These positions will be responsible for the seasonal enforcement of the statutes modified by CSSB 111 (SA). These positions will verify compliance with registration requirements; participate in safety and educational programs; follow-up 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 included travel funds necessary to aid investigations, etc. Contractual costs include funds for HWCF pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of a 22' Boston Whaler type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time FY 91 expenses).</p>		

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Position Title Compliance Officers			No. of Positions 2	Range/Step 12A	Barg. Unit GGU
Time Status S	Staff Months 6.0		Location Fairbanks		Election District 20
Type of Expenditure			Justification		
		Amount	<p>These positions will be responsible for the seasonal enforcement of the statutes modified by CSSB 111 (SA). These positions will verify compliance with registration requirements; participate in safety and educational programs; follow-up 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 included travel funds necessary to aid investigations, etc. Contractual costs include funds for HWCf pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of a 18' river type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time FY 91 expenses).</p>		
1	2	3			
Salary*	25.6	////////////////////			
Benefits*	12.2	////////////////////			
Premium Pay	2.4	////////////////////			
Other	////////////////////	////////////////////			
Total Personal Services		40.2			
Travel		3.5			
Contractual		13.5			
Commodities		8.3			
Equipment		33.5			
Other					
Total Cost		99.0			
Funding Source for Total Cost			<p>* Personal Services Salary and Benefits Costs are from PACS.</p>		
Federal Receipts	1002	48.0			
G.F. Match	1003				
General Fund	1004	51.0			
Program Receipts/GF	1005				
I-A Receipts	1007				
CIP Receipts	1061				
Other					

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Position Title Compliance Officers			No. of Positions 2	Range/Step 12A	Barg. Unit GGU
Time Status S	Staff Months 6.0		Location Soldotna		Election District 5
Type of Expenditure			Amount		
1			2		3
Salary*			24.9		////////////////////
Benefits*			12.0		////////////////////
Premium Pay			2.3		////////////////////
Other			////////////////////		////////////////////
Total Personal Services			////////////////////		39.2
Travel					3.5
Contractual					13.5
Commodities					8.3
Equipment					33.5
Other					
Total Cost					98.0
Funding Source for Total Cost					
Federal Receipts 1002					45.8
G.F. Match 1003					
General Fund 1004					52.2
Program Receipts/GF 1005					
I-A Receipts 1007					
CIP Receipts 1061					
Other					
* Personal Services Salary and Benefits Costs are from PACS.					
Justification					
<p>These positions will be responsible for the seasonal enforcement of the statutes modified by CSSB 111 (SA). These positions will verify compliance with registration requirements; participate in safety and educational programs; follow-up 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 included travel funds necessary to aid investigations, etc. Contractual costs include funds for HWC pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of a 18' river type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time FY 92 expenses).</p>					

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FISCAL NOTE

REQUEST

Revision Date: 3/21/89 Agency Affected: Public Safety  
 Title: "An Act relating to boating safety..." BRU: Fish and Wildlife Protection  
 Sponsor: Senator Sturgulewski Components: Boating & Water Safety  
 Requestor: Senate State Affairs

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES		169.8	376.6	376.6	376.6	376.6
TRAVEL		13.0	29.5	29.5	29.5	29.5
CONTRACTUAL		75.0	171.5	171.5	171.5	171.5
SUPPLIES		22.9	54.0	54.0	54.0	54.0
EQUIPMENT		168.2	51.0	17.5	17.5	17.5
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	448.9	682.6	649.1	649.1	649.1
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	249.0	498.0	530.0	530.0	530.0

FUNDING: (Thousands of Dollars)

GENERAL FUNDS		248.9	432.6	399.1	399.1	399.1
FEDERAL FUNDS		200.0	250.0	250.0	250.0	250.0
OTHER						
TOTAL	-0-	448.9	682.6	649.1	649.1	649.1

POSITIONS:

FULL-TIME	-0-	4	4	4	4	4
PART-TIME	-0-	10	12	12	12	12
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill would establish boating safety, boating accident, and boat numbering requirements for the state. The responsibility for implementing and enforcing this law would be with the Department of Public Safety's Division of Fish and Wildlife Protection. The administrative headquarters for this new "Boating Safety Section" would be in Anchorage.  
(continued on page 2)

Prepared by: Gretchen Pence, Special Assistant Phone: 465-4322  
 Division: Commissioner's Office Date: 3/21/89

Approved by Commissioner: G.A. Hootch Date: 3-22-89  
 Agency: Public Safety

*Jim*  
*3/23/89*

CONTINUATION OF FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 111 (SA)

In order to implement this bill, the Department would hire a total of 16 new employees (4 full-time and 12 part-time). These positions are: Education Specialist I, Publication Specialist I, Clerk Typist II, 2 Data Processing Clerks, Accounting Clerk, and 10 Compliance Officers (seasonal safety and enforcement officers; 8 of the Compliance Offices will be hired the first year, and an additional 2 [Soldotna] the second year).

The equipment costs for vessel purchases are one-time costs; these costs are spaced over two years because the Compliance Officers will be hired over two years. Equipment start-up costs also include vehicles and radios.

Office space for the "Boating Safety Section" will come from current facilities; utilities, communications, travel, commodities, and office equipment needs are estimated for each position.

The boating safety and boat numbering program will be self-supporting; the revenues received from vessel registration will be greater than the general fund appropriation. In fact, beginning the second year of the program, it will generate approximately \$65.0 in additional revenues, and up to \$130.0 in future years.

All costs in this fiscal note assume a start-up date of January 1, 1990.

I. Restricted

Anticipate \$200.0 in federal funds for the first year, and approximately \$250.0 for subsequent years. Federal grant award monies can fund no more than 50 percent of the total appropriation. The above stated numbers are the maximum anticipated to be available.

II. Unrestricted Revenues (see chart pg. 3)

Vessel Registrations

CONTINUATION OF FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 111 (SA)

Revenue estimates:

II. Unrestricted

	Registered Boats 30,000	Boats Currently Not Registered Carried Through the Triennial Cycle					Fines Aprox. \$32.0 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 (90) 10000+6600	\$300.0	\$198.0	- - -	- - -	- - -	- - -	\$	\$498.0
2nd Year (91) 10000+6600	300.0	- - -	\$198.0	- - -	- - -	- - -		498.0
3rd Year (92) 10000+6600	300.0	- - -	- - -	\$198.0	- - -	- - -	32.0	530.0
4th Year (93) 10000+6600	300.0	- - -	- - -	- - -	\$198.0	- - -	32.0	530.0
5th Year (94) 10000+6600	300.0	- - -	- - -	- - -	- - -	\$198.0	32.0	530.0

Notes:

1. Boat registration fee is \$10.00 per year; registrations are issued for three years, therefore, \$30.00 triennial fee.
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 10,000 boats) will register during the 1st year, 10,000 in the 2nd year, and the remainder (10,000) 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 \$32.0 in fines levied per year, beginning in 1992.
6. During the first year of the program, the State will be registering vessels for only six months; therefore, only approximately 1/2 of the anticipated revenues will be available.

## SUMMARY OF PERSONNEL

### Education Specialist I (PFT)

The Education Specialist would be responsible for designing the State's boating safety program in coordination with Federal, State, and local authorities, as well as with private organizations.

This position will train, or be responsible for training, departmental employees on how to conduct boating safety education training. This individual will be the unit supervisor.

### Publication Specialist I (PPT)

The part-time Publication Specialist will be responsible for re-designing all forms (from Federal to State) for the boating safety program, reviewing all available boating safety printed materials and adapting selected materials to be specific for Alaska, as well as producing boating safety public service announcements and video spots.

### Clerk Typist II (PFT)

This position will provide clerical support needed through the typing and filing of correspondence, training materials and related documents. Will also be responsible for distributing the boating safety correspondence training materials.

### Data Processing Clerk II (2 PFT)

These positions will be responsible for processing vessel registrations as well as accepting and processing all data concerning boating and watercraft material, i.e. accident data and statistics. These positions will also be responsible for maintenance of data.

### Accounting Clerk III (PPT)

This part-time position will perform all accounting duties for the boating safety unit. Duties will include: accounting for and depositing all vessel registration fees, vendor payments, research and communications, document filing, record keeping and reports required for adequate administrative controls.

SUMMARY OF PERSONNEL Continued

Compliance Officers

(10 PPT, Seasonal)

These 10 seasonal Compliance Officers will work in teams of two (for safety reasons), and will be assigned to Juneau, Palmer, Homer, Fairbanks, and Soldotna (the team in Soldotna will start in FY 91). The five Compliance Teams will provide roving patrols and will be responsible for the seasonal enforcement of the statutes modified by SB 111. They will verify compliance with registration requirements; participate in safety and educational programs; followup on boating accident reports, investigate 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.

They will also offer training classes in areas where classes are not currently offered by the Coast Guard Auxiliary or another organization.

Position Title Education Specialist I		No. of Positions 1	Range/Step 19A	Barg. Unit GCU
Time Status PFT	Staff Months 12.0	Location Anchorage		Election District 7
Justification				
Type of Expenditure		Amount		
1	2	3		
Salary*	40.0	////////////////////////////////////		
Benefits*	16.2	////////////////////////////////////		
Premium Pay (Included in above)	////////////////////////////////////	////////////////////////////////////		
Other	////////////////////////////////////	////////////////////////////////////		
Total Personal Services	////////////////////////////////////	56.2		
Travel		9.0		
Contractual		60.0		
Commodities		3.0		
Equipment		1.0		
Other				
Total Cost		129.2		
////////////////////////////////////				
Funding Source for Total Cost				
Federal Receipts	1002	62.9		
G.F. Match	1003			
General Fund	1004	66.3		
*F Program Receipts	1005			
Other				
*Personal Services Salary and Benefits Costs are from PACS.				
////////////////////////////////////				
////////////////////////////////////				
////////////////////////////////////				
////////////////////////////////////				
////////////////////////////////////				

The Education Specialist would be responsible for designing a boating safety program in coordination with Federal, State, and local authorities, as well as with private organizations. Further, this position will manage all aspects of contracting with other agencies for performance of registration, record keeping, and education; will provide oversight of activity, reporting of statistics, federal responsibility of the new section.

This position will train, or be responsible for training, departmental employees on how to conduct boating safety education training. This individual will be the unit supervisor.

Contractual monies included with this position are for contracting with private groups to provide boating safety education programs in some areas of the state. \$26.0 is budgeted for FY90.

REQUEST FOR  
NEW POSITION

Agency Public Safety  
BRU Fish and Wildlife Protection  
Component Boating and Watercraft Safety

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FY 91

Position Title Publication Specialist I		No. of Positions 1	Range/Step 13A	Barg. Unit GGU
Time Status PPT	Staff Months 6.0	Location Anchorage		Election District 7
Justification				
Type of Expenditure		Amount		
1	2	3		
Salary*	13.2	////////////////////////////////////		
Benefits*	4.9	////////////////////////////////////		
Premium Pay (Included in above)	////////////////////////////////////	////////////////////////////////////		
Other	////////////////////////////////////	////////////////////////////////////		
Total Personal Services	////////////////////////////////////	18.1		
Travel				
Contractual		31.0		
Commodities		3.0		
Equipment		1.0		
Other				
Total Cost		53.1		
////////////////////////////////////				
Funding Source for Total Cost				
Federal Receipts	1002	25.5		
G.F. Match	1003			
General Fund	1004	27.6		
GF Program Receipts	1005			
Other				
*Personal Services Salary and Benefits Costs are from PACS.				
////////////////////////////////////				
////////////////////////////////////				
////////////////////////////////////				
////////////////////////////////////				
////////////////////////////////////				
////////////////////////////////////				

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.

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Component Boating and Watercraft Safety

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Position Title Clerk Typist II		No. of Positions 1	Range/Step 7A	Barg. Unit GCU
Time Status PFT	Staff Months 12.0 months	Location Anchorage		Election District 7
Justification				
Type of Expenditure		Amount		
1	2	3		
Salary*	18.5	////////////////////////////////////		
Benefits*	10.0	////////////////////////////////////		
Premium Pay (Included in above)	////////////////////////////////////	////////////////////////////////////		
Other	////////////////////////////////////	////////////////////////////////////		
Total Personal Services	////////////////////////////////////	28.5		
Travel				
Contractual		6.0		
Commodities		2.5		
Equipment		2.0		
Other				
Total Cost		39.0		
////////////////////////////////////				
Funding Source for Total Cost				
Federal Receipts	1002	18.0		
G.F. Match	1003			
General Fund	1004	21.0		
GF Program Receipts	1005			
CIP Receipts	1061			
Other				
*Personal Services Salary and Benefits Costs are from PACS.				
////////////////////////////////////				
////////////////////////////////////				
////////////////////////////////////				
////////////////////////////////////				
////////////////////////////////////				
////////////////////////////////////				

This position will provide clerical support needed through the typing and filing of correspondence, training materials and related documents.

Additional minimal support costs are included.

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Position Title Data Processing Clerk II			No. of Positions 2	Range/Step 9A	Barg. Unit GCU
Time Status PFT	Staff Months 12.0		Location Anchorage		Election District 7
////////////////////////////////////			Justification		
Type of Expenditure		Amount			
1	2	3			
Salary*	41.5	////////////////////////////////////			
Benefits*	22.3	////////////////////////////////////			
Premium Pay (Included in above)	////////////////////////////////////	////////////////////////////////////			
Other	////////////////////////////////////	////////////////////////////////////			
Total Personal Services	////////////////////////////////////	63.8			
Travel					
Contractual		6.0			
Commodities		2.0			
Equipment					
Other					
Total Cost		71.8			
////////////////////////////////////					
Funding Source for Total Cost					
Federal Receipts	1002	34.9			
G.F. Match	1003				
General Fund	1004	36.9			
GF Program Receipts	1005				
Other					
*Personal Services Salary and Benefits Costs are from PACS.					
////////////////////////////////////					
////////////////////////////////////					
////////////////////////////////////					
////////////////////////////////////					
////////////////////////////////////					

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

Additional minimal support costs are included.

REQUEST FOR  
NEW POSITION

Agency Public Safety  
BRU Fish and Wildlife Protection  
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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 Anchorage		Election District 7
////////////////////////////////////		Justification		
Type of Expenditure		Amount		
1	2	3		
Salary*	10.4	////////////////////////////////////		
Benefits*	5.5	////////////////////////////////////		
Premium Pay (Included in above)	////////////////////////////////////	////////////////////////////////////		
Other	////////////////////////////////////	////////////////////////////////////		
Total Personal Services	////////////////////////////////////	15.9		
Travel				
Contractual		1.0		
Commodities		2.0		
Equipment		1.0		
Other				
Total Cost		19.9		
////////////////////////////////////				
Funding Source for Total Cost				
Federal Receipts	1002	9.9		
G.F. Match	1003			
General Fund	1004	10.0		
GF Program Receipts	1005			
Other				
*Personal Services Salary and Benefits Costs are from PACS.				
////////////////////////////////////				
////////////////////////////////////				
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////////////////////////////////////				
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////////////////////////////////////				

This part-time position will perform all accounting duties for the boating safety unit. 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.

Additional minimal support costs are included.

REQUEST FOR  
NEW POSITION

Agency Department of Public Safety  
BRU Fish and Wildlife Protection  
Component Boating and Watercraft Safety

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Position Title Compliance Officers			No. of Positions 2	Range/Step 12A	Barg. Unit GCU
Time Status S	Staff Months 6.0 months		Location Juneau		Election District 4
////////////////////////////////////			Justification		
Type of Expenditure		Amount	<p>These positions will be responsible for the seasonal enforcement of the statutes modified by SB 111. 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 HWCF pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of a 20' Boston Whaler type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time FY 90 expenses).</p>		
1	2	3			
Salary*	27.2	////////////////////////////////////			
Benefits*	12.7	////////////////////////////////////			
Premium Pay (Included in above)	2.3	////////////////////////////////////			
Other	////////////////////////////////////	////////////////////////////////////			
Total Personal Services		39.9			
Travel		5.0			
Contractual		13.5			
Commodities		8.3			
Equipment		45.2			
Other					
Total Cost		111.9			
////////////////////////////////////					
Funding Source for Total Cost					
Federal Receipts	1002	54.3			
G.F. Match	1003				
General Fund	1004	57.6			
GF Program Receipts	1005				
Other					
*Personal Services Salary and Benefits Costs are from PACS.					
////////////////////////////////////					
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////////////////////////////////////					

REQUEST FOR  
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Agency Public Safety  
BRU Fish and Wildlife Protection  
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FY 91

Position Title Compliance Officers		No. of Positions 2	Range/Step 12A	Barg. Unit GGU
Time Status S	Staff Months 6.0 months	Location Palmer		Election District 16
Justification				
Type of Expenditure			Amount	
1	2	3		
Salary*	25.6	////////////////////	These positions will be responsible for the seasonal enforcement of the statutes modified by SB 111. 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.	
Benefits*	10.3	////////////////////	Approximately 10 hours of overtime for each month of position funding will be required.	
Premium Pay (Included in above)	2.4	////////////////////	Support costs include travel funds necessary to aid investigations, etc. Contractual costs include funds for HWCf pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of an 18' River type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time FY 90 expense).	
Other	////////////////////	////////////////////		
Total Personal Services	////////////////////	35.9		
Travel		3.5		
Contractual		13.5		
Commodities		8.3		
Equipment		33.5		
Other				
Total Cost		94.7		
Funding Source for Total Cost				
Federal Receipts	1002	46.2		
G.F. Match	1003			
General Fund	1004	48.5		
GF Program Receipts	1005			
Other				
*Personal Services Salary and Benefits Costs are from PACS. //////////////////// //////////////////// //////////////////// //////////////////// ////////////////////				

REQUEST FOR  
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BRU Fish and Wildlife Protection  
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Revised Date

FY 91

Position Title Compliance Officers			No. of Positions 2	Range/Step 12A	Barg. Unit GCU
Time Status S	Staff Months 6.0 months		Location Homer		Election District 5
////////////////////////////////////			Justification		
Type of Expenditure		Amount		<p>These positions will be responsible for the seasonal enforcement of the statutes modified by SB 111. 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 HWCF pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of a 22' Boston Whaler type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time FY 90 expenses).</p>	
1	2	3			
Salary*	28.9	////////////////////////////////////			
Benefits*	13.2	////////////////////////////////////			
Premium Pay (Included in above)	2.4	////////////////////////////////////			
Other	////////////////////////////////////	////////////////////////////////////			
Total Personal Services	////////////////////////////////////	42.1			
Travel		5.0			
Contractual		13.5			
Commodities		8.3			
Equipment		51.0			
Other					
Total Cost		119.9			
////////////////////////////////////					
Funding Source for Total Cost					
Federal Receipts	1002	55.2		<p>Support costs include travel funds necessary to aid investigations, etc. Contractual costs include funds for HWCF pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of a 22' Boston Whaler type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time FY 90 expenses).</p>	
G.F. Match	1003				
General Fund	1004	64.7			
GF Program Receipts	1005				
Other					
*Personal Services Salary and Benefits Costs are from PACS.					
////////////////////////////////////					
////////////////////////////////////					
////////////////////////////////////					
////////////////////////////////////					
////////////////////////////////////					

REQUEST FOR  
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Agency Public Safety  
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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*	11.0	////////////////////////////////////		
Premium Pay (Included in above)	2.6	////////////////////////////////////		
Other	////////////////////////////////////	////////////////////////////////////		
Total Personal Services	////////////////////////////////////	39.2		
Travel		3.5		
Contractual		13.5		
Commodities		8.3		
Equipment		33.5		
Other				
Total Cost		98.0		
////////////////////////////////////				
Funding Source for Total Cost				
Federal Receipts	1002	48.0		
G.F. Match	1003			
General Fund	1004	50.0		
GF Program Receipts	1005			
Other				
*Personal Services Salary and Benefits Costs are from PACS.		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 HWCF pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of a 18' River boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time FY 90 expenses).		
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REQUEST FOR  
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BRU Fish and Wildlife Protection  
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Position Title Compliance Officers		No. of Positions 2	Range/Step 12A	Barg. Unit CCU
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 SB 111. 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 HWCF pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of an 18' River type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time FY 91 expenses).</p>	
Benefits*	10.5	////////////////////////////////////		
Premium Pay (Included in above)	2.5	////////////////////////////////////		
Other		////////////////////////////////////		
Total Personal Services		//////////////////////////////////// 37.0		
Travel		3.5		
Contractual		13.5		
Commodities		8.3		
Equipment		33.5		
Other				
Total Cost		95.8		
Funding Source for Total Cost				
Federal Receipts	1002	45.8		
G.F. Match	1003			
General Fund	1004	50.0		
GF Program Receipts	1005			
Other				
*Personal Services Salary and Benefits Costs are from PACS.				
////////////////////////////////////				
////////////////////////////////////				
////////////////////////////////////				
////////////////////////////////////				
////////////////////////////////////				

REQUEST FOR  
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BRU Fish and Wildlife Protection  
Component Boating & Watercraft Safety

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FY 91

BILL NO: CSSB 111 (SA) DRAFT

DATE: March 21, 1989

TITLE: "An Act relating to boating  
safety..."

CONTACT: Gretchen A. Pence  
Special Assistant to the  
Commissioner  
465-4322

DEPARTMENT OF  
PUBLIC SAFETY

Alaska is the only state that does not have a recreational boating safety law. Consequently, this is the only state where the Coast Guard is responsible for the registration and numbering of recreational vessels.

There are an average of 57 deaths per year in Alaska because of boating related drownings.

This bill would allow the State of Alaska to receive federal funds to develop and implement a recreational boating safety education program and vessel registration system for Alaska.

This bill would require the Department of Public Safety to:

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

This bill has very broad-reaching application, and extensive public information and education would be required prior to implementation or enforcement.

Federal funding is available until April 1, 1993. Availability after that date is unknown. 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 are allocated based on the reported number of vessels registered; and
- c. one-third of funds are allocated based on State obligations and expenditures for boating safety programs during the prior fiscal year.

Under these criteria, the State would be eligible to receive approximately \$200.0 for the first year, and up to \$250.0 thereafter.

In order to receive federal funds, the State's boating safety program must meet the following conditions:

1. 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. Development of an approved vessel numbering system.
3. A 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; and
  - e. Coast Guard Auxiliary assistance on State waters.
4. Adequate patrol to insure laws are enforced, including:
  - a. sufficient uniform patrol to insure compliance with all aspects of boating safety regulations;
  - b. in-service training for the enforcement officers; and
  - 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 Boating Law Administrators; and
  - b. classes must be offered both in classroom and through correspondence courses.
6. An approved system for reporting marine fatalities.

Federal grant conditions require certification that the grantee has complied; further, the requirements and audits often times become more stringent with the passage of time. Analyzing accident data would require the collection and input of the data, analysis, and an Annual Report.

If this bill were adopted, uniformed officers would be required to patrol and enforce the State's laws and regulations concerning boating safety. The bill also requires in-service training for officers who are assigned these enforcement responsibilities. This would create a tremendous responsibility if we are expected to patrol all state waters -- including waters inside the three-mile limit and virtually all streams and lakes. Neither of the

Department of Public Safety  
Position Paper, CSSB 111 (SA) DRAFT  
March 21, 1983  
Page 2

Department's enforcement divisions have sufficient personnel to conduct these patrols. The Department views enforcement of a recreational boating safety law as a completely new responsibility.

The Department estimates that the minimum cost of implementing a boating safety law as described above would be approximately \$649.1 per year, which includes administrative and seasonal enforcement personnel. The bill allows the Department of Public Safety to establish, by regulation, the boating registration fee. Assuming a \$30 triennial fee (the current federal fee is \$6 triennially), the boating registration system would generate \$500.0 to \$530.0 per year. Assuming federal funds of approximately \$200.0 to \$250.0 per year, this program could be self-supporting (the revenues received from vessel registration will be greater than the general fund appropriation). (Note: the federal monies can be for no more than 50 percent of the total cost of administering the new law, with a maximum of the above-stated numbers.)

The Department of Public Safety is in favor of any measure likely to promote public safety. This would, however, be a new State responsibility which cannot be absorbed by the Department's existing resources. The program is an expensive one; the Department would not be able to implement the program unless the fiscal note is funded. The Department of Public Safety supports this legislation as long as the accompanying fiscal note is fully funded.

  
Arthur English  
Commissioner

FISCAL NOTE

REQUEST

Revision Date: 3/21/89 Agency Affected: Public Safety  
 Title: "An Act relating to boating safety..." BRU: Fish and Wildlife Protection  
 Sponsor: Senator Sturgulewski Components: Boating & Water Safety  
 Requestor: Senate State Affairs

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES		169.8	376.6	376.6	376.6	376.6
TRAVEL		13.0	29.5	29.5	29.5	29.5
CONTRACTUAL		75.0	171.5	171.5	171.5	171.5
SUPPLIES		22.9	54.0	54.0	54.0	54.0
EQUIPMENT		168.2	51.0	17.5	17.5	17.5
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	448.9	682.6	649.1	649.1	649.1
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	249.0	498.0	530.0	530.0	530.0

FUNDING: (Thousands of Dollars)

GENERAL FUNDS		248.9	432.6	399.1	399.1	399.1
FEDERAL FUNDS		200.0	250.0	250.0	250.0	250.0
OTHER						
TOTAL	-0-	448.9	682.6	649.1	649.1	649.1

POSITIONS:

FULL-TIME	-0-	4	4	4	4	4
PART-TIME	-0-	10	12	12	12	12
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill would establish boating safety, boating accident, and boat numbering requirements for the state. The responsibility for implementing and enforcing this law would be with the Department of Public Safety's Division of Fish and Wildlife Protection. The administrative headquarters for this new "Boating Safety Section" would be in Anchorage.  
(continued on page 2)

Prepared by: Gretchen Pence, Special Assistant Phone: 465-4322  
 Division: Commissioner's Office Date: 3/21/89  
 Approved by Commissioner: *Arthur Eng* Date: 3-21-89  
 Agency: Public Safety

CONTINUATION OF FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 111 (SA) DRAFT

In order to implement this bill, the Department would hire a total of 16 new employees (4 full-time and 12 part-time). These positions are: Education Specialist I, Publication Specialist I, Clerk Typist II, 2 Data Processing Clerks, Accounting Clerk, and 10 Compliance Officers (seasonal safety and enforcement officers; 8 of the Compliance Offices will be hired the first year, and an additional 2 [Soldotna] the second year).

The equipment costs for vessel purchases are one-time costs; these costs are spaced over two years because the Compliance Officers will be hired over two years. Equipment start-up costs also include vehicles and radios.

Office space for the "Boating Safety Section" will come from current facilities; utilities, communications, travel, commodities, and office equipment needs are estimated for each position.

The boating safety and boat numbering program will be self-supporting; the revenues received from vessel registration will be greater than the general fund appropriation. In fact, beginning the second year of the program, it will generate approximately \$65.0 in additional revenues, and up to \$130.0 in future years.

All costs in this fiscal note assume a start-up date of January 1, 1990.

I. Restricted

Anticipate \$200.0 in federal funds for the first year, and approximately \$250.0 for subsequent years. Federal grant award monies can fund no more than 50 percent of the total appropriation. The above stated numbers are the maximum anticipated to be available.

II. Unrestricted Revenues (see chart pg. 3)

Vessel Registrations

CONTINUATION OF FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 111 (SA) DRAFT

Revenue estimates:

II. Unrestricted

	Registered Boats 30,000	Boats Currently Not Registered Carried Through the Triennial Cycle					Fines Aprox. \$32.0 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 (90) 10000+6600	\$300.0	\$198.0	- - -	- - -	- - -	- - -	\$	\$498.0
2nd Year (91) 10000+6600	300.0	- - -	\$198.0	- - -	- - -	- - -		498.0
3rd Year (92) 10000+6600	300.0	- - -	- - -	\$198.0	- - -	- - -	32.0	530.0
4th Year (93) 10000+6600	300.0	- - -	- - -	- - -	\$198.0	- - -	32.0	530.0
5th Year (94) 10000+6600	300.0	- - -	- - -	- - -	- - -	\$198.0	32.0	530.0

Notes:

1. Boat registration fee is \$10.00 per year; registrations are issued for three years, therefore, \$30.00 triennial fee.
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 10,000 boats) will register during the 1st year, 10,000 in the 2nd year, and the remainder (10,000) 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 \$32.0 in fines levied per year, beginning in 1992.
6. During the first year of the program, the State will be registering vessels for only six months; therefore, only approximately 1/2 of the anticipated revenues will be available.

SUMMARY OF PERSONNEL

Education Specialist I (PFT)

The Education Specialist would be responsible for designing the State's boating safety program in coordination with Federal, State, and local authorities, as well as with private organizations.

This position will train, or be responsible for training, departmental employees on how to conduct boating safety education training. This individual will be the unit supervisor.

Publication Specialist I (PPT)

The part-time Publication Specialist will be responsible for re-designing all forms (from Federal to State) for the boating safety program, reviewing all available boating safety printed materials and adapting selected materials to be specific for Alaska, as well as producing boating safety public service announcements and video spots.

Clerk Typist II (PFT)

This position will provide clerical support needed through the typing and filing of correspondence, training materials and related documents. Will also be responsible for distributing the boating safety correspondence training materials.

Data Processing Clerk II (2 PFT)

These positions will be responsible for processing vessel registrations as well as accepting and processing all data concerning boating and watercraft material, i.e. accident data and statistics. These positions will also be responsible for maintenance of data.

Accounting Clerk III (PPT)

This part-time position will perform all accounting duties for the boating safety unit. Duties will include: accounting for and depositing all vessel registration fees, vendor payments, research and communications, document filing, record keeping and reports required for adequate administrative controls.

SUMMARY OF PERSONNEL Continued

Compliance Officers

(10 PPT, Seasonal)

These 10 seasonal Compliance Officers will work in teams of two (for safety reasons), and will be assigned to Juneau, Palmer, Homer, Fairbanks, and Soldotna (the team in Soldotna will start in FY 91). The five Compliance Teams will provide roving patrols and will be responsible for the seasonal enforcement of the statutes modified by SB 111. They will verify compliance with registration requirements; participate in safety and educational programs; followup on boating accident reports, investigate 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.

They will also offer training classes in areas where classes are not currently offered by the Coast Guard Auxiliary or another organization.

Position Title Education Specialist I		No. of Positions 1	Range/Step 19A	Barg Unit GGU
Time Status PFT	Staff Months 12.0	Location Anchorage		Election District 7
////////////////////////////////////				
Type of Expenditure		Amount		
1	2	3		
Salary*	40.0	////////////////////////////////////		
Benefits*	16.2	////////////////////////////////////		
Premium Pay (Included in above)	////////////////////////////////////	////////////////////////////////////		
Other	////////////////////////////////////	////////////////////////////////////		
Total Personal Services	////////////////////////////////////	56.2		
Travel		9.0		
Contractual		60.0		
Commodities		3.0		
Equipment		1.0		
Other				
Total Cost		129.2		
////////////////////////////////////				
Funding Source for Total Cost				
Federal Receipts	1002	62.9		
G.F. Match	1003			
General Fund	1004	66.3		
*F Program Receipts	1005			
Other				
*Personal Services Salary and Benefits Costs are from PACS.				
////////////////////////////////////				
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Justification

The Education Specialist would be responsible for designing a boating safety program in coordination with Federal, State, and local authorities, as well as with private organizations. Further, this position will manage all aspects of contracting with other agencies for performance of registration, record keeping, and education; will provide oversight of activity, reporting of statistics, federal responsibility of the new section.

This position will train, or be responsible for training, departmental employees on how to conduct boating safety education training. This individual will be the unit supervisor.

Contractual monies included with this position are for contracting with private groups to provide boating safety education programs in some areas of the state. \$26.0 is budgeted for FY90.

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Position Title Publication Specialist I			No. of Positions 1	Range/Step 13A	Barg. Unit GGU		
Time Status PPT	Staff Months 6.0		Location Anchorage		Election District 7		
////////////////////////////////////			Justification				
Type of Expenditure		Amount		<p>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.</p>			
1	2	3					
Salary*	13.2	////////////////////////////////////					
Benefits*	4.9	////////////////////////////////////					
Premium Pay (Included in above)	////////////////////////////////////	////////////////////////////////////					
Other	////////////////////////////////////	////////////////////////////////////					
Total Personal Services		//////////////////////////////////// 18.1					
Travel							
Contractual		31.0					
Commodities		3.0					
Equipment		1.0					
Other							
Total Cost		53.1					
////////////////////////////////////							
Funding Source for Total Cost							
Federal Receipts	1002	25.5					
G.F. Match	1003						
General Fund	1004	27.6					
GF Program Receipts	1005						
Other							
*Personal Services Salary and Benefits Costs are from P/ACS.							
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Position Title Clerk Typist II		No. of Positions 1	Range/Step 7A	Barg. Unit GGU
Time Status PFT	Staff Months 12.0 months	Location Anchorage		Election District 7
////////////////////////////////////		Justification		
Type of Expenditure		Amount		
1	2	3		
Salary*	18.5	////////////////////////////////////		
Benefits*	10.0	////////////////////////////////////		
Premium Pay (Included in above)	////////////////////////////////////	////////////////////////////////////		
Other	////////////////////////////////////	////////////////////////////////////		
Total Personal Services	////////////////////////////////////	28.5		
Travel				
Contractual		6.0		
Commodities		2.5		
Equipment		2.0		
Other				
Total Cost		39.0		
////////////////////////////////////				
Funding Source for Total Cost				
Federal Receipts	1002	18.0		
G.F. Match	1003			
General Fund	1004	21.0		
GF Program Receipts	1005			
CIP Receipts	1061			
Other				
*Personal Services Salary and Benefits Costs are from PACS.				
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This position will provide clerical support needed through the typing and filing of correspondence, training materials and related documents.

Additional minimal support costs are included.

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Position Title Data Processing Clerk II			No. of Positions 2	Range/Step 9A	Barg. Unit CGU		
Time Status PFT	Staff Months 12.0		Location Anchorage		Election District 7		
////////////////////////////////////			Justification				
Type of Expenditure		Amount		<p>These positions will be responsible for the accepting and processing of data on boating and watercraft material, i.e. registration and accident data. These positions will also be responsible for maintenance of data.</p> <p>Additional minimal support costs are included.</p>			
1	2	3					
Salary*	41.5	////////////////////////////////////					
Benefits*	22.3	////////////////////////////////////					
Premium Pay (Included in above)	////////////////////////////////////	////////////////////////////////////					
Other	////////////////////////////////////	////////////////////////////////////					
Total Personal Services	////////////////////////////////////	63.8					
Travel							
Contractual		6.0					
Commodities		2.0					
Equipment							
Other							
Total Cost		71.8					
////////////////////////////////////							
Funding Source for Total Cost							
Federal Receipts	1002	34.9					
G.F. Match	1003						
General Fund	1004	36.9					
GF Program Receipts	1005						
Other							
*Personal Services Salary and Benefits Costs are from PACS.							
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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 Anchorage		Election District 7		
////////////////////////////////////			Justification				
Type of Expenditure		Amount		<p>This part-time position will perform all accounting duties for the boating safety unit. 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> <p>Additional minimal support costs are included.</p>			
1	2	3					
Salary*	10.4	////////////////////////////////////					
Benefits*	5.5	////////////////////////////////////					
Premium Pay (included in above)	////////////////////////////////////	////////////////////////////////////					
Other	////////////////////////////////////	////////////////////////////////////					
Total Personal Services	////////////////////////////////////	15.9					
Travel							
Contractual		1.0					
Commodities		2.0					
Equipment		1.0					
Other							
Total Cost		19.9					
////////////////////////////////////							
Funding Source for Total Cost							
Federal Receipts	1002	9.9					
G.F. Match	1003						
General Fund	1004	10.0					
CF Program Receipts	1005						
Other							
*Personal Services Salary and Benefits Costs are from PACS.							
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Position Title Compliance Officers		No. of Positions 2	Range/Step 12A	Barg. Unit CGU
Time Status S	Staff Months 6.0 months	Location June		Election District 4
////////////////////////////////////		Justification		
Type of Expenditure		Amount		
1	2	3		
Salary*	27.2	////////////////////////////////////		
Benefits*	12.7	////////////////////////////////////		
Premium Pay (Included in above)	2.3	////////////////////////////////////		
Other	////////////////////////////////////	////////////////////////////////////		
Total Personal Services	////////////////////////////////////	39.9		
Travel		5.0		
Contractual		13.5		
Commodities		8.3		
Equipment		45.2		
Other				
Total Cost		111.9		
////////////////////////////////////				
Funding Source for Total Cost				
Federal Receipts	1002	54.3		
G.F. Match	1003			
General Fund	1004	57.6		
GF Program Receipts	1005			
Other				
*Personal Services Salary and Benefits Costs are from PACS.		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 HWCF pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of a 20' Boston Whaler type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time FY 90 expenses).		
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Position Title Compliance Officers			No. of Positions 2	Range/Step 12A	Barg. Unit GGU
Time Status S	Staff Months 6.0 months		Location Palmer		Election District 16
////////////////////////////////////			Justification		
Type of Expenditure		Amount			
1	2	3			
Salary*	25.6	////////////////////////////////////		<p>These positions will be responsible for the seasonal enforcement of the statutes modified by SB 111. 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 HWCf pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of an 18' River type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time FY 90 expense).</p>	
Benefits*	10.3	////////////////////////////////////			
Premium Pay (Included in above)	2.4	////////////////////////////////////			
Other		////////////////////////////////////			
Total Personal Services		//////////////////////////////////// 35.9			
Travel		3.5			
Contractual		13.5			
Commodities		8.3			
Equipment		33.5			
Other					
Total Cost		94.7			
////////////////////////////////////					
Funding Source for Total Cost					
Federal Receipts	1002	46.2			
G.F. Match	1003				
General Fund	1004	48.5			
GF Program Receipts	1005				
Other					
*Personal Services Salary and Benefits Costs are from PACS.					
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Position Title Compliance Officers			No. of Positions 2	Range/Step 12A	Barg. Unit GCU
Time Status S	Staff Months 6.0 months		Location Homer		Election District 5
////////////////////////////////////			Justification		
Type of Expenditure		Amount			
1	2	3			
Salary*	28.9	////////////////////////////////////		These positions will be responsible for the seasonal enforcement of the statutes modified by SB 111. 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.	
Benefits*	13.2	////////////////////////////////////			
Premium Pay (Included in above)	2.4	////////////////////////////////////			
Other	////////////////////////////////////	////////////////////////////////////			
Total Personal Services		////////////////////////////////////		42.1	
Travel				5.0	
Contractual				13.5	
Commodities				8.3	
Equipment				51.0	
Other					
Total Cost				119.9	
////////////////////////////////////			Approximately 10 hours of overtime for each month of position funding will be required.		
Funding Source for Total Cost					
Federal Receipts	1002			55.2	
G.F. Match	1003				
General Fund	1004			64.7	
GF Program Receipts	1005				
Other					
*Personal Services Salary and Benefits Costs are from PACS.			Support costs include travel funds necessary to aid investigations, etc. Contractual costs include funds for HWCF pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of a 22' Boston Whaler type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time FY 90 expenses).		
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Position Title Compliance Officers		No. of Positions 2	Range/Step 12A	Barg. Unit CCU
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*	11.0	////////////////////////////////////		
Premium Pay (Included in above)	2.6	////////////////////////////////////		
Other	////////////////////////////////////	////////////////////////////////////		
Total Personal Services	////////////////////////////////////	39.2		
Travel		3.5		
Contractual		13.5		
Commodities		8.3		
Equipment		33.5		
Other				
Total Cost		98.0		
////////////////////////////////////				
Funding Source for Total Cost				
Federal Receipts	1002	48.0		
G.F. Match	1003			
General Fund	1004	50.0		
GF Program Receipts	1005			
Other				
*Personal Services Salary and Benefits Costs are from PACS.				
////////////////////////////////////				
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These positions will be responsible for the seasonal enforcement of the statutes modified by SB 111. 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 HWCF pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of a 18' River boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time FY 90 expenses).

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Position Title Compliance Officers			No. of Positions 2	Range/Step 12A	Barg. Unit GCU		
Time Status S	Staff Months 6.0 months		Location Soldotna		Election District 5		
////////////////////////////////////			Justification				
Type of Expenditure		Amount		<p>These positions will be responsible for the seasonal enforcement of the statutes modified by SB 111. 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 HWCF pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of an 18' River type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time FY 91 expenses).</p>			
1	2	3					
Salary*	26.5	////////////////////////////////////					
Benefits*	10.5	////////////////////////////////////					
Premium Pay (Included in above)	2.5	////////////////////////////////////					
Other		////////////////////////////////////					
Total Personal Services		//////////////////////////////////// 37.0					
Travel		3.5					
Contractual		13.5					
Commodities		8.3					
Equipment		33.5					
Other							
Total Cost		95.8					
////////////////////////////////////							
Funding Source for Total Cost							
Federal Receipts	1002	45.8					
G.F. Match	1003						
General Fund	1004	50.0					
GF Program Receipts	1005						
Other							
*Personal Services Salary and Benefits Costs are from PACS.							
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*Sandro*

BILL NO: SB 111

DATE: February 27, 1989

TITLE: "An Act relating to boating safety..."

CONTACT: Gretchen A. Pence  
Special Assistant to the  
Commissioner  
465-4322

DEPARTMENT OF  
PUBLIC SAFETY

Alaska is the only state that does not have a recreational boating safety law. Consequently, this is the only state where the Coast Guard is responsible for the registration and numbering of vessels.

There are an average of 57 deaths per year in Alaska because of boating related drownings.

This bill would allow the State of Alaska to receive federal funds to develop and implement a boating safety education program and vessel registration system for Alaska.

This bill would require the Department of Public Safety to:

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

This bill has very broad-reaching application, and extensive public information and education would be required prior to implementation or enforcement.

Federal funding is available until April 1, 1993. Availability after that date is unknown. 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 are allocated based on the reported number of vessels registered; and
- c. one-third of funds are allocated based on State obligations and expenditures for boating safety programs during the prior fiscal year.

Under these criteria, the State would be eligible to receive approximately \$250.0 for the first year, and up to \$310.0 thereafter.

In order to receive federal funds, the State's boating safety program must meet the following conditions:

1. 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. Development of an approved vessel numbering system.
3. A 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; and
  - e. Coast Guard Auxiliary assistance on State waters.
4. Adequate patrol to insure laws are enforced, including:
  - a. sufficient uniform patrol to insure compliance with all aspects of boating safety regulations;
  - b. in-service training for the enforcement officers; and
  - 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 Boating Law Administrators; and
  - b. classes must be offered both in classroom and through correspondence courses.
6. An approved system for reporting marine fatalities.

Federal grant conditions require certification that the grantee has complied; further, the requirements and audits often times become more stringent with the passage of time. Analyzing accident data would require the collection and input of the data, analysis, and an Annual Report.

If this bill were adopted, uniformed officers would be required to patrol and enforce the State's laws and regulations concerning boating safety. The bill also requires in-service training for officers who are assigned these enforcement responsibilities. This would create a tremendous responsibility if we are expected to patrol all state waters -- including waters inside the three-mile limit and virtually all streams and lakes. Neither of the

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Department's enforcement divisions have sufficient personnel to conduct these patrols. The Department views enforcement of a recreational boating safety law as a completely new responsibility.

The Department estimates that the minimum cost of implementing a boating safety law as described above would be approximately \$813.0 per year, which includes administrative and seasonal enforcement personnel. The bill allows the Department of Public Safety to establish, by regulation, the boating registration fee. Assuming a \$30 triennial fee (the current federal fee is \$6 triennially), the boating registration system would generate \$500.0 to \$530.0 per year. Assuming federal funds of approximately \$250.0 to \$310.0 per year, this program could be self-supporting after the initial start-up costs are covered (the revenues received from vessel registration will be greater than the general fund appropriation). (Note: the federal monies can be for no more than 50 percent of the total cost of administering the new law, with a maximum of the above-stated numbers.)

The Department of Public Safety is conceptually in favor of any measure likely to promote public safety. However, this would be a new State responsibility which cannot be absorbed by the Department's existing resources. The program is an expensive one; the Department would not be able to implement the program unless the fiscal note is funded. For that reason, the Department of Public Safety takes a neutral position on this legislation.

Proposed Amendment:

Sec. 05.25.420(b). Recommend that this section be deleted. Certificates of number will be issued for three-year periods. A provision to stagger certificate expiration dates and the appropriate fees, for administrative convenience, can be covered by regulations.



Arthur English  
Commissioner

FISCAL NOTE

REQUEST

Revision Date: \_\_\_\_\_ Agency Affected: Public Safety  
 Title: "An Act relating to boating safety..." BRU: Fish and Wildlife Protection  
 Sponsor: Senator Sturgulewski Components: Boating & Water Safety  
 Requestor: Senate State Affairs

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES		188.3	462.0	462.0	462.0	462.0
TRAVEL		17.0	42.0	42.0	42.0	42.0
CONTRACTUAL		89.5	209.0	209.0	209.0	209.0
SUPPLIES		31.3	82.5	82.5	82.5	82.5
EQUIPMENT		201.7	109.9	17.5	17.5	17.5
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	527.8	905.4	813.0	813.0	813.0

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

REVENUE	-0-	249.0	498.0	530.0	530.0	530.0
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FUNDING: (Thousands of Dollars)

GENERAL FUNDS		277.8	595.4	503.0	503.0	503.0
FEDERAL FUNDS		250.0	310.0	310.0	310.0	310.0
OTHER						
TOTAL	-0-	527.8	905.4	813.0	813.0	813.0

POSITIONS:

FULL-TIME	-0-	4	4	4	4	4
PART-TIME	-0-	12	16	16	16	16
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill would establish boating safety, boating accident, and boat numbering requirements for the state. The responsibility for implementing and enforcing this law would be with the Department of Public Safety's Division of Fish and Wildlife Protection. The administrative headquarters for this new "Boating Safety Section" would be in Anchorage.  
(continued on page 2)

*JM*  
2/28/89 Prepared by: Gretchen Pence, Special Assistant Phone: 465-4322  
 Division: Commissioner's Office Date: 2/21/89  
 Approved by Commissioner: [Signature] Date: 2-27-89  
 Agency: Public Safety

CONTINUATION OF FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB 111

In order to implement this bill, the Department would hire a total of 20 new employees (4 full-time and 16 part-time). These positions are: Education Specialist I, Publication Specialist I, Clerk Typist II, 2 Data Processing Clerks, Accounting Clerk, and 14 Compliance Officers (seasonal safety and enforcement officers). Ten Compliance Officers will be hired the first year, and an additional four the second year of the program.

The equipment costs for vessel purchases are one-time costs; these costs are spaced over two years because the Compliance Officers will be hired over two years. Equipment start-up costs also include vehicles and radios.

Office space for the "Boating Safety Section" will come from current facilities; utilities, communications, travel, commodities, and office equipment needs are estimated for each position.

Beginning in FY 92, after the initial start-up costs of purchasing equipment are covered, the boating safety and boat numbering program will be self-supporting; the revenues received from vessel registration will be greater than the general fund appropriation.

All costs in this fiscal note assume a start-up date of January 1, 1990.

I. Restricted

Anticipate \$250.0 in federal funds for the first year, and approximately \$310.0 for subsequent years. Federal grant award monies can fund no more than 50 percent of the total appropriation, with a maximum of the above stated numbers.

II. Unrestricted Revenues (see chart pg. 3)

Vessel Registrations

CONTINUATION OF FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB 111

Revenue estimates:

II. <u>Unrestricted</u>	Registered Boats 30,000	Boats Currently Not Registered Carried Through the Triennial Cycle					Fines Aprox. \$32.0 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 (90) 10000+6600	\$300.0	\$198.0	- - -	- - -	- - -	- - -	\$	\$498.0
2nd Year (91) 10000+6600	300.0	- - -	\$198.0	- - -	- - -	- - -		498.0
3rd Year (92) 10000+6600	300.0	- - -	- - -	\$198.0	- - -	- - -	32.0	530.0
4th Year (93) 10000+6600	300.0	- - -	- - -	- - -	\$198.0	- - -	32.0	530.0
5th Year (94) 10000+6600	300.0	- - -	- - -	- - -	- - -	\$198.0	32.0	530.0

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 10,000 boats) will register during the 1st year, 10,000 in the 2nd year, and the remainder (10,000) 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 \$32.0 in fines levied per year, beginning in 1992.
6. During the first year of the program, the State will be registering vessels for only six months; therefore, only approximately 1/2 of the anticipated revenues will be available.

Position Title Education Specialist I		No. of Positions 1	Range/Step 19A	Barg. Unit CGJ
Time Status PFT	Staff Months 12.0	Location Anchorage		Election District 7
Justification				
Type of Expenditure		Amount		
1	2	3		
Salary*	40.0	////////////////////		
Benefits*	16.2	////////////////////		
Premium Pay (Included in above)	////////////////////	////////////////////		
Other	////////////////////	////////////////////		
Total Personal Services	////////////////////	56.2		
Travel		10.0		
Contractual		60.0		
Commodities		3.0		
Equipment		1.0		
Other				
Total Cost		130.2		
Funding Source for Total Cost				
Federal Receipts	1002	65.1		
G.F. Match	1003			
General Fund	1004	65.1		
CF Program Receipts	1005			
Other				
*Personal Services Salary and Benefits Costs are from PACS.				
////////////////////				
////////////////////				
////////////////////				
////////////////////				
////////////////////				
////////////////////				

The Education Specialist would be responsible for designing a boating safety program in coordination with Federal, State, and local authorities, as well as with private organizations. Further, this position will manage all aspects of contracting with other agencies for performance of registration, record keeping, and education; will provide oversight of activity, reporting of statistics, federal responsibility of the new section.

This position will train, or be responsible for training, departmental employees on how to conduct boating safety education training. This individual will be the unit supervisor.

Contractual monies included with this position are for contracting with private groups to provide boating safety education programs in some areas of the state.

REQUEST FOR  
NEW POSITION

Agency Public Safety  
BRU Fish and Wildlife Protection  
Component Boating and Watercraft Safety

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Revised Date

FY 91

Position Title Publication Specialist I			No. of Positions 1	Range/Step 13A	Barg. Unit GGU		
Time Status PPT	Staff Months 6.0		Location Anchorage		Election District 7		
////////////////////////////////////			Justification				
Type of Expenditure		Amount		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.			
1	2	3					
Salary*	13.2	////////////////////////////////////					
Benefits*	4.9	////////////////////////////////////					
Premium Pay (Included in above)	////////////////////////////////////	////////////////////////////////////					
Other	////////////////////////////////////	////////////////////////////////////					
Total Personal Services	////////////////////////////////////	18.1					
Travel							
Contractual		31.0					
Commodities		3.0					
Equipment		1.0					
Other							
Total Cost		53.1					
////////////////////////////////////							
Funding Source for Total Cost							
Federal Receipts	1002	26.5					
G.F. Match	1003						
General Fund	1004	26.6					
CF Program Receipts	1005						
Other							
*Personal Services Salary and Benefits Costs are from PACS.							
////////////////////////////////////							
////////////////////////////////////							
////////////////////////////////////							
////////////////////////////////////							
////////////////////////////////////							

REQUEST FOR  
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Agency Public Safety  
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Position Title Clerk Typist II			No. of Positions 1	Range/Step 7A	Barg. Unit GCN
Time Status PFT	Staff Months 12.0 months		Location Anchorage		Election District 7
Type of Expenditure			Amount		
1	2	3			
Salary*	18.5	////////////////////	Justification  This position will provide clerical support needed through the typing and filing of correspondence, training materials and related documents.  Additional minimal support costs are included.		
Benefits*	10.0	////////////////////			
Premium Pay (Included in above)	////////////////////	////////////////////			
Other	////////////////////	////////////////////			
Total Personal Services	////////////////////	28.5			
Travel					
Contractual		6.0			
Commodities		2.5			
Equipment		2.0			
Other					
Total Cost		39.0			
Funding Source for Total Cost					
Federal Receipts	1002	19.5			
G.F. Match	1003				
General Fund	1004	19.5			
CF Program Receipts	1005				
CIP Receipts	1061				
Other					
*Personal Services Salary and Benefits Costs are from PACS.					
////////////////////					
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REQUEST FOR  
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Agency Public Safety  
BRU Fish and Wildlife Protection  
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Position Title Data Processing Clerk II			No. of Positions 2	Range/Step 9A	Barg. Unit CGU
Time Status PFT	Staff Months 12.0		Location Anchorage		Election District 7
////////////////////////////////////			Justification		
Type of Expenditure		Amount		<p>These positions will be responsible for the accepting and processing of data on boating and watercraft material, i.e. registration and accident data. These positions will also be responsible for maintenance of data.</p> <p>Additional minimal support costs are included.</p>	
1	2	3			
Salary*	41.5	////////////////////////////////////			
Benefits*	22.3	////////////////////////////////////			
Premium Pay (Included in above)	////////////////////////////////////	////////////////////////////////////			
Other	////////////////////////////////////	////////////////////////////////////			
Total Personal Services	////////////////////////////////////	63.8			
Travel					
Contractual		6.0			
Commodities		2.0			
Equipment					
Other					
Total Cost		71.8			
////////////////////////////////////					
Funding Source for Total Cost					
Federal Receipts	1002	35.9			
G.F. Match	1003				
General Fund	1004	35.9			
GF Program Receipts	1005				
Other					
*Personal Services Salary and Benefits Costs are from PACS.					
////////////////////////////////////					
////////////////////////////////////					
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REQUEST FOR  
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Agency Public Safety  
 BRU Fish and Wildlife Protection  
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Position Title Accounting Clerk III			No. of Positions 1	Range/Step 9A	Barg. Unit CGU
Time Status PPT	Staff Months 6.0		Location Anchorage	Election District 7	
Justification					
Type of Expenditure			Amount		
1	2	3			
Salary*	10.4	//////////	<p>This part-time position will perform all accounting duties for the boating safety unit. 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> <p>Additional minimal support costs are included.</p>		
Benefits*	5.5	//////////			
Premium Pay (Included in above)	//////////	//////////			
Other	//////////	//////////			
Total Personal Services	//////////	15.9			
Travel					
Contractual		1.0			
Commodities		2.0			
Equipment		1.0			
Other					
Total Cost		19.9			
Funding Source for Total Cost					
Federal Receipts	1002	9.9			
G.F. Match	1003				
General Fund	1004	10.0			
GF Program Receipts	1005				
Other					
*Personal Services Salary and Benefits Costs are from PACS.					
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REQUEST FOR  
NEW POSITION

Agency Department of Public Safety  
 BRU Fish and Wildlife Protection  
 Component Boating and Watercraft Safety

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Position Title Compliance Officers			No. of Positions 2	Range/Step 12A	Barg. Unit CCU
Time Status 5	Staff Months 6.0 months		Location Juneau	Election District 4	
////////////////////////////////////			Justification		
Type of Expenditure		Amount			
1	2	3			
Salary*	27.2	////////////////////////////////////	These positions will be responsible for the seasonal enforcement of the statutes modified by SB 111. 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.		
Benefits*	12.7	////////////////////////////////////			
Premium Pay (Included in above)	2.3	////////////////////////////////////			
Other	////////////////////////////////////	////////////////////////////////////			
Total Personal Services		39.9			
Travel		6.0	Approximately 10 hours of overtime for each month of position funding will be required.		
Contractual		15.0			
Commodities		10.0	Support costs include travel funds necessary to aid investigations, etc. Contractual costs include funds for HWCF pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of a 20' Boston Whaler type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time expenses).		
Equipment		45.2			
Other					
Total Cost		116.1			
////////////////////////////////////					
Funding Source for Total Cost					
Federal Receipts	1002	58.1			
G.F. Match	1003				
General Fund	1004	58.0			
CF Program Receipts	1005				
Other					
*Personal Services Salary and Benefits Costs are from PACS. //////////////////////////////////// //////////////////////////////////// //////////////////////////////////// //////////////////////////////////// //////////////////////////////////// //////////////////////////////////// //////////////////////////////////// //////////////////////////////////// //////////////////////////////////// ////////////////////////////////////					

REQUEST FOR  
NEW POSITION

Agency Public Safety  
BRU Fish and Wildlife Protection  
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Position Title Compliance Officers			No. of Positions 2	Range/Step 12A	Barg. Unit GCU
Time Status S	Staff Months 6.0 months		Location Palmer		Election District 16
////////////////////////////////////			Justification		
Type of Expenditure		Amount		<p>These positions will be responsible for the seasonal enforcement of the statutes modified by SB 111. 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 HWCF pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of an 18' River type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time expense).</p>	
1	2	3			
Salary*	25.6	////////////////////////////////////			
Benefits*	10.3	////////////////////////////////////			
Premium Pay (Included in above)	2.4	////////////////////////////////////			
Other	////////////////////////////////////	////////////////////////////////////			
Total Personal Services	////////////////////////////////////	35.9			
Travel		4.0			
Contractual		15.0			
Commodities		10.0			
Equipment		33.5			
Other					
Total Cost		98.4			
////////////////////////////////////					
Funding Source for Total Cost					
Federal Receipts	1002	49.2		<p>Support costs include travel funds necessary to aid investigations, etc. Contractual costs include funds for HWCF pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of an 18' River type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time expense).</p>	
G.F. Match	1003				
General Fund	1004	49.2			
GF Program Receipts	1005				
Other					
*Personal Services Salary and Benefits Costs are from PACS.					
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////////////////////////////////////					

REQUEST FOR  
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Agency Public Safety  
 SRU Fish and Wildlife Protection  
 Component Boating & Watercraft Safety

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Position Title Compliance Officers			No. of Positions 2	Range/Step 12A	Barg. Unit CGU
Time Status S	Staff Months 6.0 months		Location Homer	Election District 5	
////////////////////////////////////			Justification		
Type of Expenditure		Amount			
1	2	3			
Salary*	28.9	////////////////////////////////////			
Benefits*	13.2	////////////////////////////////////			
Premium Pay (Included in above)	2.4	////////////////////////////////////			
Other	////////////////////////////////////	////////////////////////////////////			
Total Personal Services		////////////////////////////////////	42.1		
Travel			6.0		
Contractual			15.0		
Commodities			10.0		
Equipment			51.0		
Other					
Total Cost			124.1		
////////////////////////////////////			Approximately 10 hours of overtime for each month of position funding will be required.		
Funding Source for Total Cost					
Federal Receipts	1002		62.0		
G.F. Match	1003				
General Fund	1004		62.1		
GF Program Receipts	1005				
Other					
*Personal Services Salary and Benefits Costs are from PACS.					
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REQUEST FOR  
NEW POSITION

Agency Public Safety  
BRU Fish and Wildlife Protection  
Component Boating & Watercraft Safety

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Position Title Compliance Officers			No. of Positions 2	Range/Step 12A	Barg. Unit GGU
Time Status 5	Staff Months 6.0 months		Location Soldotna		Election District 5
////////////////////////////////////			Justification		
Type of Expenditure		Amount		<p>These positions will be responsible for the seasonal enforcement of the statutes modified by SB 111. 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 HWCF pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of an 18' River type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time expenses).</p>	
1	2	3			
Salary*	26.5	////////////////////////////////////			
Benefits*	10.5	////////////////////////////////////			
Premium Pay (Included in above)	2.5	////////////////////////////////////			
Other	////////////////////////////////////	////////////////////////////////////			
Total Personal Services	////////////////////////////////////	37.0			
Travel		4.0			
Contractual		15.0			
Commodities		10.0			
Equipment		33.5			
Other					
Total Cost		99.5			
////////////////////////////////////					
Funding Source for Total Cost					
Federal Receipts	1002	49.7		<p>Support costs include travel funds necessary to aid investigations, etc. Contractual costs include funds for HWCF pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of an 18' River type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time expenses).</p>	
G.F. Match	1003				
General Fund	1004	49.8			
GF Program Receipts	1005				
Other					
*Personal Services Salary and Benefits Costs are from PACS.					
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REQUEST FOR  
NEW POSITION

Agency Public Safety  
 BRU Fish and Wildlife Protection  
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Position Title Compliance Officers			No. of Positions 2	Range/Step 12A	Barg. Unit CGU
Time Status S	Staff Months 6.0 months		Location Fairbanks		Election District 20
////////////////////////////////////			Justification		
Type of Expenditure		Amount		<p>These positions will be responsible for the seasonal enforcement of the statutes modified by SB 111. 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 HWCF pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of a 18' River boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time expenses).</p>	
1	2	3			
Salary*	28.2	////////////////////////////////////			
Benefits*	11.0	////////////////////////////////////			
Premium Pay (Included in above)	2.6	////////////////////////////////////			
Other	////////////////////////////////////	////////////////////////////////////			
Total Personal Services	////////////////////////////////////	3			
Travel					
Contractual		0			
Commodities		10.0			
Equipment		33.5			
Other					
Total Cost		101.7			
////////////////////////////////////					
Funding Source for Total Cost					
Federal Receipts	1002	50.9		<p>*Personal Services Salary and Benefits Costs are from PACS.</p> <p>////////////////////////////////////</p> <p>////////////////////////////////////</p> <p>////////////////////////////////////</p> <p>////////////////////////////////////</p> <p>////////////////////////////////////</p> <p>////////////////////////////////////</p>	
G.F. Match	1003				
General Fund	1004	50.8			
GF Program Receipts	1005				
Other					

REQUEST FOR  
NEW POSITION

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Position Title Compliance Officers		No. of Positions 2	Range/Step 12A	Barg. Unit GGU
Time Status S	Staff Months 6.0 months	Location Cordova		Election District 6
////////////////////////////////////		Justification		
Type of Expenditure		Amount		
1	2	3		
Salary*	30.8	////////////////////////////////////		
Benefits*	13.7	////////////////////////////////////		
Premium Pay (Included in above)	2.6	////////////////////////////////////		
Other	////////////////////////////////////	////////////////////////////////////		
Total Personal Services	////////////////////////////////////	44.5		
Travel		4.0		
Contractual		15.0		
Commodities		10.0		
Equipment		46.2		
Other				
Total Cost		119.7		
////////////////////////////////////		Approximately 10 hours of overtime for each month of position funding will be required.		
Funding Source for Total Cost		Support costs include travel funds necessary to aid investigations, etc. Contractual costs include funds for HWCF pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of a 20' Boston Whaler type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time expenses).		
Federal Receipts	1002	59.9		
G.F. Match	1003			
General Fund	1004	59.8		
GF Program Receipts	1005			
Other				
*Personal Services Salary and Benefits Costs are from PACS. //////////////////////////////////// //////////////////////////////////// //////////////////////////////////// //////////////////////////////////// //////////////////////////////////// ////////////////////////////////////				

REQUEST FOR  
NEW POSITION

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BRU Fish and Wildlife Protection  
Component Boating & Watercraft Safety

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Position Title Compliance Officers		No. of Positions 2	Range/Step 12A	Barg. Unit CCU
Time Status S	Staff Months 6.0 months	Location Sitka		Election District 3
////////////////////////////////////		Justification		
Type of Expenditure		Amount		
1	2	3		
Salary*	28.0	////////////////////////////////////		
Benefits*	12.9	////////////////////////////////////		
Premium Pay (Included in above)	2.4	////////////////////////////////////		
Other	////////////////////////////////////	////////////////////////////////////		
Total Personal Services	////////////////////////////////////	40.9		
Travel		4.0		
Contractual		15.0		
Commodities		10.0		
Equipment		46.2		
Other				
Total Cost		116.1		
////////////////////////////////////		Approximately 10 hours of overtime for each month of position funding will be required.		
Funding Source for Total Cost				
Federal Receipts	1002	58.0		
G.F. Match	1003			
General Fund	1004	58.1		
GF Program Receipts	1005			
Other				
*Personal Services Salary and Benefits Costs are from PACS.		Support costs include travel funds necessary to aid investigations, etc. Contractual costs include funds for HWCF pickup expenses, vessel repairs, and maintenance. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of a 20' Boston Whaler type boat to be used by Compliance Officers, a vehicle, and a portable radio (one-time expenses).		
////////////////////////////////////				
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REQUEST FOR  
NEW POSITION

Agency Public Safety  
BRU Fish and Wildlife Protection  
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FY 91

6-0167H  
Utermohle  
3/15/89

Original sponsors: Sturgulewski, Duncan,  
and Uehling

Changes in CS

p. 5, line 3  
p. 8, line 14  
p. 10, lines 9, 19-24  
p. 13, line 29 - p. 14, line 4

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 111 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to boating safety, boating acci-  
7 dents, and boat numbering; and providing for an  
8 effective date."

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

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

11 ARTICLE 1. BOATING SAFETY.

12 Sec. 05.25.200. BOATING SAFETY EDUCATION. The department shall  
13 offer public education programs designed to reduce boating accidents.  
14 The department may cooperate with or award contracts to government  
15 agencies and private organizations to provide boating safety education  
16 programs.

17 Sec. 05.25.210. SAFETY EQUIPMENT. (a) A boat must carry and  
18 exhibit between sunset and sunrise at least one white light to show  
19 all around the horizon.

20 (b) A boat must carry at least one readily accessible life  
21 preserver, lifebelt, ring buoy, or other device of a type approved by  
22 the United States Coast Guard for each person on the boat. A boat  
23 carrying passengers for hire shall carry at least one readily accessi-  
24 ble life preserver of a type approved by the United States Coast Guard  
25 for passenger-carrying boats for each person on the boat.

26 (c) The commissioner may require by regulation that a boat or  
27 class of boats carry additional equipment necessary for the safety of  
28 persons and property. To the extent determined by the commissioner to  
29 be consistent with the safety of persons and property, the regulations

1 adopted under this subsection must conform to the applicable regula-  
2 tions of the United States Coast Guard.

3 Sec. 05.25.220. DIVER'S FLAG. (a) A person who is in the water  
4 using an underwater breathing device may display a diver's flag while  
5 diving operations are in progress. The diver's flag may be displayed  
6 on a boat or surface float, must extend at least three feet above the  
7 surface of the water, and must be placed at or near the point of  
8 submergence. A diver shall remain within 100 feet of the diver's flag  
9 while at or near the surface. The diver's flag constitutes a warning  
10 that a diver may be within 100 feet of the flag. A diver's flag must  
11 be constructed of rigidly supported material at least 12 inches high  
12 by 12 inches wide with a white diagonal stripe on a red background.

13 (b) A boat operator within sight of a diver's flag shall proceed  
14 with caution, steering clear of the flag by a distance of at least 100  
15 feet. If, because of the location of the diver's flag, it is impossi-  
16 ble to steer clear of the flag by at least 100 feet, then the boat  
17 operator shall proceed at no-wake speed or five miles per hour, which-  
18 ever is necessary to maintain steerage in the seaway.

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

23 Sec. 05.25.230. PROHIBITED OPERATION. (a) A person may not  
24 operate a boat or manipulate water skis, a surfboard, or a similar  
25 device on state water in a reckless or negligent manner so as to  
26 endanger the life or property of another person.

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

1           Sec. 05.25.290. APPLICATION OF AS 05.25.210 - 05.25.290; REGU-  
2 LATIONS. (a) AS 05.25.210 - 05.25.290 apply to boats operated in  
3 state water, except when inconsistent with applicable federal law, in  
4 which case federal law prevails.

5           (b) The commissioner shall adopt regulations to implement AS 05.-  
6 25.210 - 05.25.290. Each regulation must specify those waters of the  
7 state to which the regulation applies. A regulation may not apply to  
8 water where an inconsistent federal law prevails.

9                           ARTICLE 2. BOATING ACCIDENTS.

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

11           (a) The operator of a boat that is involved in an accident resulting  
12 in injury or death to a person or in damage to property shall immedi-  
13 ately stop the boat as near as possible to the scene of the accident.  
14 The operator shall remain at the scene of the accident until the  
15 operator has fulfilled the requirements of (b) of this section.

16           (b) The operator of a boat that is involved in an accident  
17 resulting in injury or death to a person or in damage to property  
18 shall

19                       (1) give the name and address of each occupant of the boat  
20 and identifying number of the boat that the operator is operating to

21                               (A) the operator of any other boat involved in the  
22 accident;

23                               (B) the owner or a surviving occupant of the other  
24 boat or the owner of the damaged property; or

25                               (C) another appropriate person; and

26                       (2) render reasonable assistance to each person injured in  
27 the accident, including the conveying or providing for the conveying  
28 of the injured person to a physician or hospital for medical treat-  
29 ment, if it is apparent that treatment is necessary or if conveyance

1 is requested by an injured person.

2 (c) A witness to a boating accident shall furnish the witness's  
3 name and address to an operator or occupant of each boat involved in  
4 the accident, to a person injured in the accident, and to the owner of  
5 property damaged in the accident.

6 Sec. 05.25.305. NOTICE OF ACCIDENT RESULTING IN DEATH OR DISAP-  
7 PEARANCE. (a) When a person dies as a result of an accident that  
8 involves a boat or its equipment or a person disappears from a boat,  
9 the operator shall, without delay, by the quickest means available,  
10 notify the department of the

- 11 (1) date, time, and exact location of the occurrence;  
12 (2) name of each person who died or disappeared;  
13 (3) number and name of the operator's boat; and  
14 (4) name and address of the owner and the operator.

15 (b) If the operator of a boat cannot give the notice required  
16 under (a) of this section, the owner of the boat, if different from  
17 the operator, shall submit the report or cause the report to be sub-  
18 mitted. If the operator and the owner of the boat cannot give the  
19 notice, then each person present on the boat when the accident or  
20 disappearance occurred shall notify the department or determine that  
21 the notice has been given.

22 Sec. 05.25.310. ACCIDENT REPORT REQUIRED. (a) The operator of  
23 a boat involved in an accident, or the owner of the boat if the opera-  
24 tor cannot submit a report, shall submit a report of the accident to  
25 the department if the accident results in

- 26 (1) the death of a person;  
27 (2) injury to a person requiring medical treatment beyond  
28 first aid;  
29 (3) the disappearance from the boat of a person under

1 circumstances indicating death or injury;

2 (4) damage to the boat or other property in an aggregate  
3 amount of more than <sup>[200]</sup>\$500; or (to conform with federal law)

4 (5) complete loss of the boat.

5 (b) The department may require a person who submits an insuffi-  
6 cient report under this section to file a supplemental report, and may  
7 require a witness to the accident to submit a report to the depart-  
8 ment.

9 (c) A report required under this section shall be submitted in  
10 the form and manner prescribed by the department within

11 (1) 48 hours after the accident if a person dies within 24  
12 hours after the accident;

13 (2) 48 hours after the accident if a person is injured and  
14 requires medical treatment beyond first aid;

15 (3) 48 hours after the disappearance of a person from a  
16 boat if circumstances indicate death or injury to the person; and

17 (4) 10 days after the accident or death if an earlier  
18 report is not required under this subsection.

19 (d) The department shall prepare forms for accident reports  
20 required under this section and shall provide the forms to the public.  
21 The report form must request the information required in casualty and  
22 accident reports under United States Coast Guard regulations and may  
23 request other information the department considers necessary. The  
24 person who completes the form shall sign and date it upon completion.

25 Sec. 05.25.315. DEATH CERTIFICATES. Within 60 days after the  
26 death occurs, the state registrar of vital statistics shall forward to  
27 the department a copy of the death certificate for each death  
28 resulting from a boat accident.

29 Sec. 05.25.320. CONFIDENTIALITY OF ACCIDENT REPORT. (a) An

1 accident report submitted to the department is without prejudice to  
2 the individual reporting and is solely for the confidential use of  
3 administrative and enforcement agencies.

4 (b) The department upon written request, shall disclose the  
5 following information, if available, to a party involved in an acci-  
6 dent, or, in the event of the party's death, to a member of the par-  
7 ty's family or to the party's personal representative:

8 (1) the identity of the owner, operator, and occupants of  
9 each boat involved in the accident;

10 (2) the identifying number of each boat involved in the  
11 accident;

12 (3) the name of each company insuring the owner or operator  
13 of each boat involved in the accident; and

14 (4) the identity of each witness to the accident.

15 (c) A report filed under AS 05.25.310 - 05.25.320 may not be  
16 used as evidence in a civil action or criminal prosecution arising out  
17 of the accident. The department shall furnish, upon demand of a  
18 person who has or claims to have made a report under AS 05.25.310 -  
19 05.25.320 or upon order of a court, a certificate stating whether a  
20 specified accident report has been filed with the department. The  
21 certificate is admissible in a civil action or criminal prosecution  
22 solely to prove compliance or failure to comply with the reporting  
23 requirement.

24 (d) The department shall compile and may analyze all accident  
25 reports. The department shall publish at least annually, statistical  
26 information relating to boat accidents.

27 (e) In response to a request from an authorized official or  
28 agency of the United States, or in compliance with United States Coast  
29 Guard regulations or a requirement under 46 U.S.C. 6101 - 6103, the

1 department shall provide information compiled or otherwise available  
2 to the department from the accident reports required under AS 05.-  
3 25.310 - 05.25.320.

4 Sec. 05.25.325. APPLICATION OF AS 05.25.300 - 05.25.320. (a)  
5 The provisions of AS 05.25.300 - 05.25.320 apply to all boats operated  
6 in state water, except

7 (1) as provided in this section or AS 05.25.910;

8 (2) when inconsistent with an applicable federal law or  
9 regulation in which case the federal law or regulation prevails.

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

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

14 (2) foreign boats operated temporarily in state water only  
15 for nonrecreational purposes;

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

18 (4) a ship's lifeboat.

19 ARTICLE 3. NUMBERING AND REGISTRATION.

20 Sec. 05.25.400. CERTIFICATE OF NUMBER REQUIRED ON BOAT. (a) A  
21 person may not operate a boat on state water, and an owner of a boat  
22 may not knowingly allow another person to operate the owner's boat on  
23 state water, unless

24 (1) the owner of the boat holds a current, valid certifi-  
25 cate of number issued in the owner's name as owner; and

26 (2) the certificate of number is

27 (A) carried on the boat in a manner that protects the  
28 certificate from destruction or deterioration; and

29 (B) available for inspection by a state, federal, or

1 municipal law enforcement officer.

2 (b) A certificate of number for a boat less than 26 feet in  
3 length and leased or rented to another person for that person's non-  
4 commercial operation for a period of less than seven days may be  
5 retained on shore by the boat's owner or representative at the place  
6 from which the boat departs or returns to the possession of the owner  
7 or the owner's representative. If the certificate of number is re-  
8 tained on shore, then a copy of the lease or rental agreement shall be  
9 carried on the boat. The lease or rental agreement must

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

12 (2) specify the period for which the boat is leased or  
13 rented; and

14 (3) include the identifying number for the boat. (at USCG's  
15 request)

16 Sec. 05.25.405. PLACEMENT OF IDENTIFYING NUMBER AND DECAL. (a)

17 A person may not operate a boat on state water unless the boat dis-  
18 plays the valid identifying number awarded to the boat and the valida-  
19 tion decal in the manner required under this section.

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

(c) On boats so configured that a number on the hull or

1 superstructure would not be easily visible, the number shall be paint-  
2 ed on or attached to a backing plate that is attached to the forward  
3 half of the boat so that the number is visible from each side of the  
4 boat.

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

7 (e) A validation decal issued under AS 05.25.425 shall be placed  
8 three inches to the rear of the identifying number.

9 Sec. 05.25.410. APPLICATION FOR CERTIFICATE OF NUMBER. (a) The  
10 owner of a boat that is operated principally on state water, or a  
11 dealer who wishes to demonstrate one or more boats on state water,  
12 shall apply to the department for a certificate of number. The appli-  
13 cation must include

14 (1) the true name of the owner or dealer;

15 (2) the residence or business address of the owner or  
16 dealer;

17 (3) a description of the boat, or in the case of a dealer a  
18 description of the lengths and types of boats, to be operated under  
19 the certificate; and

20 (4) other information required by the department or by  
21 United States Coast Guard regulations.

22 (b) The owner or dealer shall sign the application and shall pay  
23 the prescribed fee at the time of application.

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

26 Sec. 05.25.415. APPLICATION BY OWNER HAVING NUMBER AWARDED BY  
27 FEDERAL GOVERNMENT OR ANOTHER STATE. The owner of a boat having a  
28 valid certificate of number that has been issued under federal law or  
29 a federally approved numbering system of another state shall apply to

1 the department for an identifying number within 10 days after the  
 2 expiration of the applicable reciprocity period provided in AS 05.25.-  
 3 445(6) or (7).

4 Sec. 05.25.420. CERTIFICATE OF NUMBER FEES. (a) The commis-  
 5 sioner shall adopt regulations establishing fees for original, renew-  
 6 al, and duplicate certificates of number, and for dealer demonstration  
 7 certificates of number.

8 (b) The fees in this section are in addition to any other tax or  
 9 license fee for a boat. Fee shall be prorated according to number of  
 10 months certificate will be in effect.

11 Sec. 05.25.425. ISSUANCE OF CERTIFICATE OF NUMBER AND VALIDATION  
 12 DECALS. (a) If the application is in order, the department shall  
 13 issue to the owner a certificate of number that states the identifying  
 14 number awarded to the boat, the name and address of the owner, the  
 15 state of principal use, the normal use of the boat, the description of  
 16 the boat, the manufacturer's hull identification number if one exists,  
 17 make, year, length, type of hull material, type of propulsion and type  
 18 of fuel, the issue date, and the expiration date of the certificate of  
 19 number. The certificate of number must be wallet size.

20 (b) The identifying number awarded to a boat shall contain the  
 21 capital letters "AK", followed by

22 (1) not more than four numerals followed by not more than  
 23 two capital letters other than the letters "I", "O", or "Q"; or

24 (2) not more than three numerals followed by not more than  
 25 three capital letters other than the letters "I", "O", or "Q".

26 (c) The department shall issue a set of validation decals bear-  
 27 ing the year in which the certificate of number expires. The year  
 28 shall also be indicated by the color blue, international orange,  
 29 green, or red, in rotation in the order stated, beginning with blue  
 for stickers that expire in 1993. A validation decal must be a square

(requested by USCG)  
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1 approximately three inches on each side.

2 Sec. 05.25.430. EXPIRATION OF CERTIFICATE OF NUMBER; RENEWAL OF  
3 CERTIFICATE AND DECALS. (a) A certificate of number expires three  
4 years after the last day of the month in which the certificate is  
5 issued.

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

8 (c) Renewal of the certificate of number does not change the  
9 identifying number awarded to a boat by the department.

10 (d) An application for renewal of a certificate of number shall  
11 be made in the same manner as provided in AS 05.25.410. The applica-  
12 tion shall be accompanied by the fee required under AS 05.25.420. The  
13 department shall renew certificates of number and issue validation  
14 decals in the same manner as provided in AS 05.25.425.

15 Sec. 05.25.435. VALIDITY OF CERTIFICATE OF NUMBER. A certifi-  
16 cate of number issued under this chapter is invalid if

17 (1) the boat is subsequently documented or required to be  
18 documented;

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

20 (3) the applicant supplies false information in the appli-  
21 cation for the certificate;

22 (4) the fees for issuance or renewal of the certificate are  
23 not paid;

24 (5) 60 days have elapsed since the boat ceased to be used  
25 principally in the state; or

26 (6) the owner, through legal process, involuntarily loses  
27 the ownership interest in the boat for which the certificate is is-  
28 sued.

29 Sec. 05.25.440. REPORT OF TRANSFER, ABANDONMENT, OR DESTRUCTION

1 OF BOAT, OR CHANGE OF ADDRESS OF OWNER. (a) The owner of a boat for  
2 which a certificate of number has been issued under this chapter shall  
3 notify the department of any of the following events within 15 days  
4 after the event occurs:

5 (1) the transfer of all or a part of the ownership interest  
6 in the boat;

7 (2) the theft or recovery of the boat;

8 (3) the destruction of the certificate of number; or

9 (4) an event described in AS 05.25.435.

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

13 Sec. 05.25.445. EXEMPTIONS. The following classes of boats are  
14 exempt from the provisions of AS 05.25.400 - 05.25.440:

15 (1) a boat that is documented by the United States Coast  
16 Guard;

17 (2) a foreign boat operated only temporarily in state  
18 water;

19 (3) a boat, other than a recreational type public boat,  
20 owned and operated by the United States or an entity or political  
21 subdivision of the United States, or owned and operated for government  
22 purposes by a state or an entity or political subdivision of a state;

23 (4) a ship's lifeboat;

24 (5) a boat belonging to a class of boats that has been  
25 exempted from the provisions of AS 05.25.400 - 05.25.440 by the de-  
26 partment under AS 05.25.910;

27 (6) a boat with a certificate of number issued by the  
28 United States Coast Guard, for a period of three years after the date  
29 of issuance of the certificate;

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

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

5 ARTICLE 4. GENERAL PROVISIONS.

6 Sec. 05.25.900. ACCOUNTING AND DISPOSITION OF FEES. The commis-  
7 sioner of administration shall separately account for fees collected  
8 under this chapter that the department deposits in the general fund.  
9 The annual estimated balance in the account may be used by the legis-  
10 lature to make appropriations to the department to carry out the  
11 purposes of this chapter.

12 Sec. 05.25.910. EXEMPTIONS. Except when inconsistent with  
13 federal laws and regulations, the commissioner may exempt a class of  
14 boats from a provision of this chapter if the commissioner determines  
15 that the safety of persons and property will not be materially promot-  
16 ed by applying that provision to the class of boats. The commissioner  
17 may exempt a class of boats from the numbering and registration re-  
18 quirements of AS 05.25.400 - 05.25.440 if

19 (1) the commissioner determines that the numbering will not  
20 materially aid in the identification of the boats; and

21 (2) the United States Secretary of Transportation has  
22 exempted that class of boats from numbering.

23 Sec. 05.25.920. ENFORCEMENT. A peace officer may enforce this  
24 chapter and in the exercise of enforcement may stop and board boats  
25 that the officer reasonably believes are or may be subject to this  
26 chapter. A peace officer may, in the officer's discretion, issue a  
27 citation as provided in AS 12.25.180 to a person who violates a pro-  
28 vision of this chapter.

29 Sec. 05.25.930. PENALTIES. A person who violates a provision of

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this chapter is guilty of an infraction. The supreme court shall establish by order or rule a schedule of bail amounts for violations of this chapter that allows disposition of a citation issued under this chapter without a court appearance.

Sec. 05.25.940. REGULATIONS. The commissioner shall adopt regulations under the Administrative Procedure Act (AS 44.62) that are necessary for the implementation of this chapter.

Sec. 05.25.990. DEFINITIONS. In this chapter, unless the context requires otherwise,

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

(2) "certificate of number" means the document bearing the identification number awarded to a boat by the department under this chapter, by a federal agency, or by the state of principal use under a federally approved numbering system;

(3) "commissioner" means the commissioner of public safety;

(4) "dealer" means a person who engages wholly or in part in the business of buying, selling, or exchanging boats, either outright or on conditional sale, bailment lease, chattel mortgage, or otherwise;

(5) "department" means the Department of Public Safety;

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

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

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

1 is intended as security;

2 (9) "ownership" means a property interest other than a  
3 security interest;

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

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

9 (12) "state water" means water within the territorial limits  
10 of the state whether navigable or nonnavigable.

11 \* Sec. 2. AS 05.25.010, 05.25.012, 05.25.020, 05.25.030, 05.25.040,  
12 05.25.050, 05.25.060, 05.25.070, 05.25.080, 05.25.090, and 05.25.100 are  
13 repealed.

14 \* Sec. 3. This Act takes effect January 1, 1990.  
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Bill Ray?  
what already req'd by USCG?

Rewrite of existing law.  
New provision = certificate of number required / fees  
Also: elaboration of accident / death reporting.

1 IN THE SENATE BY STURGULEWSKI, DUNCAN  
AND UEHLING  
2 SENATE BILL NO. 111

3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to boating safety, boating acci-  
7 dents, and boat numbering; and providing for an  
8 effective date."

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

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

11 ARTICLE 1. BOATING SAFETY.

12 Sec. 05.25.200. BOATING SAFETY EDUCATION. The Public Safety department shall  
13 offer public education programs designed to reduce boating accidents.  
14 The department may cooperate with or award contracts to government  
15 agencies and private organizations to provide boating safety education  
16 programs.

17 Sec. 05.25.210. SAFETY EQUIPMENT. (a) A boat must carry and  
18 exhibit between sunset and sunrise at least one white light to show  
19 all around the horizon.

20 (b) A boat must carry at least one readily accessible life  
21 preserver, lifebelt, ring buoy, or other device of a type approved by  
22 the United States Coast Guard for each person on the boat. A boat  
23 carrying passengers for hire shall carry at least one readily accessi-  
24 ble life preserver of a type approved by the United States Coast Guard  
25 for passenger-carrying boats for each person on the boat.

26 (c) The commissioner may require by regulation that a boat or  
class of boats carry additional equipment necessary for the safety of  
persons and property. To the extent determined by the commissioner to  
be consistent with the safety of persons and property, the regulations

existing .010(a)  
existing .010(b)  
existing .010(c)  
requirements  
fire extinguisher  
if commercial, motorized

1 adopted under this subsection must conform to the applicable regula-  
2 tions of the United States Coast Guard.

3 Sec. 05.25.220. DIVER'S FLAG. (a) A person who is in the water  
4 using an underwater breathing device may display a diver's flag while  
5 diving operations are in progress. The diver's flag may be displayed  
6 on a boat or surface float, must extend at least three feet above the  
7 surface of the water, and must be placed at or near the point of  
8 submergence. A diver shall remain within 100 feet of the diver's flag  
9 while at or near the surface. The diver's flag constitutes a warning  
10 that a diver may be within 100 feet of the flag. A diver's flag must  
11 be constructed of rigidly supported material at least 12 inches high  
12 by 12 inches wide with a white diagonal stripe on a red background.

13 (b) A boat operator within sight of a diver's flag shall proceed  
14 with caution, steering clear of the flag by a distance of at least 100  
15 feet. If, because of the location of the diver's flag, it is impossi-  
16 ble to steer clear of the flag by at least 100 feet, then the boat  
17 operator shall proceed at no-wake speed or five miles per hour, which-  
18 ever is necessary to maintain steerage in the seaway.

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

23 Sec. 05.25.230. PROHIBITED OPERATION. (a) A person may not  
24 operate a boat or manipulate water skis, a surfboard, or a similar  
25 device on state water in a reckless or negligent manner so as to  
26 endanger the life or property of another person.

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

*existing  
.0126*

*[.020] if  
waterskiing,  
must have  
rear view  
mirror or  
person also  
watching*

*see  
existing  
.060*

*[.060 b] can't operate watercraft  
if intoxicated/drugs*

Bill Ray?

what already req'd by USCG?

Rewrite of existing law.

New provision = certificate of number required / fees

1 IN THE SENATE *Also: elaboration of accident/ death reporting.* BY STURGULEWSKI, DUNCAN AND UEHLING

2 SENATE BILL NO. 111

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to boating safety, boating acci-  
7 dents, and boat numbering; and providing for an  
8 effective date."

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

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

11 ARTICLE 1. BOATING SAFETY.

12 Sec. 05.25.200. BOATING SAFETY EDUCATION. The Public Safety department shall  
13 offer public education programs designed to reduce boating accidents.  
14 The department may cooperate with or award contracts to government  
15 agencies and private organizations to provide boating safety education  
16 programs.

17 Sec. 05.25.210. SAFETY EQUIPMENT. (a) A boat must carry and  
18 exhibit between sunset and sunrise at least one white light to show  
19 all around the horizon.

20 (b) A boat must carry at least one readily accessible life  
21 preserver, lifebelt, ring buoy, or other device of a type approved by  
22 the United States Coast Guard for each person on the boat. A boat  
23 carrying passengers for hire shall carry at least one readily accessi-  
24 ble life preserver of a type approved by the United States Coast Guard  
25 for passenger-carrying boats for each person on the boat.

26 (c) The commissioner may require by regulation that a boat or  
class of boats carry additional equipment necessary for the safety of  
persons and property. To the extent determined by the commissioner to  
be consistent with the safety of persons and property, the regulations

existing  
.010(a)

existing  
.010(b)

existing  
.010(c)  
requires  
fire extinguisher  
if commercial,  
motorized

SB0111a

*definition, p. 14, l. 29*

*existing references  
"inland waters"*

*new*

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Sec. 05.25.290. APPLICATION OF AS 05.25.210 - 05.25.290; REGULATIONS. (a) AS 05.25.210 - 05.25.290 apply to boats operated in state water, except when inconsistent with applicable federal law, in which case federal law prevails.

(b) The commissioner shall adopt regulations to implement AS 05.25.210 - 05.25.290. Each regulation must specify those waters of the state to which the regulation applies. A regulation may not apply to water where an inconsistent federal law prevails.

ARTICLE 2. BOATING ACCIDENTS.

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

(a) The operator of a boat that is involved in an accident resulting in injury or death to a person or in damage to property shall immediately stop the boat as near as possible to the scene of the accident. The operator shall remain at the scene of the accident until the operator has fulfilled the requirements of (b) of this section.

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

(1) give the name and address of each occupant of the boat and identifying number of the boat that the operator is operating to

(A) the operator of any other boat involved in the accident;

(B) the owner or a surviving occupant of the other boat or the owner of the damaged property; or

(C) another appropriate person; and

(2) render reasonable assistance to each person injured in the accident, including the conveying or providing for the conveying of the injured person to a physician or hospital for medical treatment, if it is apparent that treatment is necessary or if conveyance

*existing  
030*

*elaboration of existing .030*

1 is requested by an injured person.

2 (c) A witness to a boating accident shall furnish the witness's  
3 name and address to an operator or occupant of each boat involved in  
4 the accident, to a person injured in the accident, and to the owner of  
5 property damaged in the accident.

6 Sec. 05.25.305. NOTICE OF ACCIDENT RESULTING IN DEATH OR DISAP-  
7 PEARANCE. (a) When a person dies as a result of an accident that  
8 involves a boat or its equipment or a person disappears from a boat,  
9 the operator shall, without delay, by the quickest means available,  
10 notify the department of the

- 11 (1) date, time, and exact location of the occurrence;
- 12 (2) name of each person who died or disappeared;
- 13 (3) number and name of the operator's boat; and
- 14 (4) name and address of the owner and the operator.

15 (b) If the operator of a boat cannot give the notice required  
16 under (a) of this section, the owner of the boat, if different from  
17 the operator, shall submit the report or cause the report to be sub-  
18 mitted. If the operator and the owner of the boat cannot give the  
19 notice, then each person present on the boat when the accident or  
20 disappearance occurred shall notify the department or determine that  
21 the notice has been given.

22 Sec. 05.25.310. ACCIDENT REPORT REQUIRED. (a) The operator of  
23 a boat involved in an accident, or the owner of the boat if the opera-  
24 tor cannot submit a report, shall submit a report of the accident to  
25 the department if the accident results in

- 26 (1) the death of a person;
- 27 (2) injury to a person requiring medical treatment beyond  
28 first aid;
- 29 (3) the disappearance from the boat of a person under

*elaboration of existing .030*

- 1       circumstances indicating death or injury;
- 2               (4) damage to the boat or other property in an aggregate
- 3       amount of more than \$200; or
- 4               (5) complete loss of the boat.

5               (b) The department may require a person who submits an insuffi-

6       cient report under this section to file a supplemental report, and may

7       require a witness to the accident to submit a report to the depart-

8       ment.

9               (c) A report required under this section shall be submitted in

10       the form and manner prescribed by the department within

11              (1) 48 hours after the accident if a person dies within 24

12       hours after the accident;

13              (2) 48 hours after the accident if a person is injured and

14       requires medical treatment beyond first aid;

15              (3) 48 hours after the disappearance of a person from a

16       boat if circumstances indicate death or injury to the person; and

17              (4) 10 days after the accident or death if an earlier

18       report is not required under this subsection.

19              (d) The department shall prepare forms for accident reports

20       required under this section and shall provide the forms to the public.

21       The report form must request the information required in casualty and

22       accident reports under United States Coast Guard regulations and may

23       request other information the department considers necessary. The

24       person who completes the form shall sign and date it upon completion.

25              Sec. 05.25.315. DEATH CERTIFICATES. Within 60 days after the

26       death occurs, the state registrar of vital statistics shall forward to

27       the department a copy of the death certificate for each death

28       resulting from a boat accident.

29              Sec. 05.25.320. CONFIDENTIALITY OF ACCIDENT REPORT.       (a)   An

*elaboration of existing - 030*

1 accident report submitted to the department is without prejudice to  
2 the individual reporting and is solely for the confidential use of  
3 administrative and enforcement agencies.

4 (b) The department upon written request, shall disclose the  
5 following information, if available, to a party involved in an acci-  
6 dent, or, in the event of the party's death, to a member of the par-  
7 ty's family or to the party's personal representative:

8 (1) the identity of the owner, operator, and occupants of  
9 each boat involved in the accident;

10 (2) the identifying number of each boat involved in the  
11 accident;

12 (3) the name of each company insuring the owner or operator  
13 of each boat involved in the accident; and

14 (4) the identity of each witness to the accident.

15 (c) A report filed under AS 05.25.310 - 05.25.320 may not be  
16 used as evidence in a civil action or criminal prosecution arising out  
17 of the accident. The department shall furnish, upon demand of a  
18 person who has or claims to have made a report under AS 05.25.310 -  
19 05.25.320 or upon order of a court, a certificate stating whether a  
20 specified accident report has been filed with the department. The  
21 certificate is admissible in a civil action or criminal prosecution  
22 solely to prove compliance or failure to comply with the reporting  
23 requirement.

24 (d) The department shall compile and may analyze all accident  
25 reports. The department shall publish at least annually, statistical  
26 information relating to boat accidents.

27 (e) In response to a request from an authorized official or  
28 agency of the United States, or in compliance with United States Coast  
29 Guard regulations or a requirement under 46 U.S.C. 6101 - 6103, the

1 department shall provide information compiled or otherwise available  
2 to the department from the accident reports required under AS 05.-  
3 25.310 - 05.25.320.

4 Sec. 05.25.325. APPLICATION OF AS 05.25.300 - 05.25.320. (a)

5 The provisions of AS 05.25.300 - 05.25.320 apply to all boats operated  
6 in state water, except

- 7 (1) as provided in this section or AS 05.25.910; *authority for DPS to exempt by regulation*  
8 (2) when inconsistent with an applicable federal law or  
9 regulation in which case the federal law or regulation prevails.

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

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

14 (2) foreign boats operated temporarily in state water only  
15 for nonrecreational purposes;

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

18 (4) a ship's lifeboat.

19 ARTICLE 3. NUMBERING AND REGISTRATION.

20 Sec. 05.25.400. CERTIFICATE OF NUMBER REQUIRED ON BOAT. (a) A  
21 person may not operate a boat on state water, and an owner of a boat  
22 may not knowingly allow another person to operate the owner's boat on  
23 state water, unless

24 (1) the owner of the boat holds a current, valid certifi-  
25 cate of number issued in the owner's name as owner; and

26 (2) the certificate of number is

27 (A) carried on the boat in a manner that protects the  
28 certificate from destruction or deterioration; and

29 (B) available for inspection by a state, federal, or

1 municipal law enforcement officer.

2 (b) A certificate of number for a boat less than 26 feet in  
3 length and leased or rented to another person for that person's non-  
4 commercial operation for a period of less than seven days may be  
5 retained on shore by the boat's owner or representative at the place  
6 from which the boat departs or returns to the possession of the owner  
7 or the owner's representative. If the certificate of number is re-  
8 tained on shore, then a copy of the lease or rental agreement shall be  
9 carried on the boat. The lease or rental agreement must

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

12 (2) specify the period for which the boat is leased or  
13 rented.

14 Sec. 05.25.405. PLACEMENT OF IDENTIFYING NUMBER AND DECAL. (a)

*new*  
15 A person may not operate a boat on state water unless the boat dis-  
16 plays the valid identifying number awarded to the boat and the valida-  
17 tion decal in the manner required under this section.

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 is clearly visible for identification. Each number must read  
21 from left to right and must be in plain vertical block characters of  
22 good proportion not less than three inches in height. The number must  
23 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 validation decal issued under AS 05.25.425 shall be placed  
6 three inches to the rear of the identifying number.

7 Sec. 05.25.410. 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 or dealer;

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

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

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

20 (b) The owner or dealer shall sign the application and shall pay  
21 the prescribed fee at the time of application.

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

24 Sec. 05.25.415. APPLICATION BY OWNER HAVING NUMBER AWARDED BY  
25 FEDERAL GOVERNMENT OR ANOTHER STATE. The owner of a boat having a  
26 valid certificate of number that has been issued under federal law or  
27 a federally approved numbering system of another state shall apply to  
28 the department for an identifying number within 10 days after the  
29 expiration of the applicable reciprocity period provided in

*new*

AS 5:25.420  
BY REG.  
22

1 AS 05.25.445(6) or (7).

2 Sec. 05.25.420. CERTIFICATE OF NUMBER FEES. (a) The commis-  
3 sioner shall adopt regulations establishing fees for original, renew-  
4 al, and duplicate certificates of number, and for dealer demonstration  
5 certificates of number.

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

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

10 Sec. 05.25.425. ISSUANCE OF CERTIFICATE OF NUMBER AND VALIDATION  
11 DECALS. (a) If the application is in order, the department shall  
12 issue to the owner a certificate of number that states the identifying  
13 number awarded to the boat, the name and address of the owner, the  
14 state of principal use, the normal use of the boat, the description of  
15 the boat, the manufacturer's hull identification number if one exists,  
16 make, year, length, type of hull material, type of propulsion and type  
17 of fuel, the issue date, and the expiration date of the certificate of  
18 number. The certificate of number must be wallet size.

19 (b) The department shall issue a set of validation decals bear-  
20 ing the year in which the certificate of number expires. The year  
21 shall also be indicated by the color blue, international orange,  
22 green, or red, in rotation in the order stated, beginning with blue  
23 for stickers that expire in 1993. A validation decal must be a square  
24 approximately three inches on each side.

25 Sec. 05.25.430. EXPIRATION OF CERTIFICATE OF NUMBER; RENEWAL OF  
26 CERTIFICATE AND DECALS. (a) A certificate of number expires three  
27 years after the last day of the month in which the certificate is  
28 issued.

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

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

2 (c) Renewal of the certificate of number does not change the  
3 identifying number awarded to a boat by the department.

4 (d) An application for renewal of a certificate of number shall  
5 be made in the same manner as provided in AS 05.25.410. The applica-  
6 tion shall be accompanied by the fee required under AS 05.25.420. The  
7 department shall renew certificates of number and issue validation  
8 decals in the same manner as provided in AS 05.25.425.

9 Sec. 05.25.435. VALIDITY OF CERTIFICATE OF NUMBER. A certifi-  
10 cate of number issued under this chapter is invalid 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 elapsed 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. 05.25.440. 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 05.25.435.

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. 05.25.445. EXEMPTIONS. The following classes of boats are  
8 exempt from the provisions of AS 05.25.400 - <sup>numbering & registration</sup> 05.25.440:

9 (1) a boat that is documented by the United States Coast  
10 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 05.25.400 - 05.25.440 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 three years after the date  
23 of issuance of the certificate;

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 4. GENERAL PROVISIONS.

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

*new*

*Standard  
Program  
Receipt  
Language*

*new*

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.

*new*

6 Sec. 05.25.910. EXEMPTIONS. Except when inconsistent with  
7 federal laws and regulations, the commissioner may exempt a class of  
8 boats from a provision of this chapter if the commissioner determines  
9 that the safety of persons and property will not be materially promot-  
10 ed by applying that provision to the class of boats. The commissioner  
11 may exempt a class of boats from the numbering and registration re-  
12 quirements of AS 05.25.400 - 05.25.440 if

13 (1) the commissioner determines that the numbering will not  
14 materially aid in the identification of the boats; and

15 (2) the United States Secretary of Transportation has  
16 exempted that class of boats from numbering.

*existing  
080*

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

*existing  
090*

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

*new*

25 Sec. 05.25.940. REGULATIONS. The commissioner shall adopt  
26 regulations under the Administrative Procedure Act (AS 44.62) that are  
27 necessary for the implementation of this chapter.

28 Sec. 05.25.990. DEFINITIONS. In this chapter, unless the con-  
29 text requires otherwise,

all definitions not marked  
are new

existing 1. 100  
recreational  
only

3 (1) "boat" means any type of watercraft used or capable of  
4 being used as a means of transportation on water, but does not include  
5 aircraft equipped to land on water;

6 (2) "certificate of number" means the document bearing the  
7 identification number awarded to a boat by the department under this  
8 chapter, by a federal agency, or by the state of principal use under a  
9 federally approved numbering system;

10 (3) "commissioner" means the commissioner of public safety;

11 (4) "dealer" means a person who engages wholly or in part  
12 in the business of buying, selling, or exchanging boats, either out-  
13 right or on conditional sale, bailment lease, chattel mortgage, or  
14 otherwise;

existing 3. 100

15 (5) "department" means the Department of Public Safety;

16 (6) "length" means the length of a boat measured from end  
17 to end over the deck excluding sheer;

existing 100  
recreational  
only

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

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

24 (9) "ownership" means a property interest other than a  
25 security interest;

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

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

(12) "state water" means water within the territorial limits

existing 29. 100 =  
all waters, fresh  
or salt, in land  
or coastal, within  
the terr. limits  
or under the  
jurisdiction  
of the state

1 of the state whether navigable or nonnavigable.

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

5 \* Sec. 3. This Act takes effect January 1, 1990.

→ Entire body of existing law on watercraft.  
(adopted 1961, 1980, etc.)

1 IN THE SENATE

BY STURGULEWSKI, DUNCAN  
AND UEHLING

2

SENATE BILL NO. 111

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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13 offer public education programs designed to reduce boating accidents.  
14 *new* The department may cooperate with or award contracts to government  
15 agencies and private organizations to provide boating safety education  
16 programs.

17 *existing* Sec. 05.25.210. SAFETY EQUIPMENT. (a) A boat must carry and  
18 exhibit between sunset and sunrise at least one white light to show  
19 all around the horizon.

20 (b) A boat must carry at least one readily accessible life  
21 preserver, lifebelt, ring buoy, or other device of a type approved by  
22 the United States Coast Guard for each person on the boat. A boat  
23 carrying passengers for hire shall carry at least one readily accessi-  
24 *existing* ble life preserver of a type approved by the United States Coast Guard  
25 for passenger-carrying boats for each person on the boat.

26 (c) The commissioner may require by regulation that a boat or  
27 class of boats carry additional equipment necessary for the safety of  
28 *new* persons and property. To the extent determined by the commissioner to  
29 be consistent with the safety of persons and property, the regulations

1 adopted under this subsection must conform to the applicable regula-  
2 tions of the United States Coast Guard.

3 Sec. 05.25.220. DIVER'S FLAG. (a) A person who is in the water  
4 using an underwater breathing device may display a diver's flag while  
5 diving operations are in progress. The diver's flag may be displayed  
6 on a boat or surface float, must extend at least three feet above the  
7 surface of the water, and must be placed at or near the point of  
8 submergence. A diver shall remain within 100 feet of the diver's flag  
9 while at or near the surface. The diver's flag constitutes a warning  
10 that a diver may be within 100 feet of the flag. A diver's flag must  
11 be constructed of rigidly supported material at least 12 inches high  
12 by 12 inches wide with a white diagonal stripe on a red background.

13 (b) A boat operator within sight of a diver's flag shall proceed  
14 with caution, steering clear of the flag by a distance of at least 100  
15 feet. If, because of the location of the diver's flag, it is impossi-  
16 ble to steer clear of the flag by at least 100 feet, then the boat  
17 operator shall proceed at no-wake speed or five miles per hour, which-  
18 ever is necessary to maintain steerage in the seaway.

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

23 Sec. 05.25.230. PROHIBITED OPERATION. (a) A person may not  
24 operate a boat or manipulate water skis, a surfboard, or a similar  
25 device on state water in a reckless or negligent manner so as to  
26 endanger the life or property of another person.

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

1 existing references  
2 "inland" water

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12 in injury or death to a person or in damage to property shall immedi-  
13 ately stop the boat as near as possible to the scene of the accident.  
14 The operator shall remain at the scene of the accident until the  
15 operator has fulfilled the requirements of (b) of this section.

16 (b) The operator of a boat that is involved in an accident  
17 resulting in injury or death to a person or in damage to property  
18 shall

19 (1) give the name and address of each occupant of the boat  
20 and identifying number of the boat that the operator is operating to

21 (A) the operator of any other boat involved in the  
22 accident;

23 (B) the owner or a surviving occupant of the other  
24 boat or the owner of the damaged property; or

25 (C) another appropriate person; and

26 (2) render reasonable assistance to each person injured in  
27 the accident, including the conveying or providing for the conveying  
28 of the injured person to a physician or hospital for medical treat-  
29 ment, if it is apparent that treatment is necessary or if conveyance

expansion of existing .030

1 is requested by an injured person.

2 (c) A witness to a boating accident shall furnish the witness's  
3 name and address to an operator or occupant of each boat involved in  
4 the accident, to a person injured in the accident, and to the owner of  
5 property damaged in the accident.

6 Sec. 05.25.305. NOTICE OF ACCIDENT RESULTING IN DEATH OR DISAP-  
7 PEARANCE. (a) When a person dies as a result of an accident that  
8 involves a boat or its equipment or a person disappears from a boat,  
9 the operator shall, without delay, by the quickest means available,  
10 notify the department of the

- 11 (1) date, time, and exact location of the occurrence;  
12 (2) name of each person who died or disappeared;  
13 (3) number and name of the operator's boat; and  
14 (4) name and address of the owner and the operator.

15 (b) If the operator of a boat cannot give the notice required  
16 under (a) of this section, the owner of the boat, if different from  
17 the operator, shall submit the report or cause the report to be sub-  
18 mitted. If the operator and the owner of the boat cannot give the  
19 notice, then each person present on the boat when the accident or  
20 disappearance occurred shall notify the department or determine that  
21 the notice has been given.

22 Sec. 05.25.310. ACCIDENT REPORT REQUIRED. (a) The operator of  
23 a boat involved in an accident, or the owner of the boat if the opera-  
24 tor cannot submit a report, shall submit a report of the accident to  
25 the department if the accident results in

- 26 (1) the death of a person;  
27 (2) injury to a person requiring medical treatment beyond  
28 first aid;  
29 (3) the disappearance from the boat of a person under

1 circumstances indicating death or injury;

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

4 (5) complete loss of the boat.

5 (b) The department may require a person who submits an insuffi-  
6 cient report under this section to file a supplemental report, and may  
7 require a witness to the accident to submit a report to the depart-  
8 ment.

9 (c) A report required under this section shall be submitted in  
10 the form and manner prescribed by the department within

11 (1) 48 hours after the accident if a person dies within 24  
12 hours after the accident;

13 (2) 48 hours after the accident if a person is injured and  
14 requires medical treatment beyond first aid;

15 (3) 48 hours after the disappearance of a person from a  
16 boat if circumstances indicate death or injury to the person; and

17 (4) 10 days after the accident or death if an earlier  
18 report is not required under this subsection.

19 (d) The department shall prepare forms for accident reports  
20 required under this section and shall provide the forms to the public.  
21 The report form must request the information required in casualty and  
22 accident reports under United States Coast Guard regulations and may  
23 request other information the department considers necessary. The  
24 person who completes the form shall sign and date it upon completion.

25 Sec. 05.25.315. DEATH CERTIFICATES. Within 60 days after the  
26 death occurs, the state registrar of vital statistics shall forward to  
27 the department a copy of the death certificate for each death  
28 resulting from a boat accident.

29 Sec. 05.25.320. CONFIDENTIALITY OF ACCIDENT REPORT. (a) An

Expansion of existing .030

1 accident report submitted to the department is without prejudice to  
2 the individual reporting and is solely for the confidential use of  
3 administrative and enforcement agencies.

4 (b) The department upon written request, shall disclose the  
5 following information, if available, to a party involved in an acci-  
6 dent, or, in the event of the party's death, to a member of the par-  
7 ty's family or to the party's personal representative:

8 (1) the identity of the owner, operator, and occupants of  
9 each boat involved in the accident;

10 (2) the identifying number of each boat involved in the  
11 accident;

12 (3) the name of each company insuring the owner or operator  
13 of each boat involved in the accident; and

14 (4) the identity of each witness to the accident.

15 (c) A report filed under AS 05.25.310 - 05.25.320 may not be  
16 used as evidence in a civil action or criminal prosecution arising out  
17 of the accident. The department shall furnish, upon demand of a  
18 person who has or claims to have made a report under AS 05.25.310 -  
19 05.25.320 or upon order of a court, a certificate stating whether a  
20 specified accident report has been filed with the department. The  
21 certificate is admissible in a civil action or criminal prosecution  
22 solely to prove compliance or failure to comply with the reporting  
23 requirement.

24 (d) The department shall compile and may analyze all accident  
25 reports. The department shall publish at least annually, statistical  
26 information relating to boat accidents.

27 (e) In response to a request from an authorized official or  
28 agency of the United States, or in compliance with United States Coast  
29 Guard regulations or a requirement under 46 U.S.C. 6101 - 6103, the

expansion of existing - 030

1 department shall provide information compiled or otherwise available  
2 to the department from the accident reports required under AS 05.-  
3 25.310 - 05.25.320.

4 Sec. 05.25.325. APPLICATION OF AS 05.25.300 - 05.25.320. (a)  
5 The provisions of AS 05.25.300 - 05.25.320 apply to all boats operated  
6 in state water, except

- 7 (1) as provided in this section or AS 05.25.910;  
8 (2) when inconsistent with an applicable federal law or  
9 regulation in which case the federal law or regulation prevails.

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

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

14 (2) foreign boats operated temporarily in state water only  
15 for nonrecreational purposes;

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

18 (4) a ship's lifeboat.

19 ARTICLE 3. NUMBERING AND REGISTRATION.

20 Sec. 05.25.400. CERTIFICATE OF NUMBER REQUIRED ON BOAT. (a) A  
21 person may not operate a boat on state water, and an owner of a boat  
22 may not knowingly allow another person to operate the owner's boat on  
23 state water, unless

24 (1) the owner of the boat holds a current, valid certifi-  
25 cate of number issued in the owner's name as owner; and

26 (2) the certificate of number is

27 (A) carried on the boat in a manner that protects the  
28 certificate from destruction or deterioration; and

29 (B) available for inspection by a state, federal, or

1 municipal law enforcement officer.

2 (b) A certificate of number for a boat less than 26 feet in  
3 length and leased or rented to another person for that person's non-  
4 commercial operation for a period of less than seven days may be  
5 retained on shore by the boat's owner or representative at the place  
6 from which the boat departs or returns to the possession of the owner  
7 or the owner's representative. If the certificate of number is re-  
8 tained on shore, then a copy of the lease or rental agreement shall be  
9 carried on the boat. The lease or rental agreement must

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

12 (2) specify the period for which the boat is leased or  
13 rented.

14 *new* Sec. 05.25.405. PLACEMENT OF IDENTIFYING NUMBER AND DECAL. (a)  
15 A person may not operate a boat on state water unless the boat dis-  
16 plays the valid identifying number awarded to the boat and the valida-  
17 tion decal in the manner required under this section.

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 is clearly visible for identification. Each number must read  
21 from left to right and must be in plain vertical block characters of  
22 good proportion not less than three inches in height. The number must  
23 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 validation decal issued under AS 05.25.425 shall be placed  
6 three inches to the rear of the identifying number.

7 Sec. 05.25.410. 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 or dealer;

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

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

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

20 (b) The owner or dealer shall sign the application and shall pay  
21 the prescribed fee at the time of application.

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

24 Sec. 05.25.415. APPLICATION BY OWNER HAVING NUMBER AWARDED BY  
25 FEDERAL GOVERNMENT OR ANOTHER STATE. The owner of a boat having a  
26 valid certificate of number that has been issued under federal law or  
27 a federally approved numbering system of another state shall apply to  
28 the department for an identifying number within 10 days after the  
29 expiration of the applicable reciprocity period provided in

1 AS 05.25.445(6) or (7).

2 Sec. 05.25.420. CERTIFICATE OF NUMBER FEES. (a) The commis-  
3 sioner shall adopt regulations establishing fees for original, renew-  
4 al, and duplicate certificates of number, and for dealer demonstration  
5 certificates of number.

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

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

10 Sec. 05.25.425. ISSUANCE OF CERTIFICATE OF NUMBER AND VALIDATION  
11 DECALS. (a) If the application is in order, the department shall  
12 issue to the owner a certificate of number that states the identifying  
13 number awarded to the boat, the name and address of the owner, the  
14 state of principal use, the normal use of the boat, the description of  
15 the boat, the manufacturer's hull identification number if one exists,  
16 *new* make, year, length, type of hull material, type of propulsion and type  
17 of fuel, the issue date, and the expiration date of the certificate of  
18 number. The certificate of number must be wallet size.

19 (b) The department shall issue a set of validation decals bear-  
20 ing the year in which the certificate of number expires. The year  
21 shall also be indicated by the color blue, international orange,  
22 green, or red, in rotation in the order stated, beginning with blue  
23 for stickers that expire in 1993. A validation decal must be a square  
24 approximately three inches on each side.

25 Sec. 05.25.430. EXPIRATION OF CERTIFICATE OF NUMBER; RENEWAL OF  
26 CERTIFICATE AND DECALS. (a) A certificate of number expires three  
27 years after the last day of the month in which the certificate is  
28 issued.

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

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

2 (c) Renewal of the certificate of number does not change the  
3 identifying number awarded to a boat by the department.

4 (d) An application for renewal of a certificate of number shall  
5 be made in the same manner as provided in AS 05.25.410. The applica-  
6 tion shall be accompanied by the fee required under AS 05.25.420. The  
7 department shall renew certificates of number and issue validation  
8 decals in the same manner as provided in AS 05.25.425.

9 Sec. 05.25.435. VALIDITY OF CERTIFICATE OF NUMBER. A certifi-  
10 cate of number issued under this chapter is invalid 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 new (5) 60 days have elapsed 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. 05.25.440. 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 05.25.435.

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. 05.25.445. EXEMPTIONS. The following classes of boats are  
8 exempt from the provisions of AS 05.25.400 - 05.25.440:

9 (1) a boat that is documented by the United States Coast  
10 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 05.25.400 - 05.25.440 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 three years after the date  
23 of issuance of the certificate;

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 4. GENERAL PROVISIONS.

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

*(Standard program receipt language)*

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.

*new*

6 Sec. 05.25.910. EXEMPTIONS. Except when inconsistent with  
7 federal laws and regulations, the commissioner may exempt a class of  
8 boats from a provision of this chapter if the commissioner determines  
9 that the safety of persons and property will not be materially promot-  
10 ed by applying that provision to the class of boats. The commissioner  
11 may exempt a class of boats from the numbering and registration re-  
12 quirements of AS 05.25.400 - 05.25.440 if

*new*

13 (1) the commissioner determines that the numbering will not  
14 materially aid in the identification of the boats; and

15 (2) the United States Secretary of Transportation has  
16 exempted that class of boats from numbering.

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

*existing .080*

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

*existing .090*

25 Sec. 05.25.940. REGULATIONS. The commissioner shall adopt  
26 regulations under the Administrative Procedure Act (AS 44.62) that are  
27 necessary for the implementation of this chapter.

*new*

28 Sec. 05.25.990. DEFINITIONS. In this chapter, unless the con-  
29 text requires otherwise,



1 of the state whether navigable or nonnavigable.

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

5 \* Sec. 3. This Act takes effect January 1, 1990.

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# ALASKA SPORT FISH CURRENTS

Vol. I Issue 2

October 1988

## FROM THE DIRECTOR'S DESK

In early September, I had the privilege of attending the annual meeting of the American Fisheries Society. The meeting was attended by over 1200 biologists, managers, and administrators from Canada, Mexico, and every state in the Union. The many sessions (usually three to eight in progress concurrently) covered almost every conceivable topic related to fisheries in America.

Besides the many technical sessions, there were several sessions that dealt with changing trends in emphasis in many states. Here are a few that may be of interest and have application in Alaska:

- More states are recognizing the importance of economic data for recreational fisheries and are effectively using this along with biological and other data in the decision-making process.
- There is increasing involvement of sport anglers in department programs, increasing demand for public awareness, and more cooperative activities between agencies and between agencies and the public.
- Sport fishing interest groups are becoming more active and are forming coalitions to resolve major issues of mutual concern.
- While conflicts are increasing over funding, allocation of fish, and other issues, habitat protection remains the most crucial concern.

## STAFF PROFILE

The following profile is of Larry Engel, area management biologist for the Matanuska-Susitna Valley and Susitna-West Cook Inlet areas. With over 24 years of service with the Sport Fish Division, Larry ranks as one of the department's elder statesmen.

Larry was born and raised in the Seattle, Washington area and graduated from the University of Washington with a B.S. in fisheries. While serving in the U.S. Navy at Kodiak, he was involved with the Kodiak Conservation Club and the Territorial Department of Fisheries working on various projects on the island.

He began his career with the Division of Sport Fish in 1960 as a biological aide in Juneau and worked seasonally with the

division until 1964 when he was promoted to a full-time biologist position. From 1964 through 1972 Larry worked as a research project leader on the Kenai Peninsula. The Engel's home in Soldotna served as the first Fish and Game "office" in that community. While on the peninsula he successfully pushed to have snagging in freshwater prohibited. In 1972 Engel was transferred to Palmer as the area management biologist. Recent passage of the Recreational River Corridor legislation ranks high among many of his career satisfactions.

Larry enjoys hunting, fishing, youth athletics and spending time with his wife Nancy and their two teenage sons.

## ALASKA LEADS COUNTRY IN BOATING FATALITIES

Alaska is the only state in the union that has not adopted a state boating safety program. Because Alaska lacks a state 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 1987, 46 people lost their lives in recreational boating accidents. Seventy percent 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 28 times the national average. Another thing to be remembered is that the boating season in many states lasts year round, unlike Alaska which has a boating season of six months or less.

It is evident from these statistics that Alaska has a severe boating problem. 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. This legislation would 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. With a state as vast as Alaska, the emphasis needs to be focused on public education and awareness.

The state boating law would also 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 could empower state law enforcement officials with the necessary authority to carry out its provisions. Existing manpower from the Alaska State Troopers and 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 inland rivers.

Where would the revenues come from to administer a state boating safety program?

Federal funds are available within a boating safety account which is part of the Wallop-Breaux Amendment passed in 1984. Revenues for this account come from federal taxes on motorboat fuel sales. There is \$60 million dollars available in this account in 1989, which will increase to \$70 million by 1991. However, only states with a state boating safety program are eligible to receive these funds. Alaskan boaters are paying this tax every time they buy gas for their boat but cannot receive any of the benefits from it.

A state boating law would provide the boaters of Alaska with a program designed to meet their special needs without burdening the nonboater. Other states have experienced a 50 percent decrease in boating fatalities during the first year their boating safety law was in effect.

What can you do to support a state boating safety program?

Participate in your local sportsmen's organization or club meetings and make them aware of the need for a boat-safety law. Contact your legislators and let them know you support adoption of boat safety legislation.

For additional information on boating safety programs, contact Commander Jeff Harben, U.S. Coast Guard, at 586-7467, or Captain Mike Stenger, U.S. Coast Guard, at 586-7351.

## NEW SPORT FISH PROGRAM TO BEGIN

The Sport Fish Division is planning to initiate a "Sport Fishing Partnership Program." The Partnership Program aims to improve and increase Alaska's fishing opportunities by working jointly with communities, sporting groups, and other interested organizations.

The division is requesting approval in the FY 90 budget for the program. If the funding is approved by the legislature, the division plans to use \$100,000 in federal money to help finance various projects on a matching basis. Examples of projects that could be funded include fishing seminars and workshops, fishing piers and trails, parking areas, improving aquatic habitat protection or improvement projects, access for the elderly and disabled, and easements. Almost any project with a positive impact on sport fishing will be eligi-

ble. Applicants would match partnership program dollars with cash, materials, or services.

We will keep you informed of how the program will function as details are worked out over the coming six months. This Sport Fishing Partnership Program presents a unique opportunity to improve Alaska's sport fishing resources.

For additional information on the Sport Fishing Partnership Program, contact Norval Netsch at 465-4180.

## IS SNAGGING ETHICAL?

The question of sport anglers snagging fish will be discussed at the December Board of Fisheries meeting. Since statehood the regulations pertaining to sport fishing in Alaska have included provisions to restrict the snagging of fish. Initially, snagging was discouraged by prohibitions on hook sizes, number of hooks, and the way in which hooks were rigged in relation to the sinker. Today's regulations are specific on the subject: "It is unlawful to intentionally snag or attempt to snag any fish in fresh water. Fish unintentionally hooked elsewhere than in the mouth must be released immediately. 'Snag' means hook a fish elsewhere than in the mouth." It is still legal to snag fish in most saltwater areas; however, saltwater snagging is prohibited in most of Cook Inlet. Is the intentional snagging of fish an unethical and unsportsmanlike act, or is it simply another method utilized by some anglers to harvest fish? Are there situations where snagging fish should be encouraged? Should the intentional snagging of fish in all ways, forms, and areas be prohibited as a legal means of sport fishing?

Snaggers and nonsnaggers are confronted with the reality of large numbers of nonbiting, hatchery-produced salmon returning to special harvest areas at Homer on the Kenai Peninsula. The fish readily accept baits and lures for a period of time and then simply stop biting. Leaving the fish to die is certainly an alternative, but most people agree that this would be wasteful and unwise. Harvesting the fish with nets is another option; however, this deprives people who are not offended by snagging from harvesting the fish. The Division of Sport Fish will propose three options for consideration by the Board of Fisheries regarding the problem.

A. Prohibit all snagging: An estimated 40 to 50 percent of the hatchery king salmon returns to the Halibut Cove and Homer Spit terminal harvest areas would not be harvested in the snag fisheries. These fish would have to be taken by nets in a "clean up" fishery or allowed to stray from or die in the terminal areas.

B. Allow snagging throughout the year: The harvest of hatchery fish in the terminal harvest areas would approach 100 percent.

C. Prohibit snagging from January 1 through June 23: After June 23 the harvest method (snagging or no snagging) in the terminal harvest areas will be regulated by emergency order issued by the department. Snagging would be permitted only when and if the target species would no longer accept conventional tackle and a surplus of fish remained in the terminal harvest area.

The board is being asked to make a decision regarding the

SAFE BOATING BILL

CDR G. M. HARBEN, 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 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 problems.

In Alaska, the only state where there is no Federally approved safe 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 1987, 46 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 28 times the National average. Another thing to be remembered is that the boating season in many states lasts year around, 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 Agency 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 moneys generated by a state operated boating registration program. At the present time this program is administered on behalf of the Federal government by 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!! One Third Class Petty Officer administers the whole program for the state.

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 see 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 --- put on by 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.

**Sec. 05.20.120. Definitions.** In this chapter, unless the context otherwise requires,

- (1) "department" means the Department of Labor;  
 (2) "device" means a device that is designed and operated for the conveyance or movement of persons and that is used as a source of or aids in the promoting of entertainment, pleasure, play, relaxation or instruction, including but not limited to ski tows, roller coasters, merry-go-rounds and Ferris wheels. (§§ 1, 2 ch 109 SLA 1960; am E.O. No. 49, § 3 (1981))

**Effect of amendments.** -- The 1981 amendment substituted "Department of Labor" for "Department of Public Safety" in paragraph (1).

## Chapter 25. Watercraft.

### Article

1. Safety Requirements (§§ 05.25.010 -- 05.25.020)  
 2. Accidents and Liability (§§ 05.25.030 -- 05.25.040)  
 3. General Provisions (§§ 05.25.050 -- 05.25.100)

### Article 1. Safety Requirements.

#### Section

10. Safety requirement  
 12. Diver's flag

#### Section

20. Water skis and surfboards

**Sec. 05.25.010. Safety requirement.** (a) A watercraft operated on inland waters shall carry and exhibit between sunset and sunrise at least one white light to show all around the horizon.

(b) A watercraft operated on inland waters shall carry at least one life preserver, or lifebelt, or ring buoy, or other device of the sort approved by the United States Coast Guard for each person on board, so placed as to be readily accessible. A watercraft carrying passengers for hire shall carry, so placed as to be readily accessible, at least one life preserver of the sort approved by the United States Coast Guard for passenger-carrying watercraft for each person on board.

(c) A motor-driven watercraft operated for hire shall carry a fire extinguisher capable of promptly and effectually extinguishing burning gasoline. (§ 4 ch 63 SLA 1961)

**Collateral references.** -- 12 Am. Jur 2d, Boats and Boating, §§ 1-88.

65 C.U.S., Navigable Waters, §§ 20-26;  
 81A C.U.S., States, § 139.

Public regulation requiring mufflers or similar noise-preventing devices on motor vehicles, aircraft or boats. 49 ALR2d 1202

Liability under unseaworthiness doctrine for failure to furnish individual safety equipment or require its use. 91 ALR2d 1019.

Liability for injuries to or death of water skiers. 8 ALR3d 675.

Liability of manufacturer or seller for injury or death caused by defect in boat, or

its parts, supplies or equipment. 3  
 ALR4th 411.

**Sec. 05.25.012. Diver's flag.** A person who is in the water using an underwater breathing device may display a diver's flag constructed of rigidly supported material at least 12 inches by 12 inches in area of red background with a white diagonal stripe. This diver's flag may be displayed on a boat or surface float and shall extend a minimum distance of three feet from the surface of the water. The diver's flag shall be placed at or near the point of submergence and constitutes a warning that a diver is submerged and may be within 100 feet of the flag. A diver shall remain within 100 feet of the diver's flag while at or near the surface. A boat operator within sight of a diver's flag shall proceed with caution, steering clear of the flag by a distance of 100 feet. Outside commercial shipping lanes, boats maneuvering within a 100-foot radius of a diver's flag shall be slowed to no-wake speeds or five miles per hour, whichever is necessary to maintain steerage in the seaway. A diver's flag shall be displayed only while diving operations are underway. (§ 1 ch 29 SLA 1980)

**Sec. 05.25.020. Water skis and surfboards.** A person may not operate a watercraft on the inland waters of this state for towing a person on water skis, or a surfboard, or similar devices unless (1) the watercraft is equipped with a rearview mirror in which the person being towed can be viewed, (2) or there is in the watercraft a person of 12 years of age or older in addition to the operator, in a position to observe the progress of the person being towed. (§ 5 ch 63 SLA 1961)

### Article 2. Accidents and Liability.

#### Section

30. Collisions, accidents and casualties  
 40. Owner's civil liability

**Sec. 05.25.030. Collisions, accidents and casualties.** (a) The operator of a watercraft involved in a collision, accident or casualty shall give to other persons affected by the collision, accident or casualty assistance that is necessary to save them from or minimize any danger caused by the collision, accident or casualty, and shall give the operator's name, address and identification of the operator's watercraft in writing to any person injured and to the owner of any property damaged in the collision, accident or casualty.

(b) In the case of collision, accident, or casualty involving a watercraft, the operator of the watercraft, if the collision, accident or casualty results in death or injury to a person or damage to property

in excess of \$100, shall file with the department a full description of the collision, accident or casualty, including information the department, by regulation, requires. (§ 6 ch 63 SLA 1961)

**Collateral references.** — 12 Am Jur 24, Boats and Boating, § 19, 32-57; 65 C.J.S., Negligence, § 64, 65, 81-14; 29

Liability of owner or operator of powered pleasure boat for injuries to swimmer or harbor struck by boat 28 ALR3d 1127  
Criminal liability for injury or death

caused by operation of pleasure boat. 8 ALR3d 896  
Insurance: construction and effect of provision of homeowner's, premises, or personal liability insurance policy covering or excluding watercraft 26 ALR3d 967.

**Sec. 05.25.040. Owner's civil liability.** The owner of a watercraft is liable for injury or damage caused by the negligent operation of the owner's watercraft whether the negligence consists of a violation of a state statute, or neglecting to observe ordinary care in the operation of the watercraft as the rules of the common law require. The owner is not liable, however, unless the watercraft is used with the owner's express or implied consent. It is presumed that the watercraft is being operated with the knowledge and consent of the owner, if at the time of the injury or damage, it is under the control of the owner's spouse, father, mother, brother, sister, son, daughter, or other member of the owner's immediate family. This chapter does not relieve any other person from a liability which the person would otherwise incur, and does not authorize or permit recovery in excess of injury or damage actually incurred. (§ 8 ch 63 SLA 1961)

NOTES TO DECISIONS

Applied in *Churchill v. F.V. Fjord*, 744 F.2d 677 (9th Cir. 1984).

**Collateral references.** — 80 C.J.S., Shipping, § 239-257.

Liability of owner of powerboat for injury or death allegedly caused by one

permitted to operate boat by owner. 71 ALR3d 1018.

Liability of owner or operator of boat for injury to patron. 94 ALR3d 876.

Article 3. General Provisions.

Section

- 50. Declaration of policy
- 60. Prohibited operation
- 70. Exemptions
- 80. Enforcement
- 90. Penalties
- 100. Definitions

**Sec. 05.25.050. Declaration of policy.** It is the policy of this state to promote safety for persons and property in and connected with the use, operation and equipment of vessels in recreational pursuits in inland waters and to promote uniformity of laws relating thereto. (§ 1 ch 63 SLA 1961)

NOTES TO DECISIONS

Applied in *Churchill v. F.V. Fjord*, 744 F.2d 677 (9th Cir. 1984).

**Sec. 05.25.060. Prohibited operation.** (a) A person may not operate a watercraft whether for recreational purposes or any other purpose or manipulate water skis, a surfboard, or a similar device on the waters of the state in a reckless or negligent manner so as to endanger the life or property of another person.

(b) A person may not operate a watercraft whether for recreational purposes or any other purpose in violation of AS 28.35.030 on the waters of the state while under the influence of any intoxicating liquor, narcotic drug, barbiturate or marijuana. (§ 3 ch 63 SLA 1961; am § 1 cl. 60 SLA 1976; nm § 3 ch 117 SLA 1982)

**Effect of amendments.** — The 1982 amendment substituted "in violation of AS 28.35.030" for "or manipulate water skis, a surfboard, or a similar device" in subsection (b).

NOTES TO DECISIONS

Cited in *Ravin v. State*, Sup. Ct. Op. No. 1156 (File No. 2135), 537 P.2d 494 (1975).

**Collateral references.** — 12 Am Jur. Ski boat, negligent operation, 36 Am Jur. Boats and Boating, § 14-19. Ski boat, negligent operation, 36 Am Jur. POF2d, pp. 525-604.

**Sec. 05.25.070. Exemptions.** Watercraft and persons operating watercraft are exempt from this chapter, except AS 05.25.060(b), when participating in the area set aside for a public regatta, race, marine parade, tournament or exhibition on inland waters. (§ 7 ch 23 SLA 1961.)

**Sec. 05.25.080. Enforcement.** A peace officer may enforce this chapter and in the exercise of enforcement may stop and board watercraft subject to this chapter. (§ 9 ch 63 SLA 1961.)

**Sec. 05.25.090. Penalties.** A person who violates any provision of this chapter is guilty of a misdemeanor and is punishable by a fine of not more than \$500, or by imprisonment of not more than six months, or by both, for each violation unless that person is convicted of a violation of AS 28.35.030, in which case the sentence shall be in accordance with AS 28.35.030. (§ 10 ch 63 SLA 1961; am § 4 ch 117 SLA 1982.)

**Cross references.** — As to sentences for misdemeanors, see AS 12.55.135. Amendment added the language beginning "unless that person is convicted".  
**Effect of amendments.** — The 1982

**Sec. 05.25.100. Definitions.** As used in this chapter, unless the content otherwise requires,

(1) "department" means the Department of Public Safety;

(2) [Repealed. § 3 ch 69 SLA 1976.]

(3) "operate" means to navigate or otherwise use a watercraft for recreational purposes as opposed to business, subsistence or commercial purposes;

(4) "watercraft" means every description of vessel, other than a seaplane on the water, used or capable of being used as a means of transportation on water and devoted to recreational pursuits unless otherwise expressly provided in this chapter; and excepting vessels having a valid marine document issued by the United States or foreign governments;

(5) "waters of the state" means all waters, fresh or salt, inland or coastal, within the territorial limits or under the jurisdiction of the state. (§ 2 ch 63 SLA 1961; am §§ 2, 3 ch 60 SLA 1976.)

## NOTES TO DECISIONS

**Applicability of chapter.** — This chapter, specifically AS 05.25.40, was intended to cover nondocumented vessels temporarily devoted to recreational purposes, even though generally used commercially. *Churchill v. F.V. Ford*, 744 F.2d 677 (9th Cir. 1984).

## Chapter 30. Snow Vehicles.

## Article

1. Registration (§§ 05.30.010 — 05.30.050)
2. Regulation and Equipment (§§ 05.30.070 — 05.30.090)
3. General Provisions (§§ 05.30.100 — 05.30.120)

## Article 1. Registration.

## Section

10. Unlawful to operate unregistered vehicle
20. Registration and registration fee

## Section

30. Exemption from registration fee
40. Registration certificate and decals
50. Transfer of ownership

**Sec. 05.30.010. Unlawful to operate unregistered vehicle.** Except for operation on the owner's private property, a person may not operate a snow vehicle unless the snow vehicle has been registered with the Department of Public Safety as provided in this chapter. (§ 1 ch 182 SLA 1968; am § 1 ch 214 SLA 1975.)

**Collateral references.** — 7A Am Jur. 60 C.J.S., Motor Vehicles, §1 58-65, 2d, Automobiles and Highway Traffic, 97-101, 105-115.  
§§ 5, 55, 58, 215.

**Sec. 05.30.020. Registration and registration fee.** A registration is valid for two years commencing September 1, 1968. The registration fee is \$5, which shall be paid into the general fund. (§ 1 ch 182 SLA 1968.)

**Sec. 05.30.030. Exemption from registration fee.** Snow vehicles owned by the federal or state government or a political subdivision of the federal or state government shall be registered but are not required to pay a registration fee. (§ 1 ch 182 SLA 1968.)

**Sec. 05.30.040. Registration certificate and decals.** (a) Upon registration of a snow vehicle, the registrant shall be issued a registration certificate and two numbered decals containing the registration number of the vehicle. Once a snow vehicle has been issued a number, it shall retain that number until the vehicle is destroyed, abandoned or permanently removed from the state. Numbered registration decals shall be displayed on each side of the cowl of a snow vehicle.

# Alaska State Legislature

SENATOR  
ARLISS STURGULEWSKI



2957 SHELDON JACKSON STREET  
ANCHORAGE, ALASKA 99508

While in Juneau  
P. O. BOX V  
JUNEAU, ALASKA 99811  
(907) 465-3818

## Senate

### PRESS RELEASE

By: Senator Arliss Sturgulewski  
Contact: Frank Homan  
465-3818

January 13, 1989

Senator Arliss Sturgulewski today introduced legislation (SB 111) establishing an Alaska boating safety program. The U.S. Coast Guard has stated that the death rate from recreational boating accidents in Alaska on a per capita basis is 28 times the national average. In the past four years, data provided by the state's Vital Statistics Research Section shows that boating related drownings are second only to motor vehicle accidents as a cause of unintentional deaths in Alaska. Boating related deaths have exceeded air craft accidents and fire fatalities during the four years from 1984 to 1987. For example, during that time an average of 57 deaths per year have occurred because of boating related drownings.

"These deaths are unnecessary and could have been prevented," Senator Sturgulewski said. "It is not acceptable that Alaska is the only state in the Union without a boating safety program. We need to correct this flaw," she said. "We need to protect the citizens of our state as well as the growing number of visitors coming to experience our great outdoors. I am particularly thankful to Admiral Nelson of the U.S. Coast Guard for his help and support for this legislation. He has been doing a fine job of bringing this issue to the public despite Coast Guard funding cuts on the national level," Sturgulewski said.

The Coast Guard would still continue their safety programs in federal waters and for documented vessels. The state would be responsible for all state waters including inland water where no program now exists. According to the U.S. Coast Guard, fatalities have decreased when a boating safety program has been established.

Sturgulewski said "I am introducing this new program for Alaska at this time because it does not have a direct impact on the state's general fund. The federal government provides funding to all states that develop a boating safety program and Alaska's share will be approximately \$250,000 per year. In addition," she said, "funds will also come from program receipts from the boating registration fees."

"There is increasing public awareness of the terrible personal tragedy associated with boating fatalities in Alaska and it is my hope that this legislation will lead to preventing the needless loss of life," she concluded.

The legislation has four main sections. The first and most important requires that the Department of Public Safety make available a boating safety education program to the public. Since there are groups capable of providing a public education program, the legislation allows the Department to contract out this requirement. The second section incorporates existing statutory requirements dealing with boating accident reporting to the Department. The third section establishes a boat registration program

based on the already established and familiar U.S. Coast Guard program.

→ The U.S. Coast Guard would turn over much of their program to the state.

The final section outlines the enforcement and penalties established under the program. Senator Sturgulewski emphasized that the purpose of the legislation is safety oriented and that a wide spread public education program be established and conducted before any enforcement occur.



## 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 and 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. Just how bad is our boating safety record?

A. Terrible. During 1987 a total of 46 people lost their lives in recreational boating accidents in ALASKA. Approximately 40% of these were Alaskan natives. 70% of these tragedies occurred on inland Alaskan waters such as lakes, rivers, and sheltered waters. Only five other states had worse records but these states had between 11 and 28 times the number of registered boats than we have here. An important statistic is the number of fatalities per 100,000 boats. Alaska, a state that does not participate in the Federal/State Boating Safety Program, has a fatality rate 28 times the national average, per 100,000 registered boats.

Q. How do boating accidents compare with other causes of accidental deaths in Alaska?

A. In 1987 only traffic deaths caused a greater loss of life in Alaska.

Traffic Deaths	-	76
Boating	-	46
Aircraft (Recreational)	-	26
Fire	-	22

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 60% of the 1987 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 not an overwhelming amount, but in these economically troubled times, this could mean some added revenues and a few new jobs. In addition to this, Alaska's unrealized share of Federal funds for boating safety last year was approximately 250K.

Q. Would a state law allow the state to put up speed limit signs, limit usage of public moorages, and erect aids to navigation on rivers and lakes?

A. To all those questions, yes.

Q. What would happen if a person violated the law within the three mile limit and was given a ticket by a state law enforcement official?

A. Much like a traffic ticket, he would appear before the local magistrate (unless he was merely given a warning). The magistrate would take appropriate action, knowing all the facts in the case. (When a person is cited by the Coast Guard, penalty is awarded by mail or through Federal Court).

Q. Will passage of this Bill result in less accidental boating deaths?

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) 586-7467

U.S. Department  
of Transportation

United States  
Coast Guard



Commander  
Seventeenth Coast Guard District

P.O. Box 3-5000  
Juneau, AK 99802  
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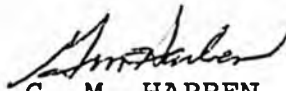
**FEB 3 1990**

Senator Arliss Sturgulewski  
Alaska State Legislature  
P.O. Box V (MS 3100)  
Juneau, AK. 99811

Dear Senator Sturgulewski

Enclosed is a copy of the legislative ledger of the Outboard Boating Club of America detailing the five year reauthorization of the Aquatic Resources (Wallop/Breaux) Trust Fund.

This shows funding through fiscal 1993 and an increase to \$70 million from 1991 - 1993. This will mean an increase to the already estimated \$250 thousand dollars of federal funds to Alaska, if they pass a safe boating law. 



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

Encl: (1) Legislative ledger



# Legislative LEDGER

A publication of the Outboard Boating Club of America for its members  
and a cross section of America's recreational boating community.

Volume XXXII, Number 9

September 1988

## Conference Committee Passes Wallop-Breaux Reauthorization

The bill to reauthorize the Boat Safety Account of the Wallop-Breaux Trust Fund (*H.R. 3918*) moved ahead August 9, as part of a Conference Committee vote on the Coast Guard Authorization Act of 1988. (*H.R. 2342*).

By this action it is agreed to:

1. Raise the ceiling on the Boat Safety Account from \$45 million to \$60 million in each of fiscal years 1989 and 1990, and to \$70 million in each of fiscal years 1991, 1992, and 1993.

2. Reauthorize transfers to and expenditures from the Boat Safety Account for five years, from 1989 through 1993.

3. Split the Boating Safety Account 50/50 between federal aid for state recreational boating safety programs and the operating expenses of the Coast Guard relative to recreational boating safety services and the Coast Guard Auxiliary.

4. Provide that the Coast Guard may spend no more from the Boat Safety

Account in any fiscal year than that appropriated for state recreational boating safety programs.

5. Require that the one to two percent that the Coast Guard receives for administrative expenses off the top of appropriations for state recreational boating safety programs be restricted to administering allocations for such state programs.

6. Mandate a joint survey by the Secretaries of Interior and Transportation of fuel used by recreational vessels, the findings to be reported to Congress by November 15, 1992.

Note: In lieu of an amendment to the Act to bar the Coast Guard from pursuing a policy of discouraging states from utilizing the Boat Safety Account for public access projects, Committee Report language expressly prohibits the Coast Guard from requiring the states to establish an explicit linkage of boating access projects to recreational boating safety, rationalizing that improved boating safety is inherent in access projects.

## ...But There Could Be Complications

The Wallop-Breaux Fund provision has no known opposition. However, the conference committee version of *H.R. 2342* does have provisions facing opposition. Perhaps most notable is a provision designed to guide the work of the Coast Guard Auxiliary involving disabled boats. Commercial towboat services have expressed adamant opposition to any competition from the Auxiliary, despite a long tradition of Auxiliary-furnished assistance. It is known that at least two Members of Congress have expressed an intent to fight this provision on the floor. The Coast Guard bill also addresses the so-called "zero-tolerance" doctrine, which provides for the seizure of a boat if any quantity of controlled substances are found onboard, regardless of quantity or the culpability of the owner.

How great is the threat?

It is difficult to be certain. The House rule provides for a simple vote of the conference report, with no amendments and no points of order. Thus, those opposing the two provisions discussed above — and perhaps others — are likely to join together to

(Continued on page 2)

## Coast Guard Considers Raising Minimum Reportable Property Damage in Boating Accidents

The Coast Guard has published notice of proposed rulemaking to raise the threshold for reporting boating accidents, involving only property damage, from the current \$200 to \$400. The rulemaking uses an indexing formula based on GNP deflator figures, which would be applied to the reporting threshold

annually to determine when it needed to be raised. The Coast Guard has solicited suggestions about raising the minimum reportable property damage to a higher level than \$400, using types of damage instead of dollar amounts, uses made of property damage statistics, impacts of receiving less information, data if the

threshold is raised above \$400, and what measures could be taken to improve boater compliance with accident reporting requirements. For further information contact Carlton Perry, Office of Navigation, Safety and Waterways Services, 2100 South Second St., SW, Washington, D.C. 20593, (202) 267-0979.

ALASKA  
UNINTENTIONAL DEATH BY CAUSE 1984 - 1987

	Boating Related Drowning	Other Drowning	Air Transport	Fire	Motor Vehicle	Total Unin- tentional
1984	51	51	43	26	156	463
1985	73	25	73	28	156	488
1986	58	27	39	11	131	391
1987	46	18	65	16	96	355
TOTAL	228	121	220	81	539	1697
Average per year	57	30	55	20	135	424
% of Total	13%	7%	13%	5%	32%	100%

Source: Vital Statistics Research Section  
Division of Public Health  
Alaska Department of Health & Social Services

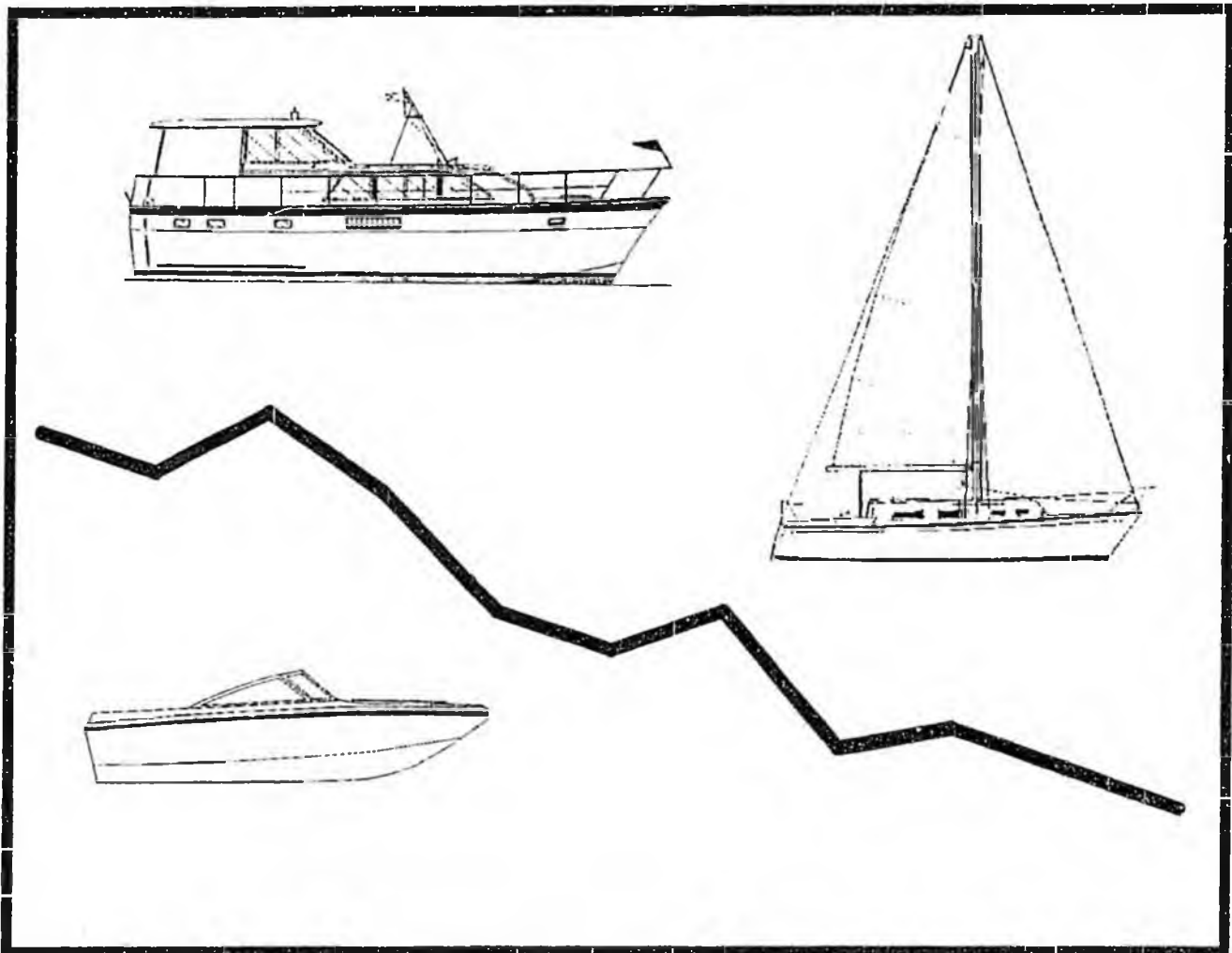
Note: Totals include non-residents

U.S. Department  
of Transportation

United States  
Coast Guard



# BOATING STATISTICS 1987



JUNE 1988

COMDTPUB P16754.1

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



Commandant (G-NAB)  
United States Coast Guard

**MAILING ADDRESS:**

Washington, DC 20593-0001  
(202) 267-0955

COMDTPUB P16754.1

COMMANDANT PUBLICATION P16754.1

**16 MAY 1988**

**FOREWORD**

Under the authority of title 46, United States Code, the Chief, Office of Navigation Safety and Waterway Services has been delegated the responsibility to collect, analyze, and annually publish statistical information obtained from recreational boat numbering and casualty reporting systems. Within this Office, the new Auxiliary, Boating, and Consumer Affairs Division has Recreational Boating Safety Program responsibility. The Office of Boating, Public, and Consumer Affairs has been disestablished.

Boating Statistics 1987, the 29th annual report, contains statistics on recreational boating accidents, state and Coast Guard boat numbering activities, and Coast Guard Auxiliary programs. The report also contains summaries of all regulations issued by the Coast Guard under the authority of the Federal Boat Safety Act of 1971, as amended, and other safety program information.

This report is a result of the coordinated effort of the Coast Guard and those jurisdictions which have federally approved boat numbering systems. These include the District of Columbia, Puerto Rico, Guam, the Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, and all states except Alaska and New Hampshire.

This publication is distributed to Coast Guard units, Coast Guard Auxiliary flotillas, and to other organizations and individuals on the Coast Guard's boating mailing list. The publication may be copied freely in the interest of boating safety. For questions on content, availability of the current or back issues, and additions to the mailing list, use the address or telephone number at the top of this page.

A handwritten signature in black ink, appearing to read "Martin H. Daniell".

MARTIN H. DANIELL  
Chief, Office of Navigation Safety  
and Waterway Services

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7 - 150	8 - 100	9CR - 75	9ER - 80
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## INTRODUCTION

### SCOPE

This report contains statistics on numbered boats and recreational boating accidents and information on boating safety activities for calendar year 1987. States and jurisdictions which have federally approved boat numbering systems file official reports to provide the boat numbering statistics. Coast Guard numbering records cover the other jurisdictions as noted on page 8. Data for the accident statistics come from three sources: copies of Boating Accident Reports forwarded to the Coast Guard by those jurisdictions with approved numbering and casualty reporting system; reports submitted directly to the Coast Guard in those jurisdictions without approved numbering and casualty reporting systems; and reports of Coast Guard investigations of fatal boating accidents that occurred on waters under federal jurisdiction.

### ACCIDENT REPORTING

Current regulations (33 CFR 173-4) require that the operator of any vessel that is numbered or used for recreational purposes and that is involved in an accident file a report if the accident results in:

1. Loss of life; or
2. Personal injury which required medical treatment beyond first aid; or
3. Damage to the vessel and other property exceeding \$200; or
4. Complete loss of the vessel.

Boat operators are required to report their accidents to authorities of the state in which the accident occurred, or directly to the Coast Guard if it occurred in a jurisdiction without an approved boat numbering system. States with approved numbering systems furnish the Coast Guard with copies of Boating Accident Reports. The minimum reporting requirements are set by federal regulation, but states are allowed to have stricter requirements. The statistics in this publication cover only accidents meeting the federal minimum reporting requirements.

Most states use Boating Accident Report forms which are very similar to the form used by the Coast Guard. A copy of the Coast Guard form is at the end of this report. Microfiche of Boating Accident Reports and investigation reports are filed at Coast Guard Headquarters for statistical purposes only.

The statistics in this publication cover boating accidents reported on waters of joint federal and state jurisdiction and exclusive state jurisdiction. The statistics include any reports received of accidents on waters under exclusive jurisdiction of the two states without an approved numbering system, Alaska and New Hampshire, even though the reports are not required.

Accidents covered in this report occurred during calendar year 1987. Only those reported to Coast Guard Headquarters by 31 March 1988 are included in the statistics.

## CASES EXCLUDED FROM REPORT

The following types of cases involving recreational boats are not included in this report:

1. Accidents involving only slight injury which did not require medical treatment beyond first aid or property damage of not more than \$200;
2. Accidents which were not caused or contributed to by a vessel, its equipment or its appendages;
3. Accidents in which the boat was used solely as a platform for other activities, such as swimming or skin diving. No such accidents were reported by the States in 1987. Such cases would not be included because the victims freely left the safety of their boat.

Accidents involving only commercial vessels are not included. All commercial accidents, even those involving vessels numbered under title 46, United States Code, are reviewed and tabulated by the Coast Guard Office of Marine Safety, Security and Environmental Protection and published in the Proceedings of the Marine Safety Council, CG-129.

## USE OF THE STATISTICS

Users of the statistics in this report should be aware of the following facts which may affect results of analyses of non-fatal accidents.

The Boating Accident Reporting System does not include every accident involving a recreational vessel. Some accidents are not in the system because they are not required to be reported. Many more accidents are not reported because of ignorance of the law and difficulty in enforcing the law. Although we estimate that we receive approximately ten per cent of non-fatal accidents, we do receive reports of nearly all fatal accidents.

Federal regulations do not require the reporting of accidents on private waters, where states have no jurisdiction, or on state waters in Alaska and New Hampshire, because these two states do not have approved numbering systems. Reports of accidents on such waters are included in this report when received by the Coast Guard if they satisfy the other requirements for inclusion.

Non-fatal accidents cannot be assumed to have occurred in numbers proportional to the reported statistics because the act of reporting an accident is not a random sampling of accidents in the statistical sense. Rather, selection is based on the ability and willingness of those involved to file a report.

Fluctuations from year to year in non-fatal accident statistics may be caused by factors other than the change in the total number of recreational boating accidents. A seemingly small change in the low reporting rate may cause a relatively large change in the statistics.

## BOATING SAFETY REGULATIONS

The following are regulations issued by the Coast Guard under the authority of title 46, United States Code:

1. Especially Hazardous Conditions, 33 CFR 177. Describes specific unsafe boating conditions in which use of a boat could be especially dangerous. Issued July 7, 1972; effective August 7, 1972.
2. Defect Notification, 33 CFR 179. Requires manufacturers to notify consumers of safety defects in boats and associated equipment. Issued August 4, 1972; effective September 3, 1972.
3. Manufacturer Requirements, 33 CFR 181. Requires certification of compliance for manufacturers of recreational boats subject to federal standards. Also requires manufacturers to assign hull identification numbers to their boats. Issued August 4, 1972; effective November 1, 1972.
4. Boat and Associated Equipment Standards, 33 CFR 183. Requires basic flotation and sets load and horsepower capacities for boats under twenty feet in length. Issued August 4, 1972; effective November 1, 1972, except for the flotation standard, effective August 1, 1973.
5. Vessel Numbering and Accident Reporting, 33 CFR 173 & 174. Establishes uniform system for registering and numbering boats with propulsion machinery. Establishes procedures for reporting boating accidents. Issued October 7, 1972; effective July 1, 1973.
6. Personal Flotation Devices, 33 CFR 175. Establishes new requirements for carriage of personal flotation devices (PFDs). Classifies PFDs into types I, II, III, IV, and V to indicate the general level of performance. Issued March 28, 1973; effective October 1, 1973.
7. Hazardous Bars, 33 CFR 177. Defines unsafe boating conditions which can exist in certain coastal bars and inlets in Oregon and Washington. Issued January 23, 1974; effective February 22, 1974.
8. Manifestly Unsafe Voyage, 33 CFR 177. Defines unsafe conditions that can exist for recreational boats in prolonged open-sea voyages. Issued March 18, 1974; effective April 17, 1974.
9. Amendment to Inboard Safe Loading Standard, 33 CFR 183. Relaxes the safe loading standard for inboard boats, particularly as it applies to high performance boats. Issued August 13, 1975; effective February 9, 1976.
10. Amendment to Safe Loading and Safe Powering Standards, 33 CFR 183. Clarifies terms in the standards that had been misunderstood, e.g., "level", "beam", "length". Issued September 23, 1975; effective March 23, 1976.
11. Amendment to Flotation Standard, 33 CFR 183. Amends the table used to calculate the weight of outboard engines. Adds a new category of outboard engines over 150 HP. Issued March 18, 1976; effective September 15, 1976.

12. Amendment to Coast Guard Procedural Rules, 33 CFR 1. Describes the procedure followed by the Coast Guard in issuing written warnings to boat operators for minor violations of boating safety laws or regulations. Issued April 29, 1976; effective April 29, 1976.
13. Amendment to Numbering Regulations, 33 CFR 173 and 174. Updates information in the numbering regulations. Primarily, notes that the District of Columbia and Guam have approved numbering systems. Issued June 10, 1976; effective June 10, 1976.
14. Amendment to U. S. Customs Service Regulations, 33 CFR 12. (A joint Treasury - Coast Guard regulation.) Ensures that imported boats and associated equipment which are not in compliance with safety standards and regulations are brought into compliance before being used or offered for sale. Issued June 10, 1976; effective July 12, 1976.
15. Amendment to PFD Regulations, 33 CFR 175. Revokes the provision which permits a person using a white water canoe or kayak to use a non-approved life saving device because approved PFDs that are suitable for white water use became available. Issued June 14, 1976; effective October 1, 1977.
16. Amendment to Safe Loading and Flotation Standards, 33 CFR 183. Clarifies the meaning of certain terms in the standards, e.g. "boat weight" and "permanent appurtenances". Excepts submersible boats, surface effect vehicles, and amphibious vehicles from the flotation standard. Issued January 13, 1977; effective July 22, 1977.
17. Amendment to Safe Loading Requirements for Low- and Non-Powered Boats, 33 CFR 183. Establishes a more reasonable formula for calculating the safe loading capacity of low-powered and non-powered boats, e.g. dinghies, dories, rowboats. Issued January 13, 1977; effective July 22, 1977.
18. Fuel and Electrical Standards for Boats, 33 CFR 183. Establishes fuel and electrical standards for the manufacture of boats using inboard gasoline engines for propulsion or electrical power in order to prevent fires and explosions. Issued January 31, 1977; effective dates of the requirements vary from August 1, 1977 to August 1, 1978.
19. Flotation Standards for Boats, 33 CFR 183. Establishes level flotation standards on rowboats and outboard boats less than 20 feet in length, the boats most often involved in swamping and capsizing accidents, so that the boat will float level when swamped and provide a safe platform until rescue. Issued April 18, 1977; effective August 1, 1978.
20. Amendment to Fuel and Electrical Standards for Boats, 33 CFR 183. Revises several broad or unnecessary requirements. Issued July 14, 1977; effective August 1, 1977.
21. Personal Flotation Device Pamphlet, 33 CFR 181. Requires manufacturers of personal flotation devices (PFD) to provide with each PFD a pamphlet containing information on the selection, care, and proper use of PFDs. Issued March 9, 1977; effective September 1, 1978.

22. U. S. - Canadian Agreement on Assignment of Hull Identification Numbers, 33 CFR 181. Advises of an agreement between the U. S. and Canadian Coast Guards to coordinate assignment of manufacturers ID codes in hull identification numbers (HIN), allowing a boat manufacturer to use the same HIN system when marketing boats in U. S. and Canada. Issued April 10, 1978; effective April 10, 1978.

23. Amendment to Numbering Regulations, 33 CFR 173. Permits owners of leased or chartered vessels to retain the certificate of number when the rental is for less than seven days. Issued April 27, 1978; effective April 27, 1978.

24. Amendment to Fuel Systems Standard, 33 CFR 183. Delayed the effective date of fuel pump and carburetor requirements from August 1, 1978 to February 1, 1979 to give industry more time to comply with the new regulations. Issued September 17, 1978; effective September 17, 1978.

25. Amendment to Electrical Systems Standard, 33 CFR 183. Delayed the effective date of ignition protection requirements from August 1, 1978 to February 1, 1979 to give industry more time to comply with the new regulations. Issued September 17, 1978; effective September 17, 1978.

26. Amendment to Flotation Systems Standard, 33 CFR 183. Allows use of flotation material that is not resistant to gasoline or other solvents if it is installed in a part of the boat where it will not come in contact with these liquids or vapors. Establishes performance specifications for flotation material to help manufacturers determine if their flotation material will meet the standard. Issued December 4, 1978; effective August 1, 1979.

27. Amendments to Numbering and Accident Reporting Regulations, 33 CFR 173 & 174. Clarifies circumstances of a reportable injury. Extends the time limit for reporting accidents that don't involve death or personal injury from 5 to 10 days. Increases the maximum property damage in a non-reportable accident from \$100 to \$200. Clarifies that the rulemaking authority must determine the causes of reported accidents. Issued January 25, 1979; effective February 26, 1979.

28. Amendments to Numbering and Accident Reporting Regulations, 33 CFR 174. Leaves to the states the manner in which an invalid number sticker must be removed, conditions under which the number and validation sticker must be removed; and content of the report required of the operator in case of death or disappearance. Issued July 19, 1979; effective August 20, 1979.

29. Amendment to Electrical System Standard, 33 CFR 183. Permits circuit breakers to be located up to 7 inches away from the power source, or up to 40 inches away if the conductor is additionally protected by a sheath or enclosed box, if it is physically impossible to locate the circuit breaker at the power source. Issued November 5, 1979; effective November 5, 1979.

30. Operator Requirement for Visual Distress Signals, 33 CFR 175. Requires operators of boats used on coastal waters to carry approved (for both day and night) visual distress signals, e.g. orange smokes, orange distress flags, flares, electric distress lights. Exempts boats used in approved regattas, open sailboats less than 26 feet, rowboats, canoes, and other boats under 16 feet in length during daylight hours. Issued December 17, 1979; effective January 1, 1981.

31. Ventilation Standard for Boats, 33 CFR 175 and 183. Requires closed compartments with gas engines, including generators, on boats built on or after August 1, 1980 to be ventilated by a blower system of a certain standard. Requires engine compartments, and in certain circumstances fuel tank compartments, to have natural ventilation. Requires operators of such boats to keep certain parts of the blower system operable. Issued December 17, 1979; effective August 1, 1980.

32. Amendment to Capacity Information Label on Boats, 33 CFR 183. Requires a bright yellow background on the label. Requires the capacity to be shown in number of persons as well as pounds on boats less than 20 feet in length. Adds a method to determine the number of persons that a boat can safely hold. Issued January 10, 1980; effective August 1, 1980.

33. Amendment to Visual Distress Signal Regulations to Accept Hand-Held Red Flares, 33 CFR 175. Adds hand-held red flares to the lists of visual distress signals (see item 30). Issued July 3, 1980; effective January 1, 1981.

34. Start-in-Gear Protection Devices on Outboard Motors, 33 CFR 181 & 183. Requires manufacturers of an outboard motor with 115 lbs or more of static thrust (7-9 hp) to provide built-in start-in-gear protection in the outboard motor or a label stating that the outboard motor must be installed with a compatible remote control which contains the start-in-gear protection. All manufacturers of remote starting controls must affix a label to their controls telling whether or not the control system has start-in-gear protection. Dealers installing an outboard motor with the remote controls must insure that start-in-gear protection is provided. Issued January 15, 1981; effective August 1, 1982.

35. Application for Certificate of Numbers, Change in Required Contents, 33 CFR 174. No longer requires states to obtain information on date of birth and citizenship of vessel owners applying for Certificates of Number. Issued February 25, 1982; effective March 29, 1982.

36. Amendment to Visual Distress Signal Requirements, 33 CFR 175. Amendment clarifies the language concerning the carriage requirements. A revised table shows the approval numbers of acceptable pyrotechnic signal devices. A grandfather clause was inserted to allow pyrotechnic signal launchers manufactured before 1 January 1981 to be continued to be used in launching of approved signals. Issued June 7, 1982; Effective June 7, 1982.

37. Amendment to Correction of Especially Hazardous Conditions Aboard Boats, 33 CFR 177. Amendment is editorial in nature and reflects changes made in other Statutes cited by the "Hazardous Conditions" regulations. These changes include reference to the Inland Navigational Rules Act of 1980. Issued August 23, 1982; Effective August 23, 1982.

38. Amendment to Boat Hull Identification Numbers, 33 CFR 181. Amendment makes alteration or removal of the HIN more difficult; requires the placement of an additional HIN which will enable identification of the boat even if primary HIN is altered or removed; requires a single HIN format; and makes the removal or alteration of a HIN a violation of federal law. Issued September 9, 1983; Effective August 1, 1984.

39. Amendment to Electrical and Fuel System Standards, 33 CFR 183. Amendment repeals and revises standards determined to be no longer necessary. These changes were made after a review effort to lessen regulatory burden upon recreational boat manufacturers, while insuring that an adequate level of safety is maintained. The amendment makes numerous changes to regulations affecting batteries, conductors, overcurrent protection, fuel tanks, fuel stop valves, hose clamps, seals and gaskets, hose identification, and anti-siphon protection. Issued December 15, 1983. Effective June 11, 1984.

40. Amendment to Visual Distress Signal Requirements, 33 CFR 175. Amendment revises definition of "coastal waters" where visual distress signals are required to be carried on vessels. Issued February 27, 1984. Effective August 27, 1984.

41. Amendment to Certification, Safe Loading and Flotation Standards, 33 CFR 181 & 183. Amendment revises or removes sections of the regulations which have been determined to be no longer necessary or to have limited value in improving boating safety. Weights of outboard motors, which are used to determine safe loading capacities, are updated. The amount of flotation material required to be installed in boats is also revised. Issued October 5, 1984. Effective April 3, 1985.

42. Amendment to Certification, Safe Loading and Flotation Standards, 33 CFR 181 & 183. Amendment clarifies the intent of the regulations after the amendment issued October 5, 1984. Manufacturers of boats rating a maximum persons capacity of less than 550 pounds must not exceed the lesser calculated value obtained by performing the two tests described in §§ 183.29 & 183.41. Issued May 2, 1985. Effective May 2, 1985.

43. Amendment to Personal Flotation Devices, 46 CFR 160. This interim final rule establishes approval requirements for hybrid inflatable personal flotation devices (hybrid PFDs). Use of the approved hybrid PFDs is optional but, if carried, certain limitations apply. Issued August 22, 1985. Effective September 1, 1985 (except for §§ 160.077-25(a) & 160.077-25(e), whose effective dates will be published separately).

44. Amendment to Certification and Safe Powering Standards, 33 CFR 181 & 183. Amendment establishes a performance test as an alternative to the existing calculation method to allow higher horsepower capacities for certain high performance boats. The alternate test applies to recreational outboard boats 13 feet or less in length with remote wheel steering, a minimum 19-inch transom height or equivalent, and a capacity rating not to exceed two persons. Issued October 23, 1986. Effective August 1, 1987.

45. Amendment to Ventilation Standard, 33 CFR 183. Amendment removes the requirements for ventilation openings to face forward and for testing to show airflow. The requirements had virtually no impact on achieving necessary ventilation and their removal relieves a regulatory burden on recreational boat manufacturers. Issued October 23, 1986. Effective August 1, 1987.

46. Amendment to Fuel System Standard, 33 CFR 183. Amendment requires gasoline fuel hose installed in new recreational boats to meet the performance requirements of SAE Standard J1527DEC85 instead of SAE Standard J30C. The change responded to safety concerns about the effects of increasing levels of aromatics and alcohols in fuels on permeation rates and longevity of hose meeting SAE Standard J30C. Issued April 20, 1987. Effective October 17, 1987.

47. Operating a Vessel While Intoxicated 33 CFR 95, 173, 174, and 177. Rule sets independent Federal standards based on an individual's behavior and blood alcohol concentration (BAC) for determining whether an individual operating a recreational vessel is intoxicated. It adopts enacted State BAC standards. It amends regulations to require specific information on the role of alcohol or drugs in reports of boating casualties. It allows Coast Guard personnel to terminate the use of a vessel when the operator is under the influence of an intoxicant to the extent that further operation of the vessel creates an unsafe condition. Penalties include a civil penalty up to \$1,000 and a criminal penalty up to \$5,000, up to one year imprisonment, or both. Issued December 14, 1987. Effective January 13, 1988.


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#### BOAT NUMBERING

Chapter 123 of title 46, United States Code requires each undocumented vessel equipped with propulsion machinery to be numbered in the state in which it is principally operated. The law allows the states and other jurisdictions to create their own numbering systems as long as they meet or exceed federal requirements. At the end of 1987, only New Hampshire and Alaska were without their own approved numbering systems. In these jurisdictions the Coast Guard performed the numbering function and required only undocumented vessels equipped with propulsion machinery used on waters subject to the jurisdiction of the United States to be numbered. Many states (21) require the numbering of non-powered boats, such as sailboats. A list of the numbering requirements of the various states is found on the following page.

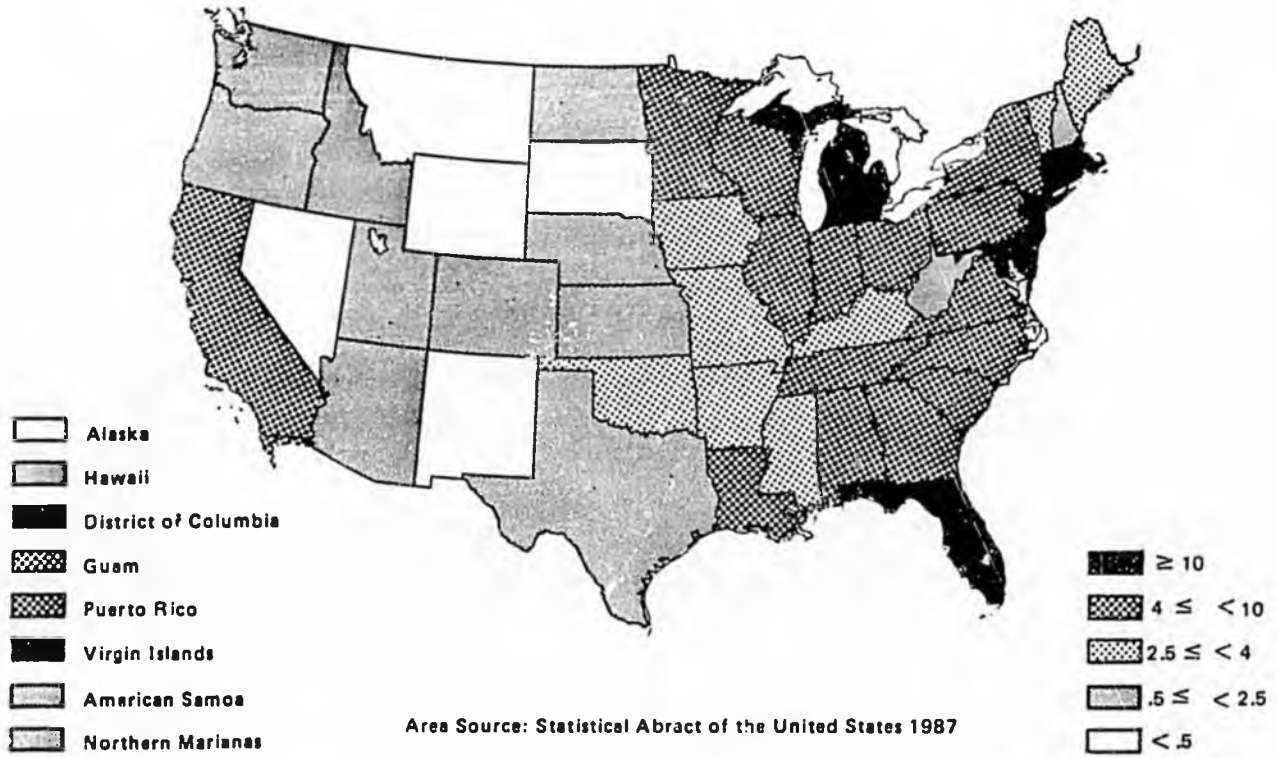
The statistics on the following three pages are derived from reports which the participating states and other jurisdictions file with the Coast Guard. The statistics are actual counts of valid boat numbers which have been issued. Their accuracy is affected by several factors, including compliance of the boat owners with the numbering laws and the efficiency with which the various state numbering systems handle expired and new registrations. The numbering requirements for each jurisdiction are given so that comparisons may be made. Estimates are provided for non-reporting jurisdictions based on the growth in numbering as reported in the past.

## NUMBERING DATA BY STATE

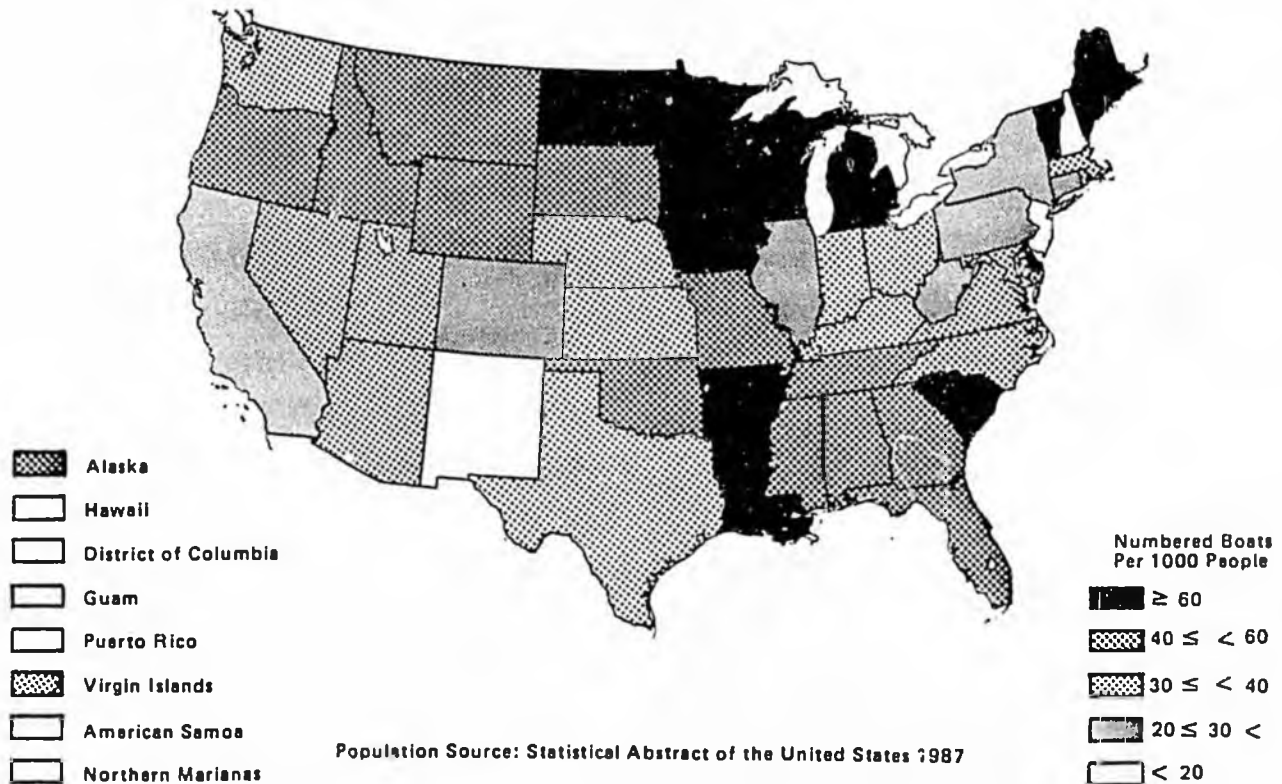
		TOTAL BOATS NUMBERED		SCOPE OF CURRENT BOAT NUMBERING SYSTEM
		1986	1987	
TOTAL	RANK 1987	9,876,197	9,963,696	
Alabama	18	240,100	203,092	All motorboats, sailboats, and rental boats .....
Alaska	46	39,134	27,763	All motorboats used on federal waters .....
Arizona	30	108,166	117,202	All watercraft .....
Arkansas	28	343,851	144,657	All motorboats with exceptions 2/ .....
California	2	679,880	708,847	All motorboats; sailboats over 8 feet in length .....
Colorado	34	73,992	79,640	All motorboats and sailboats .....
Connecticut	33	81,485	86,427	All motorboats; sailboats 19 and a half feet or more in length .....
Delaware	39	42,831	43,121	All motorboats .....
Dist. of Col.	53	3,242	2,859	All watercraft .....
Florida	4	613,532	644,813	All motorboats .....
Georgia	13	218,479	254,483	All motorboats; sailboats 12 feet or more in length .....
Hawaii	51	14,052	14,009	All motorboats and sailboats over 8 feet in length .....
Idaho	35	70,512	57,251	All motorboats .....
Illinois	10	237,586	295,127	All motorboats and sailboats over 12 feet in length .....
Indiana	17	203,275	206,307	All motorboats .....
Iowa	20	151,066	195,673	All watercraft with exceptions 3/ .....
Kansas	32	36,631	88,365	All motorboats and sailboats .....
Kentucky	29	119,587	124,150	All motorboats .....
Louisiana	9	339,477	300,931	All motorboats .....
Maine	31	115,440	114,182	All motorboats .....
Maryland	23	150,858	160,368	All motorboats .....
Massachusetts	19	210,407	196,541	All motorboats .....
Michigan	1	716,441	746,979	All motorboats .....
Minnesota	3	655,389	673,503	All watercraft with exceptions 4/ .....
Mississippi	27	130,573	144,989	All motorboats .....
Missouri	12	154,166	258,712	All motorboats; sailboats over 12 feet in length .....
Montana	42	35,398	37,087	All motorboats .....
Nebraska	36	52,749	56,446	All motorboats .....
Nevada	41	35,033	37,162	All motorboats .....
New Hampshire	50	9,597	15,214	All motorboats used on federal waters .....
New Jersey	26	141,655	150,121	All motorboats; all other boats more than 12 feet in length .....
New Mexico	48	31,220	24,974	All motorboats and sailboats .....
New York	7	358,400	383,868	All motorboats .....
North Carolina	15	129,758	241,858	All motorboats .....
North Dakota	43	41,098	36,332	All motorboats .....
Ohio	8	261,663	366,289	All watercraft .....
Oklahoma	21	191,103	187,043	All watercraft .....
Oregon	25	149,970	153,087	All motorboats and sailboats 12 feet in length or greater .....
Pennsylvania	14	236,455	251,154	All motorboats .....
Rhode Island	45	28,000 1/	28,500 1/	All motorboats .....
South Carolina	11	249,113	268,034	All motorboats .....
South Dakota	40	36,396	39,257	All motorboats; all other boats more than 12 feet in length .....
Tennessee	16	207,409	214,646	All motorboats and sailboats .....
Texas	5	605,829	606,370	All motorboats .....
Utah	37	50,463	49,583	All motorboats and sailboats .....
Vermont	44	32,580	34,484	All motorboats .....
Virginia	22	165,816	174,726	All motorboats .....
Washington	24	242,011	159,567	All motorboats used on federal waters .....
West Virginia	38	43,194	44,936	All motorboats .....
Wisconsin	6	152,481	461,545	All motorboats and sailboats over 12 feet in length .....
Wyoming	49	21,000	21,536	All motorboats .....
Guam	54	720 1/	993 1/	All motorboats .....
Puerto Rico	47	23,026 1/	25,024	All motorboats .....
Virgin Islands	52	2,684	3,614	All motorboats .....
America Samoa	56	142	110	All motorboats .....
N. Marianas	55	640 1/	145	All motorboats .....

\* States not having an approved numbering system as of 31 December 1987, and where the Coast Guard is the numbering authority.  
 1/ Estimate (No report received)  
 2/ Arkansas excludes boats with motors of 10 HP or less used only during daylight.  
 3/ Iowa excludes inflatables under 7 feet in length and canoes/kayaks under 13 feet in length.  
 4/ Minnesota excludes non-motorized boats 9 feet in length and under, duckboats during duckhunting season, and riceboats during harvest season.

## Numbered Boats Per Square Mile (Land Area) 1987



## Numbered Boats Per Person 1987



**CLASSIFICATION OF NUMBERED MOTORBOATS-1987-**  
PER CENT

LENGTH CLASS	WOOD		FIBERGLASS		ALUMINUM		STEEL		OTHER		TOTAL		CLASS
	OUTBOARD	INBOARD	OUTBOARD	INBOARD	OUTBOARD	INBOARD	OUTBOARD	INBOARD	OUTBOARD	INBOARD	OUTBOARD	INBOARD	
Class A Less than 16 feet	1.99	.07	20.04	.98	29.26	.23	.35	.02	2.29	.06	53.93	3.36	55.29
Class 1 16 feet to less than 26 feet	1.14	.63	16.39	12.53	8.60	.45	.47	.07	.63	.20	27.23	13.88	41.11
Class 2 26 feet to less than 40 feet	.06	.60	.18	1.80	.25	.09	.06	.06	.01	.03	.56	2.58	3.14
Class 3 40 feet to not more than 65 feet	.01	.09	.01	.22	.01	.03	.03	.06	.002	.004	.06	.40	.46
<b>TOTAL BY PROPULSION</b>	<b>3.20</b>	<b>1.39</b>	<b>36.62</b>	<b>15.53</b>	<b>38.12</b>	<b>.80</b>	<b>.91</b>	<b>.21</b>	<b>2.93</b>	<b>.29</b>	<b>81.78</b>	<b>18.22</b>	
<b>TOTAL BY HULL MATERIAL</b>	<b>4.59</b>		<b>52.15</b>		<b>38.92</b>		<b>1.12</b>		<b>3.22</b>				

\*Includes 9,154,128 numbered motorboats under 65 feet. All boats reported to be registered as inboard-outdrives were counted as inboards, and where the States' reports broke down auxiliary sailboats between inboard and outboard, those boats were included in this table. For a few States with incomplete information, either all or some of their boats were distributed by using last year's report or by using the same percentages as a bordering State. The 809,568 boats registered by the States but not shown in this table include: 211,889 non-powered sailboats; 62,808 auxiliary sailboats (type of engine unknown); 212,870 non-powered canoes; 86,838 non-powered rowboats; 67,977 jet boats; 4,017 motorboats over 65 feet; and 163,149 miscellaneous boats.

**NUMBERED MOTORBOATS BY PROPULSION AND HULL MATERIAL 1983-1986**  
PER CENT

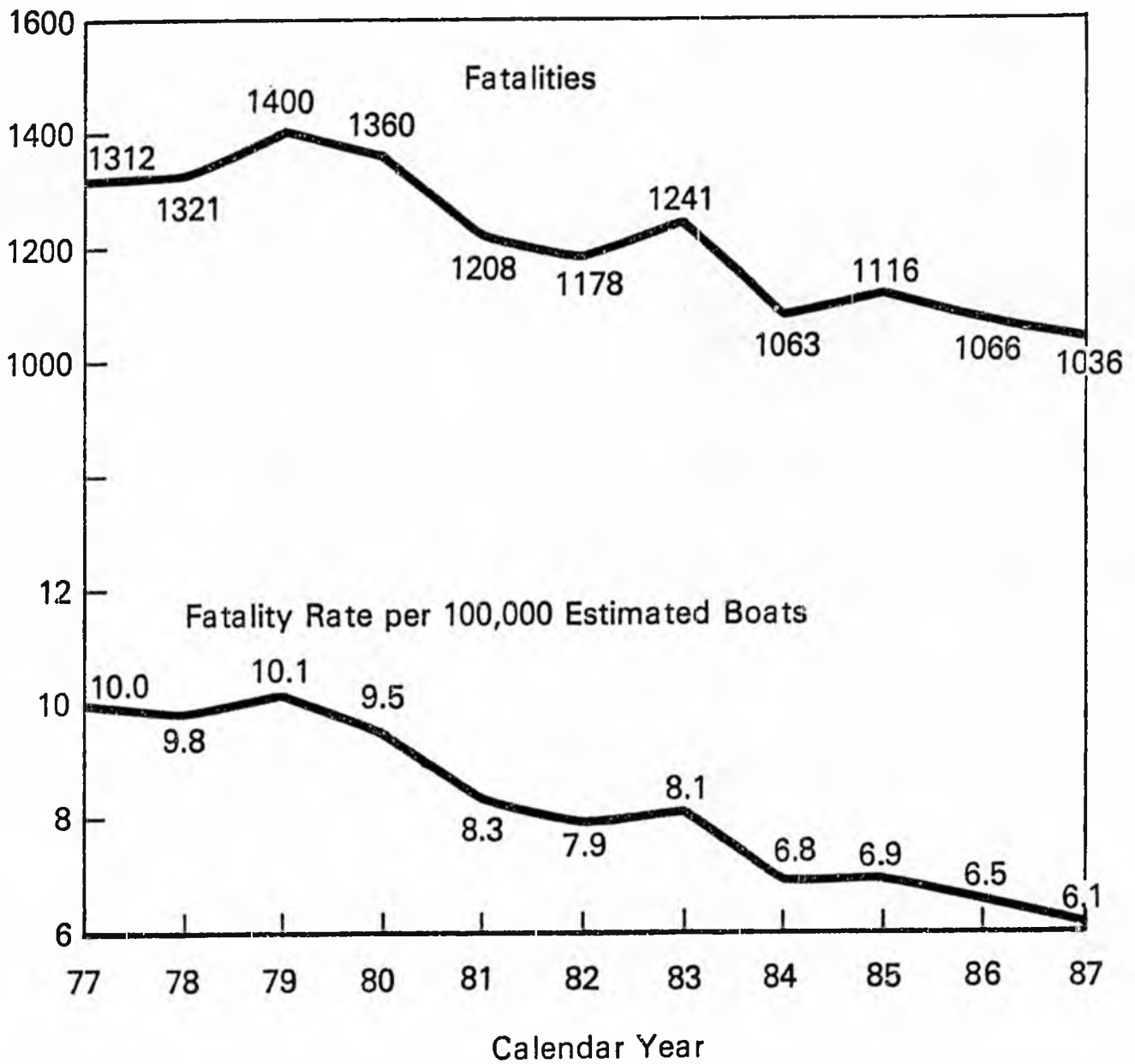
YEAR	WOOD		FIBERGLASS		ALUMINUM		STEEL		OTHER		TOTAL	
	OUTBOARD	INBOARD	OUTBOARD	INBOARD	OUTBOARD	INBOARD	OUTBOARD	INBOARD	OUTBOARD	INBOARD	OUTBOARD	INBOARD
<b>1983</b>												
<b>TOTAL BY PROPULSION</b>	<b>4.68</b>	<b>1.68</b>	<b>37.04</b>	<b>11.75</b>	<b>39.33</b>	<b>.96</b>	<b>.89</b>	<b>.17</b>	<b>2.91</b>	<b>.39</b>	<b>84.85</b>	<b>15.15</b>
<b>TOTAL BY HULL MATERIAL</b>	<b>6.56</b>		<b>48.79</b>		<b>40.29</b>		<b>1.06</b>		<b>3.30</b>			
<b>1984</b>												
<b>TOTAL BY PROPULSION</b>	<b>4.33</b>	<b>1.77</b>	<b>37.31</b>	<b>12.40</b>	<b>38.91</b>	<b>.89</b>	<b>.86</b>	<b>.16</b>	<b>2.90</b>	<b>.47</b>	<b>84.31</b>	<b>15.69</b>
<b>TOTAL BY HULL MATERIAL</b>	<b>6.10</b>		<b>49.71</b>		<b>39.80</b>		<b>1.02</b>		<b>3.37</b>			
<b>1985</b>												
<b>TOTAL BY PROPULSION</b>	<b>4.02</b>	<b>1.62</b>	<b>37.18</b>	<b>12.99</b>	<b>39.70</b>	<b>.73</b>	<b>.84</b>	<b>.16</b>	<b>2.52</b>	<b>.24</b>	<b>84.26</b>	<b>15.74</b>
<b>TOTAL BY HULL MATERIAL</b>	<b>5.64</b>		<b>50.17</b>		<b>40.43</b>		<b>1.00</b>		<b>2.76</b>			
<b>1986</b>												
<b>TOTAL BY PROPULSION</b>	<b>3.60</b>	<b>1.47</b>	<b>37.13</b>	<b>14.23</b>	<b>38.72</b>	<b>.76</b>	<b>.78</b>	<b>.15</b>	<b>2.86</b>	<b>.30</b>	<b>83.09</b>	<b>16.91</b>
<b>TOTAL BY HULL MATERIAL</b>	<b>5.07</b>		<b>51.36</b>		<b>39.48</b>		<b>.93</b>		<b>3.16</b>			

FATALITY RATE

The best available indicator of safety in recreational boating is the fatality rate, which relates the number of fatalities to the changing boat population. The Coast Guard's fatality rate is the number of reported fatalities per 100,000 recreational boats (estimated). The most meaningful fatality rate would be based on the exposure of boaters to the risks of boating, measured in passenger-hours, but such detailed, nationwide information is not available. The estimate of the number of boats in the United States is based on nationwide telephone surveys conducted by the Coast Guard for the years 1973 and 1976 and estimates of boat production and loss since then. The Coast Guard knows of no reliable scientific estimates of boats since 1976.

<u>YEAR</u>	<u>FATALITIES</u>	<u>ESTIMATE OF BOATS</u>	<u>FATALITY RATE</u>
1961	1218	5.85 Million	20.8 per 100,000 boats
1962	1114	5.95 "	18.7 "
1963	1167	6.05 "	19.3 "
1964	1192	6.20 "	19.2 "
1965	1360	6.35 "	21.4 "
1966	1318	6.50 "	20.3 "
1967	1312	6.65 "	19.7 "
1968	1342	6.85 "	19.6 "
1969	1350	7.10 "	19.0 "
1970	1418	7.40 "	19.2 "
1971	1582	7.85 "	20.2 "
1972	1437	8.50 "	16.9 "
1973	1754	9.60 "	18.3 "
1974	1446	10.75 "	13.5 "
1975	1466	11.80 "	12.4 "
1976	1264	12.75 "	9.9 "
1977	1312	13.15 "	10.0 "
1978	1321	13.50 "	9.8 "
1979	1400	13.90 "	10.1 "
1980	1360	14.30 "	9.5 "
1981	1208	14.60 "	8.3 "
1982	1178	14.90 "	7.9 "
1983	1241	15.30 "	8.1 "
1984	1063	15.70 "	6.8 "
1985	1116	16.10 "	6.9 "
1986	1066	16.50 "	6.5 "
1987	1033	16.90 "	6.1 "

## Recreational Boating Fatality Statistics (1977-1987)



TYPES OF CASUALTY	BOATING ACCIDENTS *																			
	TOTAL					FATAL					INJURY					PROPERTY DAMAGE				
	1983	1984	1985	1986	1987	1983	1984	1985	1986	1987	1983	1984	1985	1986	1987	1983	1984	1985	1986	1987
Grounding	274	352	356	367	451	11	2	9	8	7	87	93	74	81	128	176	251	271	274	316
Capsizing	663	663	623	628	660	357	300	286	302	283	124	131	122	103	121	182	232	211	231	256
Swamping/Flooding	242	206	247	289	254	78	41	59	69	50	24	13	11	21	33	140	152	171	191	171
Sinking	247	268	297	227	315	19	34	25	16	36	33	25	26	33	195	200	241	191	246	
Fire or Explosion of Fuel	344	347	319	379	394	8	4	14	6	6	115	107	103	101	115	221	236	221	265	273
Other Fire or Explosion	63	68	80	83	41	5	1	1	2	2	6	9	11	6	4	52	56	61	73	35
Collision with Another Vessel	1,792	1,905	2,123	2,108	2,288	80	53	69	71	66	549	576	574	566	752	1,163	1,292	1,491	1,471	1,470
Collision with Fixed Object	661	646	754	914	853	73	55	90	70	50	237	217	212	261	269	351	374	451	581	534
Collision with Floating Object	182	231	306	276	314	15	19	8	7	14	42	37	52	41	58	125	175	241	227	242
Falls Overboard	430	384	436	451	434	283	251	274	268	255	140	123	151	172	167	7	10	11	11	12
Falls within Boat	63	53	46	70	77	1	1	3	0	0	59	52	42	70	76	3	0	0	0	1
Struck by Boat or Propeller	126	89	111	117	119	18	8	15	16	12	109	79	95	130	107	1	2	0	1	0
Other Casualty; Unknown	480	488	517	418	546	85	87	85	75	73	293	276	331	326	407	102	123	101	67	66
<b>TOTAL</b>	<b>5,569</b>	<b>5,700</b>	<b>6,237</b>	<b>6,407</b>	<b>6,746</b>	<b>1,033</b>	<b>862</b>	<b>938</b>	<b>910</b>	<b>854</b>	<b>1,818</b>	<b>1,734</b>	<b>1,814</b>	<b>1,914</b>	<b>2,270</b>	<b>2,716</b>	<b>3,104</b>	<b>3,481</b>	<b>3,583</b>	<b>3,422</b>

TYPES OF CASUALTY	VESSELS INVOLVED IN ACCIDENTS *																			
	TOTAL					FATAL					INJURY					PROPERTY DAMAGE				
	1983	1984	1985	1986	1987	1983	1984	1985	1986	1987	1983	1984	1985	1986	1987	1983	1984	1985	1986	1987
Grounding	274	352	358	367	453	11	8	9	8	7	87	93	75	83	120	176	251	274	276	317
Capsizing	663	663	623	629	660	357	300	286	302	283	124	131	122	103	121	182	232	211	224	256
Swamping/Flooding	242	206	247	289	254	78	41	59	69	50	24	13	17	25	32	140	152	171	191	171
Sinking	247	268	297	227	315	19	34	25	16	36	33	25	29	33	195	200	241	191	246	
Fire or Explosion of Fuel	344	347	319	379	394	8	4	14	6	6	115	107	103	101	115	221	236	221	265	273
Other Fire or Explosion	63	68	80	83	41	5	1	1	2	2	6	9	11	6	4	52	56	61	73	35
Collision with Another Vessel	1,562	1,715	4,182	4,096	4,557	82	57	71	72	66	631	663	646	640	875	2,846	2,992	3,461	3,384	3,616
Collision with Fixed Object	661	646	754	914	853	73	55	90	70	50	237	217	212	261	269	351	374	451	581	534
Collision with Floating Object	182	231	306	276	314	15	19	8	7	14	42	37	52	42	58	125	175	241	227	242
Falls Overboard	433	384	436	451	435	283	251	274	268	255	140	123	151	172	167	10	10	11	11	13
Falls within Boat	64	53	46	72	77	1	1	3	0	0	59	52	42	70	76	3	0	0	0	1
Struck by Boat or Propeller	128	89	111	117	119	18	8	15	16	12	109	79	95	130	107	1	2	0	1	0
Other Casualty; Unknown	461	488	525	469	548	85	87	85	75	73	293	278	331	326	407	102	123	101	67	66
<b>TOTAL</b>	<b>7,344</b>	<b>7,510</b>	<b>8,305</b>	<b>8,199</b>	<b>9,120</b>	<b>1,035</b>	<b>866</b>	<b>940</b>	<b>911</b>	<b>854</b>	<b>1,901</b>	<b>1,827</b>	<b>1,888</b>	<b>1,986</b>	<b>2,394</b>	<b>4,406</b>	<b>4,617</b>	<b>5,437</b>	<b>5,501</b>	<b>5,772</b>

TYPES OF CASUALTY	RESULTS OF BOATING ACCIDENTS *														
	FATALITIES					INJURIES					AMOUNT OF DAMAGE (DOLLARS)				
	1983	1984	1985	1986	1987	1983	1984	1985	1986	1987	1983	1984	1985	1986	1987
Grounding	15	9	9	11	7	147	156	122	142	205	1,592,900	1,374,000	1,579,900	1,626,500	1,927,800
Capsizing	456	395	378	370	361	284	253	225	207	217	939,700	851,600	933,700	998,600	1,176,300
Swamping/Flooding	92	55	73	89	67	55	28	31	59	80	624,500	746,800	1,322,600	811,300	890,200
Sinking	26	51	31	28	55	54	43	47	37	73	1,091,600	1,335,800	1,348,100	925,800	2,489,300
Fire or Explosion of Fuel	9	4	16	6	6	222	187	193	171	183	3,066,900	5,734,000	3,803,900	4,084,700	4,469,600
Other Fire or Explosion	5	1	1	2	2	10	15	16	12	7	1,567,300	1,864,200	1,981,700	1,844,200	849,600
Collision with Another Vessel	102	70	79	86	80	991	1,003	993	972	1,307	3,571,100	4,425,900	5,203,100	4,957,900	5,893,200
Collision with Fixed Object	86	61	107	79	58	408	386	381	432	496	1,561,200	1,886,900	2,202,200	3,080,800	2,124,300
Collision with Floating Object	17	30	13	8	17	70	50	74	57	93	484,800	561,900	1,122,900	614,700	1,105,300
Falls Overboard	300	261	287	277	272	179	140	178	205	200	23,100	52,100	76,600	82,000	163,200
Falls within Boat	1	1	3	0	0	66	56	49	77	85	6,300	6,000	1,800	13,400	7,400
Struck by Boat or Propeller	18	8	16	16	12	113	79	98	133	115	3,900	1,600	4,600	1,600	9,000
Other Casualty; Unknown	112	117	103	94	99	314	297	350	343	440	395,500	352,100	458,000	316,200	298,500
<b>TOTAL</b>	<b>1,241</b>	<b>1,063</b>	<b>1,116</b>	<b>1,066</b>	<b>1,036</b>	<b>2,913</b>	<b>2,701</b>	<b>2,757</b>	<b>2,847</b>	<b>3,501</b>	<b>15,731,800</b>	<b>14,192,900</b>	<b>20,039,100</b>	<b>19,347,000</b>	<b>21,385,700</b>

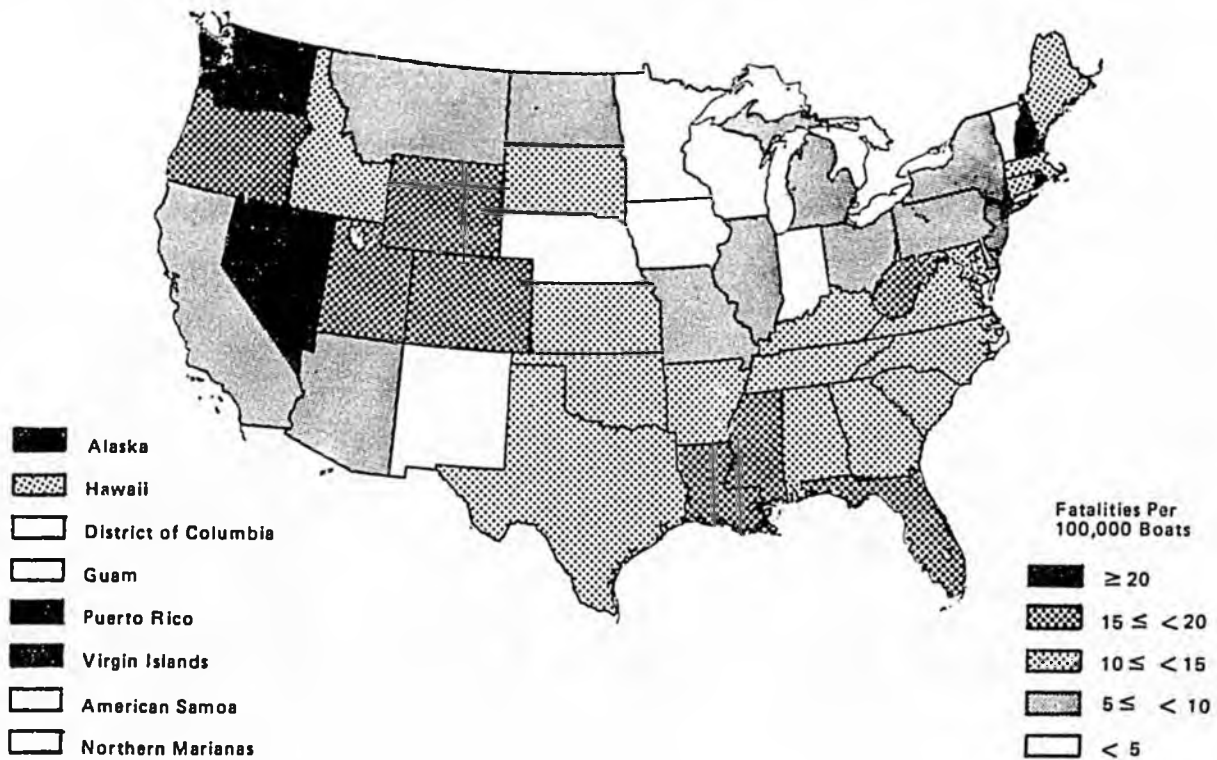
\* Note: We estimate that we receive reports of approximately 10% of all reportable accidents not involving fatalities.



## FIVE YEAR SUMMARY OF SELECTED ACCIDENT DATA BY STATE

	Total Number of Reported Accidents					Fatal Accidents					Fatalities				
	1983	1984	1985	1986	1987	1983	1984	1985	1986	1987	1983	1984	1985	1986	1987
	<b>TOTAL</b>	<b>5,569</b>	<b>5,700</b>	<b>6,237</b>	<b>6,407</b>	<b>6,746</b>	<b>1,033</b>	<b>862</b>	<b>930</b>	<b>910</b>	<b>854</b>	<b>1,241</b>	<b>1,063</b>	<b>1,116</b>	<b>1,066</b>
Alabama	134	157	75	185	152	28	29	24	21	18	34	43	30	22	21
Alaska	30	28	62	46	47	7	15	48	39	31	11	18	70	53	46
Arizona	106	65	131	166	180	13	5	6	10	5	15	7	6	12	6
Arkansas	30	25	39	36	41	13	9	10	13	15	15	10	11	17	15
California	648	791	869	741	905	73	69	60	57	45	95	93	76	68	54
Colorado	54	67	57	73	79	12	4	11	5	12	17	6	13	6	13
Connecticut	52	46	67	75	69	14	6	4	7	7	17	7	4	8	9
Delaware	32	17	20	21	24	3	0	1	2	3	4	0	2	3	4
Dist. of Col.	4	5	8	7	4	1	1	2	0	0	1	1	2	0	0
Florida	603	640	595	744	842	60	59	61	57	81	68	74	65	66	106
Georgia	116	101	151	116	134	32	11	31	16	24	37	15	34	16	30
Hawaii	41	42	41	54	62	2	6	2	3	1	3	8	5	3	2
Idaho	17	38	42	83	52	4	6	7	13	4	5	7	8	17	7
Illinois	93	141	108	88	60	16	27	27	16	14	16	33	30	21	15
Indiana	107	91	119	130	126	13	8	20	13	9	14	13	23	14	10
Iowa	47	41	43	55	42	7	5	7	7	7	11	6	9	8	8
Kansas	47	39	28	49	37	10	6	3	9	8	12	9	4	9	11
Kentucky	109	79	123	96	92	21	16	24	27	14	22	19	26	32	17
Louisiana	134	132	141	159	132	53	53	51	45	49	64	58	61	54	58
Maine	58	67	57	59	62	12	14	5	10	11	15	14	6	11	12
Maryland	180	200	187	161	194	19	16	18	11	18	25	24	18	12	20
Massachusetts	19	86	101	87	133	19	16	14	12	14	22	19	15	13	21
Michigan	409	313	405	396	435	58	32	45	51	49	66	37	52	57	55
Minnesota	126	125	150	165	161	22	20	23	22	17	23	24	25	31	18
Mississippi	81	72	83	81	72	30	30	32	24	20	33	37	41	26	23
Missouri	187	167	190	168	196	22	9	25	22	12	26	12	26	23	15
Montana	25	10	14	14	11	14	3	7	11	3	19	3	8	12	3
Nebraska	18	18	24	21	21	0	2	8	5	2	0	2	9	5	2
Nevada	88	73	57	54	85	8	2	3	6	4	11	3	4	7	8
New Hampshire	4	4	4	7	7	4	4	4	7	6	4	4	8	8	6
New Jersey	249	253	318	265	244	15	16	15	12	11	17	18	20	14	13
New Mexico	19	25	21	29	19	4	5	4	5	0	5	16	4	9	0
New York	342	245	302	277	300	53	37	42	35	28	60	45	53	42	37
North Carolina	108	102	107	130	102	25	32	30	24	22	31	38	39	27	28
North Dakota	32	12	5	11	11	2	4	1	0	2	2	5	1	0	3
Ohio	125	178	208	226	251	32	30	25	27	16	34	34	29	35	19
Oklahoma	57	58	71	78	52	18	12	13	14	17	19	15	17	19	26
Oregon	79	110	83	81	70	20	22	17	15	18	23	28	23	18	25
Pennsylvania	76	79	70	65	77	19	21	15	21	16	25	23	16	22	17
Rhode Island	38	38	46	52	49	3	2	6	3	4	3	2	6	3	5
South Carolina	93	76	86	78	109	33	29	16	30	29	41	35	18	33	20
South Dakota	11	16	13	23	17	3	4	1	3	2	4	6	1	3	4
Tennessee	89	70	76	78	86	22	23	20	25	22	29	26	23	29	26
Texas	236	261	283	312	300	86	64	65	66	72	104	74	72	76	83
Utah	86	110	129	100	91	14	4	4	8	5	16	4	5	8	8
Vermont	8	10	9	21	1	3	3	2	10	1	3	4	2	11	1
Virginia	100	76	101	107	100	24	20	17	19	17	36	22	18	21	19
Washington	72	121	162	147	171	22	21	31	16	33	32	29	38	20	36
West Virginia	23	24	23	25	27	8	5	6	6	7	9	5	7	6	7
Wisconsin	134	137	97	126	162	36	20	19	23	18	42	23	21	24	20
Wyoming	5	9	19	11	14	0	2	3	5	3	0	2	6	8	4
Guam	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Puerto Rico	5	6	5	2	24	1	2	3	0	6	1	2	6	0	8
Virgin Islands	3	4	12	18	12	0	1	0	2	2	0	1	0	4	3
America Samoa	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
N. Marianas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

## Fatalities Per Numbered Boat 1987




## Fatalities (1 Dot Each) 1987




Dots Are Placed Randomly in the County of Occurrence.  
Large Dots Show High Ratio of Fatalities to County Area.

## ACCIDENT DATA BY STATE \*

 1987	NUMBER OF ACCIDENTS				NUMBER OF VESSELS INVOLVED IN ACCIDENTS				NUMBER OF PERSONS		AMOUNT OF DAMAGE (DOLLARS)
	TOTAL	FATAL	NON-FATAL INJURY	PROPERTY DAMAGE ONLY	TOTAL	FATAL	NON-FATAL INJURY	PROPERTY DAMAGE ONLY	KILLED	INJURED NON-FATAL	
	<b>TOTAL</b>	6,746	854	2,270	3,622	9,020	854	2,394	5,772	1,036	
Alabama	152	18	50	84	175	18	54	103	21	81	295,200
Alaska	47	31	1	15	51	31	1	19	46	2	176,600
Arizona	180	5	97	78	259	5	100	154	6	135	364,800
Arkansas	41	15	14	12	53	15	14	24	15	21	46,700
California	905	45	285	575	1,299	45	209	965	54	325	3,381,600
Colorado	79	12	22	45	102	12	24	66	13	30	122,100
Connecticut	69	7	28	34	108	7	31	70	9	45	508,400
Delaware	24	3	7	14	27	3	7	17	4	16	137,300
Dist. of Col.	4	0	0	4	6	0	0	6	0	0	3,000
Florida	842	81	304	457	1,135	81	332	722	106	526	3,211,700
Georgia	134	24	43	67	168	24	45	99	30	65	212,000
Hawaii	62	1	13	48	76	1	13	62	2	18	720,200
Idaho	52	4	16	32	69	4	16	49	7	26	125,000
Illinois	60	14	19	27	86	14	19	53	15	35	151,300
Indiana	126	9	58	59	187	9	61	117	10	76	302,600
Iowa	42	7	21	14	55	7	21	27	8	35	88,400
Kansas	37	8	15	14	40	8	15	17	11	22	48,900
Kentucky	92	14	32	46	123	14	32	77	17	46	251,400
Louisiana	132	49	42	41	159	49	47	63	58	88	309,800
Maine	62	11	19	32	79	11	20	48	12	32	283,900
Maryland	194	18	63	113	277	18	63	196	20	84	1,159,700
Massachusetts	133	14	33	86	168	14	36	118	21	48	284,800
Michigan	435	49	156	230	565	49	165	351	55	205	821,800
Minnesota	161	17	74	70	214	17	75	122	18	99	265,200
Mississippi	72	20	28	24	86	20	29	37	23	44	195,900
Missouri	196	12	65	119	246	12	66	168	15	102	455,000
Montana	11	3	3	5	12	3	3	6	3	4	13,900
Nebraska	21	2	14	5	30	2	16	12	2	18	21,900
Nevada	85	4	27	54	115	4	29	82	8	43	238,100
New Hampshire	7	6	0	1	7	6	0	1	6	4	2,200
New Jersey	244	11	91	142	326	11	97	218	13	139	862,800
New Mexico	19	0	6	13	23	0	6	17	0	6	120,000
New York	300	28	113	159	431	28	121	282	37	206	1,628,300
North Carolina	102	22	39	41	127	22	40	65	28	52	335,800
North Dakota	11	2	6	3	16	2	6	8	3	10	14,800
Ohio	251	16	44	191	323	16	44	263	19	78	799,100
Oklahoma	52	17	17	18	68	17	18	33	26	27	63,900
Oregon	70	18	22	30	90	18	24	48	25	43	223,100
Pennsylvania	77	16	28	33	104	16	30	58	17	37	187,400
Rhode Island	49	4	10	35	75	4	11	60	5	21	215,300
South Carolina	109	29	35	45	132	29	38	65	29	63	142,800
South Dakota	17	2	8	7	22	2	8	12	4	10	17,400
Tennessee	86	22	30	34	115	22	33	60	26	54	237,400
Texas	300	72	60	168	381	72	69	240	83	131	712,500
Utah	91	5	25	61	118	5	26	87	8	41	162,900
Vermont	1	1	0	0	1	1	0	0	1	0	0
Virginia	100	17	35	48	129	17	36	76	19	60	317,700
Washington	171	33	53	85	238	33	57	148	36	93	492,600
West Virginia	27	7	13	7	31	7	14	10	7	25	44,900
Wisconsin	162	18	70	74	225	18	77	130	20	104	324,400
Wyoming	14	3	5	6	22	3	5	14	4	6	19,300
Guam	0	0	0	0	0	0	0	0	0	0	0
Puerto Rico	24	6	9	9	31	6	9	16	8	16	168,300
Virgin Islands	12	2	2	8	15	2	2	11	3	4	95,600
American Samoa	0	0	0	0	0	0	0	0	0	0	0
Northern Marianas	0	0	0	0	0	0	0	0	0	0	0

\* Note: We estimate that we receive reports of approximately 10% of all reportable accidents not involving fatalities.

**TYPES OF ACCIDENTS BY STATE <sup>1/</sup>**


 1987	NUMBER OF VESSELS INVOLVED														VICTIMS		
	TOTAL VESSELS INVOLVED	GROUNDING	CAPSIZING	FLOODING <sup>2/</sup>	SINKING	FIRE OR EXPLOSION OF FUEL	OTHER FIRE OR EXPLOSION	COLLISION WITH ANOTHER VESSEL	COLLISION WITH FIXED OBJECT	STRIKING FLOATING OBJECT	FALLS OVERBOARD	FALLS WITHIN BOAT	STRUCK BY PROPELLER	OTHER <sup>3/</sup> CASUALTIES	DROWNINGS	OTHER DEATHS	INJURIES
<b>TOTAL VESSELS INVOLVED</b>	<b>9,020</b>	<b>453</b>	<b>660</b>	<b>254</b>	<b>315</b>	<b>394</b>	<b>41</b>	<b>4,557</b>	<b>853</b>	<b>314</b>	<b>435</b>	<b>77</b>	<b>119</b>	<b>548</b>	<b>891</b>	<b>145</b>	<b>3,501</b>
Alabama	175	5	6	13	7	15	0	48	32	23	14	2	3	7	20	1	81
Alaska	51	5	8	2	0	4	1	8	1	2	9	0	0	11	43	3	2
Arizona	259	21	9	9	6	5	1	156	9	2	8	2	3	28	5	1	135
Arkansas	53	1	6	4	0	2	0	26	4	1	5	0	1	3	14	1	21
California	1,299	60	64	33	45	35	9	785	62	27	29	6	15	129	44	10	325
Colorado	102	2	16	9	8	4	0	45	7	0	6	0	2	3	12	1	10
Connecticut	108	4	9	1	1	1	0	76	6	1	2	2	0	5	8	1	45
Delaware	27	2	1	0	2	1	0	6	10	3	1	1	0	0	3	1	16
Dist. of Col.	6	0	0	0	0	0	0	5	1	0	0	0	0	0	0	0	0
Florida	1,135	43	63	27	37	48	12	606	157	31	38	19	15	39	85	21	526
Georgia	168	14	18	4	6	5	0	70	24	5	13	0	3	6	26	4	65
Hawaii	76	11	6	3	2	3	1	29	5	6	0	1	1	8	2	0	18
Idaho	69	3	6	3	5	3	0	33	6	7	1	0	1	1	5	2	26
Illinois	86	3	6	2	2	1	0	52	2	11	0	2	3	13	2	35	
Indiana	187	3	10	5	11	9	0	113	6	2	9	0	7	12	9	1	76
Iowa	55	2	4	2	2	3	0	26	4	3	4	1	0	4	6	2	35
Kansas	40	6	8	2	5	3	0	5	0	3	2	0	1	5	8	3	22
Kentucky	123	9	7	4	5	7	2	62	6	5	5	2	2	7	15	2	46
Louisiana	159	2	15	5	8	7	1	54	24	10	22	0	3	8	48	10	88
Maine	79	3	6	5	1	8	0	35	5	4	6	1	1	4	11	1	32
Maryland	277	5	11	2	12	10	1	167	22	13	14	4	2	14	18	2	84
Massachusetts	168	16	11	4	2	7	0	70	22	22	7	0	1	6	21	0	48
Michigan	565	45	47	10	22	22	0	260	47	8	25	8	17	54	45	10	205
Minnesota	214	7	14	5	4	16	3	105	8	2	22	1	3	24	16	2	99
Mississippi	86	1	17	0	5	8	0	28	6	4	12	0	0	5	21	2	44
Missouri	246	12	15	10	10	18	0	100	33	13	14	1	2	18	8	7	102
Montana	12	1	0	1	0	1	0	2	4	1	1	0	0	1	3	0	4
Nebraska	30	1	1	0	1	0	0	18	4	0	0	0	1	4	0	2	18
Nevada	115	9	9	8	7	6	0	60	6	1	1	0	3	5	8	0	43
New Hampshire	7	1	1	1	0	0	0	0	1	0	1	0	0	2	5	1	4
New Jersey	326	15	21	14	8	24	2	164	29	8	9	6	3	23	11	2	139
New Mexico	23	0	4	3	0	2	0	9	1	0	0	1	0	3	0	0	6
New York	431	22	25	15	10	17	2	256	36	12	11	6	3	16	32	5	206
North Carolina	127	1	13	4	7	7	0	49	22	3	13	1	1	6	22	6	52
North Dakota	16	1	4	0	0	0	0	9	0	0	1	0	0	1	3	0	10
Ohio	323	31	28	10	20	17	0	150	41	8	5	1	0	12	18	3	78
Oklahoma	68	0	7	3	2	4	1	34	3	1	7	0	1	5	24	2	27
Oregon	90	3	21	2	4	5	0	40	6	4	1	0	0	4	23	2	43
Pennsylvania	104	4	8	2	4	5	0	55	9	3	5	0	2	7	15	2	37
Rhode Island	75	1	5	1	3	2	1	52	5	2	2	0	1	0	5	0	21
South Carolina	132	11	16	2	2	4	0	45	28	6	11	0	2	5	26	3	63
South Dakota	22	1	3	1	0	0	1	11	3	0	1	0	1	0	4	0	10
Tennessee	115	4	13	4	2	6	1	59	8	5	8	1	2	2	21	5	54
Texas	381	5	27	5	14	8	0	163	77	30	37	0	3	12	67	16	131
Utah	118	18	5	5	8	4	0	52	15	2	4	0	1	4	8	0	41
Vermont	1	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0
Virginia	129	10	15	0	6	9	1	55	8	5	9	3	2	6	17	2	60
Washington	238	11	25	5	6	10	1	132	12	16	10	2	1	7	35	1	93
West Virginia	31	2	4	0	0	3	0	10	3	3	3	1	0	2	6	1	25
Wisconsin	225	9	14	3	1	12	0	125	20	5	14	4	2	16	18	2	104
Wyoming	22	2	4	0	0	0	0	14	1	0	1	0	0	0	3	1	6
Guam	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Puerto Rico	31	1	1	1	2	2	0	16	1	0	1	0	5	1	7	1	16
Virg'n Islands	15	4	2	0	0	1	0	7	1	0	0	0	0	0	3	0	4
American Samoa	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Northern Marianas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

<sup>1/</sup> We estimate that we receive reports of approximately 10% of all reportable accidents not involving fatalities. Type of accident refers only to the first event that occurred. Some accidents involve more than one event. A grounding followed by a sinking is counted only as a grounding even though the sinking may have directly led to a fatality.


<sup>2/</sup> Includes swamping.

<sup>3/</sup> Includes unknowns.

**JURISDICTION OF BOATING ACCIDENTS BY STATE \***


 1987	ALL REPORTED ACCIDENTS		FATAL ACCIDENTS		FATALITIES		VESSELS INVOLVED	
	EXCLUSIVE STATE	JOINT FEDERAL - STATE	EXCLUSIVE STATE	JOINT FEDERAL - STATE	EXCLUSIVE STATE	JOINT FEDERAL - STATE	EXCLUSIVE STATE	JOINT FEDERAL - STATE
<b>TOTALS</b>	1,787	3,864	402	443	462	563	2,360	5,137
	5,651		845		1,025		7,497	
Alabama	15	114	3	15	3	18	22	129
Alaska	0	47	0	31	0	46	0	51
Arizona	24	152	1	4	1	5	33	220
Arkansas	10	21	10	5	10	5	10	29
California	344	384	20	25	22	32	478	559
Colorado	78	1	11	1	12	1	101	1
Connecticut	12	45	5	2	7	2	17	73
Delaware	0	16	0	3	0	4	0	17
Dist. of Col.	0	4	0	0	0	0	0	6
Florida	65	567	33	47	38	67	74	763
Georgia	14	101	9	14	10	19	16	130
Hawaii	1	61	0	1	0	2	1	75
Idaho	18	34	2	2	3	4	23	46
Illinois	18	35	5	9	5	10	28	48
Indiana	101	13	5	4	6	4	153	15
Iowa	17	19	4	3	5	3	25	23
Kansas	34	0	8	0	11	0	37	0
Kentucky	13	70	7	7	7	10	15	95
Louisiana	37	67	21	27	26	31	44	81
Maine	9	5	9	1	10	1	9	5
Maryland	8	185	2	16	2	18	10	266
Massachusetts	13	58	7	6	9	9	16	72
Michigan	162	271	30	18	32	22	208	355
Minnesota	66	34	14	3	14	4	85	42
Mississippi	19	38	9	11	11	12	22	45
Missouri	44	130	5	7	7	8	51	167
Montana	5	5	2	1	2	1	5	6
Nebraska	14	2	2	0	2	0	21	3
Nevada	9	75	2	2	6	2	12	102
New Hampshire	6	1	5	1	5	1	6	1
New Jersey	19	221	4	7	5	8	24	296
New Mexico	5	6	0	0	0	0	6	7
New York	86	159	9	18	10	26	126	229
North Carolina	44	57	10	12	11	17	58	68
North Dakota	7	3	2	0	3	0	9	5
Ohio	35	185	8	8	10	9	50	226
Oklahoma	34	10	12	5	18	8	45	12
Oregon	24	46	6	12	7	18	31	59
Pennsylvania	33	41	6	10	7	10	48	53
Rhode Island	8	7	4	0	5	0	10	11
South Carolina	25	73	10	19	10	19	31	85
South Dakota	10	3	2	0	4	0	11	4
Tennessee	16	64	7	13	8	16	21	87
Texas	152	73	54	18	57	26	193	93
Utah	31	54	3	2	3	5	45	63
Vermont	0	1	0	1	0	1	0	1
Virginia	18	82	4	13	4	15	19	110
Washington	19	117	8	25	9	27	23	164
West Virginia	6	14	4	3	4	3	6	15
Wisconsin	53	56	16	2	18	2	73	77
Wyoming	6	2	2	1	3	1	9	2
Guam	0	0	0	0	0	0	0	0
Puerto Rico	0	24	0	6	0	8	0	31
Virgin Islands	0	11	0	2	0	3	0	14
American Samoa	0	0	0	0	0	0	0	0
N. Marianas	0	0	0	0	0	0	0	0

\* This table includes statistics for only those accidents for which a determination of jurisdiction of waters could be made from available information. We estimate that we receive reports of approximately 10% of all reportable accidents not involving fatalities.


TYPE OF ACCIDENT *		
	<b>1987</b>	
	TOTAL VESSELS INVOLVED	FATALITIES
<b>TOTALS</b>	9,020	1,036
Grounding	453	7
Capsizing	660	361
Swamping/Flooding	254	67
Sinking	315	55
Fire/Explosion (fuel)	394	6
Fire/Explosion (other)	41	2
Collision with another vessel	4,557	80
Collision with fixed object	853	58
Collision with floating object	314	17
Falls overboard	435	272
Falls within boat	77	0
Struck by boat or propeller	119	12
Other	502	38
Unknown	46	61

\* Type of accident refers only to the first event that occurred. Some accidents involve more than one event, e.g., a grounding followed by a sinking is included here only as a grounding even though the sinking may have directly led to a drowning fatality.


We estimate that we receive reports of approximately 10% of all reportable accidents not involving fatalities.

CAUSES OF ACCIDENTS *		
 1987	TOTAL VESSELS INVOLVED	FATALITIES
<b>TOTALS</b>	9,020	1,036
<b>LOADING OF PASSENGERS OR GEAR</b>		
Overloading	108	65
Improper weight distribution	74	46
Sitting on gunwale, transom, bow, or back of seat	24	9
Movement of passengers	10	9
Hoisting or lowering of anchor	1	0
Leaning over edge of boat, moving, or standing	78	42
<b>FREE WATER IN BOAT</b>		
Water entered over gunwale, bow, or transom	39	3
Water entered through hull	96	3
<b>EQUIPMENT</b>		
Fuel system	55	2
Electrical system	48	1
Auxiliary power or heat equipment	11	1
Steering, throttle, or other non-power equipment	463	7
Improper navigation lights	55	8
Starting in gear	3	3
<b>OPERATION OF VESSEL</b>		
High speed maneuver or acceleration	41	22
Improper lookout	2,084	45
View obstructed	68	1
Inattention or carelessness	413	162
Other violations of the Rules of the Road	92	0
Speeding	282	35
Navigational error	288	3
<b>ENVIRONMENT</b>		
wake or wave striking vessel	174	28
Strong current, rough waters	562	201
Slippery surface or deck	4	0
Poor visibility	4	0
Submerged object	650	21
<b>OTHER VESSEL AT FAULT</b>	1,813	28
<b>IGNITION OF SPILLED FUEL OR VAPOR</b>	94	1
<b>OTHER</b>	1,142	69
<b>UNKNOWN</b>	244	221


\* Note: We estimate that we receive reports of approximately 10% of all reportable accidents not involving fatalities.

OPERATION AT TIME OF ACCIDENT *		
 1987	TOTAL VESSELS INVOLVED	FATALITIES
<b>TOTALS</b>	<b>9,020</b>	<b>1,036</b>
Cruising	4,470	366
Cruising, fishing	239	18
Cruising, hunting	3	0
Cruising, sailing	23	11
Maneuvering	250	20
Maneuvering, docking	346	0
Maneuvering, undocking	72	0
Maneuvering, mooring	0	0
Maneuvering, for towing	1	0
Water skiing	818	35
Water skiing, maneuvering with skier down	1	1
Racing	49	2
Towing	96	1
Being towed	44	3
Drifting	603	128
Drifting, fishing	306	232
Drifting, hunting	5	6
Drifting, diving or swimming	1	0
Drifting, fueling	2	0
At anchor	344	27
At anchor, fishing	76	18
At anchor, hunting	0	0
At anchor, diving or swimming	2	1
At anchor, fueling	18	0
Tied to dock	771	12
Tied to dock, fueling	31	2
Other	303	18
Unknown	146	135

\* Note: We estimate that we receive reports of approximately 10% of all reportable accidents not involving fatalities.


VESSEL INFORMATION *			
 <b>1987</b>		<b>TOTAL VESSELS INVOLVED</b>	<b>FATALITIES</b>
<b>TOTALS</b>		9,020	1,036
<b>TYPE OF BOAT</b>	Open motorboat Cabin motorboat Auxiliary sailboat Sailboat only Rowboat Canoe or kayak Inflatable boat Houseboat Other Unknown	4,624 1,605 650 174 130 104 50 105 672 906	546 84 27 21 103 78 34 10 21 112
<b>HULL MATERIAL</b>	Wood Aluminum Steel Fiberglass Rubber, vinyl, canvas Other Unknown	483 918 28 6,466 60 26 969	55 346 12 440 34 0 149
<b>PROPULSION</b>	Outboard Inboard gasoline Inboard diesel Inboard-outboard Jet Sail Manual (oars, paddle) Other Unknown	3,495 1,364 419 1,852 354 209 256 36 1,035	526 46 12 49 8 23 216 2 154
<b>HORSEPOWER</b>	No Engine 10 hp or less 11-25 hp 26-75 hp Over 75 hp Unknown	427 404 413 1,367 4,502 1,907	238 108 79 142 204 265
<b>YEAR BUILT</b>	1987 1986 1984-1985 1982-1983 1979-1981 1974-1978 Prior to 1974 Unknown	821 770 951 529 738 1,405 1,698 2,108	30 42 54 51 43 126 136 554
<b>LENGTH</b>	Less than 16 feet 16 feet to less than 26 feet 26 feet to less than 40 feet 40 feet to not more than 65 feet More than 65 feet Unknown	1,559 4,697 1,165 346 17 1,236	431 373 52 6 0 174

\* Note: We estimate that we receive reports of approximately 10% of all reportable accidents not involving fatalities.

OPERATOR INFORMATION *			
 <b>1987</b>		TOTAL VESSELS INVOLVED	FATALITIES
AGE OF OPERATOR	Under 12 years	25	1
	12 to 18 years	423	47
	19 to 25 years	1,173	151
	26 to 50 years	4,522	476
	Over 50 years	1,269	186
	Unknown	1,114	175
	No operator	494	0
OPERATOR'S EXPERIENCE	Less than 20 hours	775	115
	20 to 100 hours	1,392	137
	100 to 500 hours	1,855	141
	Over 500 hours	2,559	159
	Unknown	1,943	484
	No operator	496	0
NUMBER OF PERSONS ON BOARD	None	494	0
	One	1,424	184
	Two	2,367	370
	Three	1,375	171
	Four	1,184	125
	Five	561	39
	Six	349	15
	Seven	135	26
	Eight	104	6
	Nine	48	3
	Ten	33	7
	More than 10	40	2
Unknown	906	88	
1/ FORMAL INSTRUCTION OF OPERATOR	USCG Auxiliary	986	14
	US Power Squadron	485	11
	American Red Cross	211	8
	State	205	5
	Other	909	62
	None	3,864	422
	Unknown	1,971	514
	No operator	489	0
2/ FAULT 2/ OF OPERATOR	Did contribute	4,340	555
	Did not contribute	4,227	221
	Not determined	453	260
PERSONAL FLOTATION DEVICES (PFD'S)	Insufficient or no PFD's on board	204	200
	Approved, accessible, used	2,105	106
	Approved, accessible, not used	4,030	381
	Approved, not accessible	386	9
	Not approved, accessible, used	9	0
	Not approved, not accessible, not used	4	2
	Not approved, not accessible	0	0
	Other	0	0
	Unknown	2,282	338


\* Note: We estimate that we receive reports of approximately 10% of all reportable accidents not involving fatalities.

- 1/ The statement "Formal Instruction of Operator" implies that some education has been received not necessarily that a course was successfully completed.
- 2/ Operator fault is largely a subjective judgment. If at any point in the chain of events leading up to an accident, the operator, by action or inaction, contributes to the casualty then the accident is coded, "Fault of operator did contribute." If an accident occurs because of factors outside the control of the operator, then the accident is coded, "Fault of operator did not contribute."

WEATHER AND WATER CONDITIONS *			
		1987	
		TOTAL VESSELS INVOLVED	FATALITIES
TOTALS		9,020	1,036
TYPE OF BODY OF WATER			
	Ocean/Gulf	428	56
	Great Lakes (not tributaries)	192	33
	Bays, inlets, sounds, harbors, Intracoastal waterways	1,707	166
	Rivers, streams, creeks	2,078	269
	Lakes, ponds, reservoirs, dams, gravel pits	4,326	499
	Other	162	2
	Unknown	127	11
WATER CONDITIONS			
	Calm	4,776	387
	Choppy	2,710	206
	Rough	661	127
	Very Rough	317	76
	Strong Current	276	102
	Unknown	280	138
WIND			
	None	1,310	126
	Light	4,260	376
	Moderate	2,076	198
	Strong	767	111
	Storm	215	64
	Unknown	392	161
VISIBILITY <sup>1/</sup>			
	Good	7,013	631
	Fair	377	92
	Poor	142	29
	Dark	1,132	143
	Unknown	256	141
WATER TEMPERATURE			
	Below 40°F	27	0
	40-49°F	315	127
	50-59°F	777	134
	60-69°F	1,917	142
	70-79°F	2,688	205
	80-89°F	1,082	66
	90° and above	50	1
	Unknown	2,164	341

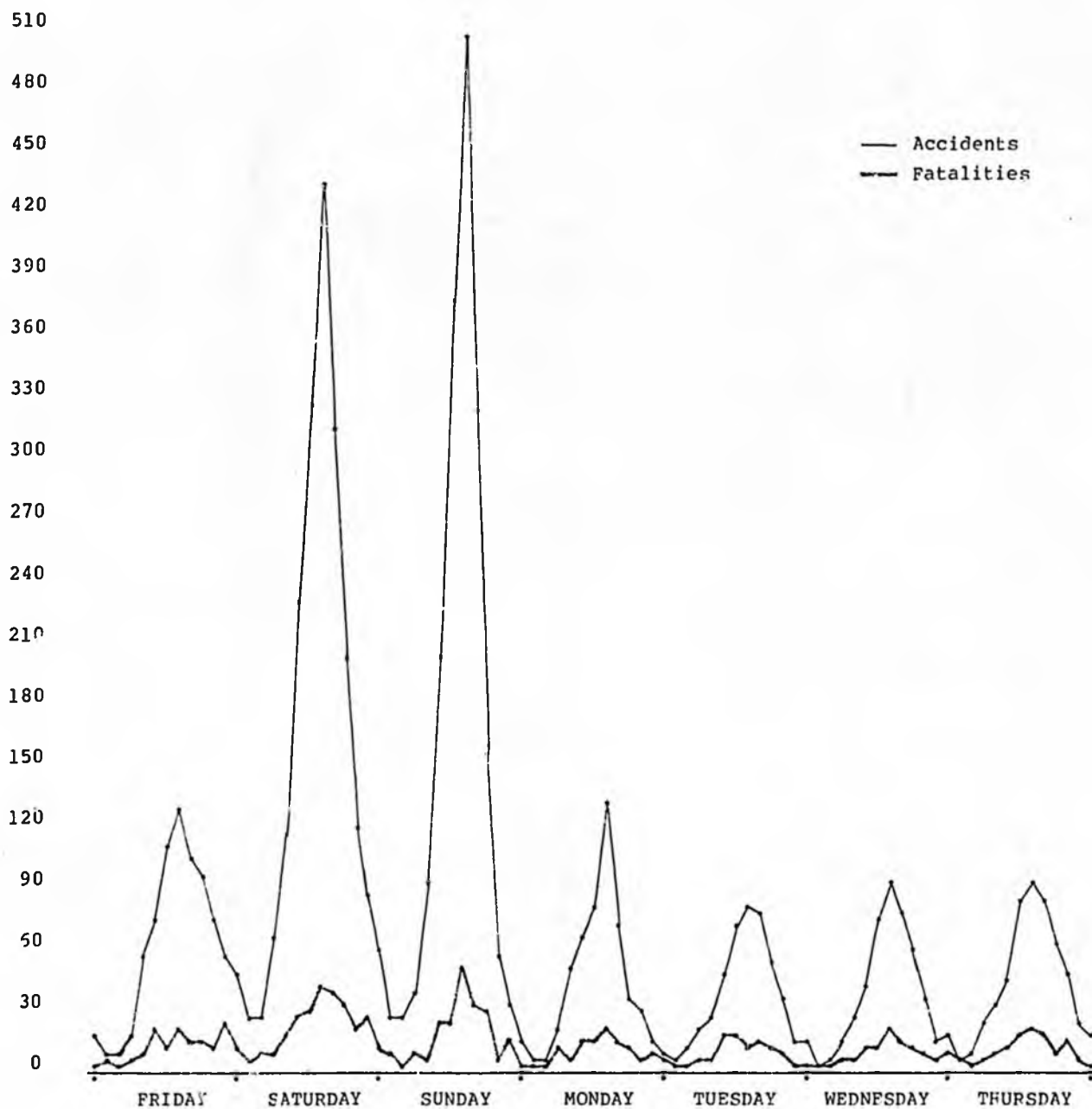
\* Note: We estimate that we receive reports of approximately 10% of all reportable accidents not involving fatalities.

<sup>1/</sup> Accidents are now coded "dark" when they occur at night even if the visibility is reported "good," "fair," or "poor."

MISCELLANEOUS DATA *			
 <b>1987</b>		TOTAL VESSELS INVOLVED	FATALITIES
TOTALS		9,020	1,036
TIME OF DAY	Midnight to 2:30 am	221	32
	2:30 am to 4:30 am	77	12
	4:30 am to 6:30 am	93	9
	6:30 am to 8:30 am	224	31
	8:30 am to 10:30 am	484	42
	10:30 am to 12:30 pm	900	105
	12:30 pm to 2:30 pm	1,486	109
	2:30 pm to 4:30 pm	1,995	164
	4:30 pm to 6:30 pm	1,414	131
	6:30 pm to 8:30 pm	883	99
	8:30 pm to 10:30 pm	534	53
	10:30 pm to midnight	304	70
	Unknown	405	179
MONTH OF YEAR	January	135	36
	February	198	33
	March	331	97
	April	581	131
	May	1,315	143
	June	1,497	129
	July	2,051	162
	August	1,556	126
	September	726	63
	October	313	46
	November	175	41
	December	142	29
	Unknown	0	0
DAY OF WEEK	Friday	1,001	136
	Saturday	2,808	280
	Sunday	2,713	237
	Monday	663	96
	Tuesday	566	190
	Wednesday	584	83
	Thursday	685	104
	Unknown	0	0
RENTED	Boat was rented	426	48
	Boat was not rented	7,576	830
	Unknown	1,018	158

\* Note: We estimate that we receive reports of approximately 10% of all reportable accidents not involving fatalities.

FATALITIES AND ACCIDENTS DURING THE WEEK  
 1987  
 (Plotted at two-hour increments)



Fatalities (179) and accidents (340) occurring at unknown times are not included. The day of occurrence of all accidents is known.

## U. S. COAST GUARD AUXILIARY

A civilian volunteer, non-military organization, the Coast Guard Auxiliary was established by Congress to promote safety in recreational boating in the United States. Its approximately 39,000 members are experienced boaters, amateur radio operators, or licensed aircraft pilots. Auxiliarists' boats must be equipped and maintained to high standards of safety which exceed the requirements of federal law for recreational motorboats. In the operation of their craft, Auxiliarists take pride in the fact that they are known for the promotion of safe boating by setting a good example. To accomplish its purpose the Auxiliary carries out three basic programs: Courtesy Marine Examination (CME), Public Education and Operations.

Courtesy Marine Examination (CME). Specially-trained members of the Auxiliary are authorized to conduct Courtesy Marine Examinations of recreational boats upon consent of the owners or operators. This is a check of the boat's safety equipment covering both the requirements of federal and state law and certain additional criteria for safety which have been adopted by the Auxiliary. Boats meeting these criteria are awarded the respected Auxiliary CME decal "Seal of Safety." If a boat does not pass the examination, the owner is advised of the deficiencies and no report is made to any law enforcement official. This examination is in effect a form of boater education - a one to one exchange of boating safety information.

Public Education. The Auxiliary offers to the public an array of boating safety courses, each tailored to a specific need. There are courses for sailors and power boaters - novices and experts. They are taught by experienced members using slides, movies, and demonstrations. The multi-lesson "Sailing and Seamanship" and the "Boating Skills and Seamanship" courses cover basic knowledge of Aids to Navigation, Rules of the Road, Boat Handling, Legal Requirements, Marine Engines, Marlinspike Seamanship, Communications, Weather, Locks and Dams, and more. Boaters are also offered a multi-lesson "Advanced Coastal Navigation" course. Youngsters can also enjoy the "Water'N Kids" coloring book presentation.

Operations. To assist the U. S. Coast Guard, members of the Auxiliary perform rescue and assistance missions, patrol regattas and marine events, and add a large measure of safety to the nation's waterways by their safety patrols. These Auxiliary operations are often performed in conjunction with regular Coast Guard units.

The Coast Guard Auxiliary reports the following achievements in calendar year 1987:

Persons enrolled in public safe boating courses . . . . .	297,187
Courtesy Marine Examinations conducted . . . . .	280,664
Safety patrols . . . . .	24,096
Support missions for Coast Guard . . . . .	31,292
Assists to the public. . . . .	9,426
Regatta patrols. . . . .	2,211
Persons assisted . . . . .	24,644
Lives saved. . . . .	437
Value of property saved/assisted . . . . .	\$134,954,000

Membership. Men and women interested in the these programs are encouraged to apply for membership in the Auxiliary. For further information please contact the nearest Coast Guard or Auxiliary unit, write to Commandant (G-NAB), U. S. Coast Guard Headquarters, Washington, D. C. 20593-0001, or call (800) 368-5647.

#### BOATING SAFETY EDUCATION

The Coast Guard supports a national program to educate the public in safe boating practices. It serves as the focal point for information for all government agencies, Federal and State, and national non-profit organizations with boating programs. As a part of this process, organizations are encouraged to share information and resources to develop and conduct programs to promote boating safety.

The Boating Safety Education Branch serves as the liaison with national organizations and coordinates events with the National Safe Boating Council such as the National Boating Education Seminar and the National Safe Boating Week Campaign. Such programs are designed to keep boating educators current and to foster a greater awareness of boating safety issues on the part of the boating public. In addition, a similar liaison is conducted with State agencies through the National Association of State Boating Law Administrators Education Committee. The National Boating Safety Course at the Reserve Training Center at Yorktown, Virginia is offered to train State enforcement and education personnel.

Education materials are developed and distributed through the network of Federal, national, and State organizations. Schools, civic groups, and local boating organizations are encouraged to contact Coast Guard District Boating Offices, the Coast Guard Auxiliary and their State Boating Education Coordinator for assistance in planning and organizing a boating safety presentation or program. Individuals seeking safety information should call the Boating Safety Hotline, 800 368-5647.

## BOATING SAFETY AND PRODUCT ASSURANCE

The Recreational Boating Safety Program ensures that boats sold to the public meet Coast Guard regulations by monitoring the activities of the recreational boat builder through a Coast Guard factory inspection program and testing sample boats purchased on the open market. Manufacturers are required to correct any boats found to be in violation of the regulations.

Some boats and marine products are found to have defects which create a substantial risk of personal injury to the public. Such defects are required to be repaired or corrected at the boat manufacturers' expense. Most of the defects investigated to date have been reported voluntarily by the manufacturers. Consumer complaints are also investigated and can result in an order for a manufacturer to repair a defect. Ordinary warranty problems are not covered by these rules. Suspected boat or equipment defects may be reported to the Product Safety Assurance Branch using the following address:

Commandant (G-MTH-5)  
U. S. Coast Guard  
2100 2nd Street, SW  
Washington, DC 20593-0001  
(202) 267-0988

In addition to the more visible activities carried out by the Coast Guard on behalf of recreational boating safety, the Recreational Boating Safety Program has been working with voluntary standards organizations to investigate and highlight elements of boat and associated equipment construction that could be improved and/or standardized to reduce the probability of an accident occurring.

## CONSUMER INFORMATION & ASSISTANCE

A Consumer and Regulatory Affairs Branch provides a central point of contact at Coast Guard Headquarters where users of Coast Guard services can go with questions or complaints concerning Coast Guard programs and policies. Although situated to deal primarily with the Coast Guard's Recreational Boating Safety Program, the staff will assist consumers who want information, or need help in resolving problems, in other public-oriented Coast Guard programs (e.g. vessel documentation, commercial vessel operator licenses, aids to navigation services, drawbridge operations, water pollution, search and rescue services, and vessel boardings for law enforcement purposes).

The Consumer and Regulatory Affairs Branch produces and distributes information on Coast Guard activities and policies through press releases, media articles, a newsletter called the Boating Safety Circular, and a series of Coast Guard Consumer Fact Sheets. The Fact Sheets cover specific topics of current interest to consumers (e.g. Pros & Cons of Documenting a Boat, Marine Sanitation Devices on Boats, Sources of Boating Safety Education, etc.). Single copies of the Boating Safety Circular and the Fact Sheets are available at no charge.

The Consumer and Regulatory Affairs Branch also operates a toll-free Boating Safety Hotline (telephone: 800-368-5647). The Hotline is designed to do three things: (1) Tell boat owners and buyers whether a particular boat model has been involved in a safety recall (in some recalls, manufacturers are only able to notify a small percentage of current owners); (2) Take reports from owners concerning safety problems they are experiencing in their boats to determine if a safety recall is warranted; and (3) Answer questions on boating safety matters.

The Consumer and Regulatory Affairs Branch can be contacted on the Boating Safety Hotline (telephone: 800-368-5647; in the Washington, D.C. area, 267-0972) or by writing to:

Commandant (G-NAB-5)  
U. S. Coast Guard  
2100 2nd Street, SW  
Washington, DC 20593-0001

Located at Coast Guard Headquarters in Washington, DC, the Hotline is in operation Monday thru Friday from 8:00 a.m. to 4:00 p.m. eastern time.

## GLOSSARY

At anchor - Held in place in the water by an anchor; includes "moored" to a buoy or anchored vessel and "dragging anchor".

Cabin motorboat - Motorboats with a cabin which can be completely closed by means of doors or hatches. Large motorboats with cabins, even though referred to as yachts, are considered to be cabin motorboats.

Capsizing - Overturning of a vessel. The bottom must become uppermost, except in the case of a sailboat, which lies on its side.

Collision with another vessel - Any striking together of two or more vessels, regardless of operation at time of the accident, is a collision. (Also includes colliding with the tow of another vessel, regardless of the nature of the tow, i.e., surfboard, ski ropes, skier, tow line, etc.)

Collision with fixed object - The striking of any fixed object, above or below the surface of the water.

Collision with floating object - Collision with any waterborne object above or below the surface that is free to move with the tide, current, or wind, except another vessel.

Cruising - Proceeding normally, unrestricted, with an absence of drastic rudder or engine changes.

Documented yacht - A vessel of five or more net tons owned by a citizen of the United States and used exclusively for pleasure with a valid marine document issued by the Coast Guard. Documented vessels are not numbered.

Drifting - Underway, but proceeding over the bottom without use of engines, oars or sails; being carried along only by the tide, current, or wind.

Fault of operator - Speeding; overloading; improper loading, not properly seating occupants of boat; no proper lookout; carelessness; failure to heed weather warnings; operating in a congested area; not observing the Rules of the Road; unsafe fueling practices; lack of experience; ignorance of aids to navigation; lack of caution in an unfamiliar area of operation; improper installation or maintenance of hull, machinery or equipment; poor judgment; recklessness; overpowering the boat; panic; proceeding in an unseaworthy craft; operating a motorboat near persons in the water; starting engine with clutch engaged or throttle advanced; irresponsible boat handling such as quick, sharp turns.

Fiberglass (plastic) hull - Hulls of fiber reinforced plastic. The laminate consists of two basic components, the reinforcing material (glass filaments) and the plastic or resin in which it is embedded.

Fire/explosion (fuel) - Accidental combustion of vessel fuel, liquids, including their vapors, or other substances, such as wood or coal.

Fire/explosion (other) - Accidental burning or explosion of any material on board except vessel fuels or their vapors.

Flooding - Filling with water, regardless of method of ingress, but retaining sufficient buoyancy to remain on the surface.

Fueling - Any stage of the fueling operation; primarily concerned with introduction of explosive or combustible vapors or liquids on board.

Great Lakes - The Great Lakes proper and all connecting and tributary waters as far east as Montreal.

Grounding - Running aground of a vessel, striking or pounding on rocks, reefs, or shoals; stranding.

Improper loading - Loading, including weight shifting, of the vessel causing instability, limited maneuverability, or dangerously reduced freeboard.

Improper lookout - No proper watch; the failure of the operator to perceive danger because no one was serving as lookout, or the person so serving failed in that regard.

Inboard-outboard - Also referred to as inboard/outdrive. Regarded as inboard because the power unit is located inside the boat.

Maneuvering - Changing of course, speed, or similar boat handling action during which a high degree of alertness is required or the boat is imperiled because of the operation, i.e. docking, mooring, undocking, etc.

Motorboat - Any vessel equipped with propulsion machinery, not more than sixty-five feet in length.

Motor vessel - Any vessel equipped with propulsion machinery (other than steam) more than sixty-five feet long.

Numbered vessel - An undocumented vessel numbered by a state with an approved numbering system or by the Coast Guard under Chapter 123 of title 46, U.S.C.

Open Motorboat - Craft of open construction specifically built for operating with a motor, including boats canopied or fitted with temporary partial shelters.

Outboard - An engine not permanently affixed to the structure of the craft, regardless of the method or location used to mount the engine, e.g., motor wells, "kicker pits", motor pockets, etc.

Overloading - Excessive loading of the vessel causing instability, limited maneuverability, dangerously reduced freeboard, etc.

Rules of the Road - Statutory and regulatory rules governing navigation of vessels.

Sailboat or auxiliary sailboat - Craft intended to be propelled primarily by sail, regardless of size or type.

Sinking - Losing enough buoyancy to settle below the surface of the water.

Speeding - Operating at a speed, possibly below the posted limit, above that which a reasonable and prudent person would operate under the circumstances.

Steel hull - Hulls of sheet steel or steel alloy, not those with steel ribs and wood, canvas, or plastic hull coverings.

Struck by boat or propeller - Striking of a victim who is outside of the boat, but not necessarily a swimmer.

Swamping - Filling with water, particularly over the side, but retaining sufficient buoyancy to remain on the surface.

Towing - Engaged in towing any vessel or object, other than a person.

Wood hull - Hulls of plywood, molded plywood, wood planking, or any other wood fiber in its natural consistency, including those of wooden construction that have been "sheathed" with fiberglass or sheet metal.

DEPARTMENT OF TRANSPORTATION U.S. COAST GUARD CG-3865 (Rev. 12-85)		<b>BOATING ACCIDENT REPORT</b>			FORM APPROVED OMB No. 2115-0010		
The operator of a vessel used for recreational purposes is required to file a report in writing whenever an accident results in; loss of life or disappearance from a vessel; an injury which requires medical treatment beyond first aid; or property damage in excess of \$200 or complete loss of vessel. Reports in death and injury cases must be submitted within 48 hours. Reports in other cases must be submitted within 10 days. Reports must be submitted to the reporting authority in the state where the accident occurred. This form is provided to assist the operator in filing the required written report.							
<b>COMPLETE ALL BLOCKS (Indicate those not applicable by "NA")</b>							
NAME AND ADDRESS OF OPERATOR			AGE	OPERATOR'S EXPERIENCE			
OPERATOR TELEPHONE NO.			OWNER TELE. NO.	THIS TYPE OF BOAT		OTHER BOAT OPERATING EXP.	
				<input type="checkbox"/> UNDER 20 HOURS	<input type="checkbox"/> UNDER 20 HOURS	<input type="checkbox"/> UNDER 20 HOURS	
NAME AND ADDRESS OF OWNER			RENTED BOAT <input type="checkbox"/> YES <input type="checkbox"/> NO	NO. OF PERSONS ON BOARD	<input type="checkbox"/> 20 TO 100 HOURS	<input type="checkbox"/> 20 TO 100 HOURS	
					<input type="checkbox"/> 100 TO 500 HOURS	<input type="checkbox"/> 100 TO 500 HOURS	<input type="checkbox"/> OVER 500 HOURS
					FORMAL INSTRUCTIONS IN BOATING SAFETY		
					<input type="checkbox"/> NONE	<input type="checkbox"/> STATE	
					<input type="checkbox"/> USCG AUXILIARY	<input type="checkbox"/> OTHER (Indicate)	
					<input type="checkbox"/> U.S. POWER SQUADRON		
					<input type="checkbox"/> AMERICAN RED CROSS		
<b>VESSEL NO. 1</b>							
BOAT NUMBER	BOAT NAME	BOAT MAKE	BOAT MODEL	MFR HULL IDENTIFICATION NO			
TYPE OF BOAT <input type="checkbox"/> OPEN MOTORBOAT <input type="checkbox"/> CABIN MOTORBOAT <input type="checkbox"/> AUXILIARY SAIL <input type="checkbox"/> SAIL (ONLY) <input type="checkbox"/> ROWBOAT <input type="checkbox"/> OTHER (Specify)	HULL MATERIAL <input type="checkbox"/> WOOD <input type="checkbox"/> ALUMINUM <input type="checkbox"/> STEEL <input type="checkbox"/> FIBERGLASS (Plastic) <input type="checkbox"/> OTHER (Specify)	ENGINE <input type="checkbox"/> OUTBOARD <input type="checkbox"/> INBOARD GASOLINE <input type="checkbox"/> INBOARD DIESEL <input type="checkbox"/> INBOARD-OUTORIVE <input type="checkbox"/> OTHER (Specify)	BOAT DATA (Propulsion) NO. OF ENGINES _____ MAKE OF ENGINE _____ HORSEPOWER (Total) _____ YEAR BUILT (Engine) _____ TYPE OF FUEL _____	BOAT DATA (Construction) LENGTH _____ WIDTH (Beam) _____ DEPTH (Inner Transom To Keel) _____ YEAR BUILT (Boat) _____			
<b>ACCIDENT DATA</b>							
DATE OF ACCIDENT	TIME _____ AM _____ PM	NAME OF BODY OF WATER		LOCATION (Give location precisely)			
STATE	NEAREST CITY OR TOWN		COUNTY				
WEATHER <input type="checkbox"/> CLEAR <input type="checkbox"/> RAIN <input type="checkbox"/> CLOUDY <input type="checkbox"/> SNOW <input type="checkbox"/> FOG <input type="checkbox"/> HAZY	WATER CONDITIONS <input type="checkbox"/> CALM <input type="checkbox"/> CHOPPY <input type="checkbox"/> ROUGH <input type="checkbox"/> VERY ROUGH <input type="checkbox"/> STRONG CURRENT	TEMPERATURES (Estimate) AIR _____ °F WATER _____ °F	WIND <input type="checkbox"/> NONE <input type="checkbox"/> LIGHT (0-6 MPH) <input type="checkbox"/> MODERATE (7-14 MPH) <input type="checkbox"/> STRONG (15-25 MPH) <input type="checkbox"/> STORM (Over 25 MPH)	VISIBILITY <input type="checkbox"/> GOOD <input type="checkbox"/> FAIR <input type="checkbox"/> POOR	WEATHER ENCOUNTERED <input type="checkbox"/> WAS AS FORECAST <input type="checkbox"/> NOT AS FORECAST <input type="checkbox"/> NO FORECAST OBTAINED		
OPERATION AT TIME OF ACCIDENT (Check all applicable) <input type="checkbox"/> COMMERCIAL ACTIVITY <input type="checkbox"/> CRUISING <input type="checkbox"/> APPROACHING DOCK <input type="checkbox"/> WATER SKIING <input type="checkbox"/> RACING <input type="checkbox"/> TOWING <input type="checkbox"/> BEING TOWED <input type="checkbox"/> DRIFTING		TYPE OF ACCIDENT <input type="checkbox"/> GROUNDING <input type="checkbox"/> CARBIZING <input type="checkbox"/> FLOODING <input type="checkbox"/> SINKING <input type="checkbox"/> FIRE OR EXPLOSION (Fuel) <input type="checkbox"/> FIRE OR EXPLOSION (Other than fuel) <input type="checkbox"/> COLLISION WITH VESSEL		<input type="checkbox"/> COLLISION WITH FIXED OBJECT <input type="checkbox"/> COLLISION WITH FLOATING OBJECT <input type="checkbox"/> FALLS OVERBOARD <input type="checkbox"/> FALLS IN BOAT <input type="checkbox"/> BURNS <input type="checkbox"/> HIT BY BOAT OR PROPELLER <input type="checkbox"/> OTHER (Specify)		WHAT, IN YOUR OPINION, CAUSED THE ACCIDENT <input type="checkbox"/> ALCOHOL USE <input type="checkbox"/> WEATHER CONDITIONS <input type="checkbox"/> EXCESSIVE SPEED <input type="checkbox"/> NO PROPER LOOKOUT <input type="checkbox"/> OVERLOADING <input type="checkbox"/> IMPROPER LOADING <input type="checkbox"/> HAZARDOUS WATERS <input type="checkbox"/> RESTRICTED VISION <input type="checkbox"/> DRUG USE <input type="checkbox"/> FAULT OF HULL <input type="checkbox"/> FAULT OF MACHINERY <input type="checkbox"/> FAULT OF EQUIPMENT <input type="checkbox"/> OTHER (Specify)	
PERSONAL FLOTATION DEVICES			FIRE EXTINGUISHERS				
WAS THE BOAT ADEQUATELY EQUIPPED WITH CG APPROVED LIFESAVING DEVICES? <input type="checkbox"/> YES <input type="checkbox"/> NO		WAS THE VESSEL CARRYING NON-APPROVED: LIFESAVING DEVICES <input type="checkbox"/> YES <input type="checkbox"/> NO		WERE THEY USED: (If yes, list type(s) and number used.) <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NOT APPLICABLE			
WERE THEY ACCESSIBLE <input type="checkbox"/> YES <input type="checkbox"/> NO		WERE THEY ACCESSIBLE <input type="checkbox"/> YES <input type="checkbox"/> NO					
WERE THEY USED <input type="checkbox"/> YES <input type="checkbox"/> NO		WERE THEY USED <input type="checkbox"/> YES <input type="checkbox"/> NO					
PROPERTY DAMAGE (Est.) THIS BOAT \$ _____ OTHER BOAT \$ _____ OTHER PROPERTY \$ _____	DESCRIBE PROPERTY DAMAGE						
NAME AND ADDRESS OF OWNER (Damaged Property)							
Previous editions are obsolete							

DECEASED				
NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM- <input type="checkbox"/> SWIMMER <input type="checkbox"/> NON-SWIMMER	DEATH CAUSED BY <input type="checkbox"/> DROWNING <input type="checkbox"/> DISAPPEARANCE <input type="checkbox"/> OTHER
NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM- <input type="checkbox"/> SWIMMER <input type="checkbox"/> NON-SWIMMER	DEATH CAUSED BY <input type="checkbox"/> DROWNING <input type="checkbox"/> DISAPPEARANCE <input type="checkbox"/> OTHER
NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM- <input type="checkbox"/> SWIMMER <input type="checkbox"/> NON-SWIMMER	DEATH CAUSED BY <input type="checkbox"/> DROWNING <input type="checkbox"/> DISAPPEARANCE <input type="checkbox"/> OTHER
INJURED				
NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	INCAPACITATED OVER 24 HOURS <input type="checkbox"/> YES <input type="checkbox"/> NO
NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	INCAPACITATED OVER 24 HOURS <input type="checkbox"/> YES <input type="checkbox"/> NO
NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	INCAPACITATED OVER 24 HOURS <input type="checkbox"/> YES <input type="checkbox"/> NO
ACCIDENT DESCRIPTION				
DESCRIBE WHAT HAPPENED (Sequence of events. Include Failure of Equipment. If diagram is needed attach separately. Continue on additional sheets if necessary.) (Include any information regarding the involvement of alcohol or drugs in causing or contributing to the accident.)				
VESSEL NO. 2				
NAME OF OPERATOR	ADDRESS	BOAT NUMBER		
TELEPHONE NUMBER		BOAT NAME		
NAME OF OWNER	ADDRESS			
WITNESSES				
NAME	ADDRESS	TELEPHONE NUMBER		
NAME	ADDRESS	TELEPHONE NUMBER		
NAME	ADDRESS	TELEPHONE NUMBER		
PERSON COMPLETING REPORT				
SIGNATURE	ADDRESS	DATE SUBMITTED		
QUALIFICATION (Check one) <input type="checkbox"/> OPERATOR <input type="checkbox"/> OWNER <input type="checkbox"/> INVESTIGATOR <input type="checkbox"/> OTHER		TELEPHONE		
(do not use) - FOR REPORTING AUTHORITY REVIEW (use agency date stamp)				
NAME OF REVIEWING OFFICE	DATE RECEIVED	CAUSES BASED ON (Check one) <input type="checkbox"/> THIS REPORT <input type="checkbox"/> INVESTIGATION AND THIS REPORT <input type="checkbox"/> INVESTIGATION <input type="checkbox"/> COULD NOT BE DETERMINED		
PRIMARY CAUSE OF ACCIDENT	REVIEWED BY			
SECONDARY CAUSE OF ACCIDENT				

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AN ANALYSIS OF FACTORS IN WATER  
RELATED FATALITIES IN INTERIOR ALASKA:  
A REVIEW OF THE LITERATURE

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In Fulfillment of Course requirements  
for Epidemiology of Injuries - 711

University of Michigan 7/11/88 to 7/29/88

Instructors: Jess F. Kraus, M.P.H. Ph.D.  
Richard J. Waxweiler, Ph.D.  
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Drowning is the second leading cause of unintentional deaths in the state of Alaska, motor vehicles being number one. When figures are compared with the rest of the United States, Alaska has the worst boating record, over 70 times the national average. Only California and Texas had more fatalities and these states have 24 times the number of registered boats as Alaska and a boating season that lasts year round in many areas; unlike Alaska where the boating season is 6 months or less<sup>6</sup>. In 1985, 70% of drowning fatalities occurred on inland Alaska waters such as lakes, rivers and sheltered waters<sup>6</sup>.

Looking specifically at Interior Alaska, deaths from drowning in the Doyon Native Regional Corporation boundaries are the number one cause of death for the Native population, surpassing deaths in motor vehicles<sup>23</sup>. For the period 1977 to 1986, there were 102 drowning fatalities, 60 of which were Native. Therefore, while Native people make up 13% of the population of the Interior, they make up 59% of drowning fatalities<sup>6, 25</sup>. This is for an area where the boating season is 4 to 4 1/2 months long.

In attempting to address drowning fatalities, their causes and possible solutions there are four issues that must be addressed: alcohol use during boating, PFD use, near drowning and cold water immersion, and vehicle factors. A review of the literature was done to determine areas that would yield the best results in reducing drowning fatalities among Native people in Interior Alaska.

## ALCOHOL

When seeking out information and data on drownings in Interior Alaska, the pervading attitude encountered among Native and Non-Native contacts alike, was that if people did not drink, there would not be any drownings. This is difficult to substantiate as the reporting on death certificates does not always reflect alcohol use and whether or not it was a contributing factor in the deaths. Coroners have a key role to play in improving data collection on alcohol related drownings; their knowledge and attitudes are crucial<sup>26</sup>. Only two studies (Waller 1972 and Thoranisson, 1979) present data for comparison populations; both indicate an association between alcohol and drownings<sup>7</sup>. However, these studies may over estimate the risks. The duration a body is submerged results in degrees of fermentation and therefore the presence of various types of alcohol upon autopsy<sup>7</sup>.

Many feel that alcohol is an undisputed factor in drownings and cite several surveys, 11, 26, 19. There seems to be conclusive evidence that alcohol increases the risk for vehicular accidents. Drownings are more apt to involve powerboats than sailboats,<sup>4</sup>. Powerboats involve speed and thus call for skills similar to as those required for driving<sup>7</sup>. In addition, numerous studies have associated alcohol consumption with risk for falling. It is reasonable to conclude that since alcohol contributes to falls on land, it also contributes to falls into the water<sup>7</sup>. Alcohol is associated with reduced balance, impaired vision, impaired judgment and reduced manipulative performance. Environmental "stressors" associated with water activities may work synergistically with alcohol in degrading performance<sup>7</sup>.

Alcohol also contributes to suicides by drowning by enhancing depression and to sober people who drown as a result of the actions of others who were intoxicated<sup>7</sup>.

Because alcohol consumption often accompanies recreational activities on or near the water, and because the potential risk is so plausible, further research is imperative<sup>2,7,19</sup>. Howland and Hingson (1988) feel that standards need to be developed for consistent reporting which is supported by Tether & Harrison (1986). "Case control studies to compare exposure to alcohol among drowned and not drowned persons engaged in the same activities under similar conditions are required to define the extent of the risk to public safety"<sup>7</sup>.

#### PFD'S

Coast Guard accident statistics indicate that many drownings could be prevented if people would wear their PFD's (personal flotation devices) while boating. When a boating "accident" occurs, occupants of a boat often find themselves in the water with little or no warning. They simply don't have time to locate, let alone put on and adjust their PFD's<sup>3</sup>.

PFD's can offer only partial protection from drowning in the form of flotation. In retrospective studies of sailors, it was found that many died in cold waters in spite of wearing PFD's and some of those rescued alive died within an hour<sup>13</sup>. Cold water is considered to be water 70°F or less. Interior Alaska's waters fall within this classification year round.

## NEAR DROWNING & COLD WATER IMMERSION

... and ... people who ...  
... A clarification of terms related to drowning fatalities is important in discussing this area. "Drowning" is a death from suffocation by submersion in water, whereas the "near drowning" refers to survival, even if a temporary one, after asphyxia resulting from the submersion episode<sup>16,21</sup>. Near drowning victims may die of respiratory failure hours or days later. This is called "secondary drowning". About 10-15% of drowning victims die from asphyxia without aspirating water into their lungs, probably due to laryngospasm. This is referred to as "dry drowning"<sup>21</sup>. The major causes of drowning are asphyxia and hypoxemia<sup>9</sup>.

The Mammalian Diving Reflex and hypothermia can offer some protection to the drowning victim. The Mammalian Diving Reflex is a redistribution of blood away from the extremities and tissues resistant to hypoxia (gastrointestinal tract, skin, muscle) to the vital organs, the heart, lungs and brain<sup>9</sup>. This response occurs after total body submersion in cold water and is more active in infants and young children. This oxygen conserving adaptation accompanied by a greatly reduced heart rate is a major factor in the survival of near drowning victims if proper immediate care in the form of airway, breathing and circulation are followed by proper rewarming<sup>9</sup>.

Hypothermia occurs rapidly in water due to heat loss by conduction, convection and radiation. Alcohol may be a significant contributing factor in the development of immersion hypothermia due to its vasodilatory properties and CNS depressant effect<sup>21</sup>.

NEAR DROWNING & COOL WATER INJURY  
Mild to moderate immersion hypothermia (30C to 34C) is not uncommon

and may result in drowning due to loss of consciousness<sup>21</sup>. (This is a very good reason for wearing PFD's; to keep the head out of the water in the case of unconsciousness).

#### VEHICLE FACTORS

The waterways of Interior Alaska consist of deep rivers like the Yukon River which I have depth sounded from 15 to 65 feet and shallow streams which range from several feet to several inches. These waterways are a transportation system, an economic resource during fishing season and an access to subsistence foods (fish, moose, bear, waterfowl and berries).

The boat of choice along the rivers of Interior Alaska is the johnboat, a small, light weight, flatbottom boat. These boats range from 16 to 28 feet long and 4 to 5 feet wide. Up river from Fairbanks people use commercially manufactured aluminum boats while down river there are commercially purchased aluminum boats and locally made wooden and aluminum boats. The johnboats function in both deep and shallow waters, work well as utility boats and are, relatively speaking, inexpensive.

The U.S. Coast Guard has stated that johnboats are responsible for a high percentage of capsizing and swamping incidents<sup>29</sup>. When making this observation, the Coast Guard is referring to boats using small horsepower engines (up to 15 horsepower).

Most boats along Interior Alaska's rivers use 25 to 55 horsepower engines with some as high as 185 HP.

The stability of the johnboat increases with the addition of persons, gear and with slower speeds.

VEHICLES

Flotation for small boats commercially manufactured is now regulated by the Coast Guard and has been since August 1, 1987. At that time the Coast Guard initiated standards.

"to increase the survivability of boaters following a boating accident by requiring manufacturers to design certain boats less than 20 feet in length to float in an approximately level attitude when swamped, thus providing a platform from which the occupants can be rescued"<sup>12</sup>.

The old flotation standards were not satisfactory as they had a tendency capsize and float bow high when swamped<sup>12</sup>. In this attitude, even though the boat is afloat it may not make much of a life raft if it is slippery and cannot be righted due to the shift in the flotation.<sup>12</sup> Boats manufactured in Interior Alaska and boaters do not have to comply with U.S. Coast Guard regulation as these regulations only apply to federal waters.

Many factors influence the performance characteristics of a boat; first foremost is hull design. The flatbottom hull (johnboat) is very sensitive to steering movements as speed increases. If speed increases enough, the boat may become impossible to control<sup>29</sup>.

Flat bottom boats skim across the top of the water thus reducing friction and fuel utilization<sup>27</sup>. These boats are best used in smooth, shallow water.

In rough water the flat bottom boat is pushed by waves and wind due to the reduced friction and not enough drag. It therefore slides and is unstable. The 'V' hull or it's modifications is preferable for rough water as it has a deeper draft, more drag, slices through the waves rather than riding on top and therefore is more stable<sup>29</sup>

"Understanding the underway characteristics of a boat can greatly assist in determination of 'causes' which can be considered during an accident investigation<sup>29</sup>.

#### SUMMARY

In summary, drownings and near-drownings are important, preventable causes of mortality and morbidity. There are several pertinent issues influencing drownings in Interior Alaska including alcohol use, cold water immersions and hypothermia, PFD use and vehicle factors. Of these factors those that can be most directly affected by education and regulation are PFD use and vehicle factors including flotation, boat dimensions, engine size and hull design.

Data collection could be enhanced through education of coroners into "thinking alcohol" as it is related to injuries of all kinds and developing standards for consistent reporting. Case control studies are needed to confirm or refute alcohol's role in boating fatalities.

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Provided by Sen Adams  
3-6-89

RECEIVED MAR 2 1989

NAVIGABLE WATERS: SEVENTEENTH COAST GUARD DISTRICT

33 CFR 2.10 requires each Coast Guard District Office to maintain a list of waters within the district which the Coast Guard considers navigable waters of the United States under its jurisdiction.

Below is a list of some of the major waterways and portion of those waterways the Seventeenth Coast Guard District has determined to be navigable as of August 1, 1987.

BODY OF WATER	PORTION
1. Big Lake	The entire waterway
2. Coleville River	Killik to Arctic
3. Cowee Creek	Tidal portion
4. Kenai River	To Coopers Landing
5. Kipnik Slough	The tidal portion
6. Knik Arm	The entire waterway
7. Knik River	Past Glenn Highway Bridge
8. Kuskoqwin River	Mouth to Mile 465
9. Kvichak River	Entire waterway
10. Mendenhall River	Mouth to Montana Creek

- |                     |                           |
|---------------------|---------------------------|
| 11. Naknek River    | To Mile 19.5              |
| 12. Noatak River    | Entire waterway           |
| 13. Nushagak River  | To Mile 34                |
| 14. Porcupine River | Entire waterway           |
| 15. Red Bay Creek   | Tidal portion             |
| 16. Snake River     | Entire waterway           |
| 17. Susitna River   | Mouth to Gold Creek       |
| 18. Tanana River    | 465 miles above the mouth |
| 19. Yukon River     | Entire waterway           |

Anyone navigating these waterways should check to be sure they comply with all Federal Regulations pertaining to the type, size and operation of their vessel, such as carrying passengers for hire in the case of charter fishing or sight seeing tours. If you have any questions regarding this subject, please contact this office.

\$27992250.00

FEDERAL GRANTS FOR  
STATE BOATING SAFETY FY 86

provided by Captain  
Stenger, USCG 3-6-89

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	state
1 AL	\$660020.97	2.36%	229890	2.44%	\$227265.89	\$2126989.00	2.79%	\$259963.41	\$172791.67	AL
4 AZ	\$387272.55	1.38%	112047	1.19%	\$110768.02	\$848566.00	1.11%	\$103712.86	\$172791.67	AZ
5 AR	\$536281.27	1.92%	309831	3.28%	\$306294.39	\$467964.25	0.61%	\$57195.21	\$172791.67	AR
6 CA	\$1682130.42	6.01%	619087	6.56%	\$612020.34	\$7341750.00	9.67%	\$897318.41	\$172791.67	CA
8 CO	\$271690.89	0.97%	66016	0.70%	\$65262.45	\$275212.00	0.36%	\$33636.78	\$172791.67	CO
9 CT	\$350394.07	1.25%	72591	0.77%	\$71762.40	\$865970.00	1.13%	\$105840.00	\$172791.67	CT
10 DE	\$272876.86	0.97%	37402	0.40%	\$36975.07	\$516359.33	0.68%	\$63110.12	\$172791.67	DE
22 DC	\$284248.60	1.02%	3391	0.04%	\$3352.29	\$884499.00	1.16%	\$108104.64	\$172791.67	DC
12 FL	\$1439786.27	5.14%	517365	5.48%	\$511459.46	\$6181696.52	8.10%	\$755535.14	\$172791.67	FL
13 GA	\$607124.94	2.17%	225812	2.39%	\$223234.44	\$1727185.90	2.26%	\$211098.84	\$172791.67	GA
15 HI	\$321305.30	1.15%	13112	0.14%	\$12962.33	\$1109064.25	1.45%	\$135551.30	\$172791.67	HI
16 ID	\$297785.24	1.06%	67471	0.71%	\$66700.84	\$476944.00	0.62%	\$58292.73	\$172791.67	ID
17 IL	\$510415.30	1.82%	275470	2.92%	\$272325.61	\$534260.51	0.70%	\$65298.03	\$172791.67	IL
18 IN	\$443259.69	1.58%	173006	1.83%	\$171031.20	\$813520.00	1.07%	\$99434.53	\$172791.67	IN
19 IA	\$484735.79	1.73%	175470	1.86%	\$173467.07	\$1133002.39	1.48%	\$138477.05	\$172791.67	IA
20 KS	\$280495.71	1.00%	83305	0.88%	\$82354.10	\$207410.11	0.27%	\$25349.94	\$172791.67	KS
21 KY	\$474225.22	1.69%	114546	1.21%	\$113238.50	\$1539789.05	2.02%	\$168195.06	\$172791.67	KY
22 LA	\$648080.05	2.32%	312119	3.31%	\$308556.27	\$1364181.86	1.79%	\$166732.11	\$172791.67	LA
23 ME	\$309453.59	1.11%	117842	1.25%	\$116496.88	\$164988.00	0.22%	\$20165.35	\$172791.67	ME
24 MD	\$1358420.31	4.85%	142795	1.51%	\$141165.05	\$8545674.00	11.19%	\$1244663.50	\$172791.67	MD
25 MA	\$558219.87	1.99%	184140	1.95%	\$182038.11	\$1664113.00	2.19%	\$203390.10	\$172791.67	MA
26 MI	\$1215350.24	4.34%	665540	7.05%	\$657943.10	\$3146877.00	4.12%	\$384615.48	\$172791.67	MI
27 MN	\$1069184.96	3.82%	629291	6.67%	\$622107.87	\$2244170.00	2.94%	\$274285.43	\$172791.67	MN
28 MS	\$425681.03	1.52%	122237	1.30%	\$120841.71	\$1080397.83	1.42%	\$132047.65	\$172791.67	MS
29 MO	\$695537.58	2.50%	328440	3.48%	\$324690.97	\$1645007.09	2.15%	\$231054.94	\$172791.67	MO
30 MT	\$234935.52	0.84%	34395	0.36%	\$34002.39	\$230250.00	0.30%	\$28141.46	\$172791.67	MT
31 NE	\$232723.61	0.83%	54913	0.56%	\$54286.19	\$46192.88	0.06%	\$5645.76	\$172791.67	NE
32 NV	\$262346.78	0.94%	31288	0.33%	\$30930.86	\$479656.49	0.63%	\$58624.25	\$172791.67	NV
33 NH	\$229804.24	0.82%	0	0.00%	\$0.00	\$466469.96	0.61%	\$57012.58	\$172791.67	NH
34 NJ	\$703745.56	2.51%	140884	1.49%	\$139275.86	\$3204662.00	4.20%	\$391678.04	\$172791.67	NJ
35 NM	\$233612.00	0.83%	34114	0.36%	\$33724.60	\$221694.00	0.29%	\$27095.73	\$172791.67	NM
36 NY	\$947557.07	3.39%	331742	3.51%	\$327955.28	\$3655746.00	4.79%	\$446810.12	\$172791.67	NY
37 NC	\$477882.78	1.71%	202908	2.15%	\$200591.88	\$855000.00	1.12%	\$104499.23	\$172791.67	NC
38 ND	\$210357.37	0.75%	35723	0.36%	\$33338.06	\$34590.00	0.05%	\$4227.64	\$172791.67	ND
39 OH	\$1013734.56	3.62%	338184	3.58%	\$334323.75	\$4145096.13	5.43%	\$506619.14	\$172791.67	OH
40 OK	\$545640.47	1.95%	193022	2.05%	\$190818.72	\$1489348.00	1.95%	\$182030.09	\$172791.67	OK
41 OR	\$436772.76	1.56%	140003	1.48%	\$138404.92	\$1027449.00	1.35%	\$125576.18	\$172791.67	OR
42 PA	\$726693.31	2.60%	217293	2.30%	\$214812.68	\$2774384.61	3.63%	\$339088.96	\$172791.67	PA
4 RI	\$211159.29	0.75%	31231	0.33%	\$30874.51	\$61307.76	0.08%	\$7493.12	\$172791.67	RI
5 SC	\$598602.20	2.14%	221339	2.35%	\$218812.49	\$1693632.72	2.22%	\$206998.04	\$172791.67	SC
6 SD	\$215001.93	0.77%	33091	0.35%	\$32713.28	\$77703.17	0.10%	\$9496.98	\$172791.67	SD
7 TN	\$467556.32	1.67%	196446	2.08%	\$194203.64	\$822778.00	1.08%	\$100561.02	\$172791.67	TN
8 TX	\$1305017.00	4.66%	599591	6.35%	\$592746.88	\$413947.00	5.78%	\$539478.45	\$172791.67	TX
9 UT	\$286849.57	1.02%	51781	0.55%	\$51189.94	\$514378.00	0.67%	\$62867.96	\$172791.67	UT
0 VT	\$217448.48	0.78%	29774	0.32%	\$29434.14	\$124550.03	0.16%	\$15222.67	\$172791.67	VT
1 VA	\$417509.76	1.49%	148999	1.58%	\$147298.23	\$797077.48	1.04%	\$97419.87	\$172791.67	VA
3 WA	\$472885.41	1.69%	253980	2.69%	\$251080.91	\$401017.08	0.53%	\$49012.84	\$172791.67	WA
4 WV	\$226136.76	0.81%	38742	0.41%	\$38299.77	\$123099.00	0.16%	\$15045.32	\$172791.67	WV
5 WI	\$779878.92	2.79%	436221	4.62%	\$431241.69	\$1439747.00	1.88%	\$175845.56	\$172791.67	WI
5 WY	\$203470.90	0.73%	19831	0.21%	\$19604.64	\$93611.00	0.12%	\$11074.60	\$172791.67	WY
1 AQ	\$172868.78	0.62%	78	0.00%	\$77.11	\$0.00	0.00%	\$0.00	\$172791.67	AQ
2 PR	\$215220.98	0.77%	23083	0.24%	\$22819.52	\$160445.00	0.21%	\$19609.00	\$172791.67	PR
3 PT	\$172799.50	0.62%	190	0.00%	\$187.63	\$0.00	0.00%	\$0.00	\$172791.67	PT
1 VI	\$186881.47	0.67%	3425	0.04%	\$3385.90	\$87578.00	0.11%	\$10703.90	\$172791.67	VI
<hr/>										
	\$27992250.00		9438487		\$9330750.00	\$76343060.40		\$9330750.00	\$9330750.00	

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

# Alaska Marine Safety Education Association

Box 2592, Sitka, Alaska 99835

(907) 747-3287

Februaru 6, 1989

Senator Arliss Sturgulewski, Chairman  
Senate Rules Committee  
P.O. Box V  
Juneau, Ak. 99811

Dear Senator Sturgulewski:

This letter is to encourage your continuing support for SB 111, the Safe Boating Act. Alaska is the only state in the nation without a Safe Boating Act and has a boating fatality rate 28 times the national average. This accident rate is even higher in the Interior of our state where no one is doing boating safety programs. Yet according to the U.S. Coast Guard, when boating safety programs are available, fatalities decrease.

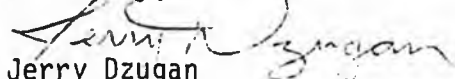
In these tight fiscal times, the introduction of new programs will not be popular. However, this Act asks for no funds from the state that will not be recovered by the program itself. In fact, this Act will allow for \$250,000 in federal money to come into the state for boating safety education programs every year.

SB 111 makes good sense and is long overdue. It is time for the state to stop ignoring its horrendous boating safety record and face its responsibility to members of the boating public. Last Fall, millions of dollars were spent trying to save two Grey Whales from drowning. We believe that the lives of Alaskans are also worthy of being saved.

We are an association of groups cooperating in water safety training within Alaska. We have seen the important role education plays in injury prevention. This is especially important to the children of this state since they are the future boaters of this state. Funds for boating safety education in Alaska are almost nonexistent. For the continued operation of programs such as ours, and the other reasons mentioned above, the Safe Boating Act is a priority piece of legislation that must be passed in this session. Please give this Act your support.

Please feel free to contact us if you would like any other information or if we can help in any way.

Sincerely,

  
Jerry Dzugan  
Director/Coordinator

c.c. Senator Pat Pourchot  
Senator Rick Uehling  
Senator Dick Eliason  
Representative Ben Grussendorf

## MEMBER ORGANIZATIONS

Alaska Department of Health & Social Services,  
Emergency Medical Services Section  
Alaska Department of Public Safety  
Northstar Survival, Inc.  
Southeast Alaska Regional Health Corporation

Southeast Regional Emergency Medical Services Council  
United States Coast Guard  
University of Alaska Marine Advisory Program  
Alaska Department of Education  
Alaska Vocational Technical School (AVTEC)

# NANA REGIONAL CORPORATION, INC.

POST OFFICE BOX 49 / KOTZEBUE, ALASKA 99752 / TELEPHONE (907) 442-3301



February 13, 1989

Representative Eileen MacLean  
Pouch V  
Juneau, AK 99811

Dear Eileen:

This is a letter of objection to SB111 unless rural areas are exempted from numbering and certificated requirements. The reason for the objection is obvious - we have boats i.e skiffs that are either too small or infrequently used, such as boats in camps etc. We also feel that these requirements present major enforcement problems.

The positive side of the bill are the requirements for boating safety, however, in this case as SB111 now stands, we find it unacceptable unless amended.

Thank you.

Sincerely,

Pete Schaeffer  
Vice President

PS/mc13

*Sandra -*

*2/21/89*

*we received this letter from NANA  
re: SB111*

*Please include with your review  
of boating safety legislation*

*Rena -  
4525*





## PRINCE WILLIAM SOUND USERS ASSOCIATION

3111 C STREET, SUITE 200  
ANCHORAGE, ALASKA 99503  
(907) 561-1622

February 15, 1989

Senator Arliss Sturgulewski, Chairman  
Senate Rules Committee  
P. O. Box V  
Juneau, Ak, 99811

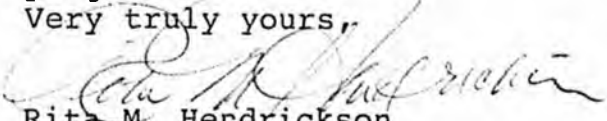
Dear Arliss:

The Prince William Sound Users Association is in support of Senate Bill 111 for a boating safety program. We believe this legislation is needed in Alaska due to the great numbers of recreational and commercial boats and the weather conditions that exist here.

The Association members number close to 200 and are power boaters, hikers, sailors, kayakers, commercial fishermen, charter boat operators, government agencies and private companies with interests in the Sound. The Association serves as a forum for those interested in the Sound, a promoter of information and education for Sound users and an initiator of measures to protect and preserve this jewel of the North Pacific.

The Association would like to be involved in the boating safety education program established in SB 111 for the Prince William Sound and Resurrection Bay area and in the event SB 111 becomes law we would assist in developing an educational boating safety program

Very truly yours,

  
Rita M. Herdrickson  
Executive Director

cc: Senator Pat Pcurchot  
Senator Rick Uehling  
Senator Mike Szymanski

February 8, 1989

RECEIVED FEB 9 1989

To: Senator Arliss Sturgulewski, Chairman  
Senate Rules Committee

From: Reed Reynolds, Director  
Southeast Region Emergency Medical Services Council  
207 Moller Drive, Sitka, AK 99835

For years the board and staff of Southeast Region Emergency Medical Services Council have witnessed the results of boating safety practices that are clearly inadequate. We have observed and supported the efforts of the young evolving Alaska Marine Safety Education Association. Such programs offer real hope for improvement in the record of Alaska's most unsafe industry.

However, it is our observation that boating in Alaska continues to be relatively unsafe. Public cost, costs to family and business, together with quality of life all cry out for the State of Alaska to provide direction. Boating safety efforts cannot achieve their full potential lacking the incentive and initiative of a state legislature which says unsafe boating practices in Alaska are not acceptable!

In late January, 1989, the commander of the Coast Guard base in Sitka commented before the Sitka Chamber of Commerce that Alaska is the only state without a boating safety act. You have been presented with facts which document the unsafe and high cost condition of boating in Alaska. It seems clear that we can no longer rely on the assumption of individual responsibility for boating safety. It is the opinion of the board and staff, the emergency medical services community in Southeast Alaska, that the State of Alaska must provide responsible direction and leadership towards a resolution of this tragic condition.

This letter offers the full support of the Southeast Region EMS Council for SB 111 and commend you, your staff and those working for improved boating safety in Alaska. Your leadership is recognized and appreciated. Please let us know if there is anything we can do that will assist those considering this legislation.

cc: Senator Pat Pouchot, Chairman  
Senate State Affairs Committee

Senator Rick Uehling, Co-Chairman  
Senate Finance Committee

Senator Jim Duncan  
Senator Dick Eliason  
Senator Lloyd Jones  
Representative Peter Goll  
Representative Ben Grussendorf  
Representative Bill Hudson  
Representative Robin Taylor  
Representative Fran Ulmer

# Safe boating law needed now

Capt. Michael Stenger is worried and frustrated. As chief of the Search and Rescue Branch of the 17th Coast Guard District, the men and women who work for him risk their lives to rescue Alaskans who get into trouble while boating. Many times, they reach the accident victims in time to save them. Sometimes - too many times - they can't reach them in time or the accidents occur on inland waters away from where the Coast Guard operates. In Alaska, 70 percent of all boating deaths in 1986 were on lakes and rivers.

He is worried because he knows dozens more Alaskans will needlessly die this year in boating accidents. He knows that because that has been the case every year. In 1986, for example, 53 Alaskans died in boating accidents.

That makes boating accidents second only to traffic accidents as the greatest cause of accidental death in our state. Alaska's boating death rate is 28 times the national average, based on a per-boat average.

He is frustrated because he knows more can be done to stem the rising tide of boating deaths. But the Alaska Legislature has refused to act, leaving Alaska as the only state without a safe boating law. California has one. Washington has one. Iowa has one. But Alaska doesn't.

Because Alaska doesn't have a safe boating law, safety education and awareness are lacking and enforcement of safe boating practices - especially on inland waterways - is lacking. And people are dying.

Would a safe boating law really make a difference in the death toll? Yes. Statistics show that since the federal Safe Boating Law was passed by Congress in 1971, the overall number of boating fatalities has decreased by 30 percent even though the number of boats has increased by 50 percent.

Stalled in both the state House and Senate finance committees are identical bills that would enact a safe boating law in Alaska.

Such a law would promote safety and safety education, and instead of draining the state treasury, it would make money for Alaska. Because it provides for the Department of Public Safety to take over boat registration, it would bring in about \$250,000 per year after administrative costs and the salaries of 16 people needed to run it are taken out.

One of the basic goals of the legislature is to ensure the safety of Alaskans. Without the passage of a safe boating law, this legislature cannot say it has fully lived up to that goal.

There may be reasons for not supporting a safe boating bill for Alaska, but no good ones.

**ISSUE:** Safe boating bills stalled in legislature

succeeded in his crusade to get the government to ban lawn darts. But bet on him.

The darts are about a foot long, with plastic fins and steel points. They are thrown at targets in a game comparable to horseshoes: Descending on a normal arc, they strike with a force that one researcher estimates at 23,000 pounds per square inch.

The mills of government grind slowly, and that is generally good. But for 18 years - longer than there

## One student

THE CHICAGO TRIBUNE

The assistant professor called all the way from upstate New York, seeking sympathy and understanding.

I could understand why she was upset. A federal judge had just sentenced her to six months in prison for having fraudulently obtained a student loan a few years ago.

She said she was shocked by the harsh sentence. While she expected to be punished, she couldn't believe that she would be sent to prison.

And I can understand that, too. The government has been ineffective, if not tolerant, in collecting billions of dollars in deadbeat student loans.

Government officials bluster and make threats, but little is done to get the money. There are too many deadbeats to chase down.

So suddenly Assistant Professor A'isha Ajayi, 30, found herself in front of a stern Vermont judge who says she must be locked up. (If you're curious about her name, she was born Karen Babcock, in Connecticut, but changed her name for religious reasons.)

Her reaction to the prison sentence is: "Why me?"

The sentence is unusual. Maybe other student deadbeats have been jailed, but she's the first that I've heard of.

"I was arrested last August," says Ms. Ajayi, who now teaches telecommunications at the State Uni-

## LETTERS

Dear Editor:

It may have escaped your attention, but the state of Alaska, you, and the Alaska Marine Highway System, passed an historic milestone back in January - the 25th anniversary of

provided by Stungulewski  
Juneau Empire - date?



# Alaska State Legislature



SENATOR  
ARLISS STURGULEWSKI

Chairman, Senate Community and Regional Affairs Committee  
Vice-Chairman, Senate Judiciary Committee  
Member, Senate Resources Committee

2957 SHELDON JACKSON STREET  
ANCHORAGE, ALASKA 99508


While in Juneau  
P. O. BOX V  
JUNEAU, ALASKA 99811  
(907) 465-3818

## Senate

MEMORANDUM

January 6, 1989

TO: All Senators

FROM: Senator Arliss Sturgulewski 

RE: Boating Safety Legislation/Co-sponsorship

Alaska has the highest boating fatality rate in the nation. The U.S. Coast Guard has stated that Alaska's recreational boating death rate on a per capita basis is 28 times the national average. In 1987 there were 46 recreational boating deaths and 70% of these occurred in the inland regions of Alaska where no boating safety program exists.

Alaska is the only state in the Union without a boating safety program. The U.S. Coast Guard concentrates its efforts in federal waters and on commercial vessels but there is no statewide organized program for recreational boating.

There would be no general fund impact by establishing this program. Federal funds are available if Alaska adopts a boating safety and registration program. An estimated \$250,000 from federal funds would be available each year. The remaining funds would come from program receipts from the boating registration fees.

There is growing support for a boating safety bill and I will be re-introducing the attached legislation again this session.

If you would like to add your name as a co-sponsor, please contact Frank Homan on my staff at 465-3818 before Friday, January 13.

Attachment

STATE OF ALASKA  
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 4, 1989

SUBJECT: Sectional Summary of SB 111; An Act relating to boating safety, boating accidents, and boat numbering; and providing for an effective date

TO: Senator Arliss Sturgulewski

FROM: George Utermohle *GU*  
Legislative Counsel

This memorandum is the sectional summary of SB 111 requested by Frank Homan of your staff.

A sectional summary of a bill should not be considered an authoritative interpretation of the bill. The bill itself is the best statement of its contents.

Section 1 of the bill provides for reporting of boating accidents and for enforcement of boating safety standards and boat numbering requirements by the Department of Public Safety.

ARTICLE 1. BOATING SAFETY.

Sec. 05.25.200 requires the Department of Public Safety to offer educational programs to reduce boating accidents.

Sec. 05.25.210 sets out the safety equipment that a boat must carry.

A boat must carry and exhibit a white light that is visible all around the horizon.

A boat must carry one flotation device for each person on the boat. The flotation device must be of a type approved by the Coast Guard for the class of vessel.

The commissioner of public safety may require a boat or class of boats to carry additional safety equipment.

Sec. 05.25.220 sets out the requirements for boats operating in the vicinity of divers.

A diver may display a diver's flag while in the water. The diver must remain within 100 feet of the flag while at or near the surface. The minimum size and design of the flag are set out.

A boat operator must proceed with caution in the vicinity of a diver's flag.

A diver's flag may be used with, but not in place of, any flag required by the Coast Guard.

Sec. 05.25.230 prohibits a person to operate a boat, water skis, surfboard, or other similar device in a negligent manner, or to operate a boat that is not equipped as required by this chapter.

Sec. 05.25.290 provides that AS 05.25.210 - 05.25.290 are applicable to all water in the state to the extent that the federal government does not have a conflicting regulation. Federal regulations prevail over state law where there is a conflict.

The commissioner of public safety shall adopt regulations to implement AS 05.25.210 - 05.25.290. These regulations shall specify those waters of the state to which each regulation applies.

## ARTICLE 2. BOATING ACCIDENTS.

Sec. 05.25.300 sets out the duties of boat operators and witnesses at boating accidents.

The operator of a boat that is involved in a boating accident that results in death, injury, or property damage shall remain at the scene of the accident and render reasonable assistance to injured persons and provide the names of occupants and the identifying number of the operator's boat to operators or survivors of the other boats involved in the accident.

A witness to a boating accident shall provide the witness's name to the operator and occupants of each boat involved in the accident, to injured persons, and to the owner of the property damaged in the accident.

Sec. 05.25 305 provides for reports of boating accidents involving the death or disappearance of a person.

The operator of a boat involved in an accident resulting in the death or disappearance of a person must notify the department of relevant information as soon as possible. If the operator of the boat is not available to give the notice, the owner or other persons on the boat must give the notice to the department.

Sec. 05.25.310 provides for reports to the department of accidents involving death, injury, or disappearance of a person or significant property damage or loss of the boat.

The department may require persons to submit supplemental reports. The department may also require witnesses to submit reports.

A report is required within 48 hours after the accident if a person dies within 24 hours after the accident, is injured, or disappears as the result of an accident. Reports not required to be submitted within 48 hours must be submitted within 10 days after the accident.

The department shall provide forms for reporting accidents. The forms shall request information required by Coast Guard regulations.

Sec. 05.25.315 provides that the state registrar of vital statistics shall forward to the department a copy of the death certificate for each death resulting from a boating accident.

Sec. 05.25.320 provides for the confidentiality of accident reports.

Accident reports are confidential and are solely for the use of administrative and enforcement agencies.

The department may disclose the following information to a party involved in an accident: the identity of the owner, operator, and occupants of each boat involved in the accident, the identifying number of each boat, the names of insurance companies insuring parties involved in the accident, and the identity of witnesses.

Accident reports may not be used as evidence in a civil action or criminal prosecution arising out of the action.

The department shall compile and analyze information from accident reports. The department shall publish statistical information on boating accidents.

The department shall provide information on accidents to federal officials as required by federal law.

Sec. 05.25.325 provides that AS 05.25.300 - 05.25.325 apply to all boats operated in the state except those exempted by state or federal law. Among the vessels exempted from AS 05.25.300 - 05.25.325 are documented vessels operated only for nonrecreational purposes, foreign boats temporarily in state water for nonrecreational purposes, boats owned and operated by the federal government, and a ship's lifeboat. ↓

### ARTICLE 3. NUMBERING AND REGISTRATION.

Sec. 05.25.400 requires boats to have a certificate of number.

A person may not operate a boat unless the owner of the boat holds a certificate of number for the boat and the certificate of number is carried on the boat and accessible for inspection.

Certain boats that are leased for a short term, noncommercial purpose are exempted from the requirement that the certificate be on board the boat if certain conditions are satisfied.

Sec. 05.25.405 provides for the placement of a boat's identifying number and decal.

A boat may not be operated in this state unless the boat displays its identification number and validation decal.

An identifying number shall be permanently located on the forward half of the boat or other appropriate position so that it is readily visible. No other number may appear on the forward half of the boat. The validation decal shall be placed three inches behind the identifying number.

Sec. 05.25.410 provides for the application for a certificate of number.

The owner of a boat or a boat dealer shall apply to the department for an identifying number. The applicant for an identifying number shall sign the application and pay the application fee.

A certificate of number issued to a boat dealer may be valid for more than one boat.

Sec. 05.25.415 provides for the application for a certificate of number for a boat that has already been awarded a certificate of number by the federal government or another state.

The owner of a boat that already has an identifying number issued by the federal government or another state must apply for a certificate of number from the department within 10 days after the appropriate reciprocity period expires. The reciprocity periods are set out in AS 05.25.445(6) and (7).

Sec. 05.25.420 provides for certificate of number fees to be set by the department.

Sec. 05.25.425 provides for the issuance of certificate of number and validation decals. The certificate of number must be wallet size and contain information describing the boat. The color of the validation decal shall be rotated over a four-year cycle.

Sec. 05.25.430 provides for the expiration of certificates of number and renewal and reissuance of certificates of number and validation decals. The identifying number of the boat does not change when the certificate of number is renewed.

Sec. 05.25.435 provides that a certificate of number is invalid if the boat is subsequently documented, the boat is destroyed, the applicant provides false information on the application, the boat has left the state for 60 days, or the owner of the boat loses ownership of the boat.

Sec. 05.25.440 provides that the owner of a boat must inform the department if the boat is transferred or sold, lost, stolen, recovered, or destroyed. The owner must also inform the department when the boat is no longer principally used in the state. The owner of a boat must also report a change of address.

Sec. 05.25.445 provides for exemptions from AS 05.25.400 - 05.25.440 for boats that are documented, foreign boats operated only temporarily in state water, owned and operated by the federal government or the state (other than a recreational type boat), a ship's lifeboat, or otherwise granted an exemption. Boats with a certificate of number issued by the federal government or another state are exempt for certain periods after entering the state.

#### ARTICLE 4. GENERAL PROVISIONS.

Sec. 05.25.900 provides for accounting and disposition of fees collected under this chapter.

Sec. 05.25.910 provides that the commissioner of public safety may exempt boats from provisions of this chapter, except when the exemption is inconsistent with federal law.

Sec. 05.25.920 provides for enforcement of this chapter by peace officers.

Sec. 05.25.930 provides that a violation of this chapter is a misdemeanor and is punishable by a fine of not more than \$500 or imprisonment for not more than six months or both.

Sec. 05.25.940 provides that the commissioner of public safety shall adopt regulations under the Administrative Procedure Act as necessary to implement this chapter.

Sec. 05.25.990 establishes definitions of "boat", "certificate of number", "commissioner", "dealer", "department", "length", "operate", "owner", "ownership", "passenger", "state of principal use", and "state water".

Section 2 of the bill repeals the existing state statutes relating to the operation of boats and boating safety, AS 05.25.010 - 05.25.100.

Section 3 of the bill provides that this Act takes effect January 1, 1990.

SB III  
3-9-89

USCG - any boats registered Kotzebue?  
Barrow?

USCG Stenger, USCG Harben, Jeff, DPS Pence, Manning, DHSS Homan

2 people in each - seasonal only

Thank suggest  
Phase in.

Jnu  
Palmer  
Homer  
Soldotna  
Tbx  
Cordova  
Sitka

come on  
1st yr.

come on  
2nd yr

- education
- voluntary checks
- patrol marine events
- accident investigation
- make sure registered

USCG auxiliary will continue to do education  
USCG will continue to provide boating safety  
on all navigable waters - problem is  
don't have resources <sup>not primary mission</sup> to do a good job.

What level of enforcement will feds. require?

USCG - don't think <sup>state needs</sup> enforcement unit in SE AK.

- excellent compliance, good CG presence
- Don't need state educ. either (CG auxiliary)

Stetcher has sent copy of bill + F/N to CG guy who <sup>Bob D. Weiss in D.C.</sup> approves programs. Waiting to hear from him.

DPS - <sup>F/N contains</sup> educ. specialist who will serve as trainer

+ 60.0 contractual

AMSEA at Seward (AVTEC) does instructor training. <sup>so does USCG</sup>

Have trained volunteers, Troopers, ADFAG, USFWS, etc.



Per USCG Hdqtr.

1988-7 states - boating pop. same as Alaska

educ. expenses: ME

ND

Most states put most \$ into enforcement - Skinger thinks should be just the opposite!

NV 336,500

SD

NM

VT \$633

range \$336,500 to \$633 - flexibility!

12-300 = range of enforcement officers nationwide. Not all state people - county sheriffs!

SB III says any police officer can enforce.

Gretchen - can't cut anywhere but compliance

priority order by USFWS

state needs a presence in Southeast - biggest boat lost area in state

Jane

Homer

Soldotna

Palmer

Fox

Sitka

Cordova

Suggest Frank - 2 teams 1st yr. Emphasize educ. in other areas 1st yr.

Congress considering requiring title-ing of boats - if passes, state would have to handle this, too, to receive fed. \$

DPS does have seasonals that do enforcement - 90% of time is spent on commercial fisheries. ADF&G guys who check fish size, etc. have 1 week training from DPS.

Gretchen will look at things we've discussed, including increasing fee - \$35 triennially?

F/N incl. no \$ for software, hardware, etc. Counting on getting from USCG.

U.S. Department  
of Transportation  
United States  
Coast Guard



Commandant  
United States Coast Guard

Washington, D.C. 20593-0001  
Staff Symbol:  
Phone: G-NAB/42  
(202) 267-1077

16750

MAR 14 1989

From: Commandant  
To: Commander, Seventeenth Coast Guard District (b)

5B111

Subj: ALASKA STATE BOATING LAW

Ref: (a) PHONCON CAPT Gr'swold (G-NAB)/CDR Harben (b)

1. As discussed in reference (a), I held a brief meeting regarding Alaska's State Boating Law on 13 March here at Headquarters. Our initial review of Alaska's proposed boat numbering regulation indicates substantial compliance with the requirements for approval of a state's numbering and casualty reporting system. I can say, comfortably, that we could approve Alaska's numbering and casualty reporting system contingent upon review of state implementing regulations and some minor adjustments to the proposed legislation language. This has been done before, most recently in New Hampshire. Approval of the numbering system would make Alaska eligible for at least a portion of the Wallop-Breaux funds.

2. States have been given wide latitude defining their safety program efforts. I would urge Alaska to concentrate its efforts in those areas that traditionally have suffered the most accidents. Other states have elected to include volunteer efforts as part of their overall scheme; therefore, not duplicating safety programs in common locales. Since the Coast Guard Auxiliary is alive and well in many Alaskan coastal communities, it would seem logical that Alaska might consider the interior of the state to begin their education program.

3. In closing, all of us in Headquarters are anxious to have Alaska on board. Had Alaska had an approved numbering system for FY89, its allocation would have been about \$200,000. This would account for two of the three sources of Wallop-Breaux, namely the equal share and number of registered boats. Subsequent years, Alaska's expenditures would add to the formula. We support your efforts, Senator Pat Pourchot's interest and the Department of Public Safety's assistance.

  
W. S. GRISWOLD

# Alaska State Legislature



Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman  
Sen. Al Adams  
Sen. Tim Kelly  
Sen. Rick Uehling

P.O. Box V  
State Capitol  
Juneau, Alaska 99811

907-465-3712

## Senate State Affairs Committee

### MEMORANDUM

TO: Senate State Affairs Committee Members  
FROM: Senator Pat Pourchot, Chairman  
RE: March 6 Committee Meeting  
DATE: March 4, 1989

On Monday, March 6 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bills:

SJR 18, Proposing an amendment to the Constitution of the State of Alaska relating to income from the permanent fund.

SJR 18 would amend the Constitution to specify that income of the permanent fund be appropriated for dividends, to the fund principal, and for administrative costs of the fund. Any other use would require voter approval.

SB 69, An Act providing for an advisory vote on the use of the earnings reserve account.

SB 69 would provide for an advisory vote on distributing the balance in the earnings reserve account of the permanent fund as follows:

- 50% to the general fund
- 25% to the principal of the permanent fund
- 25% for a special dividend

SB 73, An Act relating to retirement incentive programs for the public employees' retirement system and the teachers' retirement system

A draft committee substitute is being prepared that would:

Place the program into temporary law rather than permanent statute.

Require that cost savings be demonstrated in 3 years rather than 5. Three years corresponds to the number of years the employer has to reimburse the retirement program.

Prohibit participation by assistant commissioners.

Require that OMB maintain statistics on the program.

Modify the application "windows".

A draft letter of intent that calls for the state's RIP costs to be paid from within existing appropriations is attached. Also attached are the OMB guidelines on implementation of the original RIP, a comparison of the original RIP to SB 73, and additional information on RIP costs.

SB 111, An Act relating to boating safety, boating accidents, and boat numbering.

SB 111 would require the Department of Public Safety to offer public education programs designed to reduce boating accidents, to maintain an accident reporting system, and to establish a boat registration program. The bill incorporates current law regarding safety equipment and enforcement, and expands current accident reporting requirements.

In the absence of a state boating program, the Coast Guard is responsible for the registration of ~~vehicles~~<sup>vessels</sup>. Approximately 30,000 boats are currently registered in Alaska. The registration fee is \$6 triennially, with all fees being deposited in the U.S. treasury. The department estimates an additional 20,000 boats would be registered under the state program. Fees would be set by regulation; the fiscal note proposes \$30 triennially.

Wallop-Breaux funds, generated through a federal tax on motorboat fuel sales, are available to all states with a federally approved boating safety program. Alaska's share of these funds would be \$250-310,000 annually. These funds must be matched dollar for dollar with state funds which would be raised through boat registration fees. The department estimates a total program cost of \$800,000.

According to the U.S. Coast Guard, Alaska's death rate from boating is 28 times the national average per 100,000 registered boats, and the highest rate in the U.S. Alaska is the only state in the union without a boating safety program.

SB 111 BOATING SAFETY

TO TESTIFY

SENATOR STURGULEWSKI, SPONSOR (FRANK HOMAN)

GRETCHEN PENCE, DEPT. PUBLIC SAFETY

CAPTAIN MIKE STENGER AND COMMANDER JEOFF HARBEN, U.S. COAST GUARD

F.Y.I.

REDUCED FISCAL NOTE -- PROGRAM COSTS NOW COVERED BY BOAT REGISTRATION FEES. FEES WOULD BE \$30 TRIENNIALLY AS ORGINALLY PROPOSED. SAVINGS COME FROM REDUCING ENFORCEMENT OFFICERS FROM 14 TO 10 -- HAD ORIGINALLY PLANNED 2-PERSON TEAMS IN JUNEAU, PALMER, HOMER, FAIRBANKS, SOLDOTNA, CORDOVA, SITKA. NOW PROPOSE NONE IN CORDOVA AND SITKA BECAUSE OF COAST GUARD PRESENCE THERE.

ALSO, ESTIMATE OF FEDERAL FUNDS HAS BEEN REDUCED FROM 250.0-310.0 TO 200.0 TO 250.0

BILL AND FISCAL NOTE WERE SUBMITTED TO U.S.C.G. GUY IN WASHINGTON, D.C. THAT ACTUALLY APPROVES THE STATE PLANS. TWO CHANGES IN THE C.S. CAME FROM HIM. OTHERWISE, HE FEELS COMFORTABLE THAT ONCE IMPLEMENTING REGULATIONS ARE ADOPTED, PROGRAM WILL RECEIVE APPROVAL.

C.S.:

P. 13, L. 29 PENALTY IS INFRACTION (DEFINITION IN OTHER SECTION OF STATUTE SAYS MAXIMUM FINE \$300). BAIL COULD BE MAILED IN. ORIGINAL BILL WAS MISDEMEANOR.

P. 5, L. 3 TO CONFORM WITH FEDERAL LAW, MUST REPORT ACCIDENT IF PROPERTY DAMAGE EXCEEDS \$500 [\$200].

P. 8, L. 14 & P. 10, L. 19 AT U.S.C.G. REQUEST, ADDED SPECIFICITY REGARDING BOAT NUMBERING

P. 10, L. 9 DELETE PRORATING OF REGISTRATION FEES -- WILL BE HANDLED IN REGULATION (FEES WILL BE SET BY REGULATION, TOO)

PER U.S.C.G. 3/10/89: 52 BOATS REGISTERED IN KOTZEBUE  
363 BARROW

3/6/89  
slllpoop.txt

SB 111 BOATING SAFETY, BOATING ACCIDENTS, AND BOAT NUMBERING  
TO TESTIFY

SENATOR STURGULEWSKI, SPONSOR (FRANK HOMAN)

GRETCHEN PENCE, DEPT. PUBLIC SAFETY

COMMANDER JOEFF HARBEN, U.S. COAST GUARD

JOHN MANNING, D.H.S.S. DIVISION OF PUBLIC HEALTH AND  
ALASKA MARINE SAFETY EDUCATION ASSOCIATION

JOE GRAHAM, JUNEAU HARBORMASTERS

F.Y.I.

ALASKA WILL RECEIVE \$250-310,000 IN FEDERAL FUNDS. DEPARTMENT  
SAYS MUST BE MATCHED WITH STATE FUNDS. HOW MUCH OF WHAT'S IN SB  
111 IS REQUIRED BY THE FEDS. IN ORDER TO RECEIVE FEDERAL FUNDS?

DEPT. PUBLIC SAFETY PROPOSED AMENDMENT:

DELETE PAGE 10, LINES 6-7 (AS 05.25.420(B):

THE LANGUAGE CALLS FOR REGISTRATION FEES TO BE PRORATED  
BASED ON THE NUMBER OF MONTHS THE REGISTRATION WILL BE IN  
EFFECT -- DEPT. SAYS ALL REGISTRATIONS WILL BE ISSUED FOR  
THREE YEARS.

FROM 1984-87 AVERAGE 57 DROWNING DEATHS PER YEAR IN ALASKA; 2ND  
ONLY TO CAR ACCIDENTS. 40% ALASKAN NATIVES. 70% IN INLAND  
WATERS (LAKES, RIVERS).

N.A.N.A. WANTS EXEMPTION FROM BOAT REGISTRATION FOR RURAL AREAS.  
HOWEVER, A TANANA CHIEFS REPORT SAYS: WITHIN DOYON NATIVE  
REGIONAL CORP. BOUNDARIES 1977-86 WERE 102 DROWNINGS -- 60 WERE  
NATIVES. NATIVES ARE 13% OF POPULATION OF INTERIOR, BUT ACCOUNT  
FOR 59% OF DROWNINGS.

THE LAW AND THE EDUCATION WORK! SINCE PASSAGE OF 1971 FEDERAL  
SAFE BOATING LAW, FATALITIES NATIONWIDE HAVE DECREASED 30% WHILE  
NUMBER OF BOATS HAS INCREASED 50%.

RE: EDUCATION. BILL DOESN'T CALL FOR INVOLVEMENT OF DEPT. OF  
EDUCATION -- SHOULD IT?

THE ALASKA MARINE SAFETY EDUCATION ASSOCIATION IS INTERESTED  
IN GETTING SOME OF THE FEDERAL MONEY. WHAT DOES THE ASSOCIATION  
DO NOW? HOW ARE THEY FUNDED?

I COULDN'T TRACK DOWN A COPY OF ANOTHER STATE'S EDUCATIONAL  
PACKET -- WILL PURSUE FOR A FUTURE HEARING IF YOU WANT. DEPT.  
KNOWS THERE'S A LOT AVAILABLE FROM WHICH TO DRAW, BUT STRESSES  
THAT IT MUST BE TAILORED FOR ALASKA'S CONDITIONS.

COAST GUARD REGISTERS BOATS IN ALASKA NOW -- 30,000. DEPT.  
ANTICIPATES REGISTERING 50,000. WHY SO MANY MORE?

Ron Sommerville,  
AK Outdoor  
Council

Al opposes bill.  
Sturgulewski  
will suggest  
lesser  
penalties  
for violation  
in rural  
areas  
(infraction,  
fine vs.  
\$500  
misd-  
meanor)

# Alaska State Legislature

Sen. Pat Pourchot, Chairman

Sen. Jan Falks, Vice Chairman  
Sen. Al Adams  
Sen. Tim Kelly  
Sen. Rick Uehling



P.O. Box V  
State Capitol  
Juneau, Alaska 99811

907-485-3712

## Senate State Affairs Committee

### MEMORANDUM

TO: Senate State Affairs Committee Members  
FROM: Senator Pat Pourchot, Chairman  
RE: March 22 Committee Hearing  
DATE: March 21, 1989

On Wednesday, March 22 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bills:

SB 28, An Act prohibiting salaries for certain employees from exceeding the governor's salary

SB 28 would prohibit state employees' salaries, including cost-of-living adjustments, geographical differentials, longevity increments, and bonuses from exceeding the governor's salary. The prohibition would apply to the executive, legislative, and judicial branches and to the University, school districts and political subdivisions.

The prohibition would also apply to the Alaska Railroad Corporation, boards, commissions, authorities, and recipients of state grants if they receive at least 50% of their annual budget from the state.

The governor's salary is set in statute at \$81,648.

SB 111, An Act relating to boating safety, boating accidents, and boat numbering

SB 111 would require the Department of Public Safety to establish a boat registration system and to offer public education programs designed to reduce boating accidents. By doing so, the state would be eligible for \$250,000 to \$300,000 annually in federal boating safety funds, to be matched dollar for dollar with state funds. To be eligible for the federal funds, the department must provide an adequate level of enforcement of boating safety laws.

SB 111 was heard by the committee on March 6. The department was asked to review the projected cost of the program and the ability

of boat registration fees to cover program costs. A revised fiscal note will be presented at the hearing.

The attached committee substitute makes the following changes:

- Changes the penalty for a violation of the boating safety requirements from a misdemeanor (maximum \$500 fine, 6 month imprisonment) to an infraction (maximum \$300 fine). The fine could be paid without a court appearance.
- Increases from \$200 to \$500 the amount of property damage that would need to occur before an accident must be reported. This change conforms SB 111 to federal law.
- Clarifies, at the U.S. Coast Guard's request, the numbering system that would be used in registering boats.
- Deletes, at the department's request, a provision for prorating registration fees. The fee structure would be established by regulation.

HB 57. An Act authorizing the Violent Crime Compensation Board to pay compensation for personal injury or death to the victim of an assault in any degree

HB 57 would broaden the eligibility for compensation for violent crimes to include assault in any degree, rather than only first and second degree as under current statute. This would bring Alaska into compliance with the 1988 reauthorization of the Federal Victims of Crime Act, which requires that states provide compensation to victims of domestic violence (4th degree assault). The federal act provides funds in an amount equal to 35% of what the state pays in compensation to victims.

The Violent Crimes Compensation Board was established in 1972 to alleviate the financial hardships of medical expenses or loss of income sustained by innocent victims of violent crimes. The board consists of three members appointed by the Governor.

HB 57 has a \$20,000 fiscal note. In FY 89 the board received \$399,900 in state funds; the Governor has requested \$198,500 in supplemental funding. The Governor's FY 90 budget requests \$604,600 in state funds, including \$201,500 of Permanent Fund dividends not paid to convicted felons (per AS 43.23.005). In FY 88 the board awarded \$504,489 to victims; \$392,500 was state funds.

111mail.txt

# ALASKA STATE LEGISLATURE

Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman

Sen. Al Adams

Sen. Tim Kelly

Sen. Rick Uehling



P.O. Box V  
Juneau, AK 99811

907-465-3712

## Senate State Affairs Committee

May 11, 1989

Brian Bergman, Harbormaster  
City and Borough of Sitka  
304 Lake Street  
Sitka, Alaska 99835

Dear Brian:

Thank you for contacting me to express your support for Senate Bill 111, which would require the state to offer public education programs designed to reduce boating accidents, and to establish a boat registration program.

I, too, support SB 111 and am sorry to have to report that the bill did not make significant progress through the system this session. We held hearings on the bill in the State Affairs Committee in early March, but it got stalled in the Senate Finance Committee where it will stay until next session. I have spoken to the bill sponsor, Senator Sturgulewski, and am assured that she will continue to work on the proposal during the legislative interim in an effort to address the outstanding concerns.

Specifically, many bush legislators are concerned about the registration requirement -- concerned that the bill is punitive, rather than solely educational. In addition, there are concerns by many legislators that at a time when we are working to reduce the size and cost of state government, adding a number of compliance officers at a cost of several hundred thousand dollars annually is inappropriate despite the fact that program costs would be funded through registration fees and federal monies.

Personally, I am appalled at the large number of boating accidents suffered in Alaska each year and feel strongly that a boating safety program is needed. I assure you SB 111 has my support, and I am hopeful that it will be favorably considered next session.

Sincerely,

A handwritten signature in dark ink, appearing to be "Pat", written over the typed name.

Senator Pat Pourchot  
Chairman

111mail.txt



# City and Borough of Sitka

304 LAKE STREET. SITKA, ALASKA. 99835

April 19, 1989

Senator Pat Pourchot, Chairman  
Senate State Affairs Committee  
P.O. Box V  
Juneau, Alaska 99811

Dear Senator Pourchot:

As Harbormaster and Port Director for the City of Sitka, I am personally concerned about the tragic and needless loss of life of my neighbors and fellow Alaskans on our waters.

Senate Bill 111, as introduced by Senator Sturgulewski, is a bill that can effectively reduce the loss of life and property of Alaskans. Required safety equipment and boating safety education are essential if the State is to be successful in reducing the number of lives lost in boating accidents.

As a member of the Alaska Association of Harbormasters and Port Administrators, Inc., I have supported the efforts to obtain passage of a boating safety bill. I now ask you to support Senate Bill 111. This is a bill that Alaskans can be proud of. When the roll for passage is called, please vote "Yea".

Sincerely,

Brian Bergman  
Sitka Harbormaster

cc: Senator Arliss Sturgulewski  
Senator Rick Uehling  
Senator Dick Eliason  
Representative Ben Grussendorf

BGB:POURCHOT/TXTHARB:

ALASKA STATE LEGISLATURE

111mail.txt

Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman

Sen. Al Adams

Sen. Tim Kelly

Sen. Rick Uehling



P.O. Box V  
Juneau, AK 99811

907-465-3712

Senate State Affairs Committee

May 11, 1989

Dale R. Muma, Harbormaster  
City of Cordova  
P. O. Box 1210  
Cordova, Alaska 99574

Dear Dale:

Thank you for contacting me to express your support for Senate Bill 111, which would require the state to offer public education programs designed to reduce boating accidents, and to establish a boat registration program.

I, too, support SB 111 and am sorry to have to report that the bill did not make significant progress through the system this session. We held hearings on the bill in the State Affairs Committee in early March, but it got stalled in the Senate Finance Committee where it will stay until next session. I have spoken to the bill sponsor, Senator Sturgulewski, and am assured that she will continue to work on the proposal during the legislative interim in an effort to address the outstanding concerns.

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Personally, I am appalled at the large number of boating accidents suffered in Alaska each year and feel strongly that a boating safety program is needed. I assure you SB 111 has my support, and I am hopeful that it will be favorably considered next session.

Sincerely,

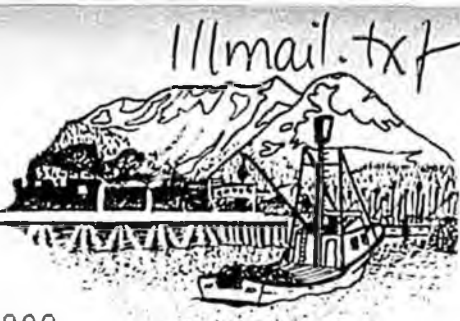
A handwritten signature in dark ink, appearing to read "Pat Pourchot".

Senator Pat Pourchot  
Chairman

# CITY OF CORDOVA

Harbor and Port

(907) 424-6400



April 19, 1989

Senator Pat Pourchot, Chairman  
Senate State Affairs Committee  
P.O. Box V  
Juneau, AK 99811

Dear Senator Pourchot,

As Harbormaster/Port Director for the City of Cordova, I am personally concerned about the tragic and needless loss of life of my neighbors and fellow Alaskans on our waters.

Senate Bill 111, as introduced by Senator Sturgulewski, is a bill that can effectively reduce the loss of life and property of Alaskans. Required safety equipment and boating safety education are essential if the State is to be successful in reducing the number of lives lost in boating accidents.

As a member of the Alaska Association of Harbormasters and Port Administrators, Inc., I have supported the efforts to obtain passage of a boating safety bill. I now ask you to support Senate Bill 111. This is a bill that Alaskans can be proud of. When the roll for passage is called please vote "Yea".

Sincerely,

A handwritten signature in cursive script that reads "Dale R. Muma".

Dale R. Muma  
Harbormaster/Port Director

cc: Senator Arliss Sturgulewski, Chairman  
Senator Rick Uehling, Co-Chairman  
Senator Ted Stevens  
Representative Bette Case

5-11-89

in Sen Fin - heard once  
→ subcom.

Sturg. continue to work  
on during interim. Concerns:  
- size of enforcement  
- staff + \$  
- rural