

ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672

5145 HTRA HB 78 - HB 94 7/7

b. When loaded with a non-reducible load and with proper lighting, the maximum dimensions may be:

- (1) 10 feet wide
- (2) 15 feet high
- (3) 75 feet long, including overhangs. The maximum overhang, front and/or rear, is 10 feet.

NOTE: Normally, when empty, stretch trailers must meet legal limitations. When loaded, the above dimensions apply.

2. Specialized hauling equipment:

a. Lowboys

- (1) Lowboy trailer may be a maximum of 10 feet wide without the use of outriggers.
- (2) When loaded with a non-reducible load and with proper lighting, the maximum dimensions may be:

- (a) 10 feet wide
- (b) 15 feet high
- (c) 75 feet long, including overhangs. The maximum overhang, front and/or rear, is 10 feet.

3. Multi-Move: Issued for a period of 30 days when numerous moves are involved for the same piece of equipment. The permit must be filled out in full leaving out date of move, origin, and destination. Each time the piece of equipment is moved, the user must call the issuing office for approval of the move.
4. Pre-Issue: A number of permits up to ten per applicant, issued in advance, for a specific type of load or move which is moved frequently (mobile homes, trusses, etc.). Permit usage must be made within a 30 day period and used for only one move. These permits are completed in their entirety but lack the date, time, origin, destination, and route of movement. This portion is completed by the applicant after verification of the move and approval from the issuing permit office.
5. Seasonal: A permit issued to government agencies and public utilities only, exceeding 30 days but not exceeding 12 months, for equipment used exclusively in the maintenance of highways and other public facilities.
6. Doubles: An authorization agreement is used to allow truck-tractor and trailers in a doubles configuration to the maximum length of 105 feet on the Glenn Highway from Anchorage to Palmer, the Parks Highway from Fairbanks to its junction with the Glenn Highway, and the Richardson Highway from Fairbanks to Delta Junction or other designated routes as determined by the Department of Transportation and Public Facilities, Department of Public Safety or the Department of Commerce and Economic Development. Loads must be of legal weight, width, and height.

Convoys: No more than two mobile homes being towed on their own axles or three self propelled off the road type vehicles shall be allowed per convoy, or a total combined vehicle length of 200 feet (including pilot

Revised 7. Permit

7. Convoys: Oversize vehicles or vehicles with loads may be authorized to move in convoy when there are no more than two vehicles with loads or three off the road type vehicles in a convoy and the overall length of the convoy, including pilot cars, does not exceed 200 feet. The maximum width of vehicles or vehicles with loads, in convoy, is 14 feet. Each permit application for convoy will be considered individually and, when justified, convoy permits may be issued when criteria for weather, road conditions, traffic, and safety are met. Convoys are not allowed in city areas.

Convoy permits shall be single trip permits only.

"Oversize" signs for each convoy shall clearly state the number of units in the convoy, with one pilot car required in front and one pilot car in the rear. The permit shall stipulate that a maximum distance of 1,000 feet between each convoyed unit is allowed during travel status and, if two convoys are involved, a distance of one mile must be maintained between the rear pilot car of the first convoy and the front pilot car of the rear convoy at all times.

The issuance of the permit stipulates that traffic behind a convoy shall not be allowed to build unreasonably. Where it is not feasible to pull off the roadway, convoys must come to a stop and flagpersons equipped with hand paddles and red flags are required to direct the traffic buildup. A violation of this restriction may result in voiding the permit and may be grounds for denial of future permits.

8. Equipment Engaged in Snow Removal: Special permits may be issued for equipment engaged in snow removal operations. Maximum widths allowed are 12'0" for graders and 10'0" for loaders and are to be issued on a seasonal basis. These permits will be marked: "Valid for Snow Removal Operations Only" and are not valid for general construction use.

Other conditions of the permit are that equipment operated during the hours of darkness or adverse weather conditions shall be equipped with stop lights, taillights, clearance lights, and reflectors mounted on extremities. In areas of high traffic volume, no movement is allowed from 7 to 8 a.m. and 4:30 to 6 p.m., Monday through Friday, unless an emergency or snow removal is in progress. Amber rotating or flashing beacons visible for a distance of 1,000 feet under normal conditions are required. "Oversize" signs and pilot cars shall be waived when engaged in a working status but are required when in a general travel status.

9. Exceptions: Exceptions are listed here for clarification:

- A. Bulk (dry) Cement - Vehicles must be legal in all dimensions and combined vehicle weight. A permit may be issued to allow for the shifting of the load as long as the legal gross weight is not exceeded. Applicant agrees to use all care in loading to maintain legal axle loadings. Permits may be issued for seasonal periods.
- B. Car Carriers - Maximum height 15 feet, 6 inches and overall length including overhangs not to exceed 85 feet. Car carriers may travel 24 hours a day, seven days a week, including holidays, on specific designated routes. Permits may be issued for extended periods.
- C. Cylindrical Hay Bales - Bales may be loaded side by side provided that the maximum width does not exceed 10 feet. The vehicle with load must be legal in all other respects. Movement is restricted to daylight hours only, and to the normal peak traffic restrictions. Permits may be issued for extended periods.

No permit needed Act 15 -
→ w/ out. number
Permit w/ out
→ Act 15 (2002)
165 in axle
max. weight
memo.

- D. Farm Equipment - Vehicles may move Saturday and Sundays from one field to another during harvest season or emergency situations only. Ordinarily, integral components of farm equipment need not be removed on movements within a 50 mile radius of the point of origin. No movement will be allowed in town during 7:00 a.m. to 8:00 a.m. and 4:30 p.m. to 6:00 p.m., Monday through Friday or past noon on Saturdays, all day Sunday or holidays. Each towing or self propelled vehicle must have its own individual permit.
- E. Construction Equipment - Ordinarily, removal and separate transport of appurtenances will not be required for a move within a 50 mile radius of point of origin if weight is not a detriment to the roadway and bridges involved in the route of travel. Generally, outside of the local boundary areas (defined as a 50 mile radius), appurtenances will require removal, however, equipment with appurtenances attached may move outside a local boundary area if weight is legal and width does not exceed 10 feet.
- F. Tanks - Loads may be stacked in a pyramid fashion as long as the dimensions do not exceed 15 feet high, 10 feet wide, and legal length. Weight must be legal. Permits may be issued for an extended period.
- G. Truck Mounted Cranes - In local areas, a front overhang of up to 15 feet may move during hours of darkness if a rotating or flashing beacon is mounted at the extreme end of the boom. Permits may be issued for an extended period.
- H. Trusses and/or Glu Lam Beams - Loads may be 15 feet high, may have a front and/or rear overhang of 15 feet and the truss or glu lam may not exceed 60 feet long.

MAR 23 1987

March 11, 1987


Representative Dave Donley
Chairman House Labor and Commerce Committee
Pouch V
Juneau, AK 99811

The Honorable Donley,
My name is Mike Bigge and I am a member of the North Pole Chapter of the Future Farmers of America. I am writing to you to ask you to support HB 78 which Representative Miller has introduced. This bill would allow us to move our equipment from our fields in Fairbanks to our fields in North Pole without having to get a permit. Obtaining a permit to move farm equipment is a very expensive and time consuming job. As a concerned member and also a person who has used the farm equipment on several occasions, I once again urge you to support HB 78.

Thank You for your valuable time.

Sincerely,

Mike Bigge


Mike Bigge

908 Clear Street
North Pole, AK
99705

MAR 23 1987

March 11, 1987

Representative Dave Donlev
House Labor & Commerce Committee
Pouch 7
Juneau, AK 99811

The Honorable Donlev:

I am writing to you about HB 78. I sincerely wish that you would take action and support this bill. I am in the ninth grade, and plan on being an FFA member. How are we ever going to succeed in the field of agriculture if everytime we move from one field to another we must get a permit. We are involed in several public service projects that require the use of our equipment and the cost of getting permits for each piece of equipment makes it very expensive. With the permits costing \$15 if we moved our 6 pieces of hay equipment to Creemers Field and back it would cost us \$180.

We are working on a field there and in North Pole by the High School and so we are moving the equipment many times during the summer. We would go broke before we would be able to succeed in the field of Agriculture. My dad is a hard working farmer also, and he could never afford to pay that much everytime he moves his equipment. I am asking you to please support HB 78.

Thank you very much for your time.

Sincerely,

John S. [unclear]
John S. [unclear]
1080 Chertok Road
North Pole, AK 99705

~~CONFIDENTIAL~~

MAR 23 1987

March 11, 1987

Chairman Dave Donley
House Labor & Commerce Committee
Pouch V
Juneau, AK. 99811

Dear Honorable Donleys:

I'm writing you about HB 79. We need to do more work on State Highways with our farming equipment. We are doing this with low costs. It costs too much for a certain amount of pieces of equipment from North Pole to Fairbanks to collect hay from Creamers Field and then back again. We need you to take action on, and pass HB 79.

Thank you for your time.

Sincerely,

Mark G. Dodson

Mark G. Dodson
5807 Black Road
North Pole, Ak. 99705

MAR 23 1987

March 11, 1987

Representative Dave Donley
House Labor & Commerce Comm.
P.O. Box 9
Juneau Ak 99811

The Honorable Donley:

I am writing to you regarding House Bill Number 5--Farm
Equipment of state highways. This is of interest to me
because I am a member of Future Farmers of America (FFA).
FFA is a service organization which does community work--the
up keep of North Pole Park and care of Creamers field, are a
few of the things we do. In some of our work we use farm
equipment, because we are a service organization we do not
have much money, and we cannot afford to pay a fee everytime
we wish to do a service that requires our equipment.

It is my feeling that you should not put a charge on farm
equipment using state highways. I feel that we should not
have to go to DOT/PF before we operate on the highway.

I have just recently learned how to operate a tractor and I
am eager to put my knowledge to use.

It would benefit not only us our fellow people in our state
state involved with agriculture. I would want to see you
passing House Bill 5.

Sincerely,
[Signature]

[Signature]

James Taylor
1005 1/2 St. S.
North Pole, Alaska

HOUSE COMMITTEE REPORT

(7)

Date referred: 1/28/87

FURTHER REFERRALS: Transportation

DATE: 4/14

The Labor & Commerce Committee has considered HB 78

"An Act relating to the operation of farm equipment on state highways."

RECOMMENDS:

- replace with CS HB 78 (L+C) the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

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

SIGNING DO PASS:

[Signature]

[Signature]

[Signature]

SIGNING OTHER RECOMMENDATIONS:

Walt Furnace NO REC

[Signature] NO REC

[Signature] NO REC

Chairman's signature

HOUSE COMMITTEE REPORT

(7)

Date referred: 4/15/87

FURTHER REFERRALS:

DATE: April 27, 1987

The Transportation Committee has considered HB 78

"An Act relating to the operation of farm equipment on state highways."

RECOMMENDS:

- replace with CSHB 78(L&C) the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published ^{House 4/15/87 DOT/I} _{House 4/15/87 DCED}
- zero with analysis

SIGNING DO PASS:

Jimmie Springs

W. W. Miller

Bill Hudson

Bette Cato

SIGNING OTHER RECOMMENDATIONS:

Bette Cato

Chairman's signature

HB

94

STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

May, 1988

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

Mary Van Nimwegen

House Transportation:

2/11/87

2/27/87

3/09/87

Alaska State Legislature

House of Representatives

Committee on Transportation



Rep. Bette Cato, Chairman

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4858

February 11, 1987

FOR TODAY'S MEETING YOU HAVE:

A FOLDER ON HB 31 THAT INCLUDES:

- * a copy of the Committee Substitute
- * a letter of support from the Dept. of Public Safety Chief of Driver Services
- * a current status report
- * a copy of the House Committee Report form signed by House State Affairs
- * a report on which includes
 - a copy of HB 31
 - a summary of HB 31
 - a sectional analysis
 - a fiscal note
 - a position paper from the Dept. of Public Safety
 - an excerpt from the Alaska Statutes
 - an excerpt from the regulations of the Dept. of Public Safety

A FOLDER ON HB 94 THAT INCLUDES:

- * a copy of HB 94
- * a current status report
- * a bill analysis from the Dept. of Health & Social Services Division of Public Health
- ~~* a fiscal note~~
- * a report prepared by the U.S. Coast Guard
- * background material from Rep. Taylor
 - a paper from House Research
 - a cost benefit analysis from the Coast Guard
 - a question/answer paper from the Coast

Alaska State Legislature

House of Representatives

Committee on Transportation



Rep. Bette Cato, Chairman

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4858

February 27, 1987

FOR TODAY'S MEETING YOU HAVE:

A FILE ON HB 74 THAT INCLUDES:

- * the committee substitute for HB 74
- * a copy of HB 74
- * a current status report on HB 74
- * the committee minutes from February 16th
- * a summary of HB 74 from Rep. Sund
- * a fiscal note from the Dept. of Public Safety
- * a position paper from the Dept. of Public Safety
- * a House Committee Report from State Affairs
- * an excerpt from the state statutes

A FILE ON HB 94 THAT INCLUDES:

- * a copy of HB 94
- * a current status report on HB 94
- * the committee minutes from February 11th
- * a bill analysis from the Dept of Health & Social Services
- * fatality statistics from the Coast Guard
- * a report on HB 94 from the Coast Guard
- * support information from House Research and the U. S. Coast Guard

A FILE ON HB 118 THAT INCLUDES:

- * a copy of HB 118
- * a current status report on 118
- * a memorandum from Rep. Shultz
- * a fiscal note from the Dept. of Natural Resources
- * a position paper from the Dept. of Natural Resources

Alaska State Legislature



House of Representatives

Committee on Transportation

Rep. Bette Cato, Chairman

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4858

March 9, 1987

FOR TODAY'S MEETING YOU HAVE:

A BINDER ON HB 94 THAT INCLUDES:

- * the second committee substitute for HB 94
- * the first committee substitute for HB 94
- * a copy of HB 94
- * a fiscal note from the Dept. of Public Safety
- * a position paper from the Dept. of Public Safety
- * committee minutes from other hearings on HB 94
- * a bill analysis from the Dept. of Health & Social Services
- * fatality statistics from the U. S. Coast Guard
- * U. S. Coast Guard report on HB 94
- * a memorandum on HB 94 from House Research
- * a cost analysis and a question/answer paper from the U. S. Coast Guard

A FOLDER ON HCR 13 THAT INCLUDES:

- * a copy of committee questions to DOT/PF
- * a copy of HCR 13
- * a fiscal note & position paper from DOT/PF
- * committee minutes from the other hearing on HCR 13
- * a fact sheet on the Bethel road
- * a map of the Bethel airport road
- * maps from DOT/PF
- * a letter from an engineering consultants firm
- * a fact sheet on the Red Dog Mine

5-0314L ✓
Hein.
2/27/87

Original sponsor: Taylor

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 94 ()

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

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

10 ARTICLE 1. NUMBERING AND REGISTRATION.

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

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

17 (A) under this chapter;

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

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

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

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

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

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

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

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

13 (1) under this chapter;

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

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

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

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

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

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

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

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

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

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

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

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

1 license fee for a boat.

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

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

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

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

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

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

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

3 (e) A certificate of number is invalidated if

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

6 (2) the boat is sold or destroyed;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 ARTICLE 2. BOATING ACCIDENTS.

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

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

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

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

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

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

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

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

9 (1) the death of a person;

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

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

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

16 (5) complete loss of the boat.

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

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

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

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

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

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

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

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

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

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

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

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

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

29 and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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ARTICLE 3. BOATING SAFETY.

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

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

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

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

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

Sec. 05.25.415. 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. The diver's flag may be displayed on a boat or surface float and must extend a

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

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

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

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

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

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

28 ARTICLE 4. GENERAL PROVISIONS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 * Sec. 3. This Act takes effect January 1, 1988.
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Hein ✓
3/6/87

Original sponsor: Taylor

1 IN THE HOUSE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR HOUSE BILL NO. 94 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

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

10 ARTICLE 1. NUMBERING AND REGISTRATION.

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

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

17 (A) under this chapter;

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

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

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

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

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

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

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

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

13 (1) under this chapter;

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

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

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

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

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

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

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

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

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

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

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

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

1 license fee for a boat.

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

12 (b) The department shall issue a set of validation stickers
13 bearing the year through which the certificate of number is issued.
14 The year shall be indicated by the colors blue, international orange,
15 green, and red, in rotation beginning with red for stickers that
16 expire in 1988. A validation sticker must be approximately three
17 inches square. The stickers shall be placed three inches to the rear
18 of the identifying number placed on the boat as required under AS 05.-
19 25.205.

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

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

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

28 (d) An application for renewal of a certificate of number shall
29 be made in the same manner as provided in AS 05.25.210. The

1 application shall be accompanied by the fee required under AS 05.25.-
2 220. The department shall renew certificates of number and issue
3 validation stickers in the same manner as provided in AS 05.25.225.

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

6 (1) the boat is subsequently documented or required to be
7 documented;

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

9 (3) the applicant supplies false information in the appli-
10 cation for the certificate;

11 (4) the fees for issuance or renewal of the certificate are
12 not paid;

13 (5) 60 days have passed since the boat ceased to be used
14 principally in the state; or

15 (6) the owner, through legal process, involuntarily loses
16 the ownership interest in the boat for which the certificate is is-
17 sued.

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

23 (1) the transfer of all or a part of the ownership interest
24 in the boat;

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

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

27 (4) an event described in AS 05.25.230(e).

28 (b) Within 15 days after a change of address, the owner of a
29 boat for which a certificate of number has been awarded under this

1 chapter shall report the change to the department.

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

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

6 (2) a foreign boat operated only temporarily in state
7 water;

8 (3) a boat, other than a recreational type public boat,
9 owned and operated by the United States or an entity or political
10 subdivision of the United States, or owned and operated for government
11 purposes by a state or an entity or political subdivision of a state;

12 (4) a ship's lifeboat;

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

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

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

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

23 ARTICLE 2. BOATING ACCIDENTS.

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

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

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

3 (1) give to the other operator, to the owner or a surviving
4 occupant of the other boat or damaged property, or to another appro-
5 priate person, the name, address, and identifying number of the boat
6 that the operator is operating, and the name and address of any other
7 occupants of the boat; and

8 (2) render reasonable assistance to every person injured in
9 the accident, including the conveying or the making of arrangements
10 for the conveying of the person to a physician, surgeon, or hospital
11 for medical or surgical treatment, if it is apparent that treatment is
12 necessary or if conveyance is requested by an injured person.

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

15 Sec. 05.25.305. ACCIDENT REPORT REQUIRED. (a) The operator of
16 a boat involved in an accident shall submit a report of the accident
17 to the department in the form and manner the department prescribes if
18 the accident results in

19 (1) the death of a person;

20 (2) injury to a person requiring medical treatment beyond
21 first aid;

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

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

26 (5) complete loss of the boat.

27 (b) The department may require a person who submits an insuffi-
28 cient report under this section to file a supplemental report, and may
29 require a witness to the accident to submit a report to the

1 department.

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

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

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

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

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

13 Sec. 05.25.310. FORM OF REPORT; SENDING DEATH CERTIFICATE TO
14 DEPARTMENT. (a) The department shall prepare and make available to
15 the public forms for accident reports required under AS 05.25.305.
16 The report form must call for the information required in casualty and
17 accident reports under United States Coast Guard regulations and other
18 information the department may require. The form must provide that
19 the person who completes the form shall sign and date it upon com-
20 pletion.

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

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

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

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

7 (2) the names of companies insuring the owner or operator;
8 and

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

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

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

20 (e) In response to a request from an authorized official or
21 agency of the United States, or in compliance with United States Coast
22 Guard regulations or any requirement under 46 U.S.C. 6101 - 6103, the
23 department shall transmit information compiled or otherwise available
24 to the department from the accident reports required under AS 05.-
25 25.305.

26 Sec. 05.25.320. NOTICE OF ACCIDENT RESULTING IN DEATH OR DISAP-
27 PEARANCE; DUTIES OF PASSENGERS. (a) When, as a result of an occur-
28 rence that involves a boat or its equipment, a person dies or disap-
29 pears from a boat, the operator shall, without delay, by the quickest

1 means available, notify the department of the

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

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

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

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

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

19 (2) foreign boats operated temporarily in state water only
20 for nonrecreational purposes;

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

23 (4) a ship's lifeboat.

24 ARTICLE 3. BOATING SAFETY.

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

28 Sec. 05.25.405. SAFETY EQUIPMENT. (a) A boat operated on
29 nonnavigable water shall carry and exhibit between sunset and sunrise

1 at least one white light to show all around the horizon.

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

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

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

27 (b) A boat operator within sight of a diver's flag shall proceed
28 with caution, steering clear of the flag by a distance of at least 100
29 feet. If, because of the location of the diver's flag, it is

1 impossible to steer clear of the flag by at least 100 feet, then the
2 boat operator shall proceed at no-wake speeds or five miles per hour,
3 whichever is necessary to maintain steerage in the seaway.

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

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

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

15 ARTICLE 4. GENERAL PROVISIONS.

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

22 Sec. 05.25.910. EXEMPTIONS. Except when inconsistent with
23 federal laws and regulations, the commissioner may exempt from a
24 provision of this chapter a class of boats if the commissioner deter-
25 mines that the safety of persons and property will not be materially
26 promoted by the applicability of the provision to the class of boats.
27 The commissioner may not exempt a class of boats from the numbering
28 requirements of this chapter unless the commissioner determines that
29 the numbering will not materially aid in their identification and

1 unless the United States Secretary of Transportation has exempted from
2 numbering the same boats or class of boats.

3 Sec. 05.25.920. ENFORCEMENT. A peace officer may enforce this
4 chapter and in the exercise of enforcement may stop and board boats
5 that the officer reasonably believes are or may be subject to this
6 chapter.

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

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

13 Sec. 05.25.990. DEFINITIONS. In this chapter, unless the con-
14 text requires otherwise,

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

18 (2) "commissioner" means the commissioner of the Department
19 of Public Safety;

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

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

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

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

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

4 (8) "nonnavigable water" means lakes, rivers, and other
5 waterways in the state that are not classified under federal law or
6 regulation as navigable water of the United States and to which
7 33 U.S.C. 1601-1608 do not apply;

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

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

14 (11) "ownership" means a property interest other than a
15 security interest;

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

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

21 (14) "state water" means water within the territorial limits
22 of the state.

23 * Sec. 2. AS 05.25.010, 05.25.012, 05.25.020, 05.25.030, 05.25.040,
24 05.25.050, 05.25.060, 05.25.070, 05.25.080, 05.25.090, and 05.25.100 are
25 repealed.

26 * Sec. 3. This Act takes effect January 1, 1988.
27
28
29



STATE OF ALASKA
OFFICE OF THE GOVERNOR
BILL ANALYSIS

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

SUMMARY

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

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

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

ANALYSIS OF BILL/PROGRAM EFFECTS

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

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

AMENDMENTS PROPOSED

N/A

HOUSE TRANSPORTATION COMMITTEE

HB 94

SAFE BOATING BILL.

CDR G. M. HARBEN, USCG

CDR D. M. WALDRON, USCG

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

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

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

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

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

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

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

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

The most effective and proven means for dealing with this problem

would be to legislate a comprehensive state boating safety program.

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

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

Why an education program?

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

How would public protection be handled with the new law?

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

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

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

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

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

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

What advantages are there to numbering boats?

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

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

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

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

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

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

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

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

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

COAST GUARD ASSISTANCE

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

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

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

ADVANTAGES TO STATE IN ESTABLISHING A BOATING SAFETY PROGRAM

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

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

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

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



U.S. Department of Transportation

United States Coast Guard



Does Alaska need a safe boating law?

CCGD 17 (b) 13 NOV 8

One dead, one lost as skiff overturns

Kodiak Man Lost Overboard

Fishing boat still missing

1 dead, 1 missing in skiff accident

Two Lost In Boat Accident

At Ketchikan Boater Drowns

Search goes on for missing skipper

Coast Guard searches for Sitka seiner Camel

2 teen-agers missing after raft trip

Two lost at sea near Cape St. Elias

Fishing vessel sinks; crew missing

Boat sinks

Search on for family in dinghy

Seward man drowns in Resurrection Bay

Search goes on for missing skipper

Coast Guard searches for Sitka seiner Camel

Search for boy suspended

Search for family in dinghy

Search on for missing skipper

Coast Guard searches for Sitka seiner Camel

Search goes on for missing skipper

Coast Guard searches for Sitka seiner Camel

Search goes on for missing skipper

Coast Guard searches for Sitka seiner Camel

Search goes on for missing skipper

Coast Guard searches for Sitka seiner Camel

Search goes on for missing skipper

ated on the west side of Uyak Bay, abo village, troopers said. Volunteers, organized by village Praga, ground and shore searche of Public Se... ay with no... skills down. That to may have made it... by the crew." Scott Currie wh... go out on the...

The Associated Press -- JUNEAU -- The U.S. Coast Guard and Alaska State... suspended their... 17-year-... Officer Glenn Rosenhol the Coast Guard office... Tackett, of Hill... had been in Alaska ab week Wednesday whe... 14-foot skiff...

On August 13, the Coast Guard suspended the sr for John Sparks, 49, of Kodiak, who fell overboard the 36-foot seiner Shadrack somewhere near Wh... The skipper of the Shadrack reported the man... the afternoon of August 12. He was last seen on deca headed for Ouzinkie. According to Coast esman Mark Farmer, Sparks could not swim.

Thoroughly... The side is dry, turn it insid... to dry again, this will pre... mildew and odor... with you... tional flotation may... impossible to dive down... get out of a flooded compa... If caught in this situ... out of the suit, swi... the space and hudd... others or climb on top...

Seas were... riday in it... e Coast... led a fi... a ser...

holm said there was... not about that... might be four, it might be... Rosenholm said. "They're... having a tough time figuring out... who was aboard..."

Two... normar II were... as Alex Halsworth and... kidgely, said Coast Guard... Rosenholm in... in Resurrection Bay... Though ear... dicated there were four... members aboard the 82-foot...

The Associated Press JUNEAU -- The U.S. (Guard Friday said it has... pended the search for the... of five people aboard a... boat that ran aground a... 100 miles southwest of... reau. Two men died in the...

ANCHORAGE (AP) -- A 21-year-old... an drowned... Ivanoff Bay... and Point, the... eported. The man was identified as... Kalmakoff of Ivanoff Bay, troopers... aid His companion in the boat, 23-year-old Alexander Calugan, managed to swim to shore. People aboard another boat pulled Kalmakoff from the water and per...

The five-day search involved a... Civil Air Patrol volunteers from J... The area from Lituya Bay near Cape F... of Prince of Whales Island, and up to... "The weather was excellent during the entire search. There were... no sightings whatsoever of anything," said Farmer... "The maritime Safety Agen... today," Lance...

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ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

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

January 27, 1987

MEMORANDUM

TO: Representative Robin Taylor

ATTN: Elsa Froehlich Demeksa

FROM: Mary Jennings *mg*
Legislative Analyst

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

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

Background

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

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

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

Representative Taylor
January 27, 1987
Page 2

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

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

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

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

Washington

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

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

Representative Taylor
January 27, 1987
Page 3

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

Oregon

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

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

Texas

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

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

Representative Taylor
January 27, 1987
Page 4

California

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

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

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

MJ

Attachment

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



Commanding Officer
Marine Safety Office

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

16750
9 Jan 87

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

Dear Representative Taylor:

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

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

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

Sincerely,

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

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

COST/BENEFIT ANALYSIS
BOAT REGISTRATION, STATE OF ALASKA

Background:

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

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

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

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

Operating Costs

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

Startup Costs

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

Total first year expenses \$130K.

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

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

Second year

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

Third year

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

Fourth year

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

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

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

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

SAFE BOATING BILL

Questions and Answers

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

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

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

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

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

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

Q. How can you legislate safety on boats?

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

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

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

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

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

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

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

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

FY 1986
\$27992250.00

FEDERAL GRANTS FOR
STATE BOATING SAFETY FY 86

state	total authorized	percentage of total	boats registered	percentage of boats	amount for boats	state funds expended	percentage of expended	amount for expended	equal amounts	st
1 AL	\$660020.97	2.36%	229890	2.44%	\$227265.89	\$2126989.00	2.79%	\$259963.61	\$172791.67	
4 AZ	\$387272.55	1.38%	112047	1.19%	\$110768.02	\$848566.00	1.11%	\$103712.86	\$172791.67	
5 AR	\$536281.27	1.92%	309831	3.28%	\$306294.39	\$467964.25	0.61%	\$57195.21	\$172791.67	
6 CA	\$1682130.42	6.01%	619087	6.56%	\$612020.34	\$7341750.00	9.62%	\$897318.41	\$172791.67	
8 CO	\$271690.89	0.97%	66016	0.70%	\$65262.45	\$275212.00	0.36%	\$33636.78	\$172791.67	
9 CT	\$350394.07	1.25%	72591	0.77%	\$71762.40	\$865970.00	1.13%	\$105840.00	\$172791.67	
10 DE	\$272876.86	0.97%	37402	0.40%	\$36975.07	\$516359.33	0.68%	\$63110.12	\$172791.67	
11 DC	\$284248.60	1.02%	3391	0.04%	\$3352.29	\$884499.00	1.16%	\$108104.64	\$172791.67	
12 FL	\$1439786.27	5.14%	517365	5.48%	\$511459.46	\$6181696.52	8.10%	\$755535.14	\$172791.67	
13 GA	\$607124.94	2.17%	225812	2.39%	\$223234.44	\$1727185.00	2.26%	\$211098.84	\$172791.67	
15 HI	\$321355.30	1.15%	13112	0.14%	\$12962.33	\$1109064.25	1.45%	\$135551.30	\$172791.67	
16 ID	\$297785.24	1.06%	67471	0.71%	\$66700.84	\$476944.00	0.62%	\$58292.73	\$172791.67	
17 IL	\$510415.30	1.82%	275470	2.92%	\$272325.61	\$534260.51	0.70%	\$65298.03	\$172791.67	
18 IN	\$443259.69	1.58%	173006	1.83%	\$171031.20	\$813530.00	1.07%	\$99436.53	\$172791.67	
19 IA	\$484735.79	1.73%	175470	1.85%	\$173467.07	\$1133002.39	1.48%	\$139477.05	\$172791.67	
20 KS	\$280495.71	1.00%	83305	0.88%	\$62354.10	\$207410.11	0.27%	\$25349.94	\$172791.67	
21 KY	\$474225.22	1.69%	114546	1.21%	\$113238.50	\$1539789.05	2.02%	\$168195.06	\$172791.67	
22 LA	\$648080.05	2.32%	312119	3.31%	\$306556.27	\$1364131.86	1.79%	\$166732.11	\$172791.67	
23 ME	\$339453.59	1.11%	117842	1.25%	\$116496.89	\$164989.00	0.22%	\$20165.35	\$172791.67	
24 MD	\$1358420.31	4.65%	142795	1.51%	\$141165.05	\$8545674.00	11.19%	\$1244463.63	\$172791.67	
25 MA	\$558219.87	1.99%	184140	1.95%	\$182038.11	\$1664113.00	2.19%	\$203390.10	\$172791.67	
26 MI	\$1215350.24	4.34%	665540	7.05%	\$657943.10	\$3146877.00	4.12%	\$384615.48	\$172791.67	
27 MN	\$1069184.96	3.82%	629291	6.67%	\$622107.87	\$2244170.00	2.94%	\$274285.43	\$172791.67	
28 MS	\$425481.03	1.52%	122237	1.30%	\$120841.71	\$1080397.83	1.42%	\$132047.65	\$172791.67	
29 MO	\$694537.58	2.50%	328440	3.48%	\$324690.97	\$1645007.00	2.15%	\$251054.94	\$172791.67	
30 MT	\$234935.52	0.84%	34395	0.36%	\$34002.39	\$230250.00	0.30%	\$28141.46	\$172791.67	
31 NE	\$232723.61	0.83%	54913	0.58%	\$54286.19	\$46192.89	0.06%	\$5645.76	\$172791.67	
32 NV	\$262346.78	0.94%	31288	0.33%	\$30930.86	\$479656.49	0.43%	\$58624.25	\$172791.67	
33 NH	\$229804.24	0.82%	0	0.00%	\$0.00	\$466469.96	0.61%	\$57012.58	\$172791.67	
34 NJ	\$703745.56	2.51%	140884	1.49%	\$139275.86	\$3204662.00	4.20%	\$391678.04	\$172791.67	
35 NM	\$233612.00	0.83%	34114	0.36%	\$33724.60	\$221694.00	0.29%	\$27095.73	\$172791.67	
36 NY	\$947557.07	3.39%	331742	3.51%	\$327955.28	\$3655746.00	4.79%	\$446815.12	\$172791.67	
37 NC	\$477882.78	1.71%	202908	2.15%	\$200591.88	\$855000.00	1.12%	\$104499.23	\$172791.67	
38 ND	\$210357.37	0.75%	33723	0.36%	\$33338.06	\$34590.00	0.05%	\$4227.64	\$172791.67	
39 OH	\$1013734.56	3.62%	338184	3.58%	\$334323.75	\$4145096.13	5.43%	\$506619.14	\$172791.67	
40 OK	\$545640.47	1.95%	193022	2.05%	\$190818.72	\$1489348.00	1.95%	\$182030.09	\$172791.67	
41 OR	\$436772.76	1.56%	140003	1.48%	\$138404.92	\$1027449.00	1.35%	\$125576.18	\$172791.67	
42 PA	\$726693.31	2.60%	217293	2.30%	\$214812.68	\$2774384.61	3.63%	\$339088.96	\$172791.67	
44 RI	\$211159.29	0.75%	31231	0.33%	\$30874.51	\$61307.76	0.08%	\$7493.12	\$172791.67	
45 SC	\$598602.20	2.14%	221339	2.35%	\$218812.49	\$1693632.72	2.22%	\$206998.04	\$172791.67	
46 SD	\$215001.93	0.77%	33091	0.35%	\$32713.28	\$77703.17	0.10%	\$9496.99	\$172791.67	
47 TN	\$667556.32	1.67%	196446	2.08%	\$194203.64	\$822778.00	1.08%	\$100561.02	\$172791.67	
48 TX	\$1305017.00	4.66%	599591	6.35%	\$592746.88	\$4413947.00	5.78%	\$539478.45	\$172791.67	
49 UT	\$286849.57	1.02%	51781	0.55%	\$51189.94	\$514378.00	0.67%	\$62867.96	\$172791.67	
50 VT	\$217440.48	0.78%	29774	0.32%	\$29434.14	\$124550.03	0.16%	\$15222.67	\$172791.67	
51 VA	\$417509.76	1.49%	148999	1.58%	\$147298.23	\$797077.48	1.04%	\$97419.87	\$172791.67	
53 WA	\$472885.41	1.69%	253980	2.69%	\$251090.91	\$401017.09	0.53%	\$49012.84	\$172791.67	
54 WV	\$226136.76	0.81%	38742	0.41%	\$38299.77	\$123099.00	0.16%	\$15045.32	\$172791.67	
55 WI	\$779879.92	2.79%	436221	4.62%	\$431241.69	\$1438747.00	1.89%	\$175845.56	\$172791.67	
56 WY	\$203470.90	0.73%	19831	0.21%	\$19604.64	\$90611.00	0.12%	\$1074.60	\$172791.67	
59 AZ	\$172868.78	0.62%	78	0.00%	\$77.11	\$0.00	0.00%	\$0.00	\$172791.67	
72 PR	\$215220.98	0.77%	23083	0.24%	\$22819.52	\$160445.00	0.21%	\$19609.00	\$172791.67	
75 PT	\$177979.50	0.62%	190	0.00%	\$187.63	\$0.00	0.00%	\$0.00	\$172791.67	
78 VI	\$184881.47	0.67%	3425	0.04%	\$3385.90	\$87578.00	0.11%	\$10703.90	\$172791.67	

\$27992250.00

9438487

\$9330750.00

\$76343060.40

\$9330750.00

\$7332700.00

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

US Department
of Transportation

United States
Coast Guard



Commander
Seventeenth Coast Guard District

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

16750
12 February 1987

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

Dear Representative Cato:

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

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

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

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

Sincerely,

A handwritten signature in cursive script, appearing to read "G. M. Harben".

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

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

STATE OF ALASKA 1987 LEGISLATIVE SESSION

FISCAL NOTE

DRAFT

Bill Version: C5HB 94 (TRSP)

Publish Date: _____

REQUEST

Revision Date: _____

Title: An Act relating to boat numbering...

Sponsor: Rep. Taylor

Requestor: House Transportation

Agency Affected: Public Safety

BRU: DPS Administration

Components: Boating & Water Safety

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

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

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

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

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

Approved by Commissioner: [Signature]
 Agency: Public Safety

Date: 3/9/87

Distribution (by preparer):

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

JML
3/9/87

CONTINUATION OF FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSHB 94 (TRSP)

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

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

I. Restricted

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

II. Unrestricted Revenues (see chart pg. 3)

CONTINUATION OF FISCAL NOTE ANALYSIS
For Bill/Resolution No. CSHB 94 (TRSP)

Revenue estimates:

II. Unrestricted

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

Notes:

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

REQUEST FOR
NEW POSITION

Agency Public Safety
BRU DPS Administration
Component Boating and Watercraft Safety

Page 5 of 13
Revised Date

FY 88

Position Title	Staff Months	Time Status	Justification
Data Processing Clerk II	12.0	PFT	These positions will be responsible for the accepting and processing data on boating and watercraft material, i.e. registration and accident data. These positions will also be responsible for maintenance of data.
No. of Positions	2	Location	Support costs include minimal contractual and supply costs.
Range/Step	9A	Election District	
Barg. Unit	GU		
Type of Expenditure			
1		Amount	
Salary	41.5	//////	
Benefits	13.5	//////	
Premium Pay		//////	
Other		//////	
Other Personal Services	55.0	//////	
Travel			
Contractual	6.0		
Commodities	2.0		
Equipment			
Other			
Total Cost			
63.0			
//////			
Funding Source for Total Cost			
Federal Receipts	1002	31.1	
G.F. Match	1003		
General Fund	1004	31.9	
I-A Receipts	1006		
CIP Receipts	1061		
Other			

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		<p>These positions will be responsible for the seasonal enforcement of the statutes modified by HB 94. These positions will verify compliance with registration requirements; participate in safety and educational programs; followup on boating accident reports, investigating accidents as necessary; inspect boats for required safety equipment and navigation lights; verify compliance with ski observer requirements; patrol marine events; investigate reports of reckless or negligent vessel operation; and, cite suspected violators.</p> <p>Approximately 10 hours of overtime for each month of position funding will be required.</p> <p>Support costs include travel funds necessary to aid investigations, etc. Contractual costs include funds for 5 HWC pickup expenses. Commodities include funding for uniforms, fuel for trucks and patrol vessels, and food essentials. Costs include purchase of 5 18-21' Boston Whaler type boats to be used by Compliance Officers (one-time expense).</p>			
1	2	3					
Salary	28.2	////////////////////////////////////					
Benefits	10.5	////////////////////////////////////					
Premium Pay	4.0	////////////////////////////////////					
Other		////////////////////////////////////					
Other Personal Services	////////////////////////////////////	42.7					
Travel		4.0					
Contractual		10.3					
Commodities		7.0					
Equipment		25.0					
Other							
Total Cost		89.0					
////////////////////////////////////							
Funding Source for Total Cost							
Federal Receipts	1002	43.9					
G.F. Match	1003						
General Fund	1004	45.1					
I-A Receipts	1006						
CIP Receipts	1061						
Other							
////////////////////////////////////							

REQUEST FOR
NEW POSITION

Agency Public Safety
 BRU DPS Administration
 Component Boating & Watercraft Safety

Page 8 of 13
 Revised Date

FY 88

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

REQUEST FOR
NEW POSITION

Agency Public Safety
BRU DPS Administration
Component Boating and Watercraft Safety

Page 10 of 13
Revised Date

FY 88

Position Title Education Specialist I		No. of Positions 1	Range/Step 19A	Barg. Unit GCU
Time Status PFT	Staff Months 12.0	Location Juneau		Election District 4
Justification				
Type of Expenditure		Amount		
1	2	3		
Salary	40.0	////////////////////		
Benefits	13.0	////////////////////		
Premium Pay		////////////////////		
Other		////////////////////		
Other Personal Services	////////////////////	53.0		
Travel		15.0		
Contractual		15.0		
Commodities		3.0		
Equipment		1.0		
Other				
Total Cost		87.0		
Funding Source for Total Cost				
Federal Receipts	1002	42.9		
G.F. Match	1003			
General Fund	1004	44.1		
I-A Receipts	1006			
CIP Receipts	1061			
Other				
////////////////////////////////////				

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. This position would be responsible for traveling to many of the cities throughout the state in order to put on training classes each year.

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

REQUEST FOR
NEW POSITION

Agency Public Safety
BRU DPS Administration
Component Boating and Watercraft Safety

Page 11 of 13
Revised Date

FY 88

Position Title Accounting Clerk III		No. of Positions 1	Range/Step 9A	Barg. Unit GGU
Time Status PPT	Staff Months 6.0	Location Juneau		Election District 4
Type of Expenditure		Amount		
1	2	3		
Salary	10.4	////////////////////		
Benefits	3.4	////////////////////		
Premium Pay		////////////////////		
Other		////////////////////		
Other Personal Services	////////////////////	13.8		
Travel				
Contractual		1.0		
Commodities		2.0		
Equipment		1.0		
Other				
Total Cost		17.8		
////////////////////				
Funding Source for Total Cost				
Federal Receipts	1002	8.7		
G.F. Match	1003			
General Fund	1004	9.1		
I-A Receipts	1006			
CIP Receipts	1061			
Other				
////////////////////				
////////////////////				
////////////////////				
////////////////////				
////////////////////				
////////////////////				

Justification

This part-time position will perform all accounting duties for the division, including the three field offices. Duties will include vendor payments, research and communications, document filing, petty cash, reconciliation of statements, travel payments, record keeping and reports required for adequate administrative controls.

REQUEST FOR
NEW POSITION

Agency Department of Public Safety
 BRU DPS Administration
 Component Boating and Watercraft Safety

Page 12 of 13
 Revised Date

FY 88

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

REQUEST FOR
NEW POSITION

Agency Department of Public Safety
 BRU DPS Administration
 Component Boating and Watercraft Safety

Page 13 of 13
 Revised Date

FY 88

BILL NO: HB 94

DATE: February 27, 1987

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

CONTACT: James D. Vaden

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

This bill would require the Department of Public Safety to:

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

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

Federal funding is available until April 1, 1990. These funds are distributed to the states using the following criteria:

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

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

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

1. There are sufficient state matching funds available from general revenues, vessel numbering and licensing fees, state marine fund tax, or from a fund established from those funds to finance a state recreational boating safety program.
2. An approved vessel numbering system.
3. Cooperative boating assistance program between the U.S. Coast Guard and the state to include:

(Continued on page 2)

DEPARTMENT OF
PUBLIC SAFETY

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

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

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

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

(Continued on page 3)

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

The following amendments are proposed:

AS 05.25.200(a)(2). It is not feasible to keep the Certificate of Number on a boat unless it is produced in such a manner that it would be protected from the elements.

AS 05.25.220. Should be rewritten to include a fee to be paid by a dealer which would include a certificate to be displayed, if requested, when demonstrating a boat. Fees under this section should be established by regulation.

AS 05.25.225. Fees should be set by regulation.

AS 05.25.225 (c). Amended to read: "The registration fees in this section are in addition to any other tax or license fee."

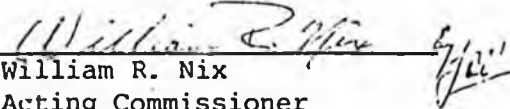
AS 05.25.230 (b). Amended to read: "The Department shall design and issue a set of validation stickers bearing the year through which the Certificate of Number is issued. The validation sticker must be three inches square and shall be placed three inches to the rear of the identifying number, when placed on the boat as required by AS 05.25.205."

AS 05.25.235. Amended to read: "The Department of Public Safety shall develop procedures for a staggered registration system."

AS 05.25.245. Seems awkward. Perhaps this could be entitled "Exceptions." AS 05.25.200, etc., do not apply.

Article 2. Sections 05.25.300, 305, 310, 315, 320 need to be rewritten. Should start with duties to others, immediately report, exchange information, file written reports, etc.; something to keep it in chronological order.

Section 05.25.330. Addresses owners civil liability. We are not accustomed to seeing this type of information in bills of this nature. Normally we address the owner's financial liability.


William R. Nix
Acting Commissioner
Department of Public Safety

STATE OF ALASKA

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

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

March 9, 1987

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

Dear Representative Taylor:

We have the following suggestions for CSHB94.

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

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

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

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

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

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

March 9, 1987

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

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

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

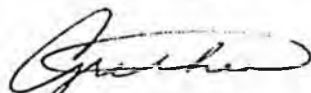
Our Fish and Wildlife Protection Troopers are attempting to protect the resources. That is their primary responsibility. There is a conflict when you think these officers can patrol effectively for both. In most cases, sport fishing enforcement will suffer the most by our present budget reductions. There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

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

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

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

Sincerely,



Gretchen A. Derr
Special Assistant